



Public Works
Planning & Development Services Division
<http://www.utah.gov/pmn/index.html>

Millcreek Township Planning Commission

Public Meeting Agenda

REVISED August 3, 2012

Wednesday, August 15, 2012

4:00 P.M.

THE MEETING WILL BE HELD IN THE COUNTY COUNCIL CHAMBERS
COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, ROOM N1100*

**NOTE: If necessary, this meeting will move to the Planning and Development Services Conference Room (N3500, north building, 3rd floor, northwest corner) at approximately 6:45 p.m. to accommodate another group scheduled in the Council Chambers at 7:00 p.m.*

ANY QUESTIONS, CALL 468-2000

REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 468-2120 OR 468-2351: TDD 468-3600.

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken by the Planning Commission on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

PUBLIC HEARINGS MEETING

Conditional Uses

27703 – Nick Mingo, on behalf of Hamlet Development Corporation, is requesting approval of a Conditional Use Permit for a Temporary Model Home and Sales Office within the proposed Kenmure Subdivision. **Location:** 4454 S. Gordon Lane. **Zone:** R-2-10 (Residential, Two-family, 10,000 sq. ft. min. lot size). **Community Council:** Millcreek. **Planner:** Todd Draper

27906 – **CONTINUED FROM JULY 11, 2012** - Christopher F. Webb on behalf of Elizabeth Academy is requesting approval of a Conditional Use Permit for a Private School. The applicant is proposing to re-develop the subject property, including redesigning the site and building a new Private School. **Location:** 2870 S. Connor Street. **Zone:** R-1-6 (Residential Single-family, 6,000 sq. ft. min. lot size). **Community Council:** Canyon Rim. **Planner:** Spencer G. Sanders.

27908 – Justin Hadley of Powder River Development on behalf of AT&T is requesting approval of a Conditional Use Permit for a Wireless Telecommunication Facility to replace an existing 40-foot monopole with a new 60-foot monopole at the existing site. The change will accommodate co-location of AT&T and T-Mobile facilities on the new pole. **Location:** 3900 E. Interstate 80. **Zone:** FR-5 (Forestry & Recreation 5 acres min. lot size). **Community Council:** Mt. Olympus. **Planner:** Travis Van Ekelenburg

PUD's

27912 – Rochelle Land, LC is requesting approval of amendments to the conditions of approval for the Millcreek Gardens Planned Unit Development (PUD) Subdivision. Primarily they wish to amend the front yard setback for Lot A, from 30 feet to 18 feet in order to maintain consistency with the previously approved setbacks for lots 1-6 in the PUD. **Location:** 4563 South 785 East. **Zone:** R-1-10. **Community Council:** Millcreek. **Planner:** Todd A. Draper.

Subdivision & 608 Plat Amendment

27927 – Steve Brozo of Design Workshop, on behalf of Glennbrook Road Partners, is requesting the following:

1. 27927 Approval of a Preliminary Plat for a one-lot subdivision to combine the three (3) subject lots into one lot; and
2. A recommendation to the County Mayo's Office regarding 608 Approval, as required by State Law *17-27a-608 Vacating or amending a subdivision plat*, to amend Lot 724 Mount Olympus Acres No. 7 and Lots 335 & 336 Mount Olympus Park Sub #3, into one lot as proposed;

Location: 3877 E Adonis Dr. and 4114 and 4132 S. Gary Rd. **Community Council:** Not subject to Community Council Review. **Planner:** Travis Van Ekelenburg.

Exception to Roadway Standards

27928 – Steve Brozo of Design Workshop, on behalf of Glenbrook Road Partners, is requesting approval of an Exception from the requirement to install curb, gutter and sidewalk for the proposed subdivision plat amendment 27927 noted above. **Location:** 3877 E. Adonis Dr. and 4114 and 4132 S. Gary Rd. **Community Council:** Not subject to Community Council Review. **Planner:** Travis Van Ekelenburg.

General Plan Amendments

27953 – Planning and Development Services is seeking approval and adoption of an Economic Development Best Practice for inclusion into Salt Lake County General Plans. The Best Practice would be applicable to all unincorporated areas of Salt Lake County. **Community Council:** All Community Councils within Unincorporated Salt Lake County **Planner:** Max R. Johnson

Adjourn to Business Meeting

BUSINESS MEETING

The Business Meeting will begin immediately following the Public Hearings Meeting N3500, Planning & Development Services Conference Room 3rd floor of same building

Previous Meeting Minutes Review and Approval

- 1) May 16, 2012
- 2) July 11, 2012

Status Updates

- 3) Posting old unapproved minutes to the County web site.
- 4) Status of Applications with Previous Planning Commission Action (Summary Report)

Other Business Items

- 5) (AS NEEDED)

ADJOURN

Rules of Conduct for the Planning Commission Meeting

- First: Applications will be introduced by a Staff Member.
- Second: The applicant will be allowed up to 15 minutes to make their presentation.
- Third: The Community Council representative can present their comments.
- Fourth: Persons in favor of, or not opposed to, the application will be invited to speak.
- Fifth: Persons opposed to the application will be invited to speak.
- Sixth: The applicant will be allowed 5 minutes to provide concluding statements.

- Speakers will be called to the podium by the Chairman.
- Because the meeting minutes are recorded it is important for each speaker to state their name and address prior to making any comments.
- All comments should be directed to the Planning Commissioners, not to the Staff or to members of the audience.
- For items where there are several people wishing to speak, the Chairman may impose a time limit, usually 2 minutes per person, or 5 minutes for a group spokesperson.
- After the hearing is closed, the discussion will be limited to the Planning Commission and the Staff.



Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012



Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012

27703

Conditional Use – Temporary Model

Home/Sales Office in Kenmure Subdivision

Applicant: Nick Mingo for Hamlet Development

Planner: Todd Draper



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, August 15, 2012	04:00 PM	File No:	2	7	7	0	3	
Applicant Name:	Nick Mingo	Request:	Conditional Use						
Description:	Temporary Model Home and Sales Office								
Location:	4454 South Gordon Lane								
Zone:	R-2-10 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	Todd A. Draper								

1.0 BACKGROUND

1.1 Summary

The applicant wishes to utilize a single unit within the proposed Kenmure Subdivision for a sales office and model home for the development. As Temporary uses require Planning Commission approval this request is being processed as a conditional use.

1.2 Neighborhood Response

None has been received as of the writing of this report

1.4 Community Council Response

The Millcreek Community Council meets on August 7. It is anticipated that they will review this request at that 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: As the unit will be constructed as one of two units in the dwelling structure, the unit will meet all ordinances pertaining to the above prior to issuance of an occupancy permit.
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: No substantial changes will occur from the previously reviewed and approved site plans for this unit.
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 allowance of this temporary use within the unit will not change the site development plan. Although there will be vehicular traffic visiting this location for commercial purposes, the amount would not be considerably out of character in comparison to the eventual residential use of the property.
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: Issues regarding fire safety and environmental health will be dealt with at the time of the business license. All other issues will be addressed through completion of the subdivision and development process currently underway.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not significantly impact the quality of life of residents in the vicinity.</i>
		Discussion: No significant impacts are anticipated.

2.2 Zoning Requirements

As a general rule temporary uses are those that are in use less than 1 year and some temporary uses are limited to a time frame of only 120 days. However, it has been a customary practice of the Planning Department to recommend a maximum time frame of up to two years for temporary sales offices related to residential subdivision developments.

Construction must be in accordance with approved site and development plans.

Compliance with sign ordinance is required.

Use would be confined to sales of homes in the respective subdivision(s) only.

Restoration of the unit to residential use upon expiration of the temporary use is required.

2.3 Other Agency Recommendations or Requirements

Issues regarding fire, health, and building code will be addressed at the time of the building permit and subsequent business licence for this unit.

2.4 Other Issues

none at this time

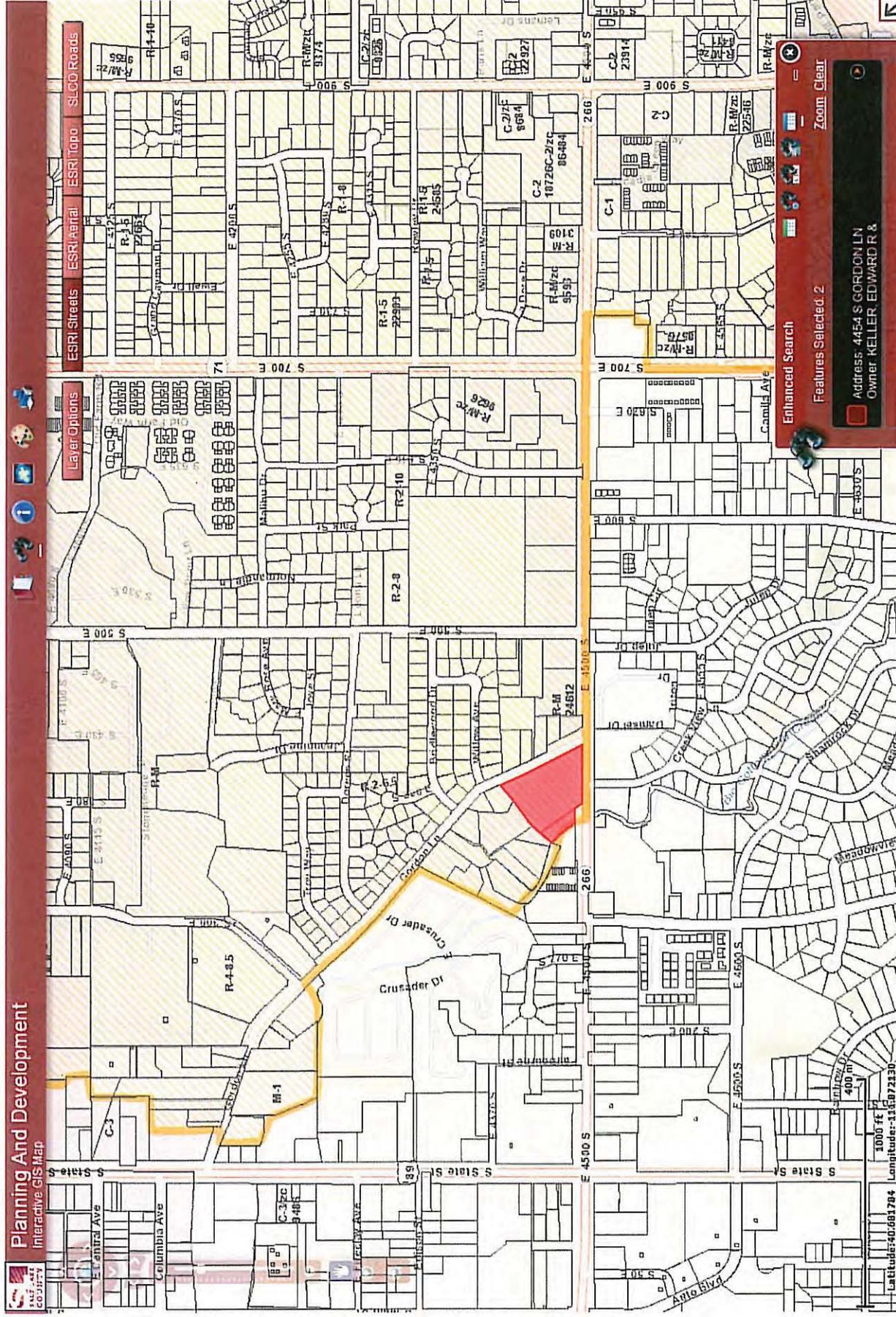
3.0 STAFF RECOMMENDATION

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

- 1) Build in accordance with the approve site plan and building elevations. Any modification would require prior written approval from planning and development services.
- 2) Compliance with sign ordinance is required.
- 3) Temporary Sales office use is confined to sales of homes in the respective Kenmure subdivision(s) only.
- 4) Approval of the temporary use expires upon the earliest of the following:
 - a) Two years from the date of the final building inspection of the Model Home and Sale office.
 - b) Upon issuance of the last building permit for this subdivision (inclusive of phase 1 and 2)
 - c) Upon sale of this model home for use as a residence.
- 5) Restoration of the unit to residential use upon expiration of the temporary use is required

3.2 Reasons for Recommendation

- 1) Through application of the listed conditions, compliance with ordinance and the intent of the conditional use criteria will be achieved.





PO Box 522056 Salt Lake City, UT 84152-2056
(801) 201-7594 www.edmllc.com



SCALE: 1" = 30'

OWNER / DEVELOPER:
MURRAY DEVELOPMENT
300 E. 4500 South, Suite 200
Murray, UT 84107
801-281-2223

- NOTES:
- Project benchmark: Monument in southwest corner of Lot 1, approximately 89 feet southwest of the southwest corner of Lot 1.
 - Call before you Dig! Blue Stakes: 1-800-662-4111
 - All work to conform with Salt Lake City Suburban Utility District #1 standards and specifications.
 - All water work to conform with Jordan Valley Water Conservancy District standards and specifications.
 - All work in public right-of-way to conform with per Salt Lake County standards and specifications.
 - Contractor to field verify horizontal and vertical locations of all utilities prior to commencing work.
 - Highway Department jurisdiction is depicted on the FEMA Flood Insurance Rate Map number 49035C0224G, and is shown as an area that is outside the 0.2% annual chance (500 year) flood elevation. The location of a small area in the northwest corner of this site that is shown as an area protected by a levee from the 100-yr flood. See Utility and Drainage Plan for location.

Kenmure Place

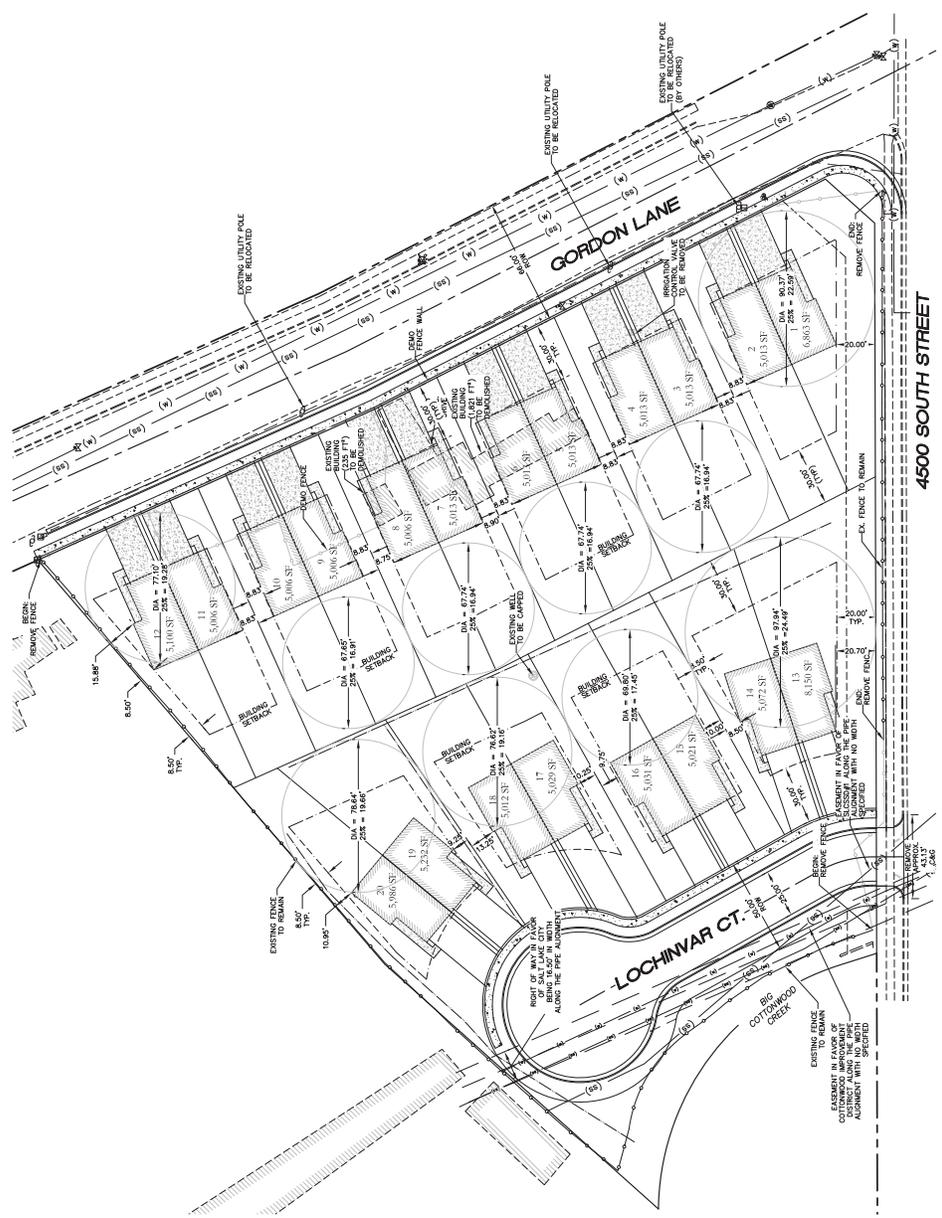
Site Plan

PROJECT:	1201
DRAWN BY:	NAM
REVIEWED BY:	NAM
DATE:	
NO. DATE:	
REMARKS:	

DATE: March 30, 2012
SHEET NUMBER: S-1

- LEGEND:
- EXISTING PROPERTY LINE
 - PROPOSED PROPERTY LINE
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - EXISTING CONTOUR
 - PROPOSED CONTOUR
 - EXISTING SEWER
 - PROPOSED SEWER
 - EXISTING WATER
 - PROPOSED WATER
 - EXISTING STORM LINE
 - PROPOSED STORM LINE
 - EXISTING UTILITY POLE
 - PROPOSED UTILITY POLE
 - TEMPORARY SILT FENCE
 - PROPOSED STRUCTURE
 - PROPOSED SOCRUM
 - EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - FLOW DIRECTION
 - SPOT ELEVATION*
- * SPOT ELEVATIONS ARE NOT TO BE USED FOR CONSTRUCTION. SPOT ELEVATIONS ARE FOR INFORMATION ONLY. SPOT ELEVATION OF 793.5 IS ACTUAL AT 793.5.

- Site Notes:
- Refer to architectural plans for building dimensions and square footages.
 - Refer to landscape plans for building coverage calculations.
 - The plan has been prepared for RCODZ option C, located within RCODZ overlay zone.







Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012

27906

CONDINUED FROM JULY 11, 2012

Conditional Use – Private School

Applicant: Christopher F. Webb & VCBO Architects

for Elizabeth Academy

Planner: Spencer G. Sanders



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, August 15, 2012	04:00 PM	File No:	2	7	9	0	6	
Applicant Name:	Christopher F. Webb	Request:	Conditional Use						
Description:	Private School - Elizabeth Academy (A Pre-K through 6 Montessori School)								
Location:	2870 S. Connor Street								
Zone:	R-1-6 Residential Single-Family	Any Zoning Conditions?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>			
Community Council Rec:	Approval								
Staff Recommendation:	Approval with Conditions								
Planner:	Spencer G. Sanders								

1.0 BACKGROUND

1.1 Summary

1.1.1 Project Proposal

Christopher F. Webb on behalf of Elizabeth Academy is requesting approval of a Conditional Use Permit for a Private School. The applicant is proposing to re-develop the subject property, including redesigning the site and building a new Private School. The subject property has had a public school on the site for many years. The proposed use is a private school and the site is being fully redeveloped. For these reasons a Conditional Use Permit is required.

Elizabeth Academy is an existing private Montessori School located in Murray. According to the Elizabeth Academy Website, the school is an “all inclusive” school which accepts students on a continuum from “special-needs” to “gifted”. The site also indicates that up to 20% of the students in a classroom are “special-needs”. Staff understands that the proposed school is being built with the intent to expand its student body over time. It will initially be larger than what will be needed for the number of students at opening. The student population will start out fairly small at first and grow to capacity. The numbers of students at opening and at capacity have not yet been provided to the County.

1.1.2 Recent History

Initially when this application was submitted, there were issues with the initial site plan that put into question several issues, including parking, traffic circulation, building height landscaping, lighting, security and so forth. As a result, staff initially proposed a continuance of the application to give the applicant sufficient time to address the issues.

Just prior to the Millcreek Meeting held on July 11, 2012, the applicant resubmitted plans addressing the issues. However, there was not sufficient time to review the plans in detail and provide a revised staff report to the Commission detailing the corrections. However, staff had completed an initial review of the plans prior to the Commission meeting and determined that the previous major issues had been adequately addressed leaving staff with the ability to work with the applicant to resolve any remaining issues in accordance with County Ordinance. Therefore, at the Commission meeting, staff modified its recommendation to approval with conditions, most specifically to complete the technical review process with

staff, making sure the project complied with all applicable zoning requirements.

Nevertheless, the Millcreek Planning Commission, after hearing from staff, the applicant and members of the public, voted to continue the application for one month in order for the applicant to address all of the issues adequately and to provide a traffic study to address potential traffic and parking concerns.

1.2 Hearing Body Action

July 11, 2012 - Millcreek Township Planning Commission, after holding a public hearing, taking comment from staff, the applicant and the public, continued the application for one month, to the August 15, 2012 regularly scheduled meeting. The Commission requested the applicant address several issues, including providing a traffic study for the proposed use to verify/address potential parking and traffic issues with the project. They also requested the applicant address the outstanding issues noted in staff's report.

This application for Conditional Use Permit is on the Millcreek Township Planning Commission agenda for hearing and decision. If the Commission chooses to approve the project, this will be a preliminary approval. The Final Conditional Use Permit will be issued by staff once all technical issues are resolved with the final site plan and other requirements.

1.3 Neighborhood Response

Staff has received three responses by e-mail: Thom Rossa, Edgemont Home Owners' Association; Charleen Chapman, a neighboring resident; and Ann Galt, a neighboring resident. Their e-mails are attached to this report. The e-mail from Mr. Rossa reflect the comments made by their representative at the July 11th meeting; there were positive about the project in general but had some concerns about drainage, privacy from the second story of the school, and wanted to see if the applicant could provide them an emergency access through the school property.

Ms. Chapman indicated that she was supportive of the redevelopment of the site indicating that anything would be better than the current situation.

1.4 Community Council Response

June 19, 2012 the Canyon Rim Community Council reviewed this item at their regular scheduled meeting. They did not have a quorum, but the 5 members present all expressed support of the proposal.

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>
		With recommended conditions the proposed plans comply with applicable provisions of the zoning ordinance, including, parking building setbacks, building height and so forth. Final engineering plans will be reviewed during the Technical Review process, prior to issuance of the Final Conditional Use Permit, confirming said compliance.
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>

		The proposal complies, or will comply, with all applicable regulations prior to final approval by staff. The current proposal demonstrates that all issues have been or will be able to appropriately addressed during Technical Review.
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>
		A Traffic Study was produced by a licensed professional transportation engineering firm. As noted in this report, the proposed project's design, use, existing conditions and proposed mitigation measures will result in the traffic, circulation and parking maintaining an acceptable level of service.
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>
		The proposal is designed to address the issues of safety related to this condition. Final engineering will be verified during the Technical Review Process that will confirm that the project will meet or exceed all applicable safety standards. A building permit will not be able to be issued until all reviewers have signed off on the proposed plans. Nevertheless, there appears to be no major issues with proposal that will not be able to be mitigated through standard ordinance compliance.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not significantly impact the quality of life of residents in the vicinity.</i>
		As noted in this report, issues of safety, noise, traffic, parking building height, etc., have been adequately addressed to meet this standard. The project will likely improve the situation for residents in the area by redeveloping the site to current standards and utilizing the site as it has been used in the past. Redevelopment and utilization of the site will also improved the situation for the area in regard to safety, maintenance, drainage, and so forth.

2.2 Previous Issues

Staff's original report listed a number of issues that were either not in compliance with County regulations, or there was insufficient information provided to verify compliance. A number of these issues are issues to be reviewed and verified by staff based on specific ordinance requirements. Other issues are issues related to Planning Commission review and approval. The originally listed items are noted below with their respective resolutions:

2.2.1 Proposed Angled Parking Along Connor Street - The angled parking backing on to Connor Street has been eliminated at the direction of the Transportation Engineer. The street improvements, accesses and internal parking area have been modified in conformance with County Standards. The proposed project now complies with approved cross section improvements for Connor Street and the on-site parking, accesses and circulation meet standard ordinance requirements. Required landscaping and screening for the parking area, adjacent to Connor Street complies with ordinance standards and is reviewed and approved by Staff.

2.2.2 Parking Requirements - The proposed parking plan complies with the minimum ordinance requirements; see 2.3.3 Minimum Parking Required and 2.3.5 Parking & Circulation Plans below. Analysis of the parking calculations in the Transportation Study indicate that the proposed parking plan will maintain

an acceptable level of service regarding parking and traffic. No modifications to the proposal are recommended.

2.2.3 Transportation Engineer To Determine Traffic Study Necessity - Since the Planning Commission required a Traffic Study and the applicant provided one, the Transportation Engineer, Jena Carver, did not need to make the determination as to whether or not a study was needed. As of the date of this writing, the engineer is reviewing the provided study. Her comments will be forwarded to the Commission either by e-mail or at the meeting depending on when they are received. In preliminary discussions with the engineer, she did not feel that the study would reveal any unanticipated impacts with the proposal that could not be adequately mitigated with standard ordinances and regulations.

2.2.4 Landscape Plan Issues - The Landscape Plan is attached to this report for your information. The plan will be reviewed and approved by the staff and the Planning and Development Services Director. Based on a number of existing conditions and requirements related to the site, the applicant is applying to the Director to approve an "Alternative Landscape Plan" as allowed by ordinance. Again, for the Commission's reference, the following is a summary of the landscape plan modifications being requested:

- *North Side Landscape Setback Reduction for Existing Emergency Access* - The applicant is asking for a 20-foot reduction in side yard landscape setback from the north side of the site to accommodate an existing fire department required emergency access lane around the back of the building. The existing lane is directly adjacent to the north property line from approximately the building's proposed front setback line, west to almost to the rear property line. The applicant has indicated that the proposed new six-foot privacy fence and the extensive landscaping proposed on the south side of the existing drive will essentially meet the intent of the ordinance to provide buffering and screening from the activities of the school site for the adjacent neighbors.
- *North and South Side Landscape Setback Reduction for Access Driveways* - The applicant is requesting a 10-foot reduction in side yard landscape setback between the side property lines and the entrance (north) and exit (south) driveways. The proposed 10-foot setback would include a 5-foot landscaped planting bed adjacent to the property lines and a 5-foot sidewalk adjacent to the driveways. These would extend from the front of the building out to the public street. This is being requested in order to accommodate the necessary on-site circulation and stacking and the needed number of parking spaces in front of the building.

There is existing dense mature landscaping on the property to the south that buffers the residents of the home from an existing driveway that is in nearly the same location as the proposed. The home to the north sits slightly lower in elevation than the school property. In addition, the portion of the home to the north closest to the shared property line is a garage. The applicant is proposing to enhance the landscaping in these locations with additional shrub plantings. The applicant is also proposing new visual barrier fencing along the north property line at this location.

- *Tree Replacement Requirements* - Because of the number of mature trees on site that have to be removed to accommodate the new building site plan and meet ordinance requirements, there is very little opportunity to preserve the majority of the existing mature trees. In addition, their age and size would prohibit successful relocation/transplant. As a result, the replacement requirements in the Water Efficient Landscape Ordinance would require more replacement trees than the site can appropriately handle. The applicant will be installing a large number of trees on site based on landscape ordinance requirements for a new development. They have indicated that they will be trying to maintain a couple of large existing evergreens; however, it is not clear if this is possible until the final Technical Review when the final grading and drainage plans are produced. Nevertheless, full tree replacement as required by the standard regulations in this situation is not feasible and will be evaluated for modification through the Alternative Landscape Plan review process including review and approval by the Development Services Director.

2.3 Zoning and Development Standards

<u>2.3.1 Minimum Building Setbacks</u> <i>Based on 19.14.050 Yards for the R-1-6 Zone.</i>	Required	Proposed
Front	25 feet	122 feet
Rear	30 feet	73 feet
North Side	20 feet	40 feet
South Side	20 feet	68 feet

<u>2.3.2 Maximum Building Height</u>	Required	Proposed
<i>*Based on the building height standard in 19.14.060 A for Main Buildings in the R-1 Zones</i>	35'	34'

** The Residential Compatibility Overlay Zone (RCOZ) standards only apply to residential uses; therefore the more restrictive building height in RCOZ does not apply to this proposal.*

<u>2.3.3 Minimum Parking Required</u> <i>Based on 19.80.040.A.24 Schools</i>	**Required	Proposed
Primary	1 space per 3.5 seats in an auditorium	*246 seats/3.5 = 70 spaces
Secondary	+ 1 space per Admin/Faculty	28 Admin/Faculty = 28 spaces
TOTAL	98 Spaces	98 spaces

**246 seats is based on the proposed multi-purpose room's (there is no proposed auditorium) maximum capacity allowed under International Building Code calculations. Multi-purpose room 3,686 sq. ft. + 15 sq. ft. per person = 246 persons maximum capacity.*

***In comparison, Salt Lake City regulations require 1 space for 5 seats in an auditorium. This would equate to 49 required spaces.*

2.3.4 Traffic Study - A Traffic Study was provided by the applicant the following issues were included in the study:

- **Anticipated Traffic and On-Street Parking Conditions** - The school's anticipated traffic demand, on-site parking plans and existing conditions will result in an acceptable service level for both the a.m. and p.m. peak hours of operation.
- **Anticipated Student Arrival Direction by Percentage** - The students will most likely arrive by car as follow: 30% from the North; 30% from the South; 20% from the East; and 20% from the West. This is a fairly even distribution. As noted previously, the anticipated traffic demand at peak hours should not exceed an acceptable level of service.
- **Drive Approach Locations in Relationship to Bendemere Court** - The current proposed driveway approach design provides optimum traffic flow and queuing; modification of the driveways from what is proposed would create more points of conflict and potential crash locations. Therefore, relocation is not recommended.
- **On-Street Parking** - The surrounding streets are public rights-of-way and parking on the street is allowed by county ordinance. However, on-street parking is not counted toward required parking. The school has shown on-site parking on the plans in compliance with county standards. The Ordinance does not differentiate between daily parking needs and special events. However, the

calculation appears to be derived for the purpose of addressing the minimum parking needed at peak demand, which would be during an event. The school administration is aware of the neighbor's concerns with traffic and parking on the street and will work to reduce the negative impacts of traffic/parking during school hours and special events.

- *Parking Need Based on School at Capacity* - Parking requirement calculations are determined by county ordinance, see 2.3.3 Minimum Parking Required above. By comparison, Salt Lake City parking ordinance requires (1) parking space for every (5) seats in an auditorium. The study does not find that the applicant's proposed parking plan would result in any significant parking impact on the neighborhood.

2.3.5 Parking & Circulation Plans

- *Parking Plan* - The Parking Plan with proposed striping is shown on the Architectural Site Plan - AS101 and highlighted in Figure 2 attached. It includes 55 standard spaces (located in the front parking area) and 43 special event spaces (12 in the front parking area and 31 in back of the building). The 12 special event spaces in the front will be striped but signed "Special Event Parking Only" while the 55 standard spaces will be available at any time during business hours. The special event spaces in the rear will be utilized for special events on an "as needed" basis depending on the event and parking conditions that may arise. The total number of spaces provided equals the required minimum number of spaces required by ordinance. In addition, while the ordinance does not differentiate between standard and special event spaces, the proposal meets the apparent intent of the required number of spaces for schools. Further, the special event spaces can be utilized at any time the school determines that it is warranted not just during Special Events.
- *Proposed Additional Parking and Traffic Mitigation Measures* - In addition to providing the required number of spaces by ordinance, the school administration has indicate that they will also implement the following measures to minimize potential overflow parking and traffic impacts on surrounding neighbors:
 - When the facility is at capacity, student programs times will be staggered to avoid bringing all students and their families at the same time.
 - Students, parents and the faculty will be encouraged to utilize alternative means of transportation to arrive at a special event, for example: carpooling, walking, bicycling and public transit.
 - Special events will be reviewed on an event by event basis to determine parking and scheduling requirements.

Staff will also recommend that the school communicate with parents additional mitigation measures regarding the drop-off/pick-up. For example: discouraging parents from dropping children off on the public streets; and discouraging parking on-street when on-site parking is available, including special event parking behind the building.

- *Drop-Off/Pick-Up Plan* - According to the applicant, because of the nature of the school, drop-off and pick-up are handled differently than a traditional school. The applicant proposes that at drop-off times, teachers will meet parents at the curb and accompany the student into the school, greatly reducing queuing times. This is noted in the Traffic Study. Pick-up is handled similarly, with students waiting to be picked up as a group and being taken to the waiting car. This will avoid most parents parking in the queuing line or parking lot and getting out of their vehicle to come in to the school to pick up their child. The study indicates that these methods will help maintain the acceptable level of service for parking and circulation in the vicinity.

2.3.6 Lighting

The applicant has submitted a proposed lighting plan that complies with County requirements and is proposed to meet LEEDS Silver certification. In addition the applicant is proposing a "dark sky" compatible

design which requires no direct light generated on site to be visible at the property boundaries. The LEEDS Silver and "Dark Sky" design exceed county lighting standards. With this design lighting will be kept to a minimum, avoiding potential light disturbance for the adjacent neighbors and reducing light pollution for the surrounding neighborhood. In addition, the design will utilize less energy while still providing minimum security lighting.

The location and types of lights are provided on the Electrical Site Plan - E101. In addition, there are several sheets, a Photometric Site Plan and Perspectives, Figure 5, which were produced by the lighting engineer. These renderings are produced by utilizing analysis data (proposed fixture locations, fixture types and fixture heights, candle/foot illumination specifications, etc.) through computer aided modeling. The renderings help visually represent the anticipated light around the site and buildings in a more realistic fashion. These renderings show both plan and oblique representations of the anticipated glow from the proposed lighting plan. The plans demonstrate that exterior lighting around the site should not cause unreasonable impacts for surrounding residents.

2.3.7 Fencing

The proposed Fencing Plan, see Figure 4, indicates that existing solid fencing next to the condominiums to the south and west will remain. Fencing along the north will be installed and/or replaced with chain link fencing with vinyl slats. According to the applicant, the chain link fence provides added security and the slats provide screening for the residents. Their concern with a solid vinyl fence is that it is not secure. The fencing can be easily broken or sections removed. The applicant has indicated that a masonry fence would be prohibitive due to cost for the entire length needed and is more disruptive to install around existing facilities, landscaping etc. The proposed new fence will be 6 feet high at minimum.

There will be gates at the emergency/rear event parking access road, the mechanical equipment area, and at the entrance to the south playgrounds on the south of the school building. After hours, the gates will be locked and the security system armed.

2.3.8 Security Plan

In addition to the proposed lighting and fencing, the security system will consist of cameras and motion sensors on the building perimeter. Once a motion sensor has been triggered the staff and/or security personnel will be notified. They will be able to access the security cameras and lighting remotely via computer to determine the course of action. They can reset the system, turn on the exterior lights and/or notify the police depending on what they see.

The camera system will also be utilized as needed during the school day to help monitor students and the grounds around the building. During the day students will be under constant supervision to prevent students from leaving unsupervised or from unreported guests entering the grounds.

The proposed security plan demonstrates that the school and grounds will be adequately secured after hours and during the school day.

2.3.9 Drainage Plan - A plan has been provided that addresses the drainage issues with neighbors to the west. Berming will be provided at areas of detention and parking along the west and south property boundaries to protect neighboring lots from overflow. The detention basin located on the soccer field will provide storage for a 100 year storm event at minimum. It is important to note here that the Drainage Plan must comply with county grading and drainage ordinance requirements. Compliance will be confirmed by staff through the Technical Review Process after the Commission hearing. The Final Conditional Use will not be able to be issued until the grading and drainage plan is full accepted by the applicable staff.

2.3.10 Privacy/Visibility (From the School Building to Adjacent Residential Properties)

The main school building setbacks, stairways and balconies are reflected on the Architectural Site Plan - AS101. The new building will be set back further than the existing and all setbacks, especially south and west of the building exceed the minimum setback requirements of the zone. Please refer to 2.3.1 Minimum

Building Setbacks above also refer to the architectural elevations and renderings provided. The proposed design will result in minimal impact on privacy when considering the additional setback and proposed and existing landscape screening. It is also important to note that the facility will be in operation during the day only on week days. Weekends and holidays and evenings the facility will be closed, except for those few evening special events each year.

2.3.11 Emergency Access For Condos to South

There have been discussions with the neighboring HOA regarding emergency access; however, no access agreement has been reached.

The property is of an adequate size to accommodate this school, but fitting the required exterior play spaces means a highly efficient use of the site. The applicant has indicated that they are limited on areas for the toddler playground which needs to be located adjacent to the toddler classrooms. The requested emergency access would put a driveway directly through the toddler playground, resulting in an unacceptable loss of required play space for the students. To accommodate access for the adjacent condominium project through this site would require the school to be completely redesigned.

There is no legal obligation for the applicant to allow access through their property. In addition, the County cannot require access be provided for this project. There are no impacts from the proposed school use that would be mitigated by providing the access. Only the condominium project's current situation would be improved. Unfortunately, the original condominium project was approved as currently developed under different standards. It would be unreasonable to require this project to provide such an access.

A more appropriate and possible access would likely come through the neighboring east property on Connor Street or through the development to the south. However, this issue is for the homeowners in the condominium project to resolve if they can. The county can't require this project to provide the requested access.

2.4 Other Agency Recommendations or Requirements

There are no outstanding issues by other reviewers or outside agencies that will affect the project layout. Drainage, grading, building height, final improvements, etc. will all have to meet County standard requirements during the Technical Review process with staff, prior to the Final Conditional Use being issued. With the conditions recommended the project will meet the Conditional Use Standards.

2.5 General Plan

Limited Potential for Growth Absorption - The subject property is located within a Stable Area (Blue) on the Millcreek Township General Plan (MTGP) Official Map; which is defined in the General Plan as follows:

A Blue area is one that has limited potential for the absorption of growth, and is likely to experience only minor changes in overall character over time. The level of stability of Blue areas is defined as follows:

- 1) Subtle changes in land use may occur. Overall, land uses in the area/corridor will exhibit less diversity and less intensity. Changes will be limited to a small number of dispersed sites, leaving the majority of the area/corridor unchanged.*
- 2) Improvements may occur which subtly alter the appearance, economics, or sustainability of the area/corridor. Most improvements will consist of individual projects, and may not require coordination with parcels beyond their immediate vicinity.*
- 3) Mobility networks are less formalized and will remain largely as built, but minor changes may occur. Public transit typically will have no dedicated right-of-way.*

The proposed site has been a school site for many years even though it may not have been fully utilized as such in recent years. The proposed use as a private school will be somewhat a change from the previous schools, such as students being driven to school versus walking or by bus. In addition, this proposed

private school at capacity will have a significantly smaller student body than a public elementary school due to the schools mission of lower teacher to student ratios and more individualized instruction. Nevertheless, the use of the property as a school is not changing and as such is consistent with the General Plan's "Stable" designation for the area.

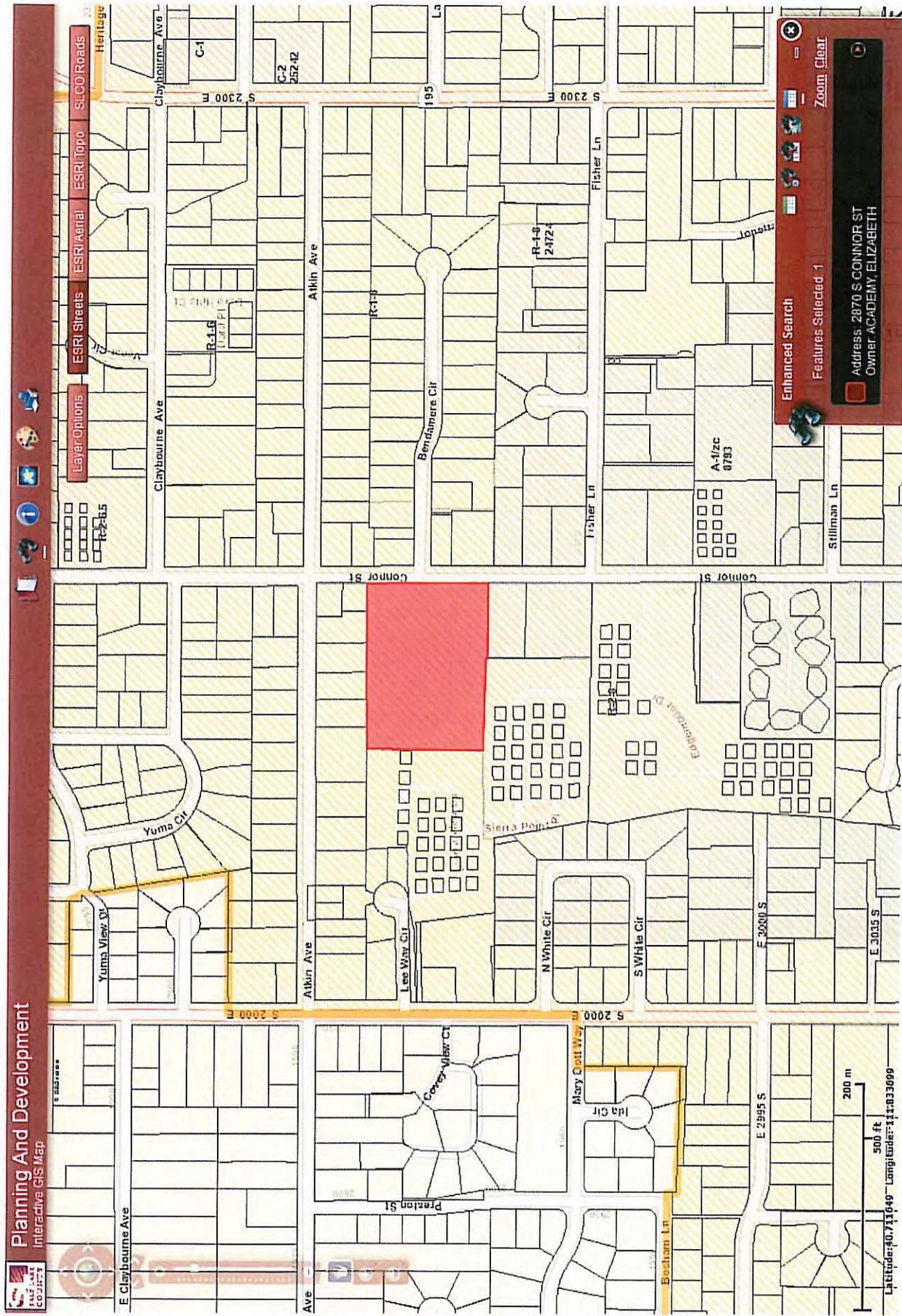
3.0 STAFF RECOMMENDATION

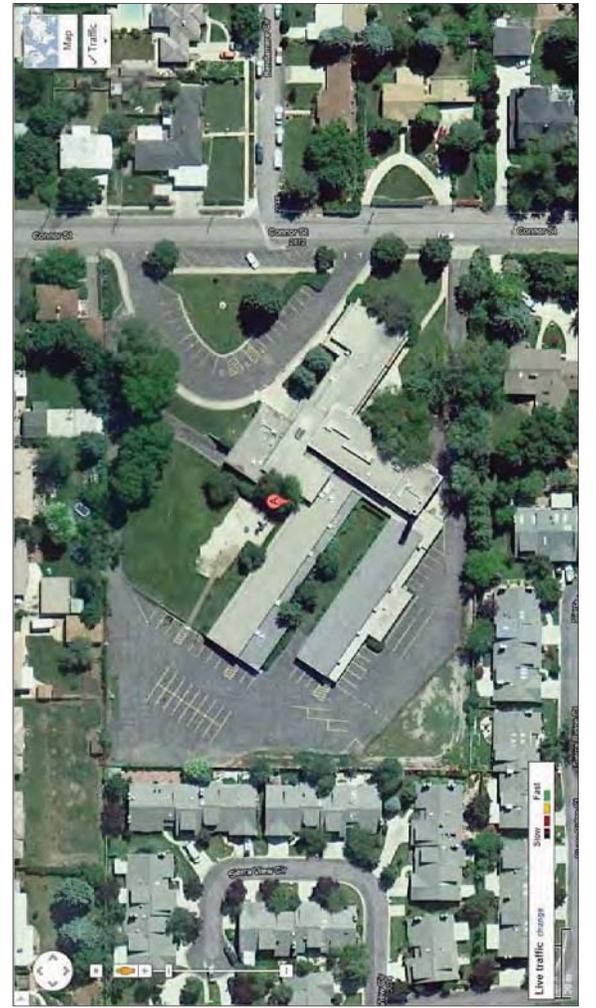
3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

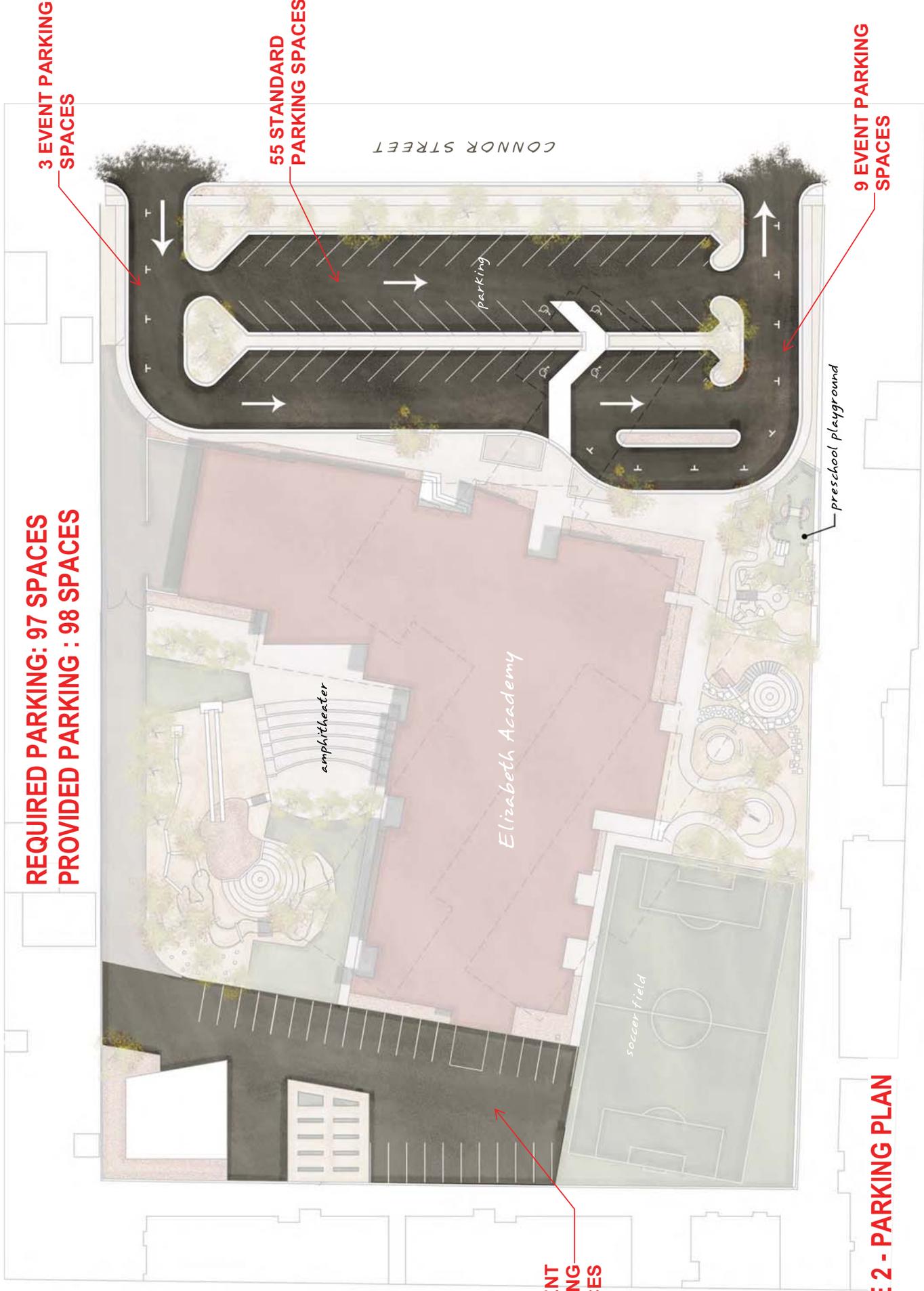
- 1)The applicant shall complete Technical Review with staff and outside agencies, complying with all reviewers requirements that may result from the Technical Review process prior to Final Conditional Use Approval by the Staff;
- 2)The school include in their traffic and parking mitigation measures, communications with the parents/guardians of the students regarding all parking, special event and drop-off/pick-up requirements, including but not limited those noted in this report, discouraging student drop-off and pick up off-site along the nearby public streets, and discouraging on-street parking along Connor Street. This communication can also include information on not blocking private resident's driveways, mailboxes, etc.

3.2 Reasons for Recommendation

- 1) With the conditions recommended the plans will comply with County Ordinances and requirements.
- 2) With the conditions recommended the project will be consistent with the Millcreek General Plan.
- 3) With the conditions recommended the project will meet the Conditional Use Standards.







REQUIRED PARKING: 97 SPACES
PROVIDED PARKING : 98 SPACES

3 EVENT PARKING SPACES

55 STANDARD PARKING SPACES

9 EVENT PARKING SPACES

31 EVENT PARKING SPACES

FIGURE 2 - PARKING PLAN

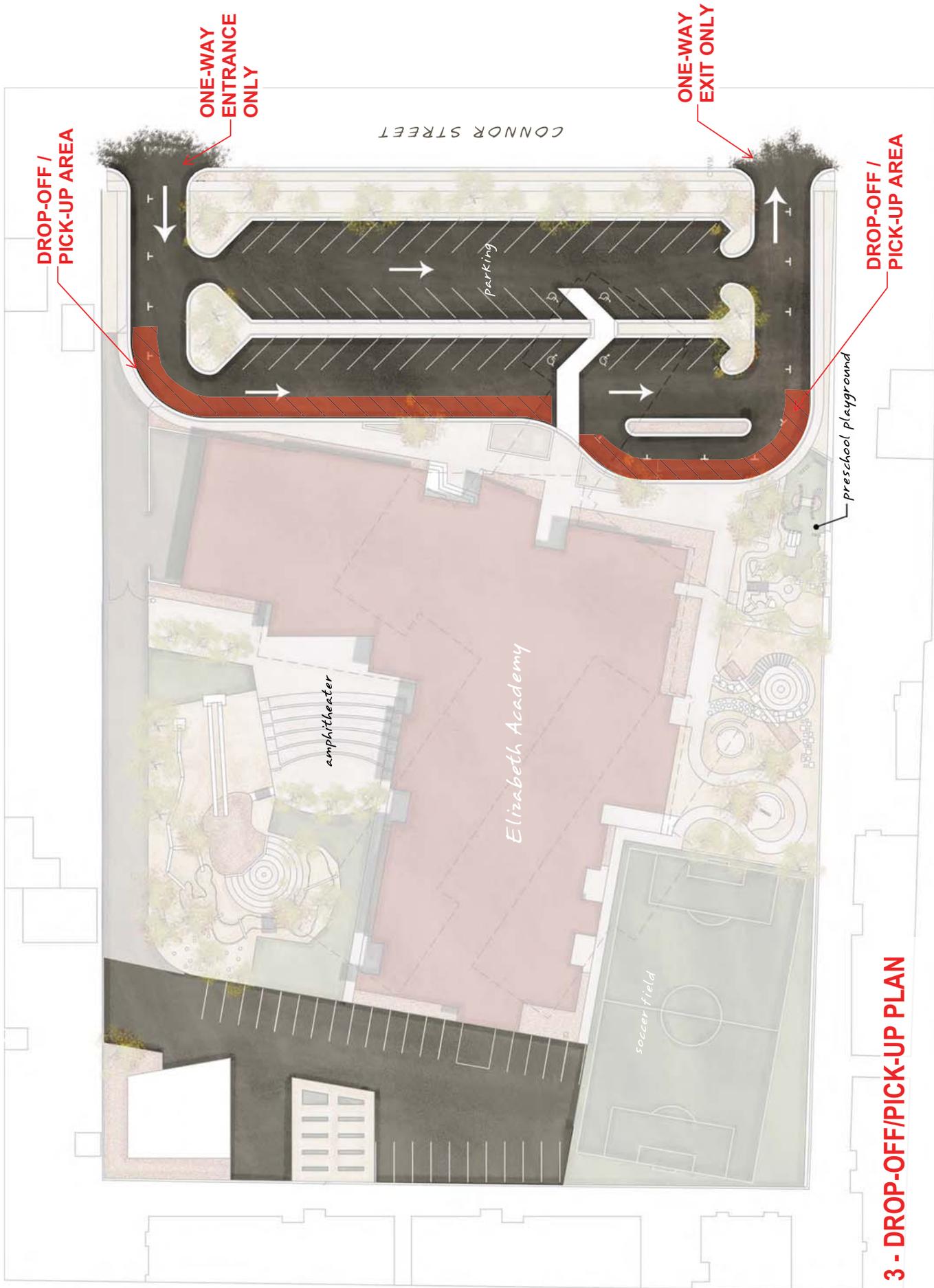
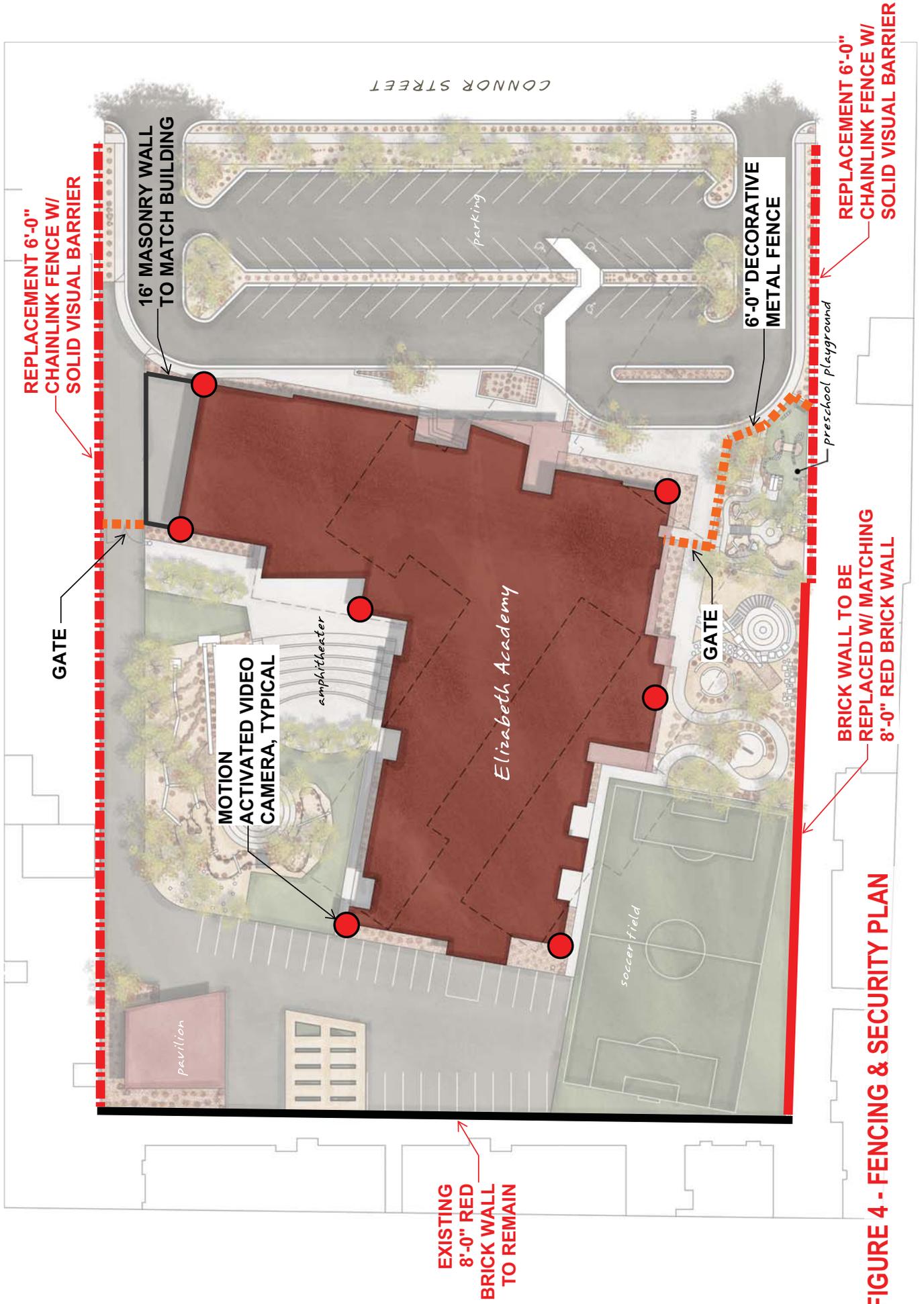


FIGURE 3 - DROP-OFF/PICK-UP PLAN



EXISTING
8'-0" RED
BRICK WALL
TO REMAIN

REPLACEMENT 6'-0"
CHAINLINK FENCE W/
SOLID VISUAL BARRIER

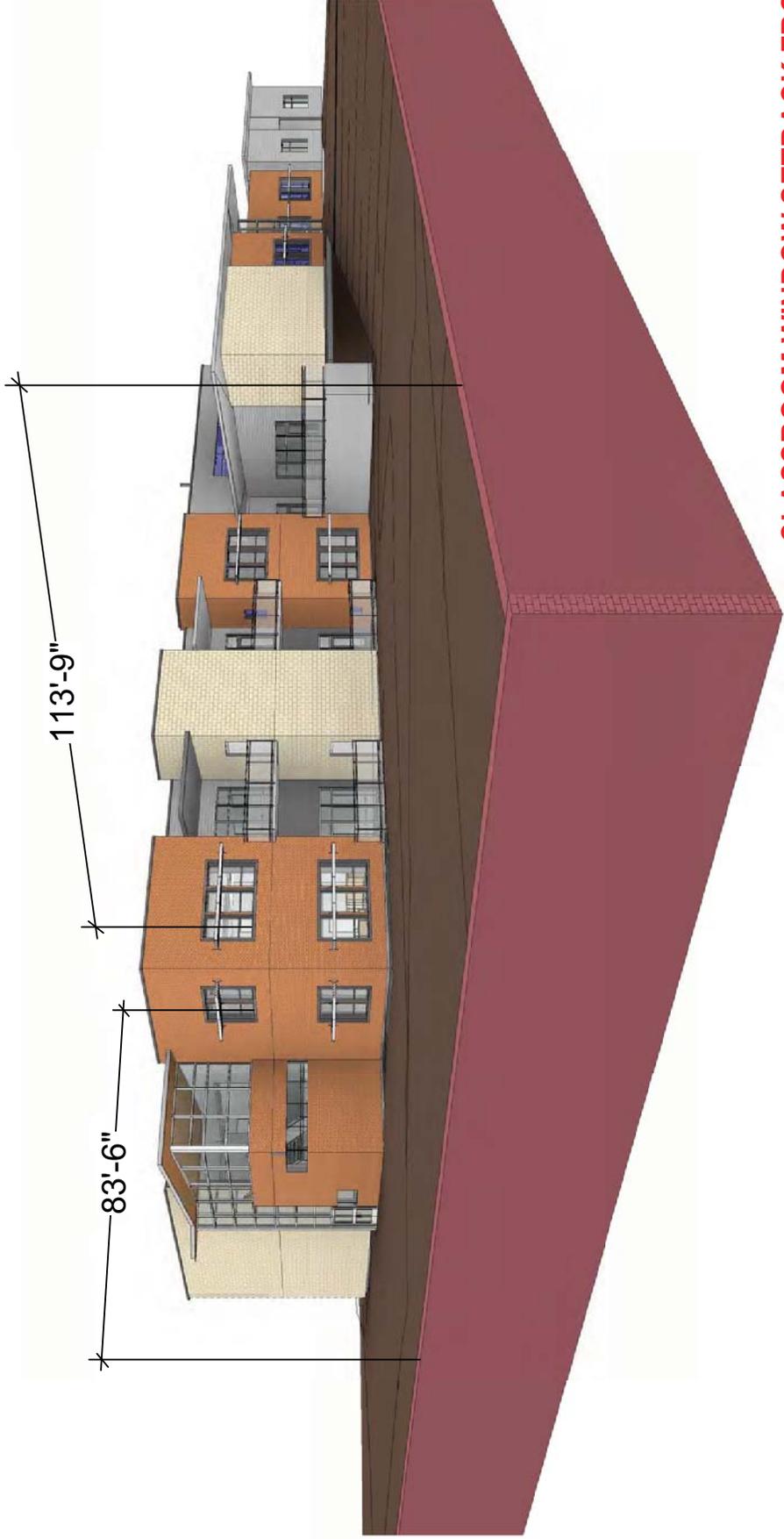
16' MASONRY WALL
TO MATCH BUILDING

6'-0" DECORATIVE
METAL FENCE

REPLACEMENT 6'-0"
CHAINLINK FENCE W/
SOLID VISUAL BARRIER

BRICK WALL TO BE
REPLACED W/ MATCHING
8'-0" RED BRICK WALL

FIGURE 4 - FENCING & SECURITY PLAN



CLASSROOM WINDOW SETBACK FROM WEST AND SOUTH PROPERTY BOUNDARIES

FIGURE 7

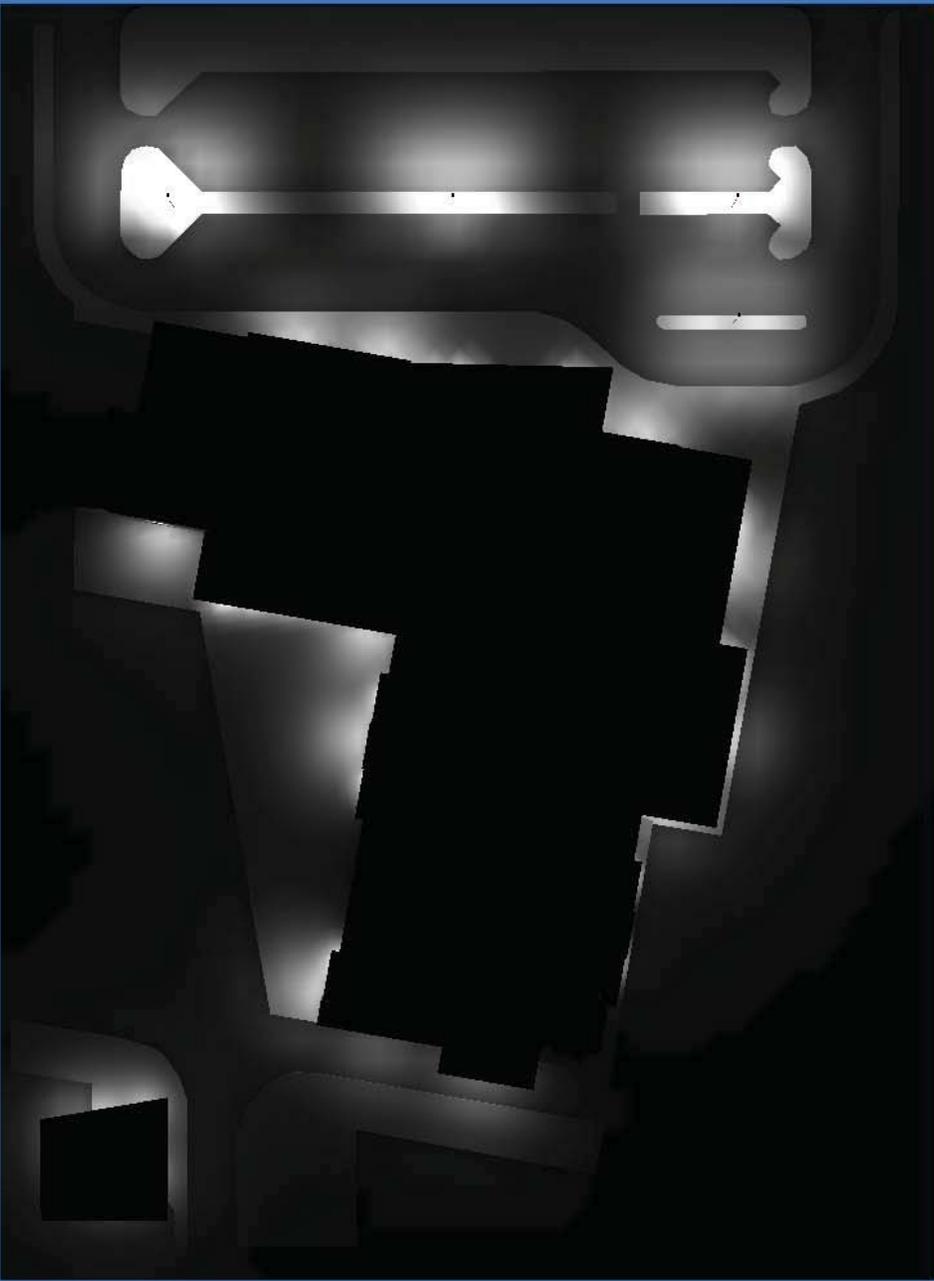
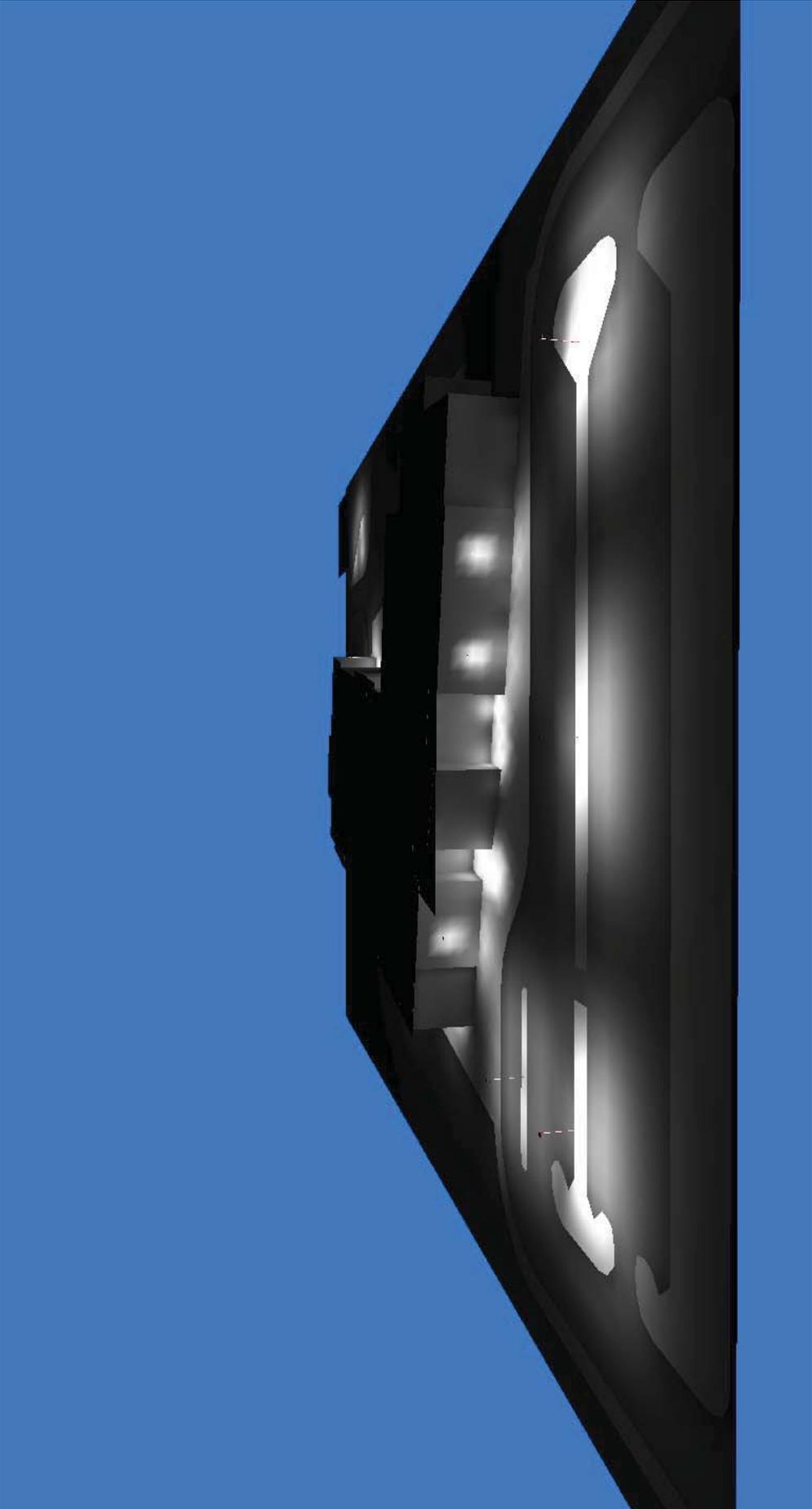
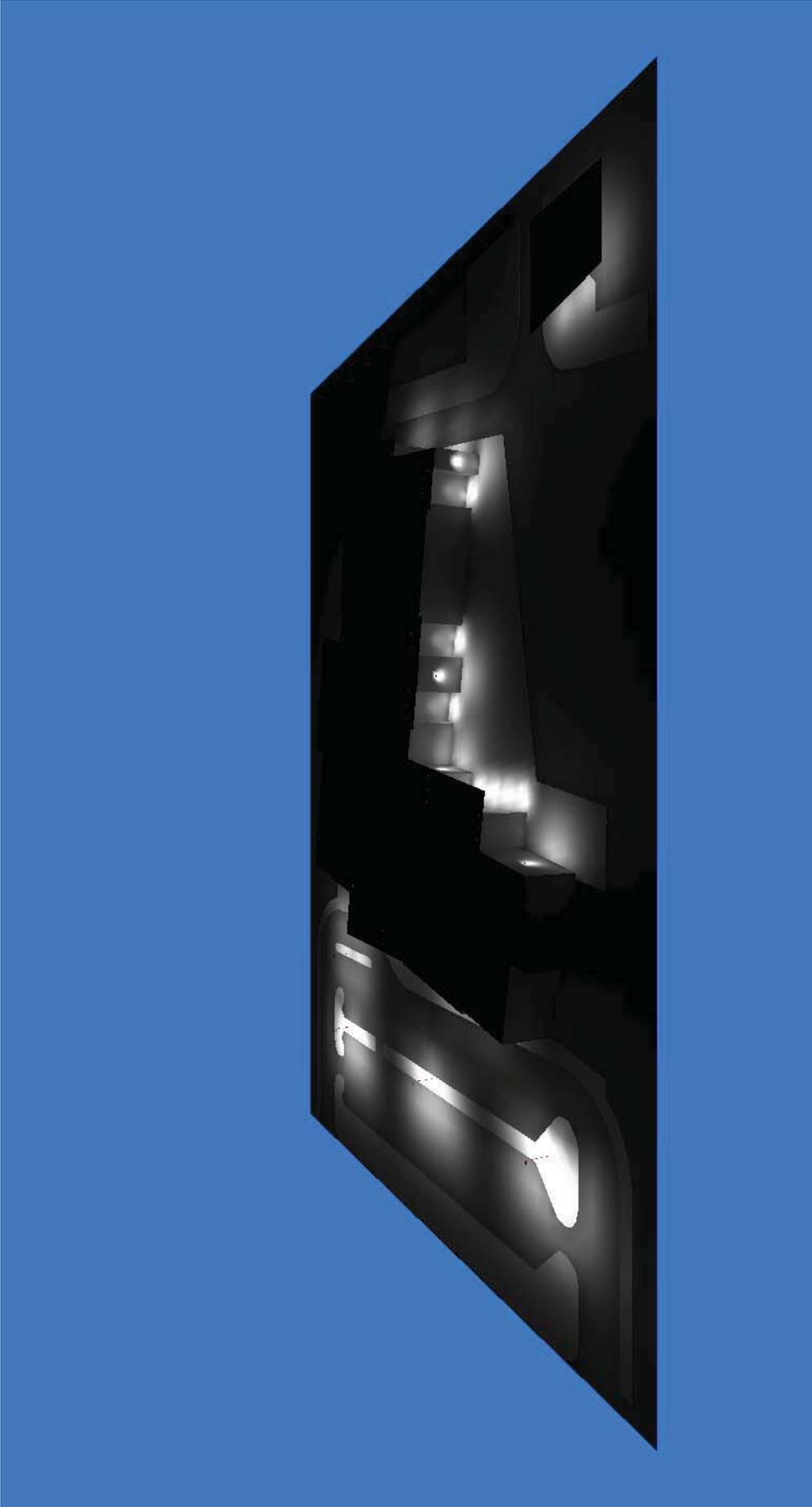
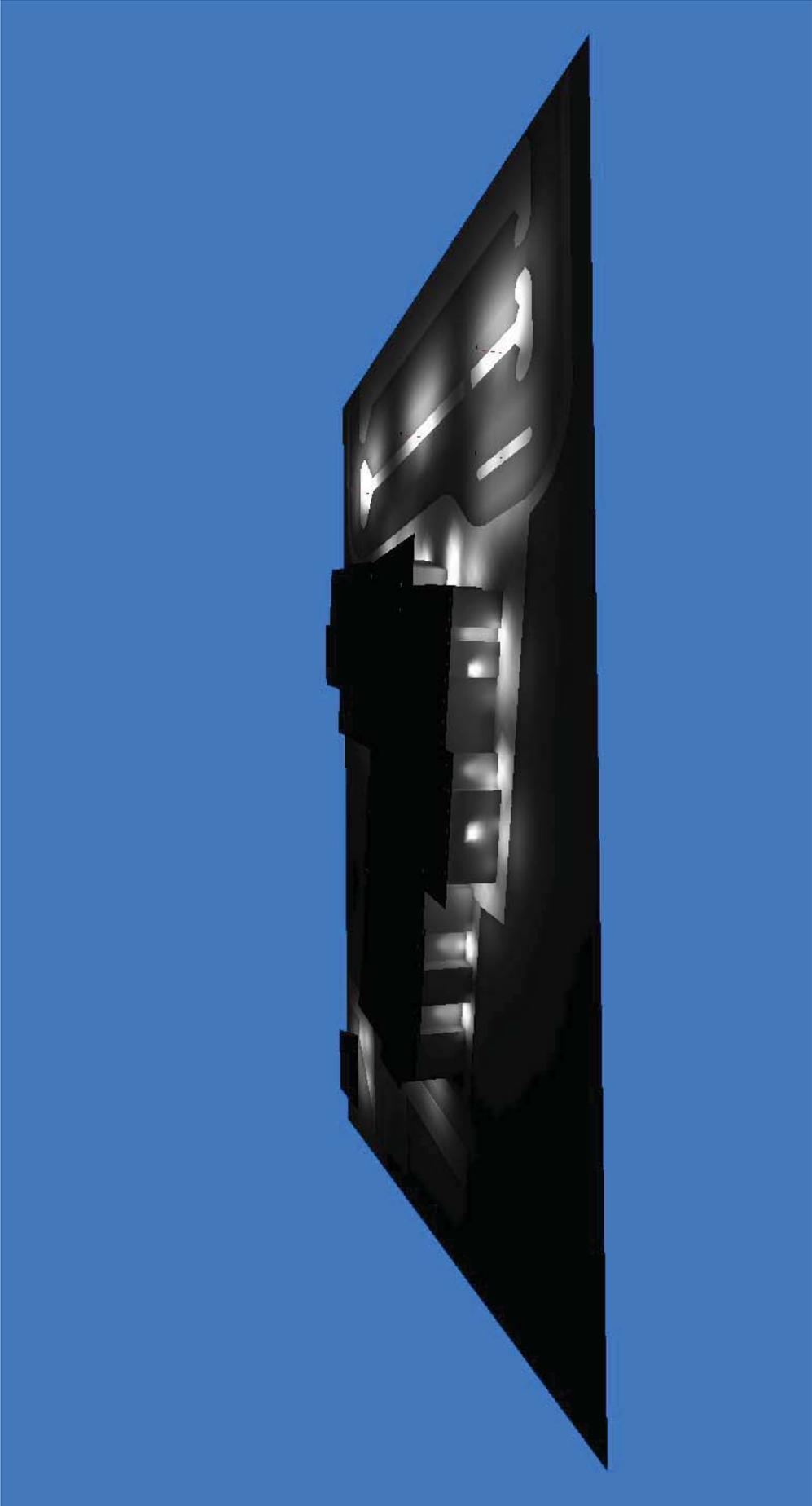
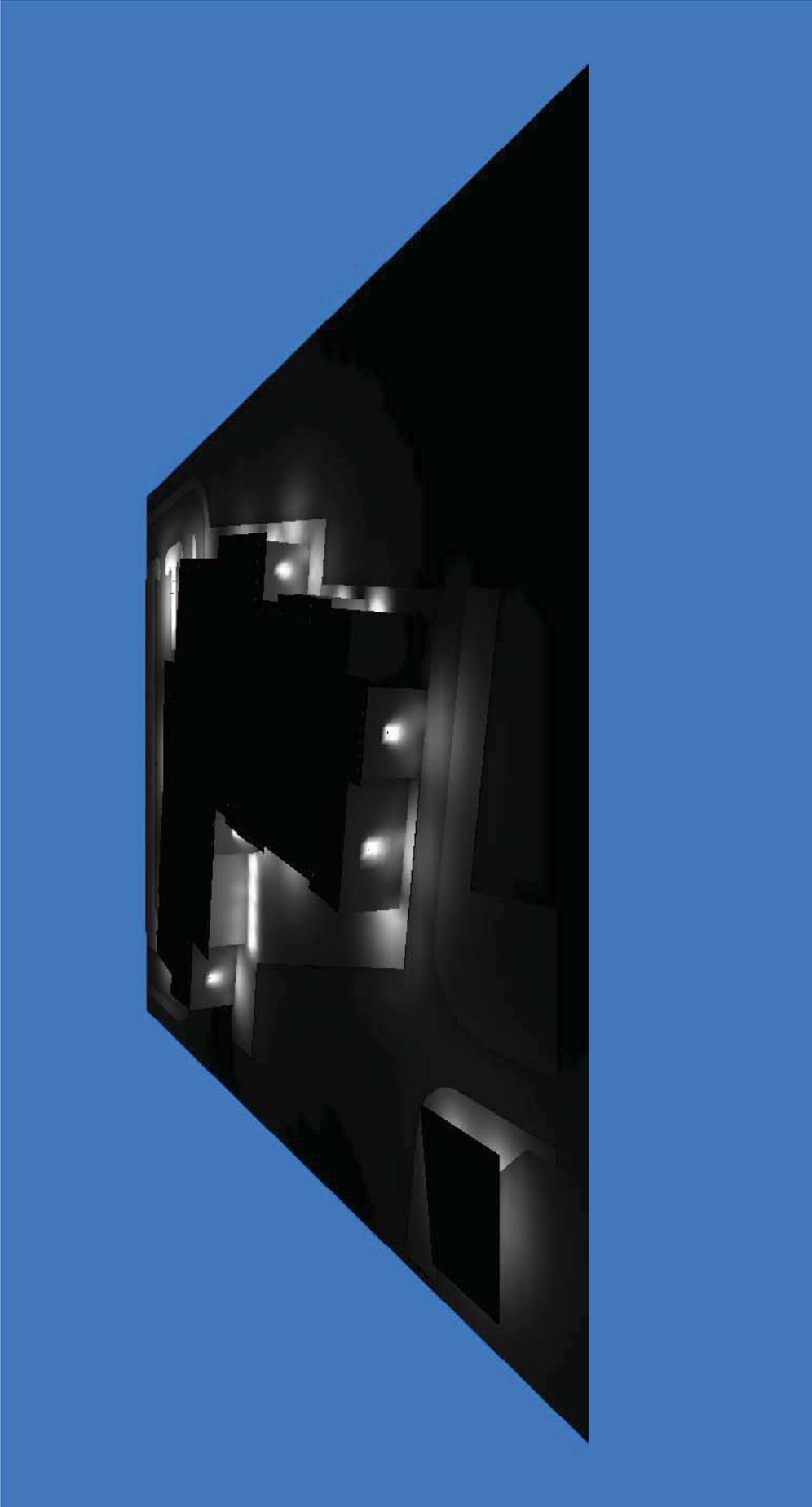


FIGURE 5









ELIZABETH ACADEMY

CONDITIONAL USE PERMIT APPLICATION

SCHEMATIC DESIGN

JULY 30, 2012

THE PURPOSE OF THESE DOCUMENTS IS FOR PRELIMINARY APPROVAL OF AN APPROVED CONDITIONAL USE, A SCHOOL, IN ZONE R-16

THIS SET OF DOCUMENTS WAS PREPARED BY VCBO ARCHITECTURE ON BEHALF OF:

ELIZABETH ACADEMY
154 E. MYRTLE AVENUE,
MURRAY, UT 84107
801.281.4848

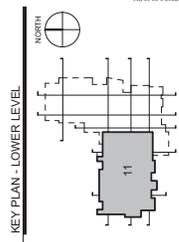
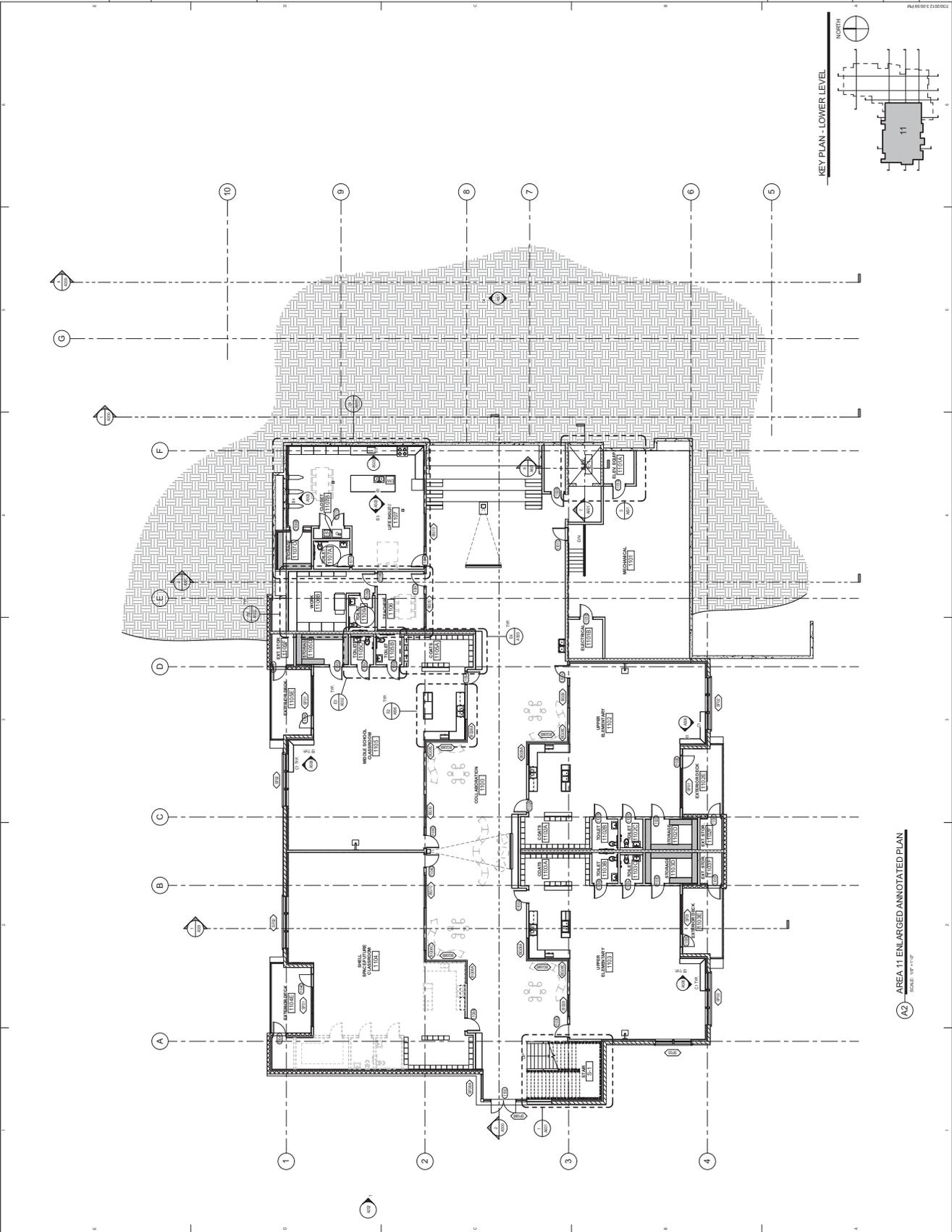


SHEET NUMBER	SHEET NAME
GENERAL	CONDITIONAL USE PERMIT APPLICATION
001	UTILITY PLAN
002	GRADING PLAN
003	LANDSCAPE ILLUSTRATION
004	LANDSCAPE ILLUSTRATION
005	LANDSCAPE ILLUSTRATION
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12000



524 South 600 East, Salt Lake City, UT 84102 801.575.8800 www.vcbo.com



A2 AREA 11 ENLARGED ANNOTATED PLAN
 SCALE: 1/8" = 1'-0"

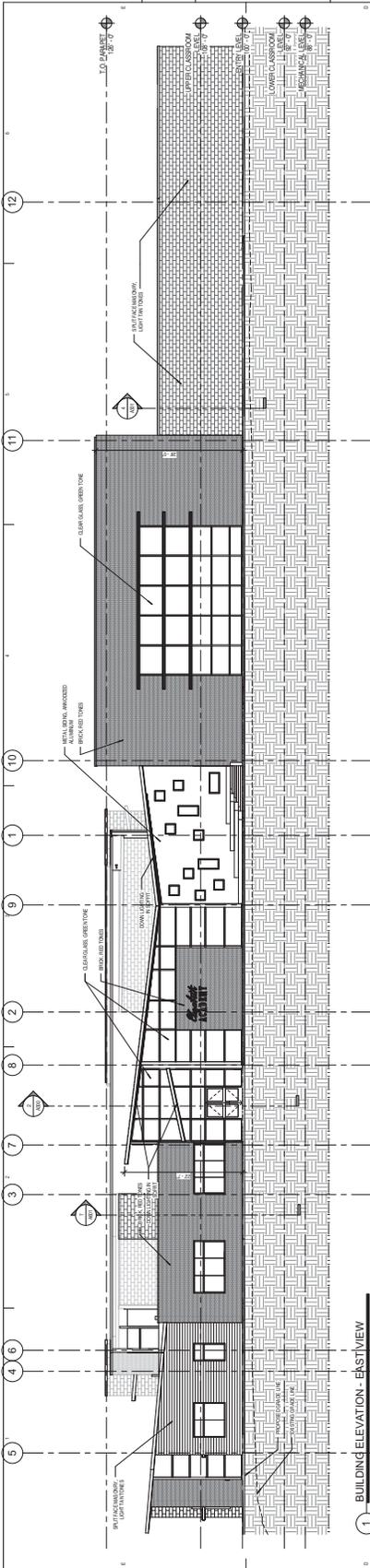


VCBO ARCHITECTURAL
 2870 CONNOR STREET
 SALT LAKE CITY, UTAH 84102
 Phone: (801) 279-8800
 Fax: (801) 279-8801
 WWW.VCBO.COM

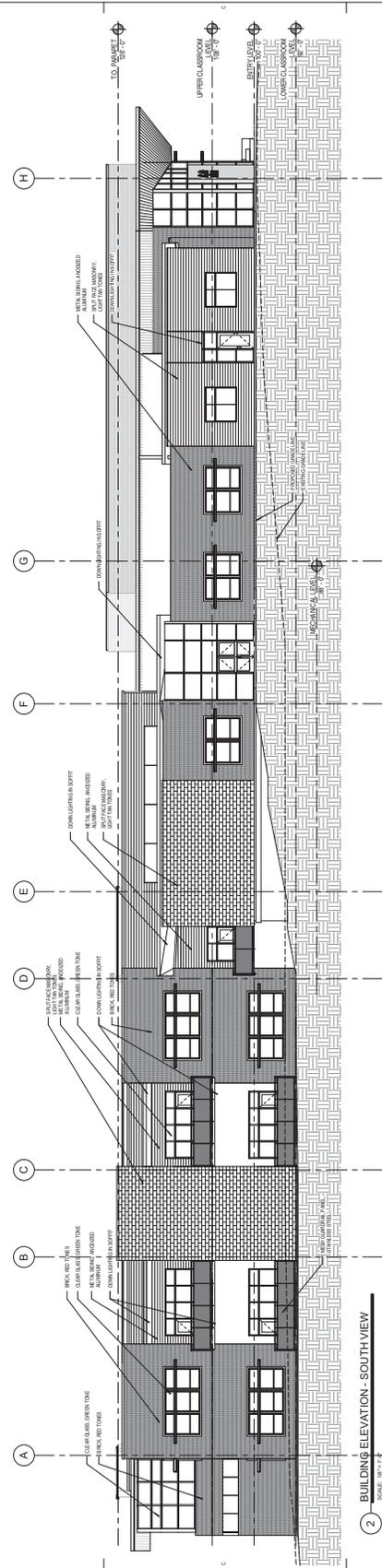
ELIZABETH ACADEMY
 CHASEBROOK COMPANY
 2870 CONNOR STREET, SALT LAKE CITY, UT 84109
 SCHEMATIC DESIGN

DATE: JULY 20, 2012
 SHEET: BUILDING ELEVATIONS

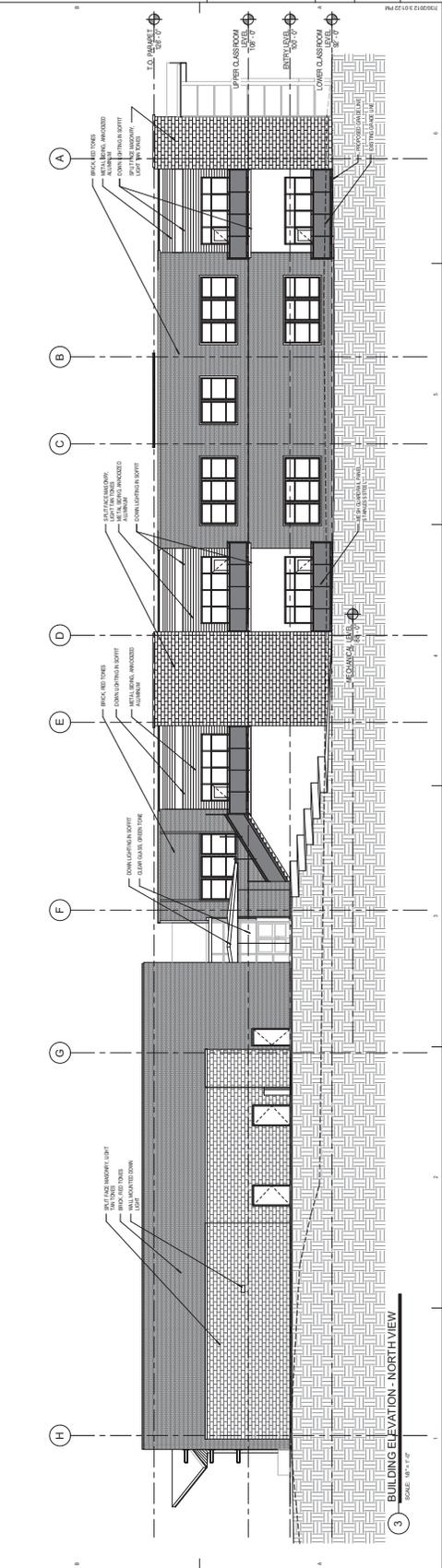
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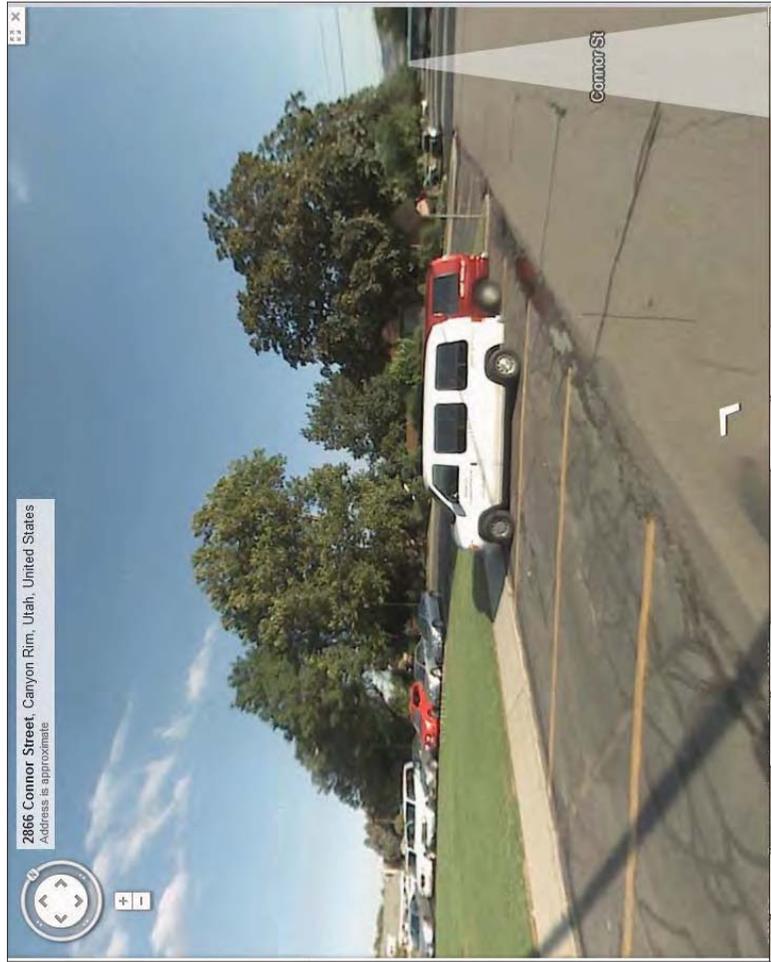
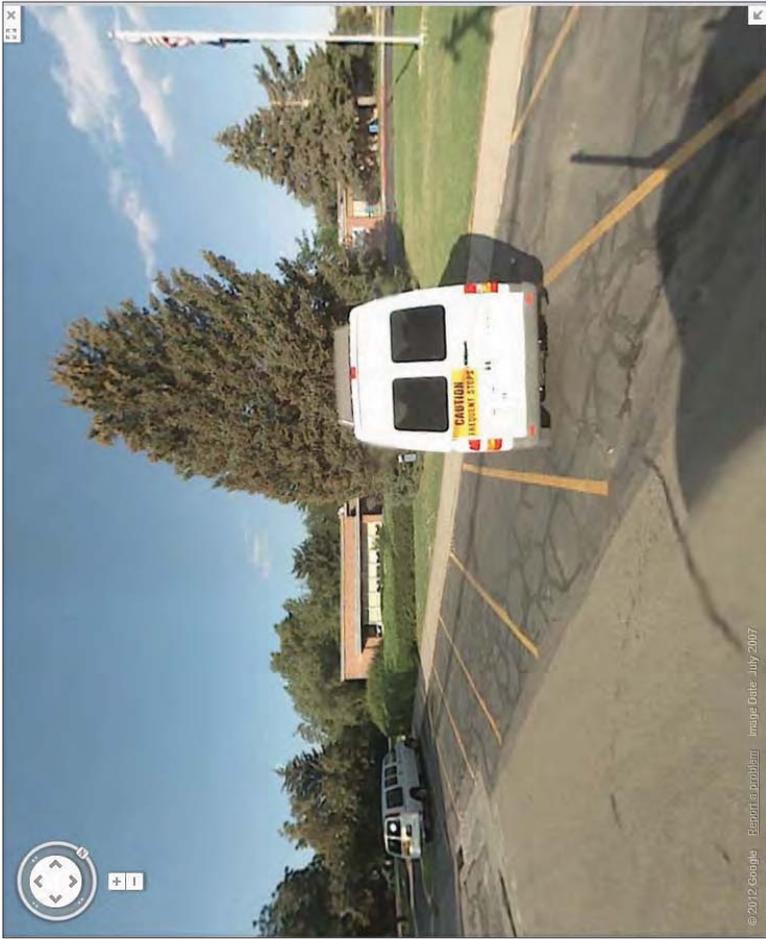
1 BUILDING ELEVATION - EAST VIEW
 SCALE: 3/8" = 1'-0"

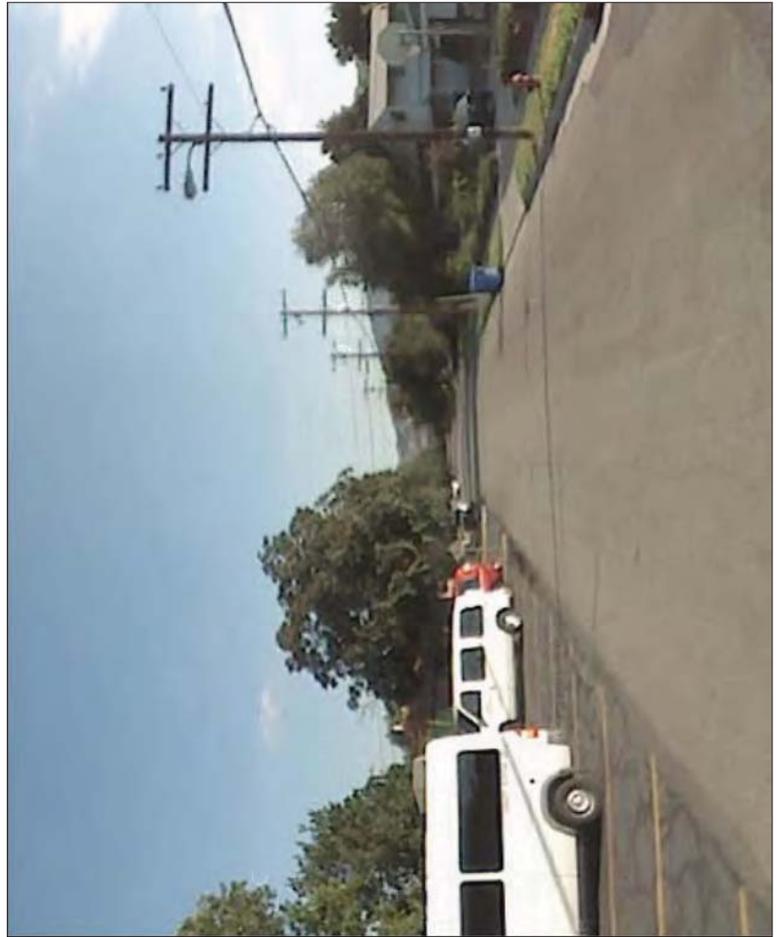
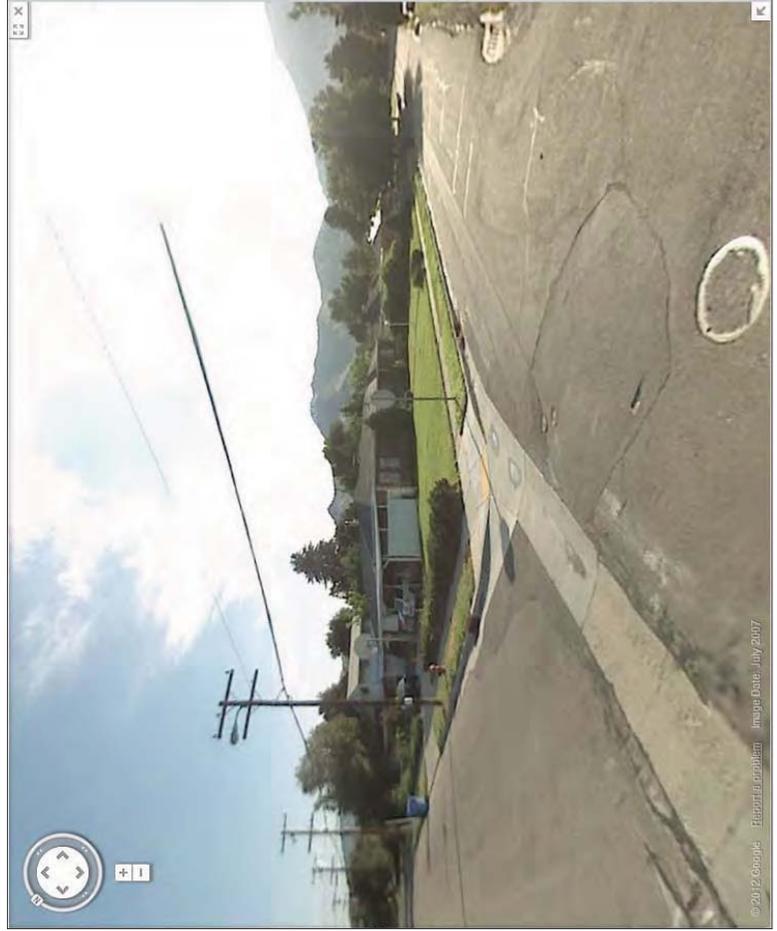


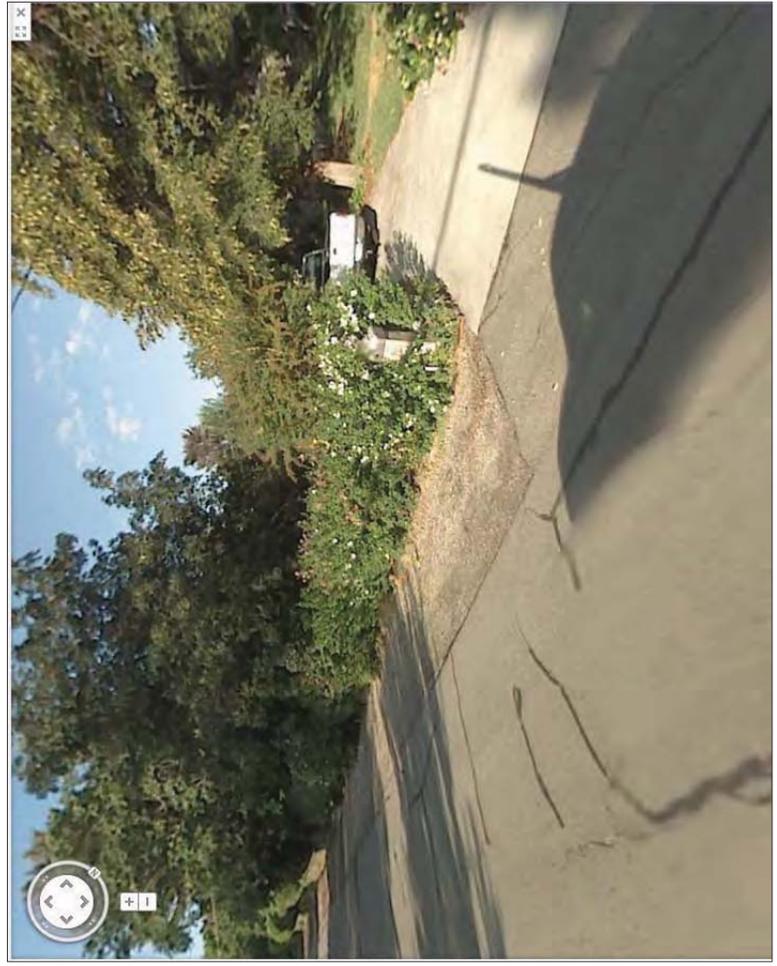
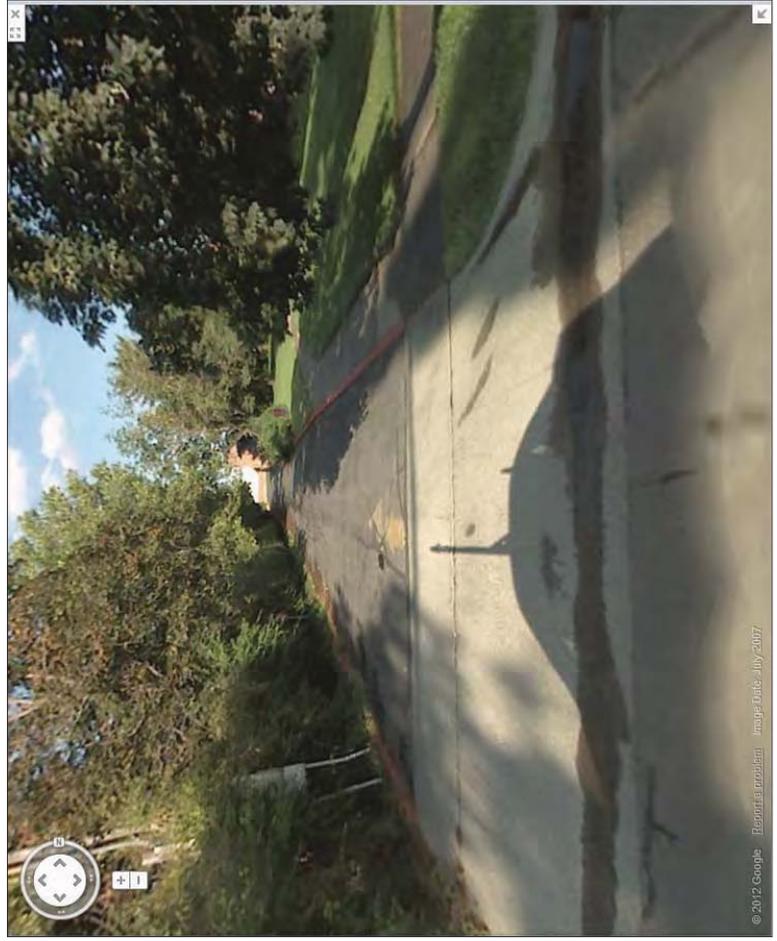
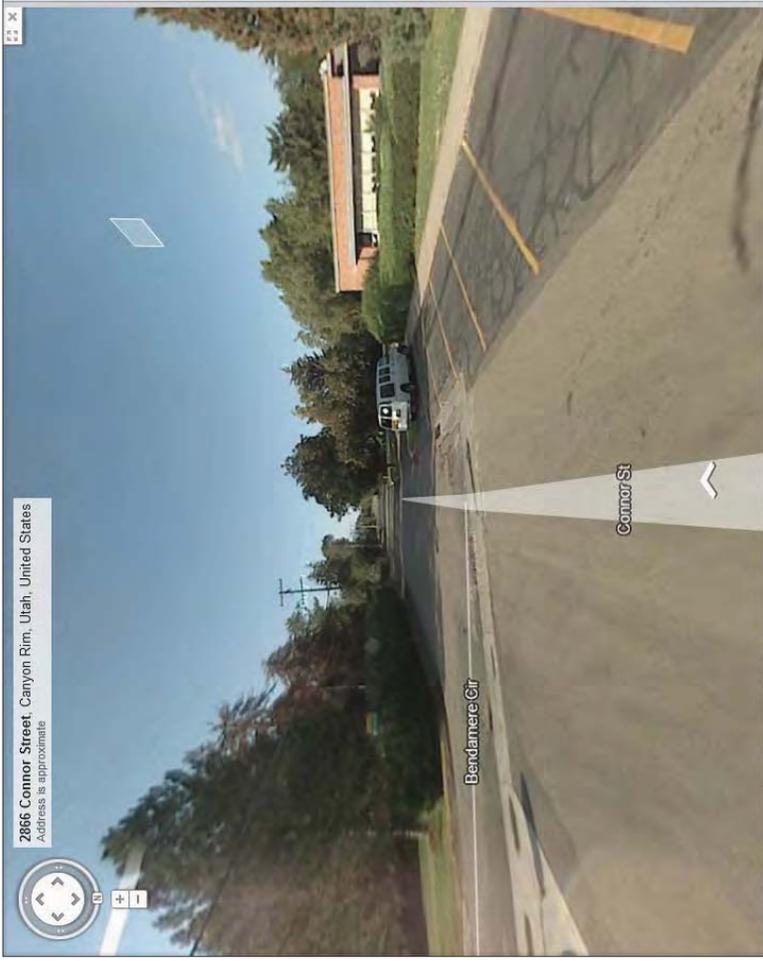
2 BUILDING ELEVATION - SOUTH VIEW
 SCALE: 3/8" = 1'-0"

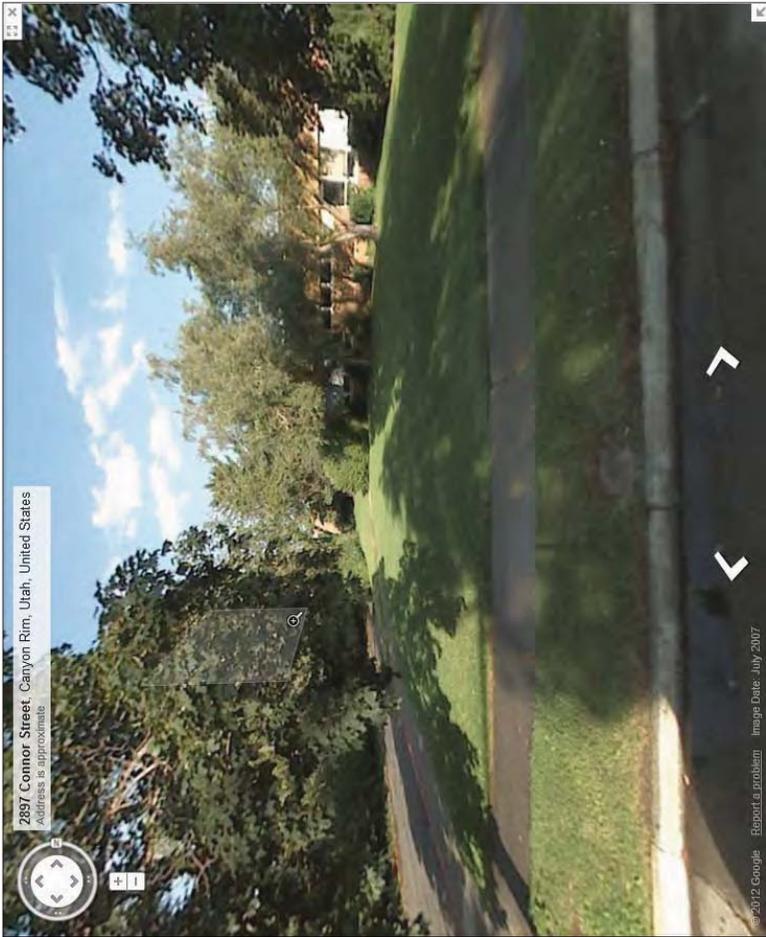


3 BUILDING ELEVATION - NORTH VIEW
 SCALE: 3/8" = 1'-0"











Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012

27908

Conditional Use – Wireless

Telecommunications Facility

Applicant: Justin Hadley of Powder River

Development for AT&T

Planner: Travis Van Ekelenburg



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, August 15, 2012	04:00 PM	File No:	2	7	9	0	8	
Applicant Name:	Justin Hadley	Request:	Conditional Use						
Description:	Amended site plan; replace existing wireless monopole to 60 feet								
Location:	3900 E Interstate 80								
Zone:	FR-5 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:	Travis Van Ekelenburg								

1.0 BACKGROUND

1.1 Summary

Justin Hadley of Powder River Development on behalf of AT&T is requesting approval of a Conditional Use Permit for a Wireless Telecommunication Facility to replace an existing 43-foot monopole with a new 60-foot monopole at the existing site. The change will accommodate co-location of AT&T and T-Mobile facilities on the new pole.

1.2 Hearing Body Action

This item is on the Millcreek Township Planning Commission Agenda for review and action. The Planning Commission has the authority to approve, deny, or approve with conditions conditional use applications.

1.3 Neighborhood Response

Neighborhood response has been at the Community Council meeting, but no comments have been submitted to Salt Lake County Planning and Development Services.

1.4 Community Council Response

Approval with conditions - Please read attached letter from the Mt. Olympus Community Council.

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 site development plan appears to meet all applicable provisions of the Salt Lake County Zoning Ordinance with the exception of the total height as outlined in Section 2.4 of this report. This item has been discussed with applicant and they are aware and willing to alter the height of the monopole to meet the maximum of 60 feet allowed in the zone. Summary: Staff anticipates that this criteria will be met pending the receipt of revised plans and in accordance with the recommended approval conditions found in this report.
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: The proposed amendment to the site will comply with all laws and ordinances. Summary: This criteria will be met.
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 site is located in a remote area and will not have an impact on traffic. Summary: This is a non-issue related to this application, so this criteria has been met.
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: Based on the technical review, no natural hazards have been identified that would pose a threat to anyone working or residing in the vicinity of this facility. A building permit will be required and the facility will be built in compliance with all applicable building code standards and in accordance with any physical conditions at this site that may be identified at a later time. Summary: This criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E'</u> : <i>The proposed use and site development plan shall not significantly impact the quality of life of residents in the vicinity.</i>
		Discussion: Staff does not believe that this use will have any negative impact on the quality of life of residents in the vicinity. While the site will be visible from some perspectives in the canyon, conditions have been proposed to mitigate the visibility of the site and make it blend into the surroundings. The site will help to improve communication and will accommodate emergency communication measures and response in Parleys Canyon. This will help enhance and protect the community. Summary: This criteria has been met.

2.2 Zoning Requirements

The subject property is zoned FR-5 (Forestry and Recreation) and is 14.53 acres in size with the two parcels involved. The FR zone allows for a wireless telecommunication facility and associated equipment to be approved as a Conditional Use on the property, subject to the limitations outlined in Chapter 19.12.30 S. of the Salt Lake County Zoning Ordinance. Among the provisions that such a facility must adhere to are the following:

- 1) The facility complies with the requirements for development set forth in the foothills and canyons overlay zone, Chapter 19.72, including development standards for grading, wildlife habitat protection, tree and vegetation protection, natural hazards, and utilities, and standards for establishing limits of disturbance;
- 2) Site placement and facility color shall be carefully considered to blend in with the natural surroundings.
- 3) The maximum height for monopole facilities shall be sixty feet.

2.3 Other Agency Recommendations or Requirements

Grading - Any disturbance outside the existing access road will need to be restored to original condition.

2.4 Other Issues

Issue of Total Height - The underlying FR Zoning (Chapter 19.12.030 - FR zones - Conditional Uses) limits the maximum height of any monopole facility to 60 feet in the FR zone. Any proposed monopole at this site would be strictly limited to a maximum height of 60 feet. The submitted drawings show the height at 63 feet with the Fox News camera at 3 feet in height but the pole will need to be lowered for a total height of 60 feet. The height is strictly limited to 60 feet total - from the top of the structure to original grade. The approved design cannot exceed the maximum height limit for a monopole. This has been discussed with the applicant and they will submit a revised design in compliance with the maximum height for finalization of the approval by staff.

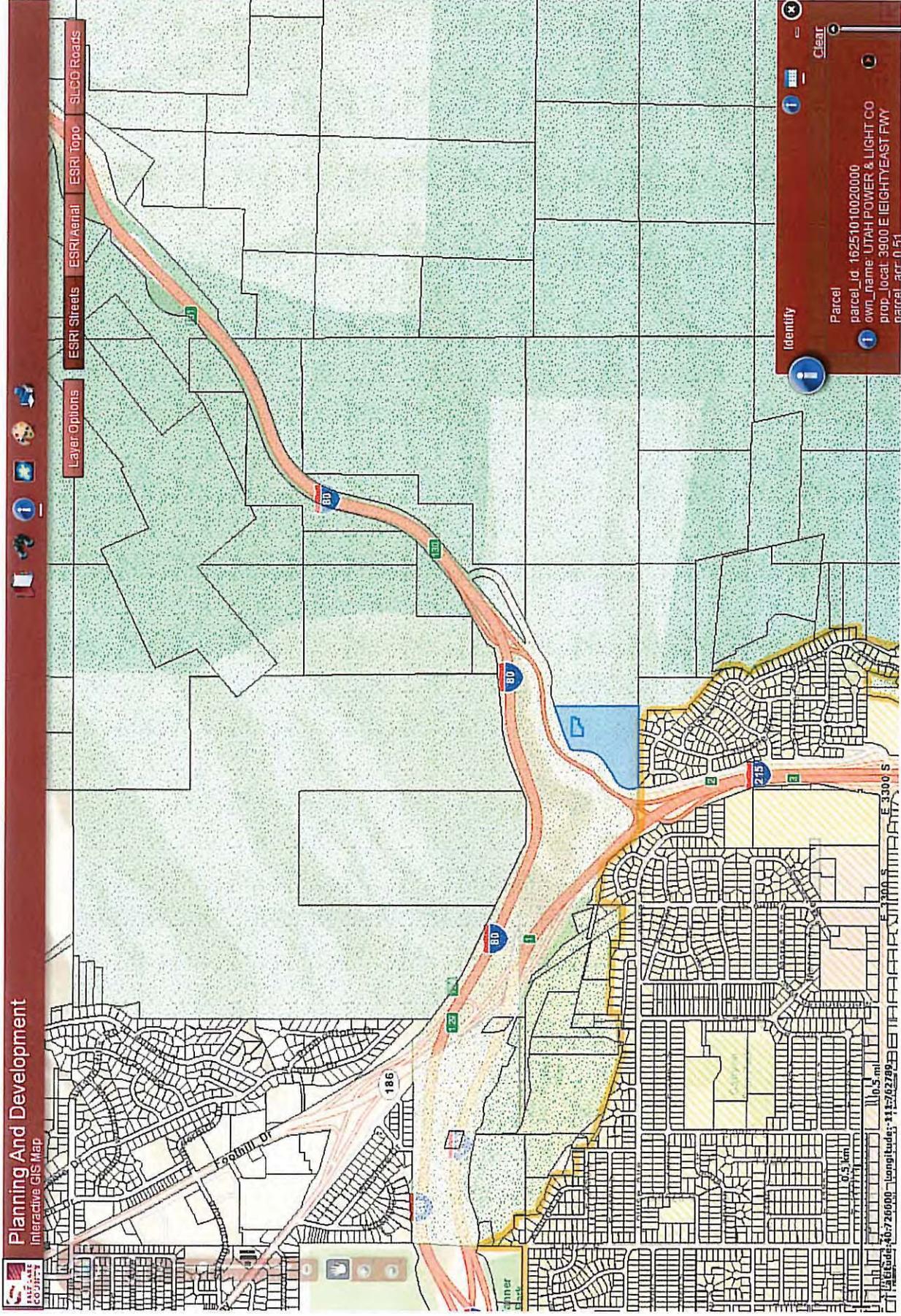
3.0 STAFF RECOMMENDATION

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

- 1)Colors - Per FCOZ standards, the monopole and building should be painted and colored in a way to blend into the surroundings and limit the visual impact.
(Note: Staff will work with the applicant for an appropriate color scheme and materials.)
- 2)Revegetation is required for areas disturbed in establishing and building the site.
(Note: Staff will require revegetation and bonding to ensure that this is done.)
- 3)The maximum height allowed for the monopole is 60 feet as measured from the top of the structure to original grade.
- 4) Staff recommends that the Planning Commission include the conditions outlined by the Mt. Olympus Community Council letter dated July 19, 2012.

3.2 Reasons for Recommendation

- 1) This application meets all five of the Conditional Use criteria outlined in Chapter 19.84.060 of the Zoning Ordinance that must be met for the Planning Commission to approve the application with the imposition of reasonable conditions to mitigate any anticipated detrimental impacts of the facility.
- 2) Staff will work with the applicant to ensure that all conditions of this approval are met before issuing the Conditional Use Permit.



27908



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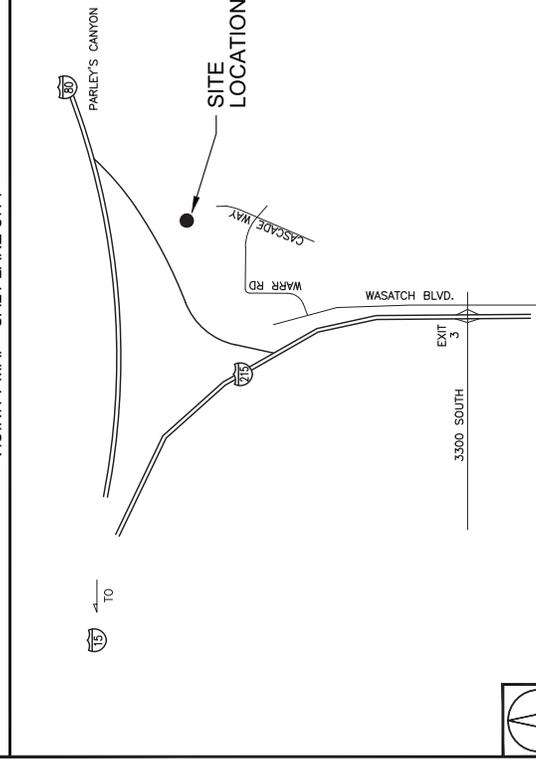
SITE: MOUTH OF PARLEYS

UTLO1090
FA#10088325



LTE
MONOPOLE

VICINITY MAP - SALT LAKE CITY



DRIVING DIRECTIONS

DIRECTIONS FROM AT&T OFFICE:
FROM I-215 TAKE EXIT 3 (3300 SOUTH) TO WASATCH BLVD NORTH. TURN RIGHT ONTO CASCADE WAY.
(SITE ACCESS 1ST GATE KEY REQUIRED)

ENGINEERING

2009 INTERNATIONAL BUILDING CODE
2011 NATIONAL ELECTRIC CODE
ITA-222-C OR LATEST EDITION

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. NO SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO REMEDIATION IS PROPOSED.

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAE AND WIRELESS COMMUNICATIONS CABINETS FOR AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK.

SITE INFORMATION

SITE ADDRESS: 2931 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UT 84109

SITE OWNER: WASATCH ELECTRIC
SITE NAME: SOUTH, SITE A
SITE NUMBER: SLO1072A

COUNTY: SALT LAKE
LATITUDE (NAD 83) 40° 42' 35.1" N
LONGITUDE (NAD 83) 111° 47' 54.8" W
ELEVATION: -111.9300'

SITE ACQUISITION CONTACT: CINDY HANKS
801-263-8141

RF ENGINEER: ERIN BARBERA
877-358-5732

CONSTRUCTION MANAGER: PAUL CAMPBELL
801-232-4278

CONTACT INFORMATION

AME DESIGN: WASATCH ELECTRIC SOUTH, SITE A
SALT LAKE CITY, UT 84104
CONTACT: MARY WORTHINGTON
PHONE: 801-487-4511



4300 RIVERSOFT ROAD, SUITE #600
TAYLORSVILLE, UTAH 84123



960 LEVY DRIVE SUITE 250
SALT LAKE CITY, UTAH 84123
(801) 283-8141



2455 West 1500 South, Suite A
SALT LAKE CITY, UTAH 84104
(801) 487-4111 FAX: (801) 467-6632

REV	DATE	DESCRIPTION
1	6/1/12	ZONING DRAWINGS
0	4/26/12	ZONING DRAWINGS
A	3/26/12	ISSUED FOR REVIEW

APPROVALS

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR MODIFICATIONS.

AT&T WIRELESS COMPLIANCE REPRESENTATIVE: _____ DATE: _____
AT&T WIRELESS RF ENGINEER: _____ DATE: _____
GD SITE ACQUISITION: _____ DATE: _____
SITE ACQUISITION: _____ DATE: _____
PROPERTY OWNER: _____ DATE: _____
GD CONSTRUCTION MANAGER: _____ DATE: _____

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL. ANY USE OR DISCLOSURE OTHER THAN AS INTENDED IS STRICTLY PROHIBITED.

DRAWING INDEX

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
C-1	SITE PLAN & EQUIPMENT LAYOUT
C-2	GROUND ELEVATION & ANTENNA LAYOUTS
C-3	PROPOSED SITE ELEVATION & ANTENNA LAYOUTS

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



UNDERGROUND SERVICE ALERT
CALL "BLUE STAKES OF UTAH"
(800) 882-4111
3 WORKING DAYS BEFORE YOU DIG

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

UTLO1090
MOUTH OF PARLEYS
2931 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UT 84109



4303 RIVERSIDE ROAD, SUITE #600
TAYLORSVILLE, UTAH 84123



960 LEVOY DRIVE SUITE 250
SALT LAKE CITY, UTAH 84123
(801) 283-8141



2455 WEST 1000 SOUTH, SUITE A
SALT LAKE CITY, UTAH 84104
(801) 467-6632

REV	DATE	DESCRIPTION
1	4/1/12	ZONING DRAWINGS
0	4/26/12	ZONING DRAWINGS
A	3/29/12	ISSUED FOR REVIEW

UTL01090
MOUTH OF PARLEYS
2931 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UT 84109
MONOPOLE

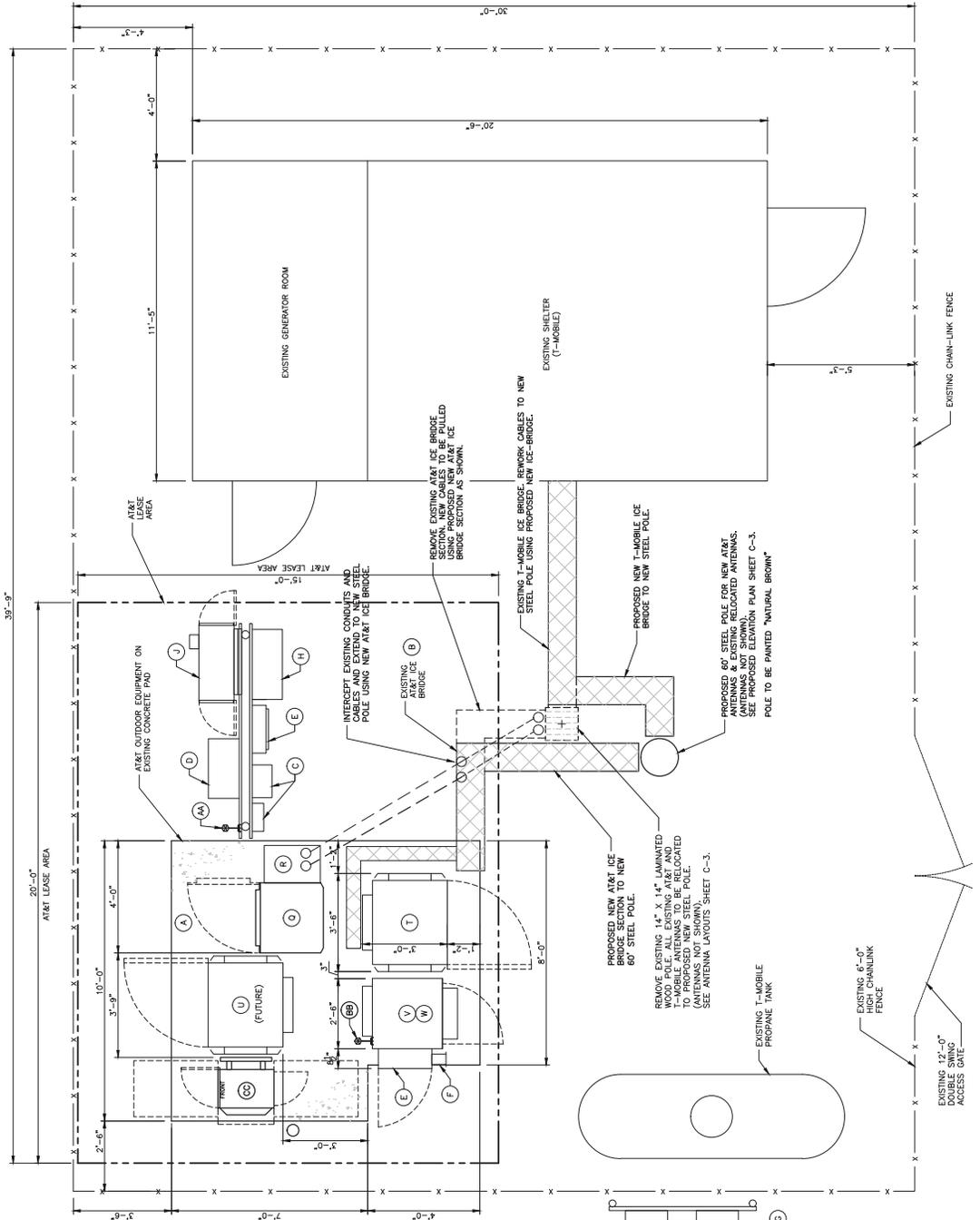
SHEET TITLE
SITE PLAN
EQUIPMENT LAYOUT

SHEET NUMBER
C-1

- NOTES:**
- CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 - CONTRACTOR SHALL LOCATE PROPOSED LITE GPS ANTENNA PER AT&T AND ALCATEL LUCENT GUIDELINES.

KEY NOTES

- (A) EXISTING CONCRETE PAD
- (B) EXISTING COAX ICE BRIDGE
- (C) OLD METER BASE AND OLD TRANSFER SWITCH
- (D) EXISTING TRANSFER SWITCH
- (E) EXISTING AC PANEL
- (F) EXISTING GENERATOR PLUG
- (G) EXISTING POWER METER/SVC DISCONNECT
- (H) EXISTING TELCO CABINET W/ NU/S
- (I) EXISTING E-911 EQUIPMENT CABINET
- (K) N/A
- (L) N/A
- (M) N/A
- (N) N/A
- (O) N/A
- (P) N/A
- (Q) EXISTING OUTDOOR NOKIA GSM CABINET
- (R) EXISTING COAX CABLE ENCLOSURE
- (S) N/A
- (T) EXISTING OUTDOOR LUCENT UNITS CABINET
- (U) FUTURE OUTDOOR LUCENT UNITS CABINET
- (V) EXISTING ARGUS DC POWER PLANT
- (W) EXISTING BATTERIES
- (X) N/A
- (Y) N/A
- (Z) N/A
- (AA) EXISTING GPS ANTENNA
- (BB) PROPOSED LITE GPS ANTENNA (NOTE 2)
- (CC) PROPOSED LUCENT LITE EQUIPMENT INSTALLED ON H-FRAME OR PEDESTAL



SITE PLAN & EQUIPMENT LAYOUT
SCALE: 1/4" = 1'-0"

0 2' 4'
SCALE: 1/4"=1'-0"
GRAPHIC SCALE
IF SHEET IS NOT PLOTTED
REFER TO GRAPHIC SCALE





4300 RIVERBENT ROAD, SUITE #600
TAYLORSVILLE, UTAH 84123

GENERAL DYNAMICS
Information Technology

960 LEROY DRIVE SUITE 250
SALT LAKE CITY, UTAH 84123
(801) 283-8141

Wasatch Electric
A Division of *Dynalistic*
An EMCOR Company

2455 WHEAT 1500 South, Suite A
SALT LAKE CITY, UTAH 84104
(801) 487-4811 FAX: (801) 487-6832

REV	DATE	DESCRIPTION
1	6/7/13	ZONING DRAWINGS
0	4/25/13	ZONING DRAWINGS
A	3/26/13	ISSUED FOR REVIEW

UTLO1090
MOUTH OF PARLEYS
2931 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UT 84109
MONOPOLE

SHEET TITLE
EXISTING SITE ELEVATION
& ANTENNA LAYOUT

SHEET NUMBER
C-2

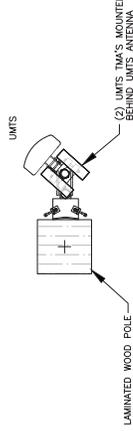


ALPHA SECTOR
40°

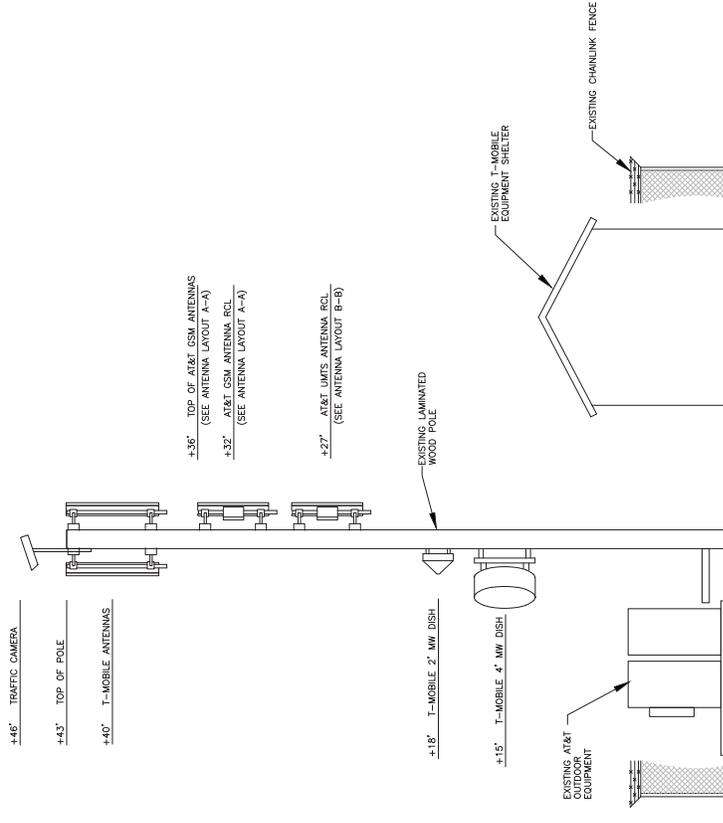


EXISTING ANTENNA LAYOUT A-A
SCALE: 3/8" = 1'-0"

ALPHA SECTOR
40°



EXISTING ANTENNA LAYOUT B-B
SCALE: 3/8" = 1'-0"



EXISTING ELEVATION
SCALE: 1/8" = 1'-0"

0 1' 2'
SCALE: 1/8" = 1'-0"
GRAPHIC SCALE

IF SHEET IS NOT PLOTTED 11"x17"
REFER TO GRAPHIC SCALE



4300 RIVERSIDE ROAD, SUITE #600
TAYLORSVILLE, UTAH 84123



960 LEVY DRIVE SUITE 250
SALT LAKE CITY, UTAH 84123
(801) 283-8141



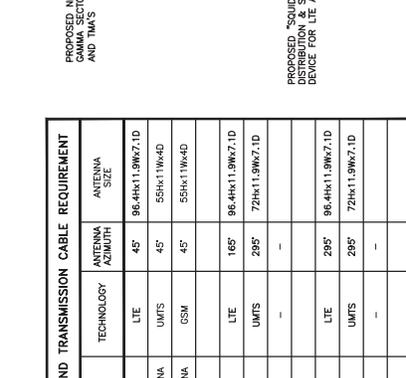
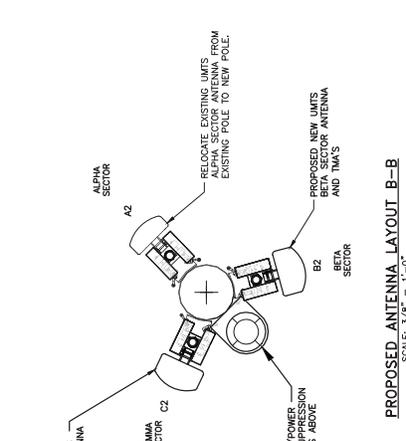
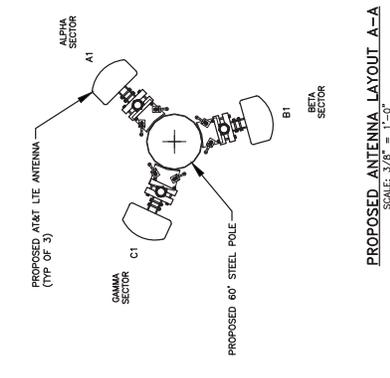
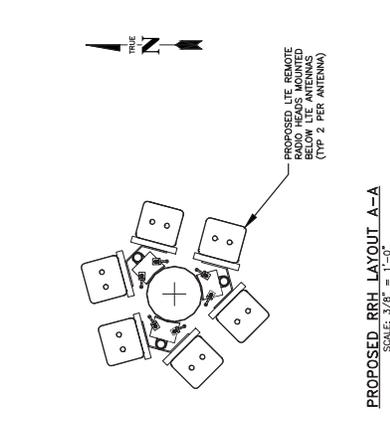
A Division of Dynatec
2455 West 1500 South, Suite A
SALT LAKE CITY, UTAH 84104
(801) 467-4511 FAX: (801) 467-6502

REV	DATE	DESCRIPTION
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0	4/26/12	ISSUED FOR PERMITS
A	3/26/12	ISSUED FOR REVIEW

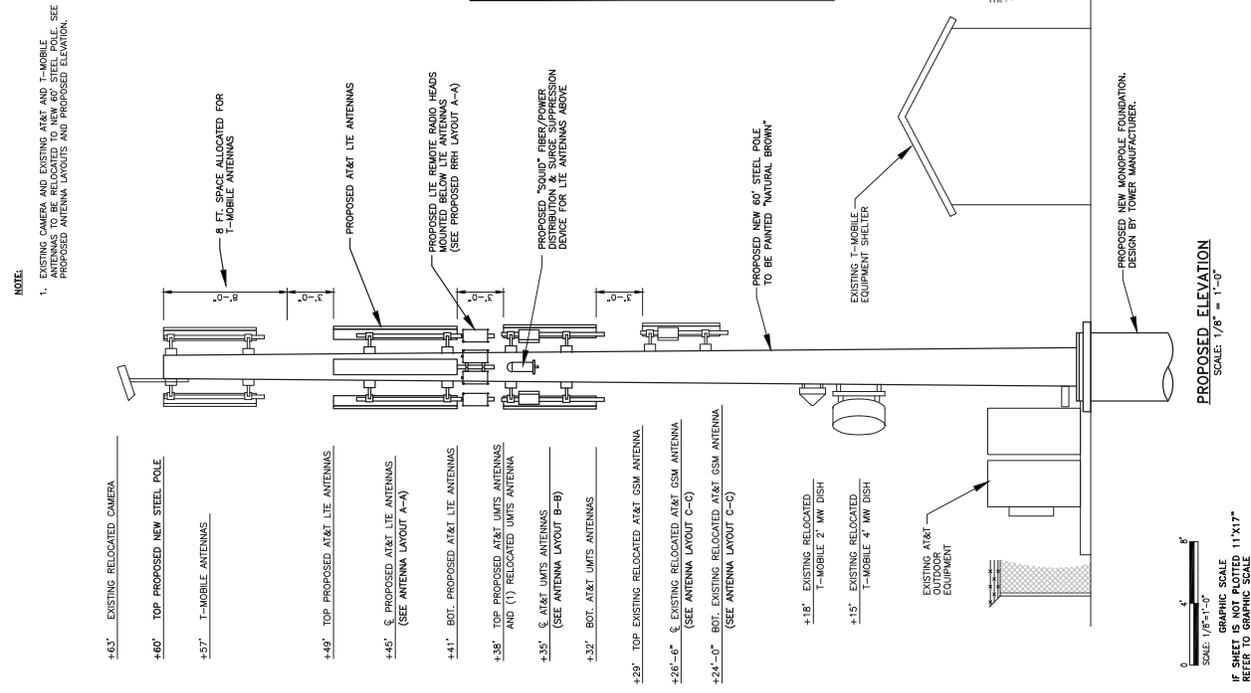
UTLO1090
MOUTH OF PARLEYS
2931 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UT 84109

SHEET TITLE
PROPOSED SITE ELEVATION
& ANTENNA LAYOUT

SHEET NUMBER
C-3



SECTOR	ANTENNA TYPE	TECHNOLOGY	ANTENNA AC/MHPIR	ANTENNA SIZE
A1	PROPOSED ANTENNA	LTE	45'	96.4Hx11.9Wx7.1D
A2	EXISTING RELOCATED ANTENNA	UMTS	45'	55Hx11Wx4D
A3	EXISTING RELOCATED ANTENNA	GSM	45'	55Hx11Wx4D
B1	PROPOSED ANTENNA	LTE	165'	96.4Hx11.9Wx7.1D
B2	PROPOSED ANTENNA	UMTS	285'	72Hx11.9Wx7.1D
B3	N/A	-	-	-
C1	PROPOSED ANTENNA	LTE	295'	96.4Hx11.9Wx7.1D
C2	PROPOSED ANTENNA	UMTS	285'	72Hx11.9Wx7.1D
C3	N/A	-	-	-



NOTE:

- EXISTING CAMERA AND EXISTING AT&T AND T-MOBILE ANTENNAS ARE SHOWN IN DASH. SEE PROPOSED ANTENNA LAYOUTS AND PROPOSED ELEVATION.

- +63' EXISTING RELOCATED CAMERA
- +60' TOP PROPOSED NEW STEEL POLE
- +57' T-MOBILE ANTENNAS
- +49' TOP PROPOSED AT&T LTE ANTENNAS
- +45' & EXISTING AT&T LTE ANTENNAS (SEE ANTENNA LAYOUT A-A)
- +41' BOT. PROPOSED AT&T LTE ANTENNAS
- +38' TOP PROPOSED AT&T LTE ANTENNAS AND (1) RELOCATED UMTS ANTENNA
- +35' & AT&T UMTS ANTENNAS (SEE ANTENNA LAYOUT B-B)
- +32' BOT. AT&T UMTS ANTENNAS
- +29' TOP EXISTING RELOCATED AT&T GSM ANTENNA
- +26'-6" & EXISTING RELOCATED AT&T GSM ANTENNA (SEE ANTENNA LAYOUT C-C)
- +24'-0" BOT. EXISTING RELOCATED AT&T GSM ANTENNA (SEE ANTENNA LAYOUT C-C)
- +18' EXISTING RELOCATED T-MOBILE 2' MM DISH
- +15' EXISTING RELOCATED T-MOBILE 4' MM DISH

PROPOSED AT&T LIE ANTENNA (TOP OF 3)

ALPHA SECTOR A1

BETA SECTOR B1

GAMMA SECTOR C1

PROPOSED 60' STEEL POLE

PROPOSED AT&T LIE ANTENNAS

PROPOSED LITE REMOTE RADIO HEADS MOUNTED BELOW LIE ANTENNAS (SEE PROPOSED RRH LAYOUT A-A)

PROPOSED "SQUID" FIBER/POWER DISTRIBUTION & SURGE SUPPRESSION DEVICE FOR LIE ANTENNAS ABOVE

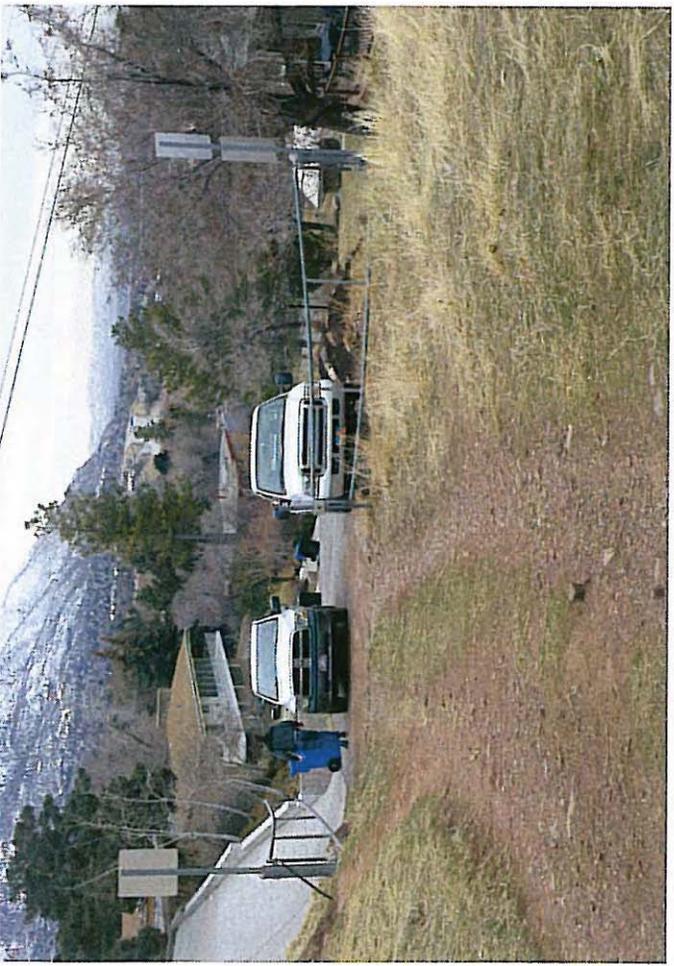
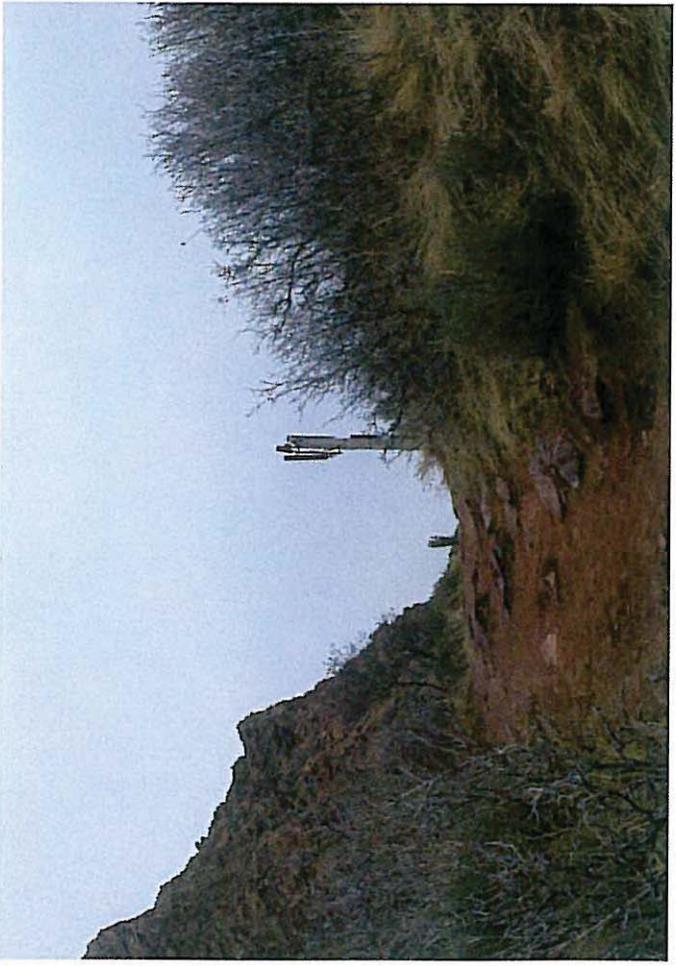
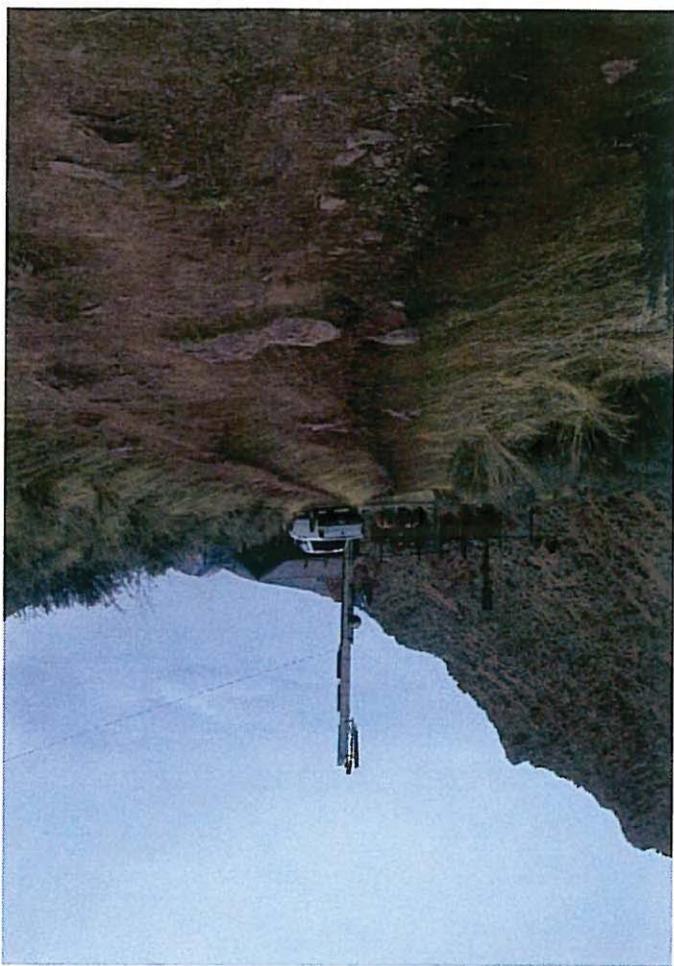
PROPOSED NEW 60' STEEL POLE TO BE PAINTED "NATURAL BROWN"

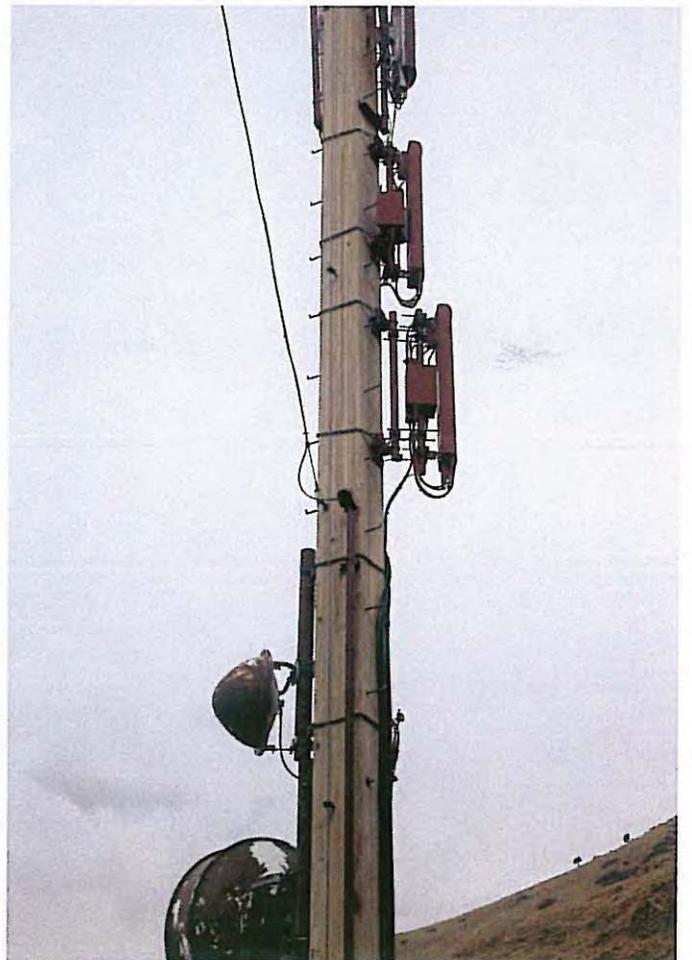
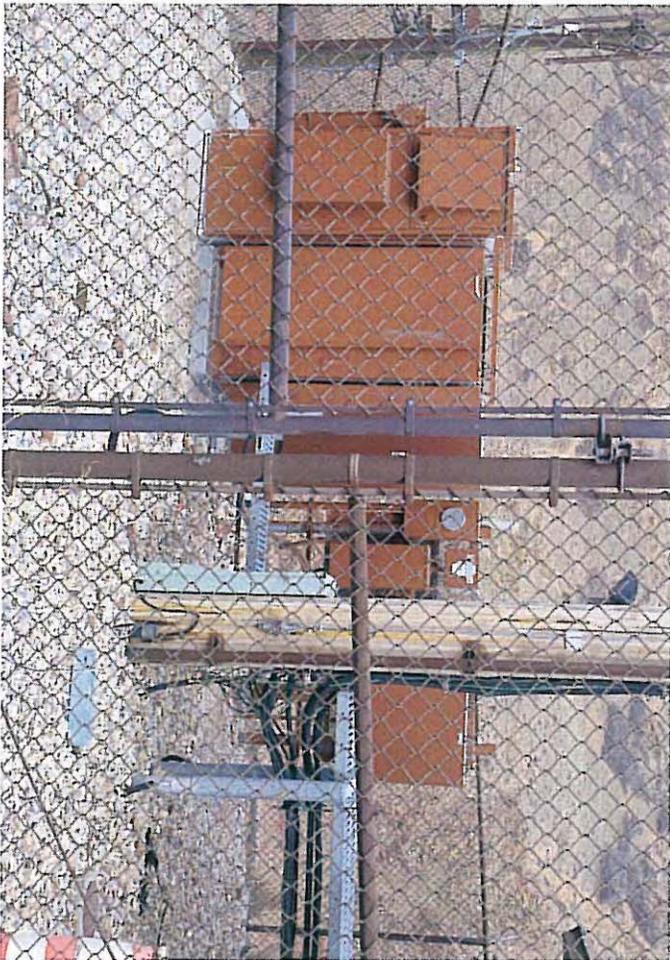
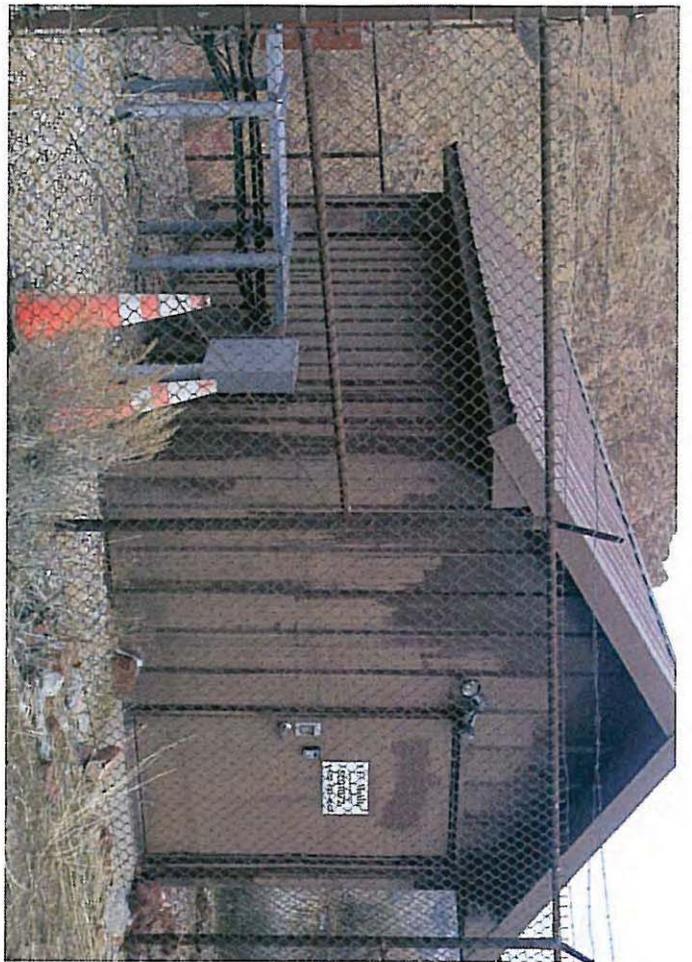
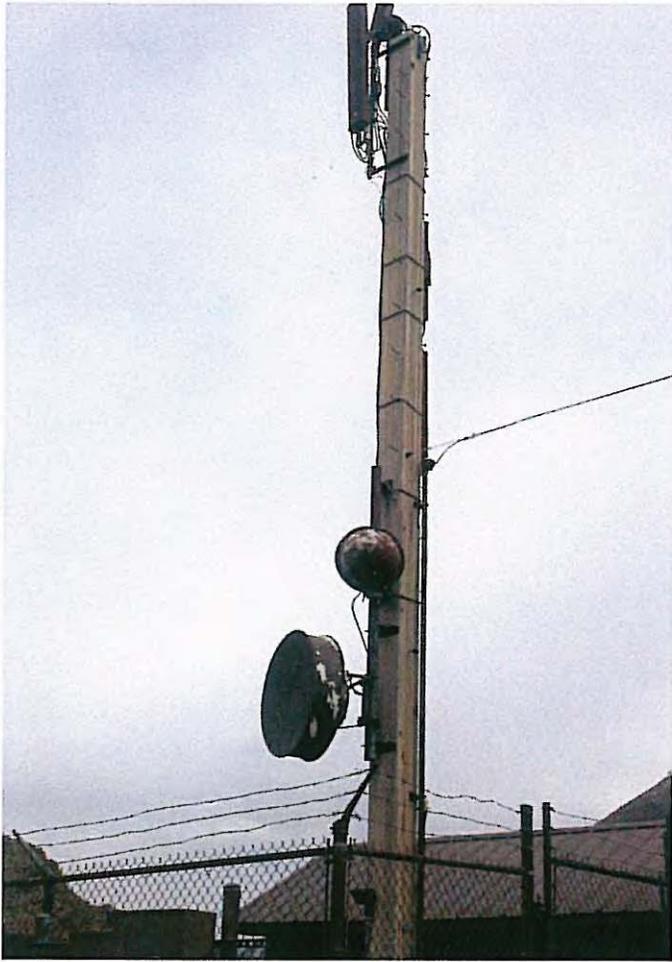
EXISTING T-MOBILE EQUIPMENT SHELTER

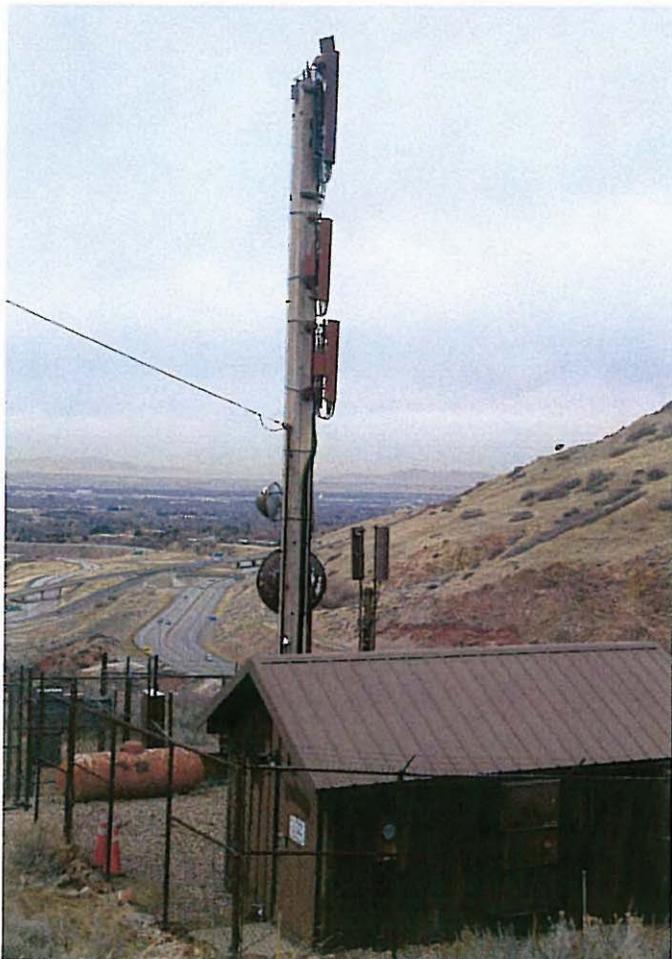
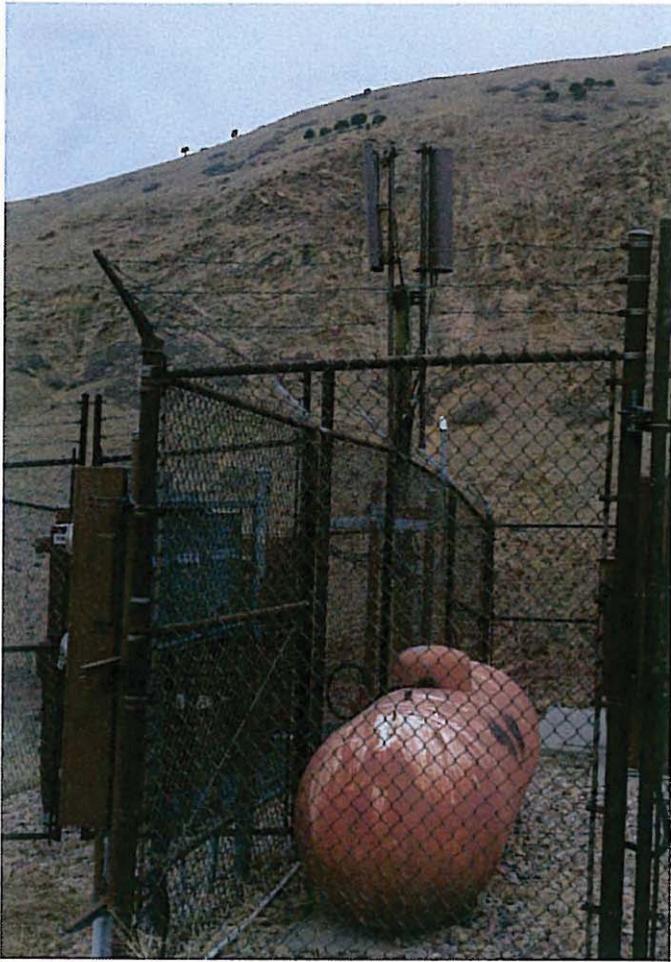
EXISTING CHAINLINK FENCE

EXISTING AT&T OUTDOOR EQUIPMENT

PROPOSED NEW MASONRY FOUNDATION DESIGN BY TOWER MANUFACTURER.









Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012

27912

*PUD Amendment – Millcreek Gardens PUD,
Amending Conditions of Approval*

Applicant: Rochelle Land, LC

Planner: Todd A. Draper



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, August 15, 2012	04:00 PM	File No:	2	7	9	1	2	
Applicant Name:	Brian	Request:	Conditional Use						
Description:	Amending Conditions of Approval.								
Location:	4563 South 785 East								
Zone:	R-1-10 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	Todd A. Draper								

1.0 BACKGROUND

1.1 Summary

Rochelle Land, LC is requesting approval of amendments to the conditions of approval for the Millcreek Gardens Planned Unit Development (PUD) Subdivision. Primarily they wish to amend the front yard setback for Lot A, from 30 feet to 18 feet in order to maintain consistency with the previously approved setbacks for lots 1-6 in the PUD. Additionally, there are some minor changes that have occurred from the original plan that affect landscape screening requirements and parking for which approval of the Planning Commission is also required.

1.3 Neighborhood Response

None received to date.

1.4 Community Council Response

Not yet received.

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>
		<p>Discussion: The PUD continues to comply with the previous approved setbacks, heights, massing, and scale. By virtue of being a PUD, allowances from the typical setbacks and parking requirements can be reviewed and approved by the Planning Commission. The Current request to allow for an 18 foot front yard setback for Lot A would be identical to the adjacent Lot 1. The adjacent home to the North is heavily screened from view and setback 30 feet or more. Historically the public street has been a dead end in front of this PUD and is unlikely to change in the future. The setback reduction would not be out of character given the surrounding circumstances.</p> <p>With regards to the expanded parking areas staff believes that the current locations, though not completely in-line with ordinance, would fall within the intent of the ordinance. Any issues that may exist related to storm drainage can be dealt with through the technical review process.</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>
		<p>Discussion: No substantial change in status.</p>
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>
		<p>Discussion: No reasonable change in traffic impacts anticipated.</p>
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>
		<p>Discussion: These were all previously addressed with the original approval. The only issue that would need to be addressed/reviewed at the technical review stage would be the site grading and drainage to insure that the parking additions do not impact adjacent properties.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not significantly impact the quality of life of residents in the vicinity.</i>
		<p>Discussion: The proposed changes (being relatively minor) will not have a significant impact on the quality of life in the area.</p>

2.2 Zoning Requirements

19.78.010 - Scope of approval.

Provision of a planned unit development by this chapter in no way guarantees a property owner the right to exercise the provisions of the planned unit development. Planned unit developments shall be approved by the planning commission only if, in its judgment, the proposed planned unit development fully meets the intent and purpose and requirements of the zoning ordinance.

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.

19.78.090 - 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.

19.78.150 - 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.

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 board of adjustment.

2.3 Other Agency Recommendations or Requirements

None at this time. As the issues with screening and parking were discovered later after the initial review of the application, the anticipation is that any issues that may exist with those elements would be technical in nature and would be resolved as part of the technical review process.

2.4 Other Issues

There are also issues related to landscaping that has not been installed or maintained in compliance with the original landscaping approval. Many existing trees that were indicated on plans that would remain have been removed. Additionally, in some areas less trees have been installed than called for on the plans. As the original approval pre-dates the current landscape ordinance, the minor adjustments to the plan do not rise to the level where compliance with the current ordinance is required.

The main issue that needs to be addressed are trees that were removed between Lots A, 2 and 4 and the adjacent property to the North, especially in the location of the newly installed RV parking. Staff suggests that the applicant be allowed to work with staff to develop a plan to replace the removed trees with new trees that will provide additional screening of potentially higher profile vehicles that may be parking in the newly added parking areas.

Additionally, staff would like to have the revised landscape plan reflect some of the "as built" aspects of the PUD while keeping all other aspects of the originally approved landscape plan intact. This would allow for recognition of the installed landscaping within the storm water retention area as meeting the intent (although it is 3-4 trees short of the original approval), while still requiring elements such as the street trees that have yet to be installed along 785 East on lots A and 1.

3.0 STAFF RECOMMENDATION

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

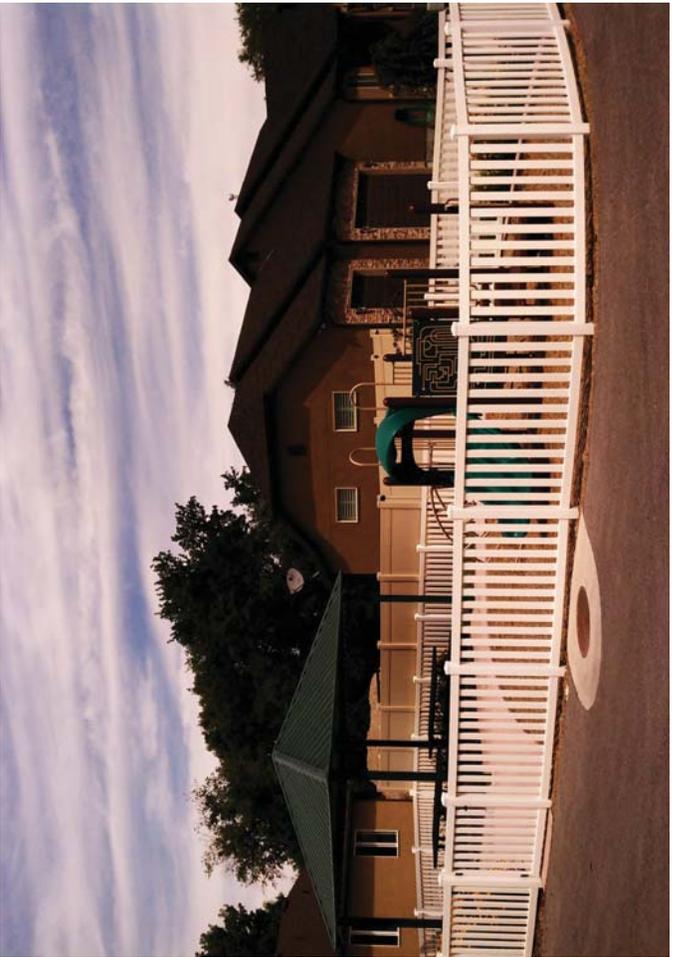
- 1) Overall Site plan to be amended to reflect "as built" conditions, including the installation of RV parking (existing and proposed).

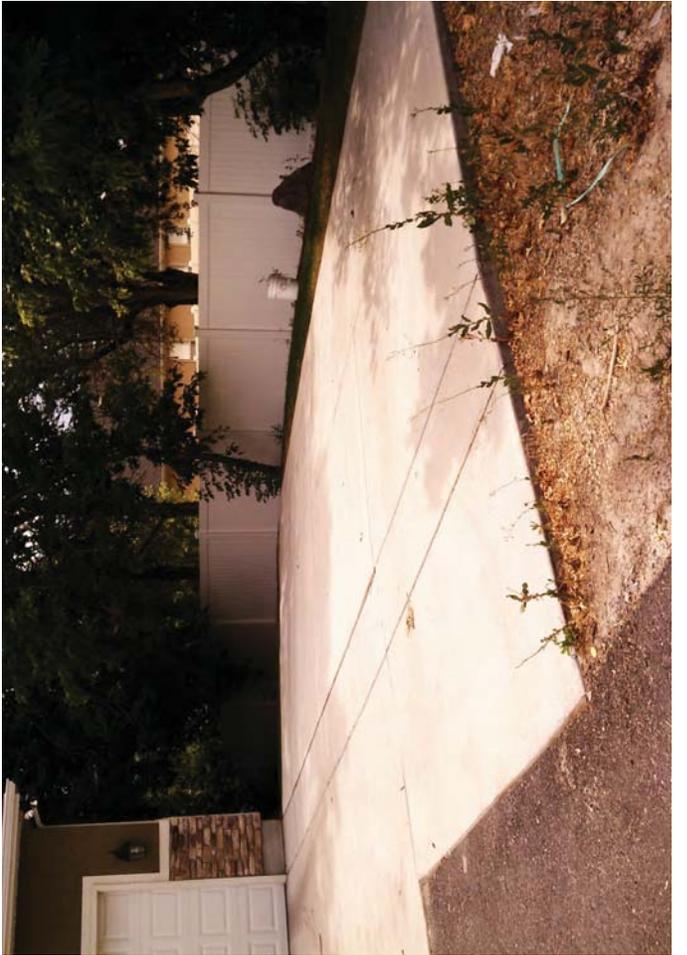
- 2) New RV parking areas to comply with Urban Hydrology requirements that all storm water generated on the property be either routed to an approved County Storm Drain System or be retained on site. No water may flow onto adjacent properties.
- 3) Submit amended landscape plans that address the staff issues identified in the staff report.

3.2 Reasons for Recommendation

- 1) Anticipated impacts can be adequately addressed at a staff level as part of a technical review.







NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

COMMON NAME	BOTANICAL NAME	QUANTITY	SYMBOL	NOTES
BIURE OAK	QUERCUS MACROCARPA	2" CAL	(Symbol)	
VILLAGE GREEN ZELKOVA	ZELKOVA SERBATA VILLAGA GREEN	2" CAL	(Symbol)	
WINTERBERRY	RETUSA OCCIDENTALIS	7" F	(Symbol)	
WASHINGTON Hawthorn	CRATAEGUS WASHINGTON	2" CAL	(Symbol)	
JAPANESE TREE LILAC	SYRINGA RETICULATA TORY SILK	1 1/4" CAL	(Symbol)	
MOPS MIDWAY MORPE	PRUNUS MIDWAY MORPE	5/8" CAL	(Symbol)	
MINISTAD LAVENDER	MONARDELLA AZARINATA	5/8" CAL	(Symbol)	
CATNIP	MONARDELLA WILE WANDER	5/8" CAL	(Symbol)	
BLACKBERRY RUSAN	RUBUS ILLINOENSIS	5/8" CAL	(Symbol)	
ANTHRA YARROW	ACTINELLA ANTHRA	1/4" CAL	(Symbol)	
RED TUBE	PERITZIA ARBUSTORUM	5/8" CAL	(Symbol)	
STONE MULCH 1/4" - 1/2" KANSAS RIVER ROCK BY GRS ROCK				TO BE PLACED IN ALL SHUBS UNLESS OTHERWISE NOTED

Scale 1" = 20' ON 24 X 36 SHEET UNLESS OTHERWISE NOTED

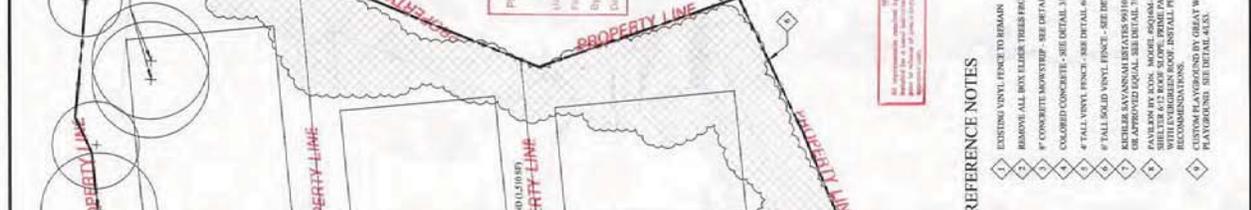
20 40 60 80 100

0 20 40 60 80 100

Scale 1" = 20' ON 24 X 36 SHEET UNLESS OTHERWISE NOTED

PLANTING LEGEND

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	NOTES
(Symbol)				EXISTING OR TO BE REMOVED UNLESS NOTED OTHERWISE ON PLAN
(Symbol)				EXISTING EVERGREEN TREE TO REMAIN
(Symbol)				EXISTING MASSING OF PROFILES TREE TO BE CLEARED UP AND THINNING AS REQUIRED



NO SIGNS ARE APPROVED WITH THIS PLAN

REPLACE EXISTING TREES TO BE REMOVED WITH NEW TREES OF EQUAL OR GREATER SIZE AND SPECIES UNLESS OTHERWISE NOTED.

REMOVE ALL EXISTING TREES FROM ROAD TO LOT LINE.

EXISTING VINYL FENCE TO REMAIN.

8" CONCRETE MONUMENT - SEE DETAIL 4.43.

COLORADO CONCRETE - SEE DETAIL 3.43.

4" TALL VINYL FENCE - SEE DETAIL 4.42.

8" TALL SOLID VINYL FENCE - SEE DETAIL 4.42.

REPLACE EXISTING TREES WITH NEW TREES OF EQUAL OR GREATER SIZE AND SPECIES UNLESS OTHERWISE NOTED.

REMOVE ALL EXISTING TREES FROM ROAD TO LOT LINE.

EXISTING VINYL FENCE TO REMAIN.

8" CONCRETE MONUMENT - SEE DETAIL 4.43.

COLORADO CONCRETE - SEE DETAIL 3.43.

4" TALL VINYL FENCE - SEE DETAIL 4.42.

8" TALL SOLID VINYL FENCE - SEE DETAIL 4.42.

FRONT YARD LANDSCAPING

- TWO TREES PER LOT OF A VARIETY WHICH REACHES 20 FEET HIGH AT MATURE AT 10 FEET HEIGHT AT INSTALLATION FOR DECIDUOUS TREES AND 4 FEET FOR EVERGREEN TREES.
- EIGHT SHRUBS PER LOT. MINIMUM SIZE: ONE GALLON.
- YARD TO BE GRASS WITH SPRINKLER SYSTEM.

GENERAL NOTES

- IF EAST COMMON NAME IS SHOWN AS AN A/B ONLY, USE BOTANICAL NAME WHEN PERMISSIBLE ALL PLANT MATERIAL.
- IF EAST COMMON NAME IS SHOWN AS AN A/B ONLY, USE BOTANICAL NAME WHEN PERMISSIBLE ALL PLANT MATERIAL.

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		



Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012

27927

Subdivision Amendment –

- 1) Approval of Preliminary Plat Amending 3 lots located within two subdivisions into one lot; and*
- 2) Recommendation to County Mayor regarding amending the existing two subdivisions.*

&

27928

Exception to Roadway Standards

For Curb, Gutter and Sidewalk

Applicant: Steve Brozo of Design Workshop

Planner: Todd A. Draper



STAFF REPORT

Executive Summary					
Hearing Body:	Millcreek Township Planning Commission				
Meeting Date and Time:	Wednesday, August 15, 2012	04:00 PM	File No:	2	7 9 2 7
Applicant Name:	Steve Brozo	Request:	Subdivision		
Description:	1-Lot Subdivision				
Location:	3877 E. Adonis Dr; 4114 and 4132 Gary Rd.				
Zone:	R-1-21 Residential Single-Family	Any Zoning Conditions?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Zoning Condition:	Limit animals to household pets.				
Staff Recommendation:	Approval with Conditions				
Planner:	Travis Van Ekelenburg				

1.0 BACKGROUND

1.1 Summary

The applicant is requesting preliminary plat approval to combine three subject lots into one lot, and a recommendation from the Planning Commission to the County Mayor's Office regarding a 608 approval, as required by State Law 17-27a-608; Vacating or amending a subdivision plat to amend Lot 724 Mount Olympus Acres No. 7 and lots 335 and 336 Mount Olympus Park Sub #3 into one lot as proposed.

1.3 Neighborhood Response

None at this time.

2.0 ANALYSIS

2.1 Applicable Ordinances

18.12.010 - Required information.

A. The preliminary plat, prepared on paper twenty-one inches by thirty inches, shall contain the information specified in this section and comply with the following requirements:

1. Description and Delineation. In a title block located in the lower right-hand corner the following shall appear:

- a. The proposed name of the subdivision, which name must be approved by the planning and development services division;
- b. The location of the subdivision, including:
 - i. Address,
 - ii. Section, township and range;
- c. The names and addresses of the owner, the subdivider, if different than the owner, and of the designer of the subdivision;
- d. The date of preparation, scale (no less than one inch to equal one hundred feet) and the north point.

2. Existing Conditions. The plat shall show:

- a. The location of and dimensions to the nearest bench mark or monument;
- b. The boundary lines of the proposed subdivision indicated by a solid heavy line and the total approximate acreage encompassed thereby;
- c. All property under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in the light of existing general street plans, other planning commission studies and the County Transportation Improvement Plan;
- d. The location, width and names of all existing streets within two hundred feet of the subdivision and of all prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements and section and corporation lines, within and adjacent to the tract;
- e. The location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred feet beyond the tract boundaries;
- f. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred feet beyond the tract boundaries, indicating pipe sizes, grades, manholes and exact location;
- g. Existing ditches, canals, natural drainage channels, and open waterways and proposed realignments;
- h. Boundary lines of adjacent tracts of unsubdivided land, showing ownership where possible;
- i. Contour at vertical intervals of not more than two feet. Highwater levels of all watercourses, if any, shall be indicated in the same datum for contour elevations;
- j. Nearest installed fire hydrants on or within five hundred feet of the proposed subdivision.

3. Properties Located in the Foothills and Canyons Overlay Zone. In addition to the preceding, the preliminary plat for subdivision of a property located in the foothills and canyons overlay zone shall show:

- a. A graphic depiction of existing slope characteristics of the property, illustrating the following:
 - i. Areas with slopes less than thirty percent,
 - ii. Areas with slopes thirty to forty percent,
 - iii. Areas with slopes forty to fifty percent, and
 - iv. Areas with slopes greater than fifty percent;
- b. Identified natural hazards, including but not limited to, areas potentially subject to avalanche, liquefaction, and/or surface fault rupture;
- c. Water courses, natural drainage channels, storm water runoff channels, gullies, stream beds, wetlands, etc.

4. Proposed Subdivision Plan. The subdivision plan shall show:

- a. The layout of streets, showing location, widths and other dimensions of (designated by actual or proposed names and numbers) proposed streets, crosswalks, alleys and easements;
- b. The layout, numbers and typical dimensions of lots, and in areas subject to foothills and canyons overlay zone provisions, designation of buildable areas on individual lots.
- c. Parcels of land intended to be dedicated or temporarily reserved for public use or set

aside for use of property owners in the subdivision;

d. Building setback lines, including showing dimensions where required by the planning commission;

e. Easements for water, sewers, drainage, utility lines and other purposes, if required by the planning commission;

f. Typical street cross sections and grade sheets where required by the planning commission or other interested county divisions;

g. A tentative plan or method by which the subdivider proposes to handle stormwater drainage for the subdivision.

B. Where required, evidence of any agreements with adjacent property owners relative to the subdivision development shall be presented to the planning and development services division in writing prior to its approval of the plat. These agreements shall include those relative to drainage, easements, protection strips and improvement bonds

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.

18.20.040 - Lots.

A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly designed according to topography, the character of surrounding development, and to existing requirements.

B. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning title, if any, for the zone in which the subdivision is located, and to the minimum requirements of the health department for water supply and sewage disposal.

C. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly dedicated street which has become public by right of use and which is more than twenty-six feet wide, or have an approved access via private right-of-way to a public street shown on the plat. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.

D. Side lines or lots shall be approximately at right angles, or radial to the street lines.

E. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

2.2 Subdivision Requirements

Planning approval of the preliminary plat is subject to addition of the following elements to the plat and plans, and compliance with related applicable standards and ordinances:

1. Preliminary plat must show all existing and proposed conditions.

2. Need to show the proposed building pad.

3. Need to show driveway access to the proposed building pad. Emergency Vehicle Turn around may be likely required if access exceeds 150 feet in length.

4. Need to show the location of existing and proposed water lines

5. Show location of nearest fire hydrant on the preliminary plat.

6. Need to provide a subdivision plan package that includes plans and profiles of the access drive.

7. Plat needs to be on standard county title block.

2.3

2.3 Other Agency Recommendations or Requirements

Grading: At the time of the Building permit application, site grading and drainage plans shall be submitted for review and comment.

3.0 STAFF RECOMMENDATION

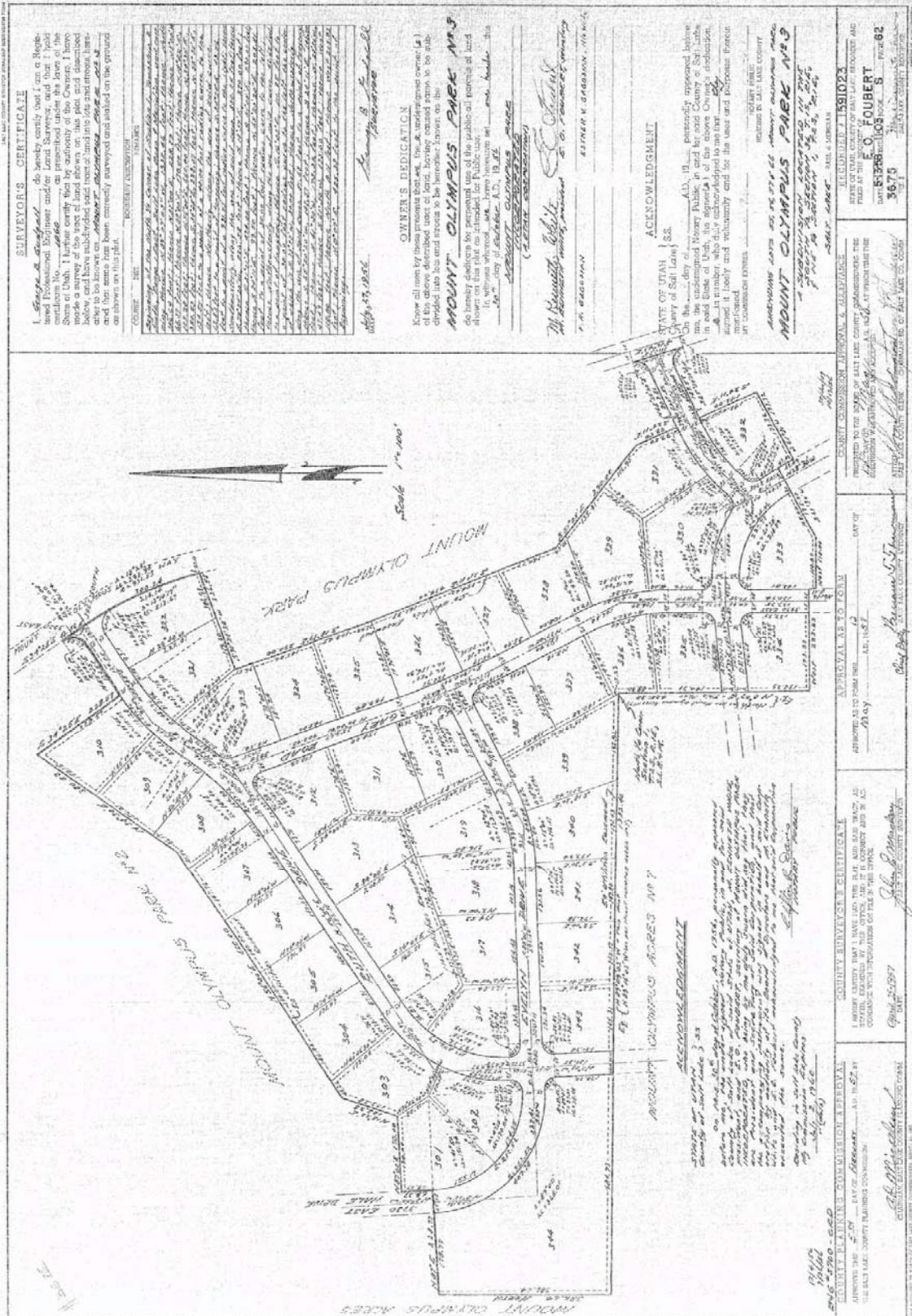
3.1 Staff recommends APPROVAL of the proposed Subdivision with the following conditions:

- 1)Modify the preliminary plat to include the missing elements specified in Title 18, and those specifically mentioned by the individual reviewers. Final approval of modified plat to be completed by planning staff.
- 2)Submit required subdivision plans detailing the required subdivision improvements and receive approval of those plans from applicable agencies and reviewers.
- 3)Comply with all recommendations and requirements of the individual reviewing departments and agencies.

3.2 Reasons for Recommendation

- 1) The current preliminary plat as proposed does not meet minimum requirements for approval, however if the missing details are added the plat would comply with applicable ordinances and by state law shall be approved.

The Point
 Preliminary Plat Application
 Mount Olympus Cove
 Salt Lake City, UT



SURVEYOR'S CERTIFICATE
 I, *George A. Campbell*, do hereby certify that I am a Registered Professional Engineer and/or Land Surveyor, and that I hold the State of Utah. I have personally examined the plat and the records of a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and areas, hereunto to be known as *Mount Olympus Park*, and of the same as shown on this plat.

OWNER'S DEDICATION
 Know all men by these presents that we, the undersigned owners (s) of the above described tract of land, hereby caused same to be subdivided into lots and areas to be hereinafter known as the **MOUNT OLYMPUS PARK**, and do hereby dedicate to the public use of the said tract of land shown on this plat as intended for public use. In witness whereof, we, have hereunto set our hands and the seal of our office, this *17th* day of *April*, 19*62*.

George A. Campbell
 Surveyor

ACKNOWLEDGMENT
 On this *17th* day of *April*, 19*62*, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake, in said State of Utah, the signers (s) of the above Certificate of Dedication, and they acknowledged to me that they executed the same for the purposes and intentions mentioned.

George A. Campbell
 Notary Public
 My Comm. Expires *12/31/62*

COUNTY PLANNING COMMISSION APPROVAL
 APPROVED AS TO FORM AND SUBSTANCE
 APR 17 1962
 BY *George A. Campbell*
 COUNTY PLANNING COMMISSIONER

COUNTY SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT I HAVE Laid THIS PLAT AND SAID TRACT AS SHOWN AND DESCRIBED BY THE ABOVE CERTIFICATE OF DEDICATION AND THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE PLAT ACT.

George A. Campbell
 County Surveyor

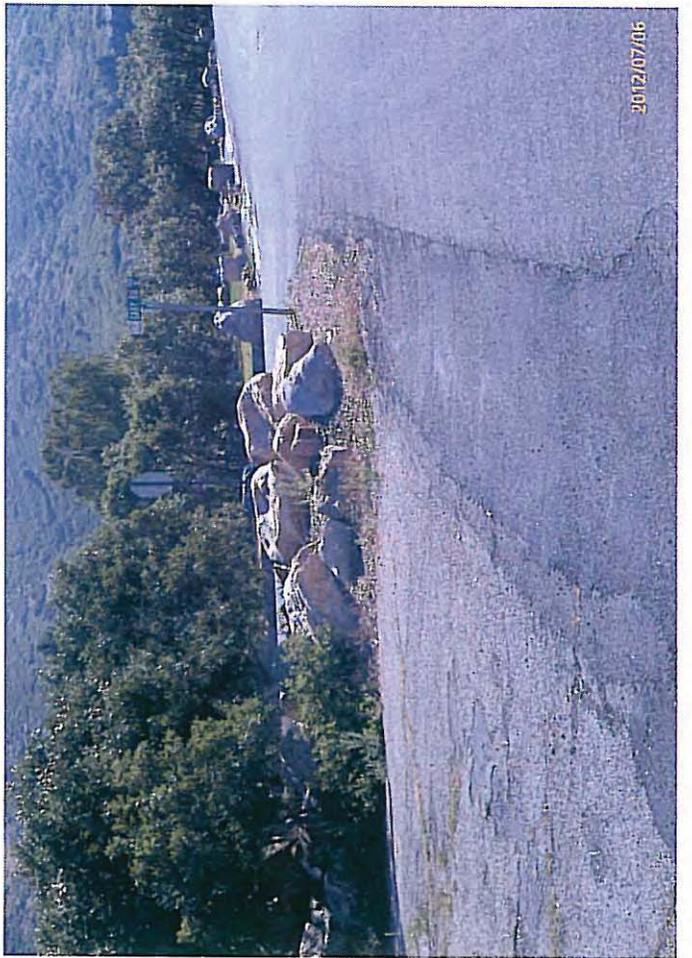
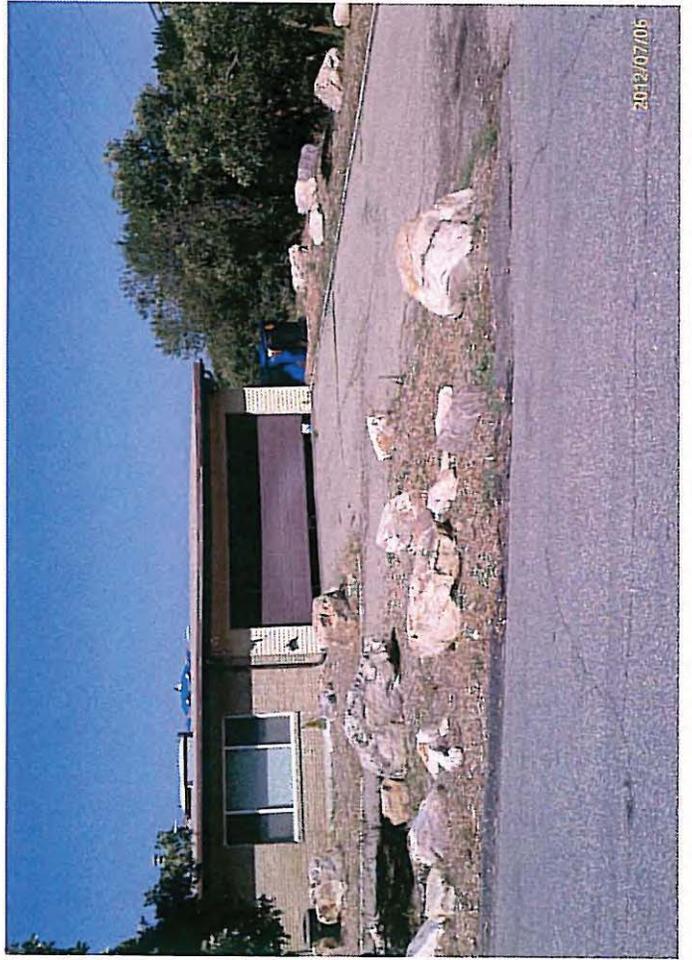
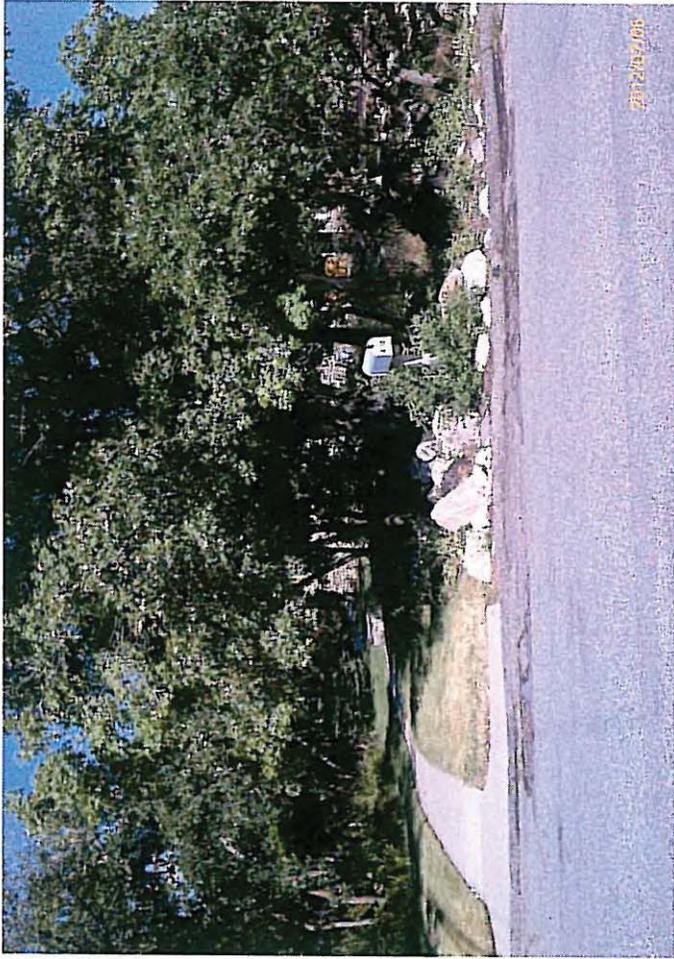
STATE OF UTAH
 County of Salt Lake
 On this *17th* day of *April*, 19*62*, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake, in said State of Utah, the signers (s) of the above Certificate of Dedication, and they acknowledged to me that they executed the same for the purposes and intentions mentioned.

George A. Campbell
 Notary Public
 My Comm. Expires *12/31/62*

RECORDING INFORMATION
 COUNTY: *SALT LAKE*
 DISTRICT: *1*
 SECTION: *4*
 RANGE: *4*
 TOWNSHIP: *15*
 PLAT NO.: *1551023*
 PLAT DATE: *APR 17 1962*
 PLAT BOOK: *5*
 PAGE: *62*
 PLAT AREA: *36.73* ACRES

PROJECT NUMBER: 417
SHEET NUMBER: S-62







STAFF REPORT

Executive Summary					
Hearing Body:	Millcreek Township Planning Commission				
Meeting Date and Time:	Friday, August 17, 2012	04:00 PM	File No:	2	7 9 2 8
Applicant Name:	Steve Brozo	Request:	Exception from Improvements		
Description:	Exception Request for Curb, Gutter and Sidewalk improvements.				
Location:	3877 E Adonis Dr. Also 4144 & 4132 Gary Rd				
Zone:	R-1-21 Residential Single-Family	Any Zoning Conditions?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Zoning Condition:	Limit animals to household pets				
Planning Commission Rec:	Not Yet Received				
Planner:	Travis Van Ekelenburg				

1.0 BACKGROUND

1.1 Summary

Steve Brozo of Design Workshop on behalf of Glenbrook Road Partners, is requesting approval of an exception from the requirement to install curb, gutter and sidewalk for the proposed subdivision plat amendment file number 27927.

1.2 Hearing Body Action

Recommendation

1.3 Neighborhood Response

None at the time of this report.

2.0 ANALYSIS

2.1 Applicable Ordinances

County Ordinance 14.12.025 stipulates that all new development must meet current off-street improvements, including installation of curb, gutter and sidewalk.

County Ordinance 14.12.025 (Highways, Sidewalks, and Public Places), states: “all public and private curb ramp, ramp and sidewalk development located within the unincorporated county subject to the jurisdiction of Salt Lake County shall meet the requirements of this chapter. Where specific elements of design and construction are not addressed in this chapter, curb ramp, ramp and sidewalk construction shall comply with the minimum guidelines for design set forth in the ADAAG, July 26, 1991, and any successor editions. The public works engineer shall utilize the ADAAG in setting appropriate design requirements.”

14.12.150 (Highways, Sidewalks, and Public Places), states: “In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist, **variations or exceptions** to the requirements of this chapter may be approved by the mayor after receiving recommendations from the planning commission and the public works engineer; provided, that the variations or exceptions are not detrimental to the public safety or welfare”

19.76.210 Off-site improvements.

A. Off-Site Improvements Required. The applicant for a building or conditional use permit for all dwellings, commercial or industrial uses, and all other business and public and quasi-public uses shall provide curb, gutter and sidewalk along the entire property line which abuts any public road or street in cases where it does not exist at county standards. Vehicular entrances to the property shall be provided as required in Section 14.12.110. Height, location, structural specifications, maximum and minimum cut radii and minimum roadway approach angles to the centerline of the street are subject to the approval of the agency concerned.

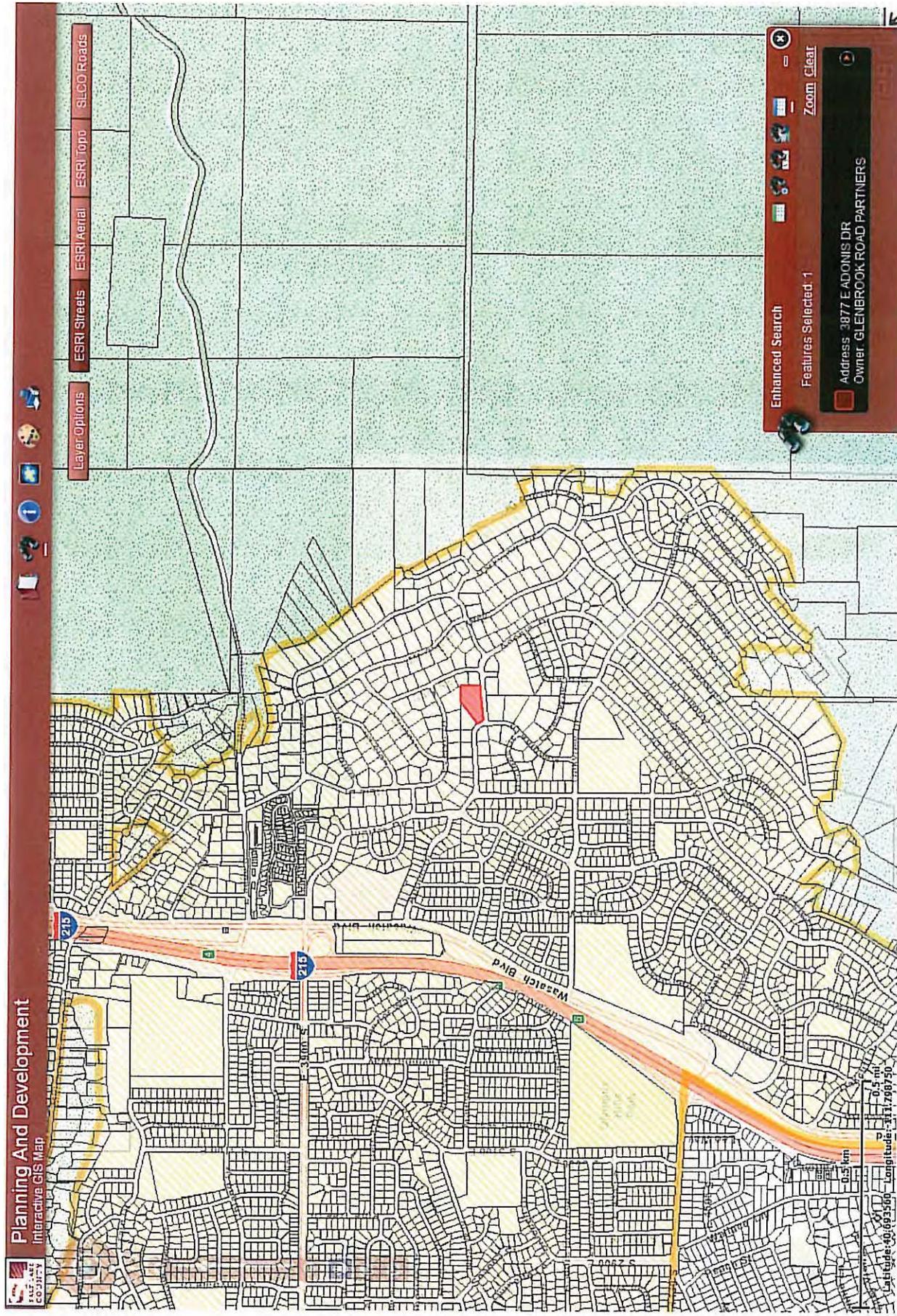
2.2 Other Agency Recommendations or Requirements

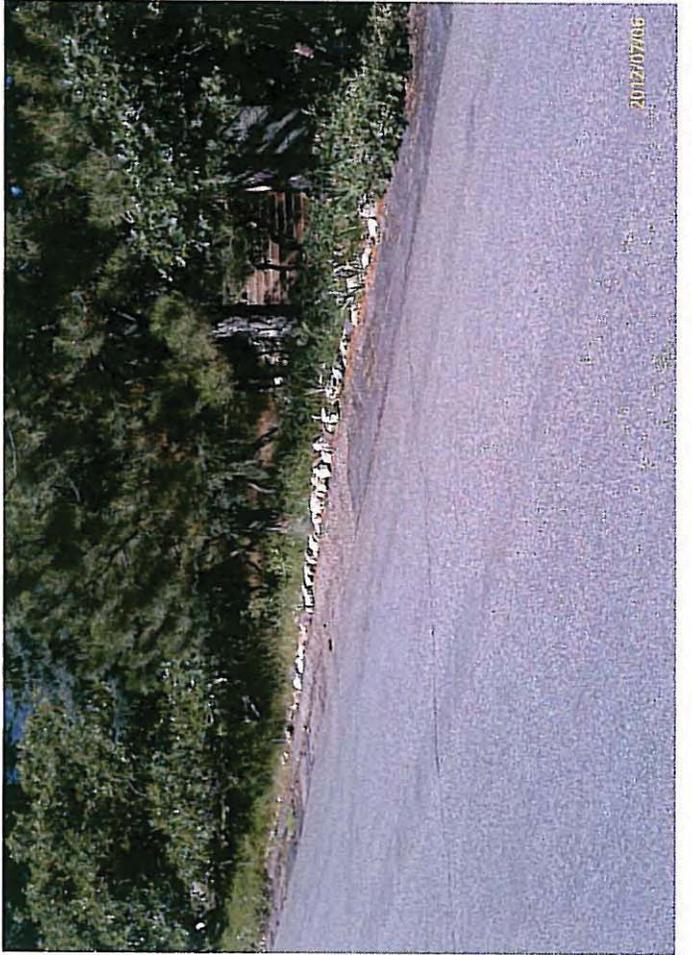
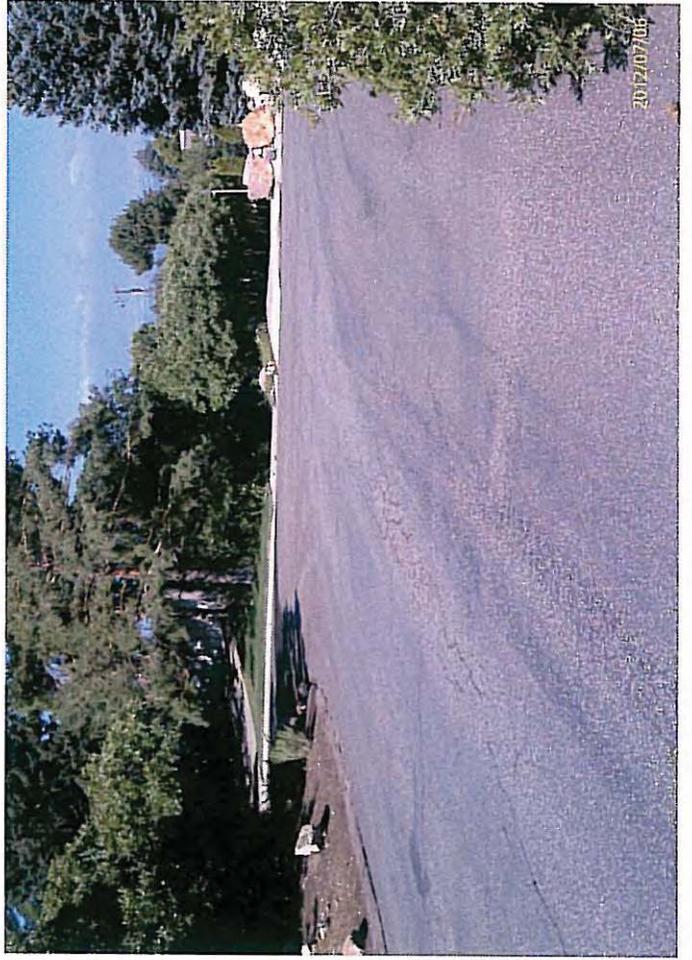
Jena Carver Salt Lake County Traffic Engineer - There is no apparent engineering reason for approval of exception to roadway standards. Installation of curb, gutter, and sidewalk will improve pedestrian safety on Adonis Drive. However, there is very little sidewalk in the area and the installed sidewalk would not connect to sidewalk on either end.

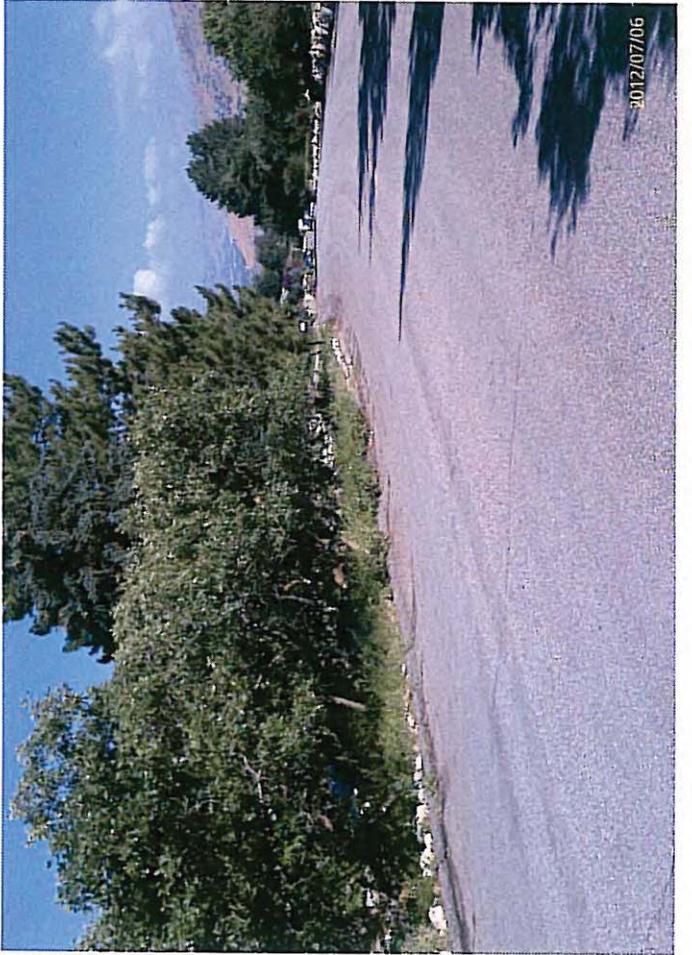
Neither Adonis Drive nor Gary Road are on the County Safe Sidewalk list (i.e., residents have not requested installation of sidewalk)

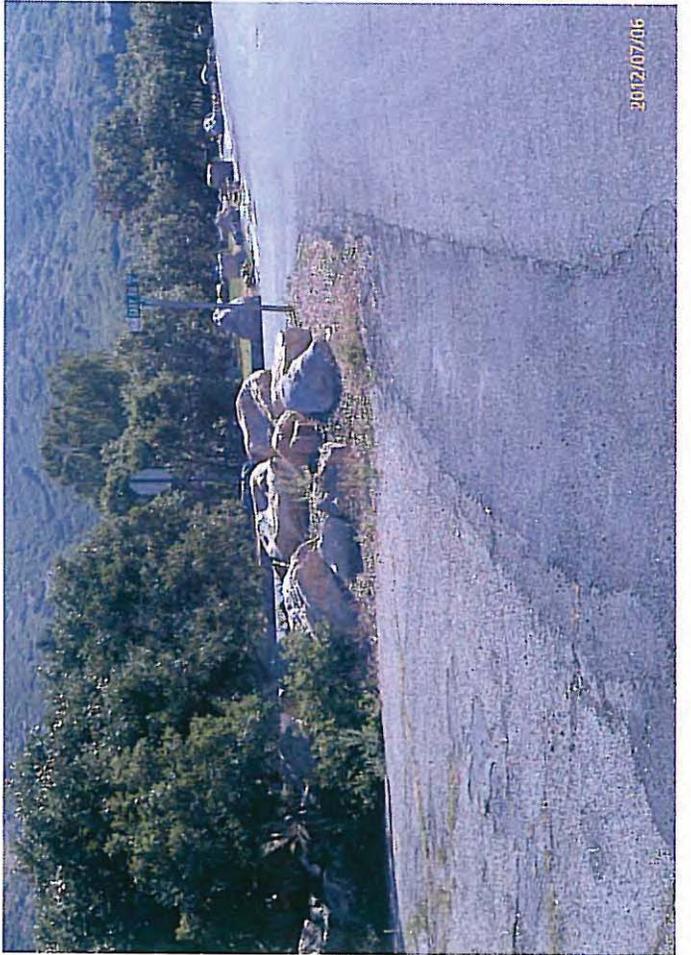
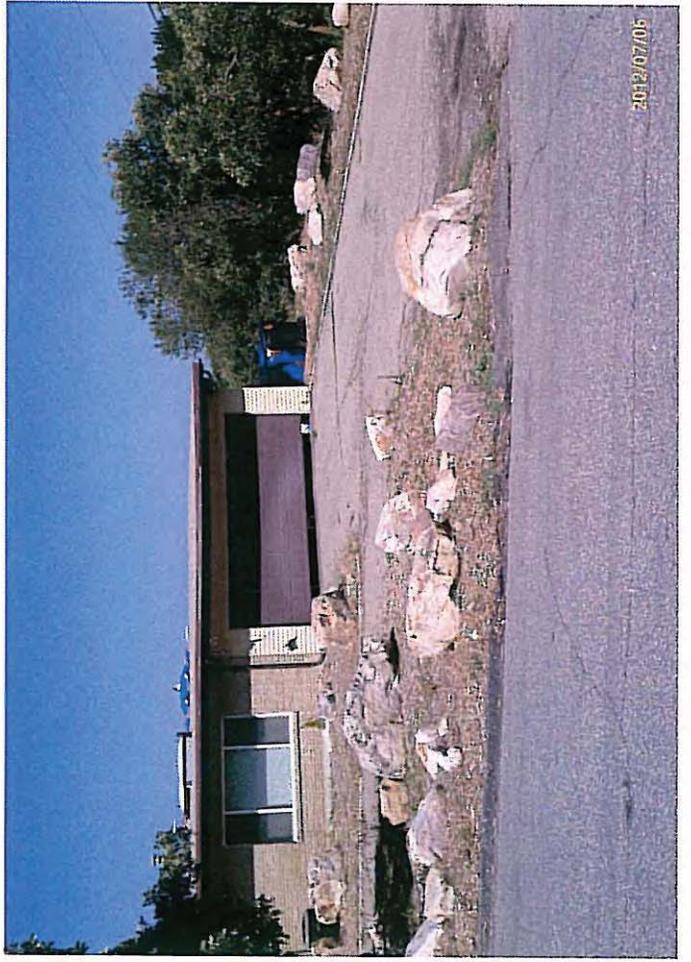
Installation of sidewalk contiguous to curb and gutter will be allowed to minimize impact to property and need for additional right-of-way.

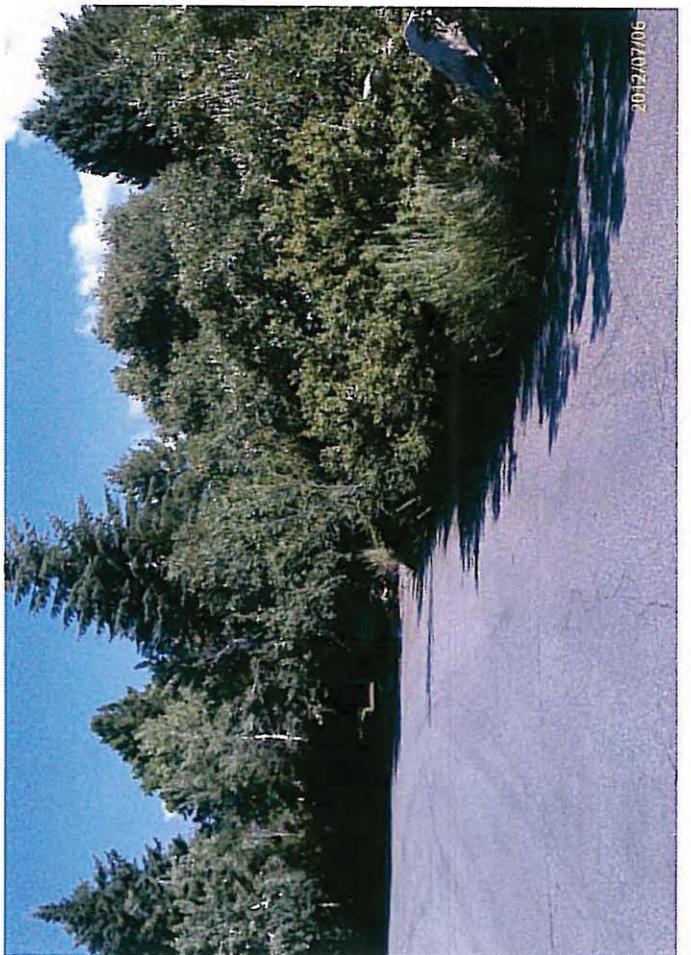
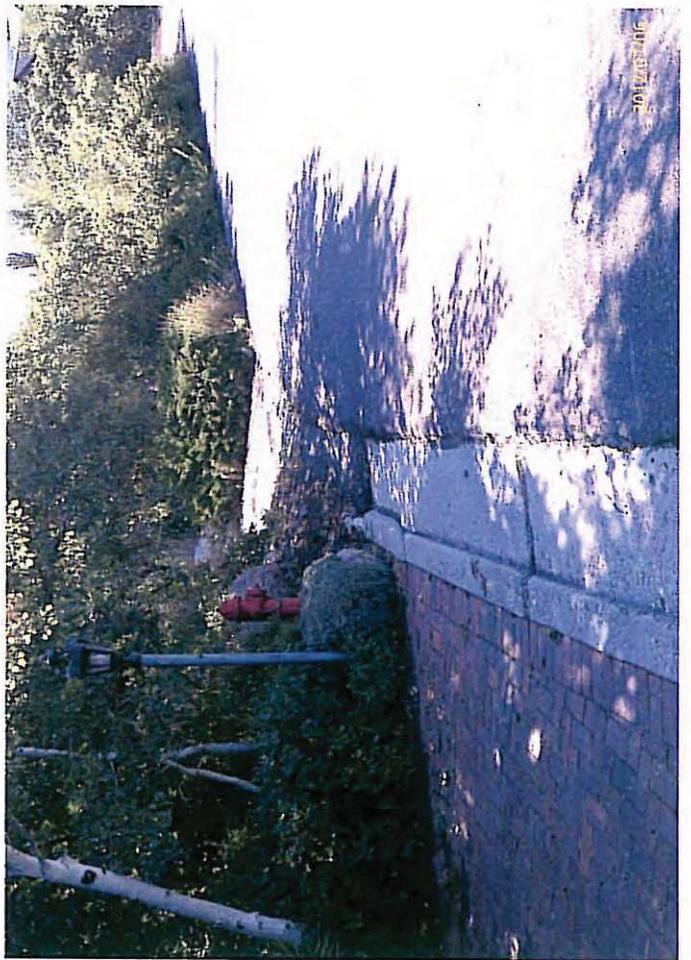
STAFF RECOMMENDATION - Exception from sidewalk improvements, but recommending installation of high-back or rolled gutter.













Millcreek Township

Planning Commission Meeting

Business Meeting

Wednesday, August 15, 2012



Millcreek Township

Planning Commission Meeting

Business Meeting

Wednesday, August 15, 2012

Minutes for Review and Approval

- 1) May 16, 2012 – In packet*
- 2) July 11, 2012 – To be sent by e-mail*



**MEETING MINUTE SUMMARY FOR
Millcreek Township Planning Commission Meeting
Wednesday, May 16, 2012 4:00 p.m.**

Approximate meeting length: 4 hours 20 mins

Number of public in attendance: 11

Summary Prepared by: Jeremy Goldsmith, Spencer Sanders, Todd Draper, Deborah Jones

Meeting Conducted by: Commissioner Van Frank (**Chair**)

IN ATTENDANCE

Commissioners: ("X" denotes attendance status)

Commissioner Name	Present		Absent Excused	Absent Unexcused
	Public	Business		
Leslie Van Frank – Chair	X	X		
John Janson – Vice Chair	X	X		
Allison Behjani			X	
Garrett Catten	X	X		
Geralyn Parker Perkins	X			
Leslie Riddle	X	X		
Tom Stephens	X	X		
Brandon Pace - ALTERNATE			X	
Cole Schutjer - ALTERNATE	X			

Staff: ("X" denotes attendance status)

Planning:	Public Hearing	Business Meeting	District Attorney:	Public Hearing	Business Meeting
Max Johnson	X	X	Tom Christensen		
Deborah Jones			Zachary Shaw	X	X
Spencer Sanders	X	X			
Todd Draper	X	X	Other:		
Jeremy Goldsmith	X				

PUBLIC MEETING – May 16, 2012 4:00 p.m.

Meeting began at 4:03p.m.

**Commissioner Stephens recused himself prior to discussion on application 27624 and exited the Council Chambers at approximately 4:06 p.m.*

- 1) **27624 – Continued from April 11, 2012** – Ken Menlove of Menlove Construction is requesting approval of a Conditional Use application to develop an 18-unit apartment building on the subject property – Location: 1060 E. 3300 S. – Zone: C-2 Commercial – Community Council: Millcreek.

Presentation by: *Spencer G. Sanders, Planner*

Mr. Sanders gave a brief overview of the application as presented in the staff report.

Recommendations: (See Staff Report)

Discussion:

There was a brief discussion among the commission and staff. The following topics were discussed:

- 1) Lighting Plan – A lighting plan was submitted by the applicant that did not meet the staff's requirements. A revised sight plan that adheres to staff recommendations will be submitted by the applicant.
- 2) Amenities – The applicant submitted a revised site plan that included two (2) new amenities, therefore, condition number three (3) from last month's staff report will be deleted.
- (3) Additional Landscaping – The applicant must comply with the landscaping ordinance and provide an additional landscaping plan.
- 4) Changes to the original site plan – The building was moved 5 feet to the north and the front berms are slightly lower. The distance between the sidewalk and curbs are dimensionally smaller.
- 6) Dumpster – The current ordinance does not have a distance requirement. The current design ensures that the dumpster can be pulled away to allow for landscaping sufficient to allow for landscaping.
- 7) Setbacks – It was discussed that the setbacks for the dumpster should be the same as the setbacks for the building
- 8) Existing houses – There was discussion about the actual distance of existing home from the property line.

- 9) Alternate locations for the dumpster – Alternate locations for the dumpster were proposed. Some suggested moving the dumpster closer to 3300 South to minimize the impact on neighbors south of the development.
- 10) Back Wall – The commission inquired as to what currently exists along the back wall.
- 11) Landscaping ordinance – The question was raised if an exception could be granted to the landscaping ordinance in order to relocate the dumpsters.
- 12) Alternate landscaping plan – An alternate landscaping plan was proposed that would include reconfiguring the parking spaces in order to relocate the dumpsters while attempting to adhere to as much of the landscaping ordinance as possible.
- 13) The front tower area – It was explained that the front tower area was not functional to the development, but rather was an architectural feature.

Speaker # 1: Applicant – Menlove Construction

Name: Ken Menlove

Address: 4243 West Nike Drive, Suite C – West Jordan, UT 84088

Issue: Mr. Menlove indicated that he has met with the neighbors and addressed all of their concerns. He agreed to do the following:

- 1) Submit a separate lighting plan
- 2) Comply with the ordinance regarding light pollution
- 3) Plant 12-20ft trees behind the dumpster
- 4) Build a concrete retaining wall and a 6 ft fence

Speaker # 1: Community Council

Name: No one from the community council was present to speak on this application

Address:

Issue: There was no written response from the Community Council. However, staff mentioned that the Community Council recommended approval with the following condition:

- 1) The applicant work with the neighbors to install a new fence along the south property line.

Speaker # 2:

Name: Caroline Cady

Address: 1065 Granite Mill Court Lane – Salt Lake City, UT 84106

Issue: Ms. Cady thanked the applicant, the Planning Commission, and Planning staff for their cooperation in working with the neighbors and moving the process forward. She also agreed with the Planning Commission that the dumpsters should be relocated closer to 3300 South, if possible, to address the issue of odor minimize the impact on neighbors.

Speaker # 3: Owner

Name: Aaron Goldberg

Address: 4844 Wallace Lane – Salt Lake City, UT

Issue: Mr. Goldberg, in response to questions from the Commission regarding how frequently the dumpster would be emptied, stated that the dumpster would be emptied 4-5 times a week.

“THE PUBLIC PORTION OF THE MEETING WAS CLOSED”

Discussion:

Discussion occurred among staff and the planning commission. The following topics were discussed:

- 1) Dumpster - Location and a recommendation for an enclosure were discussed
- 2) Alternative Landscape plan – An alternative landscaping plan will have to be submitted after the location of the dumpster has been determined. It was mentioned that the alternative landscaping plan would have to meet the base standards of the ordinance.
- 3) Parking spaces – It was proposed that parking spaces be reconfigured in order to relocate the dumpsters.
- 4) Setbacks – It was mentioned that the minimum setbacks should be the same for the dumpsters as what is required for the building.
- 5) Lighting – It was highlighted that the lighting plan was not complete

FINAL MOTION

Motion: Approve with the five (5) conditions of approval as listed in the staff report from last month with the additional condition that the dumpster either be set back 20ft from the south property line, or that a roof structure be installed over the dumpster with the south side completely closed off to help reduce odor issues.

Motion by: *Commissioner Janson*

2nd by: *Commissioner Riddle*

Vote: *Unanimous*

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			

Allison Behjani				X
Garrett Catten	X			
Geralyn Parker-Perkins	X			
Leslie Riddle	X			
Tom Stephens	RECUSED			
Brandon Pace - ALTERNATE				X
Cole Schutjer - ALTERNATE	X			

- 3) **27703** – Nick Mingo is requesting approval of a preliminary plat(s) for the Kenmure Place Subdivision. The subdivision will be comprised of a multi-phased plan for the construction of 10 two-family dwellings that will be divided along common walls to create 20 individual lots. Also included in the application is an Option C request for exceptions to the Residential Compatibility Overlay Zone (RCOZ) due to the unique physical characteristics of the subject property. – Location: 4454 South Gordon Lane – Zone: R-2-10 – Community Council: Millcreek (for RCOZ Option C Request).

Presentation by: – Todd Draper, Planner

Recommendations: (See Staff Report)

Discussion:

*Commissioner Stephens returned to the dias for discussion on application 27703.

A discussion occurred between Staff and the Commission the following issues were discussed:

- 1) Option C issues – building envelope, height vs. modifying the buildings to comply
- 2) Market issues of buildability were raised
- 3) Setback on north side was discussed
- 4) Visual issues on adjacent neighborhoods
- 5) Issues with driveway approach
- 6) Street view - What does it look like?
- 7) Second floor – Recommended that detail to address the elevations be added
- 8) Common maintenance issue such as roofs with no HOA
- 9) Setbacks between structures

Speaker # 1: Applicant

Name: Michael Brodsky

Address: 308 East 4500 South – Murray, UT

Issue: Mr. Brodsky distributed floor plans and elevations that he thought would address the issue. In his presentation he noted the following:

- 1) Option C is applicable to unusual lot shapes, difficult terrain, and drainage problems
- 2) The triangular shape of lot 12 makes it an irregular lot
- 3) The height request is due to Steep slopes of all the lots – Phase 1
- 4) The drainage issues regarding the phase 2 require Option C
- 5) Gables encroachment in side yards should comply with RCOZ
- 6) An alternative has been provided to address concerns regarding the driveway widths
- 7) It is paramount to the development that the streetscape look good.
- 8) The cost of the units will be approximately \$230,000
- 9) The lot widths in phase 2 now meet the ordinance with changes.
- 10) The R-2-10 zone is a transitional zone. It transitions between single family, office, and apartments. This zone is very appropriate.

Speaker # 1: Community Council

Name: No one from the community council was present

Address:

Issue: Mr. Draper, planning staff, indicated that he attended the Millcreek Community Council meeting last month and Council made a 7-1 recommendation for approval.

Speaker # 1: Citizen

Name: Avdi Fatemi

Address: East of the proposed development

Issue: Mr. Fatemi indicated that there have been a large number of traffic accidents in the area as a result of speeding. He was concerned that the proposed development may further impact this issue. Mr. Fatemi stated that the height of the development was not of concern as long as it was 30 feet from the top to the curb. In his closing remarks, he inquired about the street lights, street improvements, and a time frame when construction would begin.

**Commissioner Van Frank responded to Mr. Fatemi's questions regarding street lights and street improvements, indicating that the Planning Commission cannot make different conditions than what County ordinance requires. She noted that these requirements are addressed by the County transportation engineer.*

**Staff addressed Mr. Fatemi's questions regarding a specific time frame for construction. It was noted that the plat must be recorded within the next two years, but that construction could begin sooner as this is determined by the developer.*

Speaker: Citizen

Name: Gloria Quinn

Address: 4455 Gordon Lane

Issue: Ms. Quinn expressed concern with the number of homes being proposed by the developer, indicating it would be nicer to have 5 lots instead of 6. She also expressed concern with the current amount of traffic in the area, noting that the development will likely increase traffic to the area. In closing, Ms. Quinn inquired if the units were going to be rentals and what would happen to the wetlands. .

**Commissioner Van Frank responded to Ms. Quinn's question regarding the wetlands, indicating that developer would have to comply with the Federal Wetlands Act.*

**The applicant indicated that the proposed development were for not for rent but for sale only.*

Discussion:

There was a brief discussion among the Commission and Staff in which the following topics were discussed:

- 1) Transportation study – There was discussion as to whether a transportation study could be required. It was determined that a study could be requested as part of a preliminary plat approval to ensure that it meets the requirements set forth in the ordinance.
- 2) Reduction of units – The question was raised if the number of units could be reduced if a traffic study showed too much impact.

Speaker: Citizen

Name: Rosa Del Garcia

Address: 429 East Willow Avenue

Issue: Ms. Garcia expressed concern about the trees in the area and indicated that construction should be nature friendly. She also asked if the applicant was allowed to build the homes so close to the river.

**Commissioner Van Frank addressed Ms. Garcia's concern about the development being constructed so close to the river, noting that the developer is required to adhere to the County's ordinance.*

Speaker: East Millcreek Community Council

Name: Blake Keithley

Address: 3682 South 2175 East – Salt Lake City, UT

Issue: Mr. Keithley, a representative of the East Millcreek Community Council, stated that the use – affordable housing next to arterials- seems to be in accordance with the general plan. He also noted that the use was in accordance with the Fair Housing Act. In his closing remarks, Mr. Keithley mentioned that the two exceptions – precipitous slope and drainage issues- were the primary reasons the community council would offer a positive recommendation.

- 1) Use according to the general plan – affordable housing next to arterials seems to be in line of General Plan
- 2) In line with the goals of the Fair housing Act
- 3) Two acceptations – precipitous slope, drainage issues, reasons for recommending positive recommendation.

Speaker: Applicant Engineer

Name: Nick Mingo

Address: 308 East 4500 South

Issue: Mr. Mingo indicated that they were widening Gordon Lane and modifying the intersection with UDOT and the County. He also noted that UDOT waived the traffic study, indicating that this was a small development that would have very little impact on the area.

“THE PUBLIC PORTION OF THE MEETING WAS CLOSED”

Discussion:

There was a brief discussion among the Commission and the staff. The following topics were discussed:

- 1) RCOZ – It was noted that the Option C special exceptions that were being proposed were well grounded in facts.
- 2) Traffic – It was discussed that traffic would not be specifically impacted by the proposed development.
- 3) Existing developments – It was mentioned that the proposed development satisfies RCOZ and does not overwhelm surrounding existing developments, and that the impact was only from upper to lower buildings that would be built in the proposed development.

- 4) Adjoining neighborhood – There was discussion regarding the adjoining neighborhood and it was thought that that it would be minimally impacted as the rooflines in the side parcels (Lots 11 and 12) appear to comply with RCOZ.
- 5) Envelope on Gordon Lane – It was discussed that proposed buildings as they are seen from Gordon Lane would not violate the envelope requirements of RCOZ.

**Staff clarified that the Planning Commission would approve the Preliminary Plat. It was also recommended that the Commission make two separate motions.*

“THE PUBLIC PORTION OF THE MEETING WAS CLOSED”

FINAL MOTION

Motion: To grant preliminary approval of the proposed subdivision related to application # 27703 with the following condition:

- 1) Final approval of the Preliminary Plat be completed by staff after all of the issues, requirements, regulations, recommendations, and the above identified review personal agencies have been meet; and the people above being those mentioned in the staff report.

Motion by: *Commissioner Schutjer*

2nd by: *Commissioner Janson*

Vote: *Unanimous*

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins	X			
Leslie Riddle	X			
Tom Stephens	X			
Brandon Pace - ALTERNATE				X
Cole Schutjer - ALTERNATE	X			

Motion: Approve the following RCOZ special exceptions under Option C:

- 1) Envelope height restriction not to exceed 30 feet from top of the back of the curb or 40 feet from the original grade
- 2) Reduction in south sideyard setback for lot # 12 to 8.5 feet
- 3) Envelope encroachment by roofs of structures on Gordon Lane as proposed

Motion by: *Commissioner Stephens*

2nd by: *Commissioner Catten*

Vote: *Unanimous*

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins	X			
Leslie Riddle	X			
Tom Stephens	X			
Brandon Pace - ALTERNATE				X
Cole Schutjer - ALTERNATE	X			

**Commissioner Van Frank recessed the meeting for 10 minutes before opening discussion on application # 27704.*

**Commissioner Perkins excused herself from the meeting and was not present to vote on any of the remaining decision items.*

**Commissioner Schutjer disclosed that he is friends with the applicant, but has not entered into any commercial or business ventures with the applicant and does not receive any financial gain from the relationship.*

- 4) **27704** – *Tyler Godfrey is requesting Preliminary Plat approval of a Subdivision Plat Amendment called Godfrey Acres. The proposal is to divide Lot 2 of Young Haven Circle Subdivision into two lots. This request is being made in order to divide the subject property along the common wall of an existing two-family dwelling allowing each lot and associated unit to be owned separately. Location: 3196 S. Young Haven Circle –*

Zone: R-2-8 – Community Council: Subdivisions are not subject to Community Council review –

Presentation by: *Todd Draper, Planner*

Mr. Sanders gave a brief overview of the application as presented in the staff report.

Recommendations: (See Staff Report)

Discussion:

There was a brief discussion among the Commission and staff. The following topics were discussed

- 1) Utilities – It was noted that sewer and water was required to be separate connections
- 2) Common ownership – It was mentioned that the development would be divided so that it could be sold separately

Speaker # 1: Applicant

Name: The applicant was not present to speak on the application

Address:

Issue:

Speaker # 2: Community Council

Name: No one from the community council was present to speak on this application

Address:

Issue:

No one from the public was present to speak on this application

“THE PUBLIC PORTION OF THE MEETING WAS CLOSED”

FINAL MOTION

Motion: Approve the proposed subdivision with the following conditions:

- 1) Final approval of the preliminary plat be completed by staff after all of the issues, requirements, regulations, recommendations, and the above identified review personal agencies have been met

Motion by: *Commissioner Stephens*

2nd by: *Commissioner Janson*
Vote: *Unanimous*

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins				X
Leslie Riddle	X			
Tom Stephens	X			
Brandon Pace - ALTERNATE				X
Cole Schutjer - ALTERNATE	X			

Motion: To close the general meeting

Motion by: *Commissioner Riddle*
2nd by: *Commissioner Janson*
Vote: *Unanimous*

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins				X
Leslie Riddle	X			
Tom Stephens	X			
Brandon Pace - ALTERNATE				X
Cole Schutjer - ALTERNATE	X			

Business Meeting
Meeting began at 6:30 p.m.

Adoption of Previous Minutes

Adoption of the April 11th meeting minutes were postponed until the next scheduled meeting in June of 2012.

Motion: To continue the previous minutes review and approval until the next scheduled meeting in June of 2012

Motion by: *Commissioner Stephens*

Second by: *Commissioner Riddle*

Vote: *Unanimous*

Discussion Regarding the Order of Meetings

There was a brief discussion among the planning commission regarding the order of the meetings. It was proposed by some, that the business meeting begin one hour prior to the general meeting. Some commissioners felt that holding this meeting earlier in the day would allow them to be more effective in their decision making as opposed to later in the evening.

Other commissioners expressed concern with holding the business meeting earlier in the day, stating that the time allotted for business items was not sufficient to address complex agenda items, and therefore, recommended that the current meeting time not be changed. It was also proposed that the general meeting be moved to a later time in order to give the public better access to these meetings and that special meetings be held when there are agenda items that may require an extensive amount of deliberation. There was also discussion about taking dinner breaks when the meetings extend into the evening hours. I

Staff highlighted that due to constraints with facilities, it would be better to hold the public meeting first as the Council Chambers is better equipped to handle larger crowds than the other rooms available in the evening. Staff noted that they are working on the logistics of moving the Planning Commission meeting into the community center, but highlighted there were some time restrictions with the current facility being proposed.

**Commissioner Riddle excused herself from the meeting and was not present to vote on any of the decision items.*

**Because of prior commitments in the Council Chambers, the meeting was moved to the Planning and Development Conference room located in N3500.*

Motion: To open the public meeting

Commissioner Janson so moved

2nd by: *Commissioner Catten*

Vote: *Unanimous*

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins				X
Leslie Riddle				X
Tom Stephens	X			
Brandon Pace – ALTERNATE				X
Cole Schutjer – ALTERNATE	X			

- 5) **26610** – *(Continued from December 14, 2011, January 11, 2012, February 15, 2012, March 14, 2012 & April 11, 2012 Millcreek Township Planning Commission Meetings) – Planning and Development Services is seeking approval and adoption of an Electrical Facilities Best Practice for inclusion into Salt Lake County General Plans. The Best Practice would be applicable to all unincorporated areas of Salt Lake County*

Presentation by: *Todd A. Draper, Planner*

Recommendations: (See Staff Report)

**Commissioner Catten disclosed that he works for a construction company that contracts with power companies and could potentially benefit in the future from updates to the electrical grid. However, his company does not have any current contracts with Rocky Mountain Power. It was determined that he did not have to recuse himself from the discussion on the Electrical Best Plan.*

Discussion:

Continued from last month – Commission wanted to know why their comments were not included in the current draft.

Staff indicated that once the Commissions started approving the draft in January, changes were made in February. It was noted by staff that the draft before them was set with first approval and that all recommendations will be included in the matrix. The following recommendations were suggested:

- 1) Move the “Modifications and Additions” section ahead of the “Resources” section.
- 2) Add the *phrase “In addition to the Best Practice Core concepts set out above, Salt Lake County also adopts the Core Concepts”.*
- 3) Add the following language to the section entitled “Modifications and Additions”: *“In Salt Lake County the burying of transmission and distribution lines underground in all new developments is encouraged.”*
- 4) Add in section 1B, language that states Salt Lake County’s ordinance should be referenced which currently addresses undergrounding of electrical facilities.
- 5) The commission recommended the following language be included in section 1F of the best practice: *“In Salt Lake County, use of small scale renewable energy systems is encouraged.”*
- 6) Acknowledge support for East Millcreek Community Council’s comments and ensure that these comments are forwarded to the Council

**The Commission discussed the issue of cost associated with underground transmission lines.*

***Commissioner Van Frank called for a motion as follows:** Forward this Best Practice to County Council for consideration and adoption with the following changes:

- 1) On Page 2 of the Best Practice draft, in the last paragraph on discussion, the following language be added” In addition to Core Concepts set out above, this County Council adopts the Electrical Facilities Best Practice.
- 2) Move the “Resources” section to the end of the Best Practice after the “Modifications and Additions” section
- 3) In section 1c page 9 of “Modifications and Additions”, we incorporate a reference to SL County Ordinances that address underground siting of electrical facilities.

- 4) On Page 9 – at the bottom of section 1F add the following sentence: *“The use of small scale renewable energy systems is encouraged.”*
- 5) Make sure that our support of the East Millcreek Community Council’s comments is forwarded to the Council

Motion by: Commissioner Schutjer
2nd by: Commissioner Stephens
Vote: Unanimous

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins				X
Leslie Riddle				X
Tom Stephens	X			
Brandon Pace - ALTERNATE				X
Cole Schutjer - ALTERNATE	X			

Motion: To close the general meeting

Motion by: Commissioner Janson
2nd by: Commissioner Stephens
Vote: Unanimous

Commissioner Name	For Motion	Against Motion	Abstain	Absent
Leslie Van Frank – Chair	X			
John Janson – Vice Chair	X			
Allison Behjani				X
Garrett Catten	X			
Geralyn Parker Perkins				X
Leslie Riddle				X
Tom Stephens	X			
Brandon Pace - ALTERNATE				X

Cole Schutjer - ALTERNATE	X			
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BUSINESS MEETING

Business Meeting began at 8:10 p.m.

1) Sidewalk Best Practice

A document was distributed to staff regarding the Sidewalk Best Practice to review prior to the special meeting. The date and time of this special meeting is pending.

Motion: To adjourn the business meeting

Motion by: *Commissioner Stephens*

2nd by: *Commissioner Schutjer*

Vote: *Unanimous*

MEETING ADJOURNED

Time Adjourned: 8:20 p.m.

DRAFT



Millcreek Township

Planning Commission Meeting

Business Meeting

Wednesday, August 15, 2012

3) Posting Old Unapproved Minutes to County Web Site

Proposed cover sheet for several 2011 sets of minutes



DRAFT Meeting Minute Summary

The following Meeting Minute Summary for the noted Millcreek Township Planning Commission meeting is NOT an APPROVED Summary; it is a DRAFT. The Summary was not reviewed and approved by the Planning Commission at a public meeting. This was due to the untimely passing of the Planning Commission Coordinator tasked with preparing the Summary for the Commission's review and approval.

By the time a new Planning Commission Coordinator accepted the position and was able to go back and prepare this DRAFT Summary from the meeting recording, the Planning Commission's membership had changed. Three out of seven members had completed their terms of service and were replaced by new members. In addition, too much time had elapsed for the remaining commissioners to clearly recall the events of this meeting. Therefore, this DRAFT Summary prepared by staff will remain in DRAFT form.

The official record of all Planning Commission meetings is the digital audio recording of the meeting, not the associated Meeting Minutes Summary. Interested parties may receive instructions on how to obtain a CD copy of the meeting's audio recording by contacting Salt Lake County Planning and Development Services at (801) 468-2000.

We sincerely apologize for any inconvenience this situation may have caused.

Spencer G. Sanders
Millcreek Township Planner
Salt Lake County
Planning and Development Services

PETER M. CORROON
Salt Lake County Mayor

Patrick Leary
Public Works Department
Director

**PLANNING &
DEVELOPMENT
SERVICES**

Rolen Yoshinaga
Planning & Development Services
Division Director

Salt Lake County
Government Center
2001 South State Street
Suite N-3600

801-468-2000
801-468-2169 fax



Millcreek Township

Planning Commission Meeting

Business Meeting

Wednesday, August 15, 2012

3) Status of Applications with Previous PC Action

FYI - Summary Report

Status of Applications with Previous Commission Action

Prepared by Spencer G Sanders
for the August 15, 2012 Millcreek PC Meeting

The following is a status summary of applications that have been before the Commission in recent months for action. If commission members have any questions regarding these items, staff can answer them at the meeting or you can send an email to the Planner for more detail.

- 1) **27624** – Conditional Use – Diamond Point Apartments 18 units– 1060 E. 3300 S. – Ken Menlove
Planner: Spencer G. Sanders

Applicant is working on revised plans to address issues raised by staff and by the Commission’s Conditional Approval. They are also having difficulty with UDOT on 3300 S. access location. We are waiting on the applicant to resubmit plans for Technical Review.
- 2) **27703** – Subdivision & RCOZ Option C – Kenmure Place 20-lots for 10 2-fam. dwellings and Approvals. 4454 S. Gordon Ln. – Nick Mingo. **Planner:** Todd Draper

Application is in the process of Technical Review of the Preliminary Plat and associated civil drawings and study requirements.
- 3) **27704** – Subdivision Preliminary Plat /Division of a 2-family dwelling – Godfrey Acres Amending Young Haven Circle Subdivision – 3196 S. Young Haven Circle – Godfrey. **Planner:** Spencer G. Sanders

The Preliminary Plat has been approved. We are waiting on applicant to submit a Final Plat for review.
- 4) **27816** – Conditional Use – Dwelling Group to add one additional 2-family dwelling – 3973 S. 400 E. – James Allen. **Planner:** Spencer G. Sanders

The applicant has chosen to convert the proposal from a Conditional Use application for a 6- unit Dwelling Group to a Standard 3-lot subdivision application. Ultimately, the applicant wanted the property subdivided in order to split the property up to give to his children or to sell. In addition, based on the economics of the project with two existing older two-family dwellings and 1 new one, the cost of recreational facilities could not be justified by the applicant. We are waiting on the applicant to submit a Preliminary Plat for review. This Preliminary Plat will be coming to the Commission for review and approval.
- 5) **27833** –Conditional Use – New 7-unit (3-two family and one single-family) Dwelling Group. – Dwight Tholen. **Planner:** Spencer G. Sanders

The applicant has been issued a status letter with Planning Commission Action, and review redlines and corrections. We are waiting on the applicant to submit plans for Technical Review.
- 6) **27902** – Rezone – R-1-10 to R-1-8 – 2393 E. Neff’s Lane – Brent Goodrich. **Planner:** Spencer G. Sanders

The proposed zone change from R-1-10 to R-1-8 is being requested in order to allow the subject property to be subdivided into two lots. The subject property while large enough to meet the minimum lot size in the R-1-10 zone, it does not have sufficient lot width. The R-1-8 zone requires a narrow lot width than the R-1-10. The subject property is wide enough to meet the R-1-8 lot width if the rezone is approved. The rezone has been scheduled for the September 11, 2012 Council meeting for Public Hearing and Decision.



Millcreek Township

Planning Commission Meeting

Public Hearings

Wednesday, August 15, 2012

27953

***General Plans Amendment – Economic
Development Best Practice***

***Applicant: Planning and Development Services
Planner: Max R. Johnson***

Economic Development



Purpose Statement

Economic development is vital to the well-being of a community because it increases the quality of life for residents through job creation, increased wages, broader access to goods and services, and enhanced tax base. Economic development is dependent on the resources of an area, including natural resources and the education levels and skills of the local workforce. It is promoted and encouraged through the development of quality infrastructure for utilities, transportation, and communications. It can also be encouraged through government policies, tax and fee structures, public financial assistance and incentives, and through the sharing of economic information. Sustainable economic development always takes place within a regional context, and includes diversity of goods and services, employment opportunities, and quality affordable housing elements.

Best Practices

Economic Core Concepts:

1. Economic development needs to occur in a region-wide context.
2. Resources and educational training/skills in a region are key factors in identifying future job growth and development opportunities.
3. Communities need to create a sustainable economic development strategic plan with a detailed implementation plan. These plans assess the community's strengths and weaknesses and its competitive niche in the regional area.
4. Job creation should be a primary focus of the region.

Contents:

Core Concepts	73
Key Questions	75
Planning & Visioning	76
Current Economic Conditions	79
Infrastructure & Land Supply	84
Job Creation & Labor Force	86
Housing Choices	87
Retail Development	88
Market Analysis	91
Sustainable Development	93
"Main Street" & Downtowns	94
Marketing & Recruitment	95
Financing & Public Policy	95
Resources	105
Appendix	107

Related Best Practices:



Index

Context

Best Practices

Projects

Official Map

Appendix

5. Communities must establish core infrastructure in transportation, communications, and utilities in order to further economic development activity. Officials need to coordinate economic development strategies with capital improvement plans.
6. Communities should inventory their current economic base in terms of tax revenues and revenues from other sources and assess the sustainability and balance of current revenue streams.
7. Each community should conduct a retail market analysis (i.e. sales gap, leakage, and capture) and make this information available to the public.
8. An understanding of target markets, including demographic projections and household characteristics, is essential in projecting future buying power, market niches and development opportunities.
9. Key economic development sites throughout the County should be identified and promoted in order to ensure the highest and best use of each site.
10. Identify business clusters that currently exist, as well as clusters that could be developed based on existing strengths, that would benefit from locating in close proximity.
11. Communities should promote educational attainment and vocational skills training in alignment with the current business base of the area or the businesses they intend to attract to the area.
12. Quality-of-life factors such as housing choices, amenities, recreation and other factors are important elements in economic development.
13. Communities need to evaluate the underlying data, the explicit and implicit assumptions, and the methodology used when analyzing individual economic development projects.
14. Policies regarding public assistance with financing and incentives should be consistent with and targeted to attracting key development types that are most beneficial to the community and that would likely not occur without public assistance.
15. Economic information needs to be widely shared in order to maximize development opportunities.

Data Resources Core Concepts:

1. Promote and develop a centralized data library. The data library will serve as the primary location for future datasets relating to economic development and planning.



2. Maintain the data created as part of the Cooperative County Plan and through economic development initiatives by identifying personnel, timeframes for updating data, and individual department's responsibilities in maintaining data.
3. Economic resources and data should be collected and developed in conjunction with other regional planning initiatives and models. Promote cooperation from municipalities through continued dialogue as part of the Cooperative County Plan.
4. The County should facilitate the dissemination of information to the public.

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Key Questions:

What defines an economically sustainable community?

How does this community or project fit within the regional economic context?

What economic opportunities exist in this community?

What infrastructure does this community need in order to attract the type of economic development that is desired by the community? How can this needed infrastructure be realized?

How do you conduct a market analysis?

Where are prime retail, office, or industrial locations?

How much retail and other commercial development is supportable in the area?

Where should employment centers be located?

How can development within a community best support transit?

What are the key factors that developers are looking for in site selection?

Where do development opportunities exist (urban renewal area [URA], economic development area [EDA]), and community development area [CDA] in our community?

When should public assistance or incentives be provided for economic development? What factors should be considered?

What financing tools can be used to further economic development in our community?

What are the fiscal impacts of this project on our community?

How can economic development opportunities be marketed to recruit new businesses?

How can economic development information be shared through forums and professional trade shows?

Index
Context
Best Practices
Projects
Official Map
Appendix

Discussion

Planning for Economic Sustainability

What does it mean for a community to become economically sustainable? How can a community plan for sustainability? How can it encourage good development? Why is this so important?



Developing a plan for sustainable economic development is an important process for communities. Sustainable communities are better prepared to survive the “ups” and “downs” of markets, recessions, inflationary periods, etc., because they have a solid and balanced tax base that is not overly reliant on one or two industries or revenue sources. Best practices include striving for a good balance of quality jobs, a variety of development types and industries, a strong property and sales tax base, up-to-date economic infrastructure (including transportation, communication and utilities), good education and skills training, and public amenities that create a vibrant community and quality of life for residents.

An economic development strategic plan will help the community become more sustainable. However, once developed, economic development strategic plans will not become a reality unless they are accompanied by implementation plans. Implementation plans include goals, objectives, action items, and assigned responsibilities with timeframes for completion. They provide information and assistance to the development community in order to encourage preferred development types. They also include a finance plan that describes how capital facilities will be financed, as well as policies for public participation for high-priority projects.

This “Best Practices” document first describes the planning process for economic development including an explanation of economic tools, followed by a discussion of financing and implementation strategies.

1. Planning and Visioning

What is our community vision? How do we want to describe ourselves in twenty years? Visioning is the first step in the planning process. The noted author Carl Sandburg is quoted as saying, “Nothing happens unless first a dream.” Not until a vision is established can communities work to achieve their goals and objectives. Local officials, residents, business owners, service providers and developers need to join together to create a vision of what their community can become. Next, they must assess this vision against what can actually be achieved in the marketplace given the unique factors of the community – size, rate of growth, resources, access, etc.



All stakeholder groups need to join together to create a vision of what their community can become.



There are many different and successful approaches to visioning. One method that has worked well is to assemble a broad cross-section of the community to participate in workshops designed to identify their desired future.

Within these workshops, participants can take part in several community activities for visioning that help identify perceptions regarding future growth and direction. A few of these community activities are described below:

- SWOT Analysis
- Mapping Exercises
- Stakeholder Perspectives Analysis
- Surveys

SWOT Analysis. One common approach is for participants to assess the current strengths, weaknesses, obstacles and threats (“SWOT”) to their community. This is generally done with one person leading a discussion, another serving as the recorder to write down the ideas suggested, and the remaining group members suggesting thoughts that fall into each of the four categories.

Mapping Exercises. Workshops may also provide activities with maps where attendees draw where they would like to see future roads, parks, commercial development locations, etc. This exercise is most successful when participants join around large tables that seat between six and eight persons and are given markers and pens to draw directly on maps. One map can be used to capture all comments; however, different maps for roads, for parks and recreation, for economic development, etc. can also be used.

Stakeholder Perspectives Analysis. Another popular visioning activity is to ask participants to describe how their community will look in the future – through the eyes of different stakeholders – business owners, chambers of commerce, the elderly, young families, etc. This approach is helpful in identifying the needs of different demographic groups, broadens viewpoints of what needs to take place, and helps to avoid placing too much emphasis on single items – or participants with an agenda.

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Sample SWOT Matrix

STRENGTHS	OPPORTUNITIES
<i>Good population growth.</i>	<i>Recapture large amount of lost sales tax leakage.</i>
<i>High incomes.</i>	<i>Major corridor to be developed through the area – capitalize on commercial development in this area.</i>
<i>Large amount of vacant land.</i>	
WEAKNESSES	THREATS
<i>Lack of infrastructure to large areas of vacant land.</i>	<i>Annexation of adjacent property could preclude development at key sites along new highway corridor.</i>
<i>No existing arterials with high traffic counts.</i>	<i>Lack of political support for public assistance and tax increment financing.</i>
<i>Limited access and visibility.</i>	

Stakeholder Perspectives

Retired population	<i>Cultural arts, education, public transit and ease of mobility, retirement communities</i>
Young families	<i>Affordable housing, recreation programs and facilities</i>
Business owners	<i>Maintenance of commercial areas</i>

Index
Context
Best Practices
Projects
Official Map
Appendix

Surveys. Surveys provide a means of reaching a broad audience regarding preferences on a wide variety of subjects, including economic development. Many communities post surveys on their website. However, in order to reach a wide group and achieve a better response rate, many have also included surveys with their water bills (or as separate mailers),

Sample Goal, Strategy and Action Plan

**GOAL: DEVELOP A VIBRANT AND ACTIVE
“DOWNTOWN” FOR THE COMMUNITY.**

**STRATEGY: DEVELOP A PLAN FOR
AN IMPROVED APPEARANCE OF THE
“DOWNTOWN” AREA THAT INCLUDES BETTER
MAINTENANCE OF PAVED SURFACES.**

ACTION STEPS

TIMELINE

Assign a project chairperson	<i>Immediate</i>
Identify maintenance needs and rank in order of priority: <ul style="list-style-type: none"> Those that pose an immediate risk to health and safety Those that can be accomplished in conjunction with other high priority downtown projects Those that would have a significant beneficial impact on the appearance of key sites in the downtown Those that would have only a modest beneficial impact on the area 	<i>Short-term</i>
Identify funding sources for individual projects	<i>Ongoing</i>
Fund and implement the maintenance plan in order of priority	<i>Ongoing</i>
Identify funding sources for increased maintenance staff to keep pace with all highest priority maintenance of projects	<i>Ongoing</i>

Typical survey questions regarding economic development include:

- What is the single greatest economic priority for our community? (can provide a list with options such as jobs, retail shopping, better transit, housing choices, etc.)
- Where do you do most of your shopping for groceries, building supplies, clothing, furniture, etc.? List of competitive locations.
- What goods and services would you most like to have available in the community but that are not presently available?
- What is the single greatest improvement that could be made to the “downtown” or “Main Street” area?
- What improvements need to be made in the downtown?
- How would you best describe downtown, Main Street?
- Where is your workplace?
- How do you presently commute to your workplace?
- What is your preferred means of traveling to your workplace?
- On a scale of 1 to 5, please tell us how important it is to provide the following goods and services locally; then on a scale of 1 to 5 please tell us how well we are currently doing in providing those same goods and services (provide list with items such as variety of job types, different retail goods and services, etc.)
- Demographic questions regarding age group, geographic location in the City, length of time residing in the area, etc.

provided for return postage prepaid (e.g., return postage is paid by the community, but only on returned surveys albeit at a higher rate on the returned mail), and compiled results.

Generally, mail surveys in communities across Utah have had a response rate of 15 percent to 20 percent. Best practices include asking for age and geographic location information from the respondent so that results can be sorted by these factors. For example, the question was asked in one community, “Do you want more shopping opportunities in your neighborhood?” The results are far more helpful when they can be viewed by neighborhood, rather than an assessment of the community overall.

Visioning Summary – Goals, Strategies and Action Plans. As themes emerge from the various workshops, surveys, or other activities, then goals, strategies and action plans (with timeline and responsible parties) can be created. Please refer to the chart on the opposite page for a sample of such a plan.

Goals and strategies must also be assessed in the marketplace. Market analysis tools are provided in the following sections.

2. Assessment of Current Economic Conditions



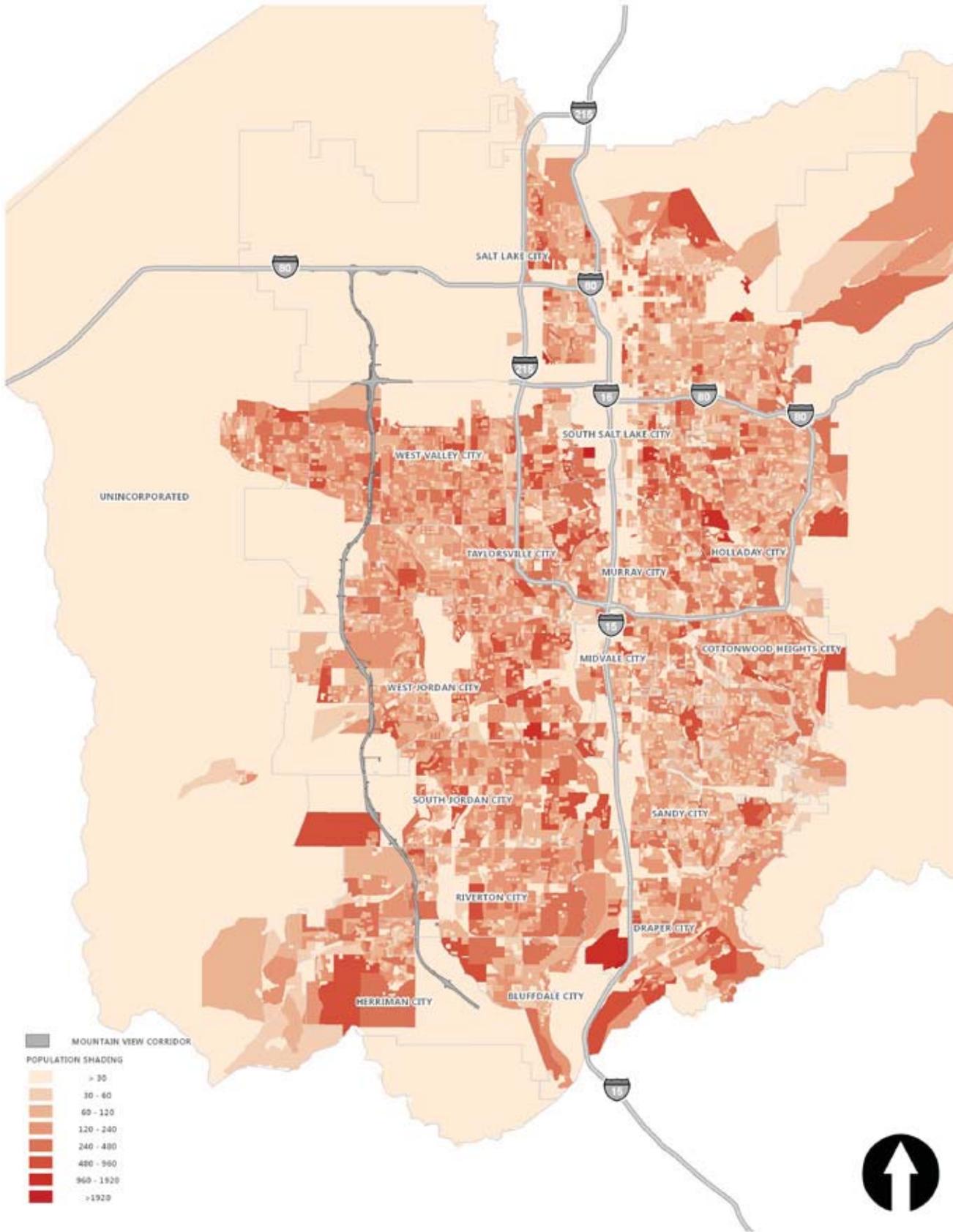
How do you describe the economic baseline in our community today? How rapidly are we growing? How do you describe our community in comparison to other areas? Will developers see us as a good place to develop?

Any assessment of economic sustainability must begin with a solid understanding of current conditions. Detailed demographic information about the households that live in a community can be obtained from the recently released 2010 Census (see [Resources](#)). The census gives population information at the following levels: county, city, census designated place (CDP), tract, block group and block. Information can be gathered for an area such as: total population and households; average household size (i.e., number of persons per household), median age, average incomes, educational levels, race data, etc.

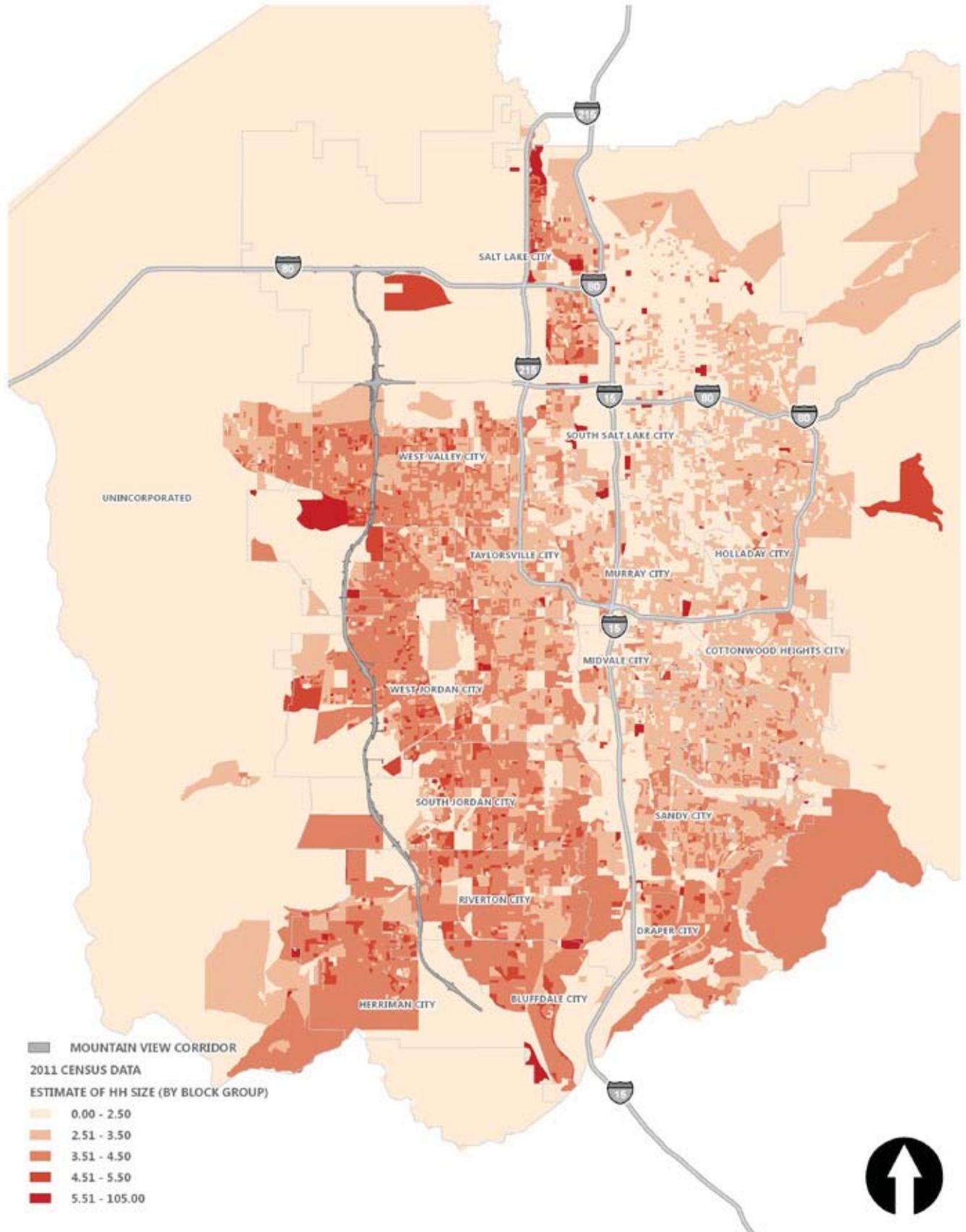
The cost of business is an important consideration in this assessment. How does the process of development approval encourage growth? The permitting process should be consistent and predictable to encourage development.

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Salt Lake County 2011 Census Data: Population



Salt Lake County 2011 Census Data: Household Size





Population growth rates should be compared within the overall region, as well as with neighboring communities. The reasons for differing growth rates between communities should be considered. Are these reasons due to a lack of suitable land for development, higher taxes and fees in one community than another, housing product type available in the area, transportation systems or lack thereof, utility constraints, local regulations and policies, etc.?

Census data also allows for comparisons of household characteristics (median age, household size, income, etc.) between various areas of the County. What is the unique nature of each community? These community profiles are important to businesses and developers because they make a difference in the types of retail demand. For example, communities with large student populations can experience an inordinate amount of retail spending on fast food and restaurants, as well as for used cars, assuming that these goods and services are available locally. Communities with young families and entry-level incomes may be more value or price conscious, while areas with higher incomes may seek more upscale retail, restaurant and entertainment options.

Major employers should be identified as part of the baseline analysis. This information is available through the Utah Department of Workforce Services (see [Resources](#)). Major employers will attract residents to work and live in a community, provide a stable tax base and add to the community's perceived image.

Educational resources are also key to development. Colleges, universities, and applied technology campuses should be seen as key to attracting growth.

Sales tax information is also an important part of baseline conditions and is described under the section "Retail Market Analysis." This data can be analyzed to identify trends and future retail development opportunities. Sales tax data can be obtained from the State Tax Commission (see [Resources](#)).

The availability of vacant land is critical to future economic development, as well as an understanding of the key locations for commercial development (and redevelopment) relative to vacant land, ownership and size of key parcels (i.e., vacant land located at or near prime commercial sites).

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Index
Context
Best Practices
Projects
Official Map
Appendix

3. Infrastructure



What do we mean by infrastructure? What type of infrastructure is needed in a community? For sustainability? For various types of development?

Economic infrastructure includes transportation (airports, roads, mass transit, rail, etc.), communications (broadband access), and utilities (water, sewer, natural gas, and electric).

3a. Transportation

Where are our prime development sites in terms of transit? What transportation improvements are most important to businesses? Key transportation infrastructure includes major highways and arterials, airports, railroads, light rail, commuter rail and bus rapid transit. Traffic counts along key roadways are an important indicator of the types of development that could be supported in an area. Some types of development, especially national-chain retail stores, require a certain level of average daily

trips (ADT) before they will even consider locating at a site. Traffic count data can be [obtained online](#) from the Utah Department of Transportation (UDOT) (see [Resources](#)).

Access is also an important factor in economic development. For example, while traffic counts along Bangerter Highway are high, access is limited to the areas around the intersections that are spaced approximately ten blocks apart. Therefore, commercial development is only viable at or near these intersections, even though traffic counts are high all along the highway. Commercial development along major corridors is sometimes increased through the use of frontage or access roads.

Some development types, such as factory outlet stores, rely on a combination of traffic counts, visitor counts, and distance from major metropolitan centers (see chart in sidebar). Visibility from major transportation routes is another factor.

Examples of Traffic Count Requirements

1. IHOP: >28,000 ADTs
<http://www.ihop.com/index.php>
2. Papa Gino's Pizza: 20,000 ATDs
http://www.papaginos.com/franchise/real_estate.html
3. Golden Corral: >25,000 ADTs for independent "smaller" cities/towns
<http://www.goldencorral.com/franchise/development.asp>
4. Jiffy Lube: 20,000 ADTs
<http://www.franchisebrief.com/franchises/jiffy-lube-franchise.php>

RECOMMENDATIONS FOR FACTORY OUTLET STORE DEVELOPMENT

Population	1M - 2.5 million in 100-mile radius
Traffic Counts	30,000 – 75,00+ ADTs
Distance from Shopping Center	20 miles
Tourism	3 - 4 million annually
Income	Varies

Source: Various Factory Outlet Developments

3b. Communications



How competitive and up-to-date is this community in technology? In today’s technology-oriented society, it is critical for communities to be competitive in providing high-speed broadband technology – not only in commercial areas, but also to attract an educated workforce to live within city boundaries. Internet connection speeds have an impact on economic growth and innovation, particularly in the emerging areas of social media and online commerce.

Index
Context
Best Practices
Projects
Official Map
Appendix

3c. Utilities



Do we have sufficient water rights for future economic development? What types of development may be limited by the availability of water? How do our utility costs compare? Sufficient water rights, as well as water and sewer infrastructure, must be available at a site in order for development to take place. The lack of these facilities will limit the density of development and prohibit many retail types from developing. Where water and sewer are not readily available, and economic development would otherwise occur, communities need to consider how they can work with the private sector to assist in putting in the needed infrastructure. Electric power, as well as the cost of power as compared to neighboring communities, is a key factor for many types of industries. See [Financing, Public Finance Assistance and Government Options](#).



Funding of infrastructure for key sites should be a community priority.

3d. Available Land



How do we identify prime land for commercial development and encourage the highest and best use of priority sites? Communities need to have an available supply of shovel-ready land – land that can be built on within the next six months. This means that the land is appropriately zoned and that utilities are present at the site. Utilities include water, sewer, energy and broadband telecommunications.



Access, visibility, and roads are also key components of the economic infrastructure.



Investments in transportation can focus development in key areas.

Key locations for future development should be analyzed. This is done by first reviewing the County’s map of vacant properties (From the annually updated Assessor’s Parcel Database). Parcel numbers can then be pulled and acreages researched for each available parcel.

Index
Context
Best Practices
Projects
Official Map
Appendix

This County map should also be reviewed in conjunction with traffic counts at key intersections, transit routes and stops, planning maps showing future transit development and zoning. These maps are all available through Salt Lake County.

Funding of infrastructure for key sites (as well as for targeted industries and business types) should be a community priority. This can be accomplished through a variety of means including tax increment funds, special assessment areas, and prioritizing public works projects. (Funding mechanisms are discussed in [Financing, Public Assistance Options and Government Options.](#))

Also necessary is infrastructure gap analysis, the process of defining infrastructure deficiencies, prioritizing locations for development, and determining costs and issues related to constructing, financing, and implementing key infrastructure projects.

To the extent possible, private or public investment should be maximized, with public assistance allocated to projects that would not proceed or for which the community could not compete without public funding.

4. Job Creation and Labor Force

How can we create jobs in our community? What type of jobs do we want in our community? Educational levels, skills and prevailing wages in a community are a critical factor in business expansion and recruitment. Specialized vocational or industry specific training is critical to target recruitment for economic development. Communities should assess current employer needs and match these needs with the skills and training that is available in the local community. This is done by contacting vocational schools in the regional area to identify classes and training currently being offered (e.g. Salt Lake Community College’s Custom Fit program--see [Section 11k.](#)). This list should be matched with a survey of needed skills that could be obtained from workforce services, as well as key employers in the area.

2010 WORKFORCE PROFILE					
	PERIOD	AVERAGE NON-FARM JOBS	ESTABLISHMENTS	AVERAGE MONTHLY WAGE	PAYROLL
Salt Lake County	3rd Quarter	571,475	35,934	\$3,528	\$6,047,907
Statewide	3rd Quarter	1,180,931	81,953	\$3,169	\$11,228,617
Davis County	3rd Quarter	101,841	6,492	\$3,034	\$926,824
Utah County	3rd Quarter	173,613	12,221	\$2,854	\$1,486,464
Tooele County	3rd Quarter	15,936	984	\$3,370	\$161,083
Summit County	3rd Quarter	19,104	2,327	\$2,872	\$164,557

Source: Utah Department of Workforce Services (<http://jobs.utah.gov/jsp/wi/utalmis/gotoCounties.do>)



Labor costs play a key role for businesses as they evaluate where to locate. Average wages in Salt Lake County are somewhat higher than in surrounding areas, especially in comparison to Utah County.

5. Housing Choices and Other Quality-of-Life Factors

What are housing choices? How do I determine if we have adequate housing choices? What amenities will attract people to live in my community?



Housing choices are an important factor in economic development. Housing costs must be compatible with wages paid in the area. Generally speaking, housing costs, including utilities, should not exceed more than 30 percent of household income.

Comparative housing costs can be obtained through several means. The most recent Census data (2010) will provide a good comparison until market conditions begin to change. Updated housing costs can be obtained through the American Community Survey as well as other sources listed in the Resources section.

If housing costs in a community appear to be rising rapidly, the community may need to consider policies for smaller lot sizes, or encouraging more attached units that lower costs with shared walls and common outdoor spaces. See Housing Best Practices.

The quality of schools is a key component in attracting businesses to an area. Employees want to live where there are good schools. Local school districts have information regarding school test scores that, when favorable, can be used as a marketing tool by a community.

Safety ranks as one of the top concerns that people have about living in a particular area. Low crime levels are also important in attracting business.

Recreation, shopping and entertainment options also play a role in economic development. Other quality of life factors that impact economic development are listed in the chart in the sidebar.

ALPHABETICAL LIST OF QUALITY-OF-LIFE ATTRACTION FACTORS	
<i>Affordable car insurance</i>	<i>Low property taxes</i>
<i>Affordable medical care</i>	<i>Low risk of natural disasters</i>
<i>Clean air</i>	<i>Low risk of tax increase</i>
<i>Clean water</i>	<i>Low sales tax</i>
<i>Close to big airport</i>	<i>Low unemployment</i>
<i>Close to colleges/universities</i>	<i>Many hospitals</i>
<i>Close to relatives</i>	<i>Museums nearby</i>
<i>Close to skiing area</i>	<i>Near a big city</i>
<i>Diversity of local firms</i>	<i>Near amusement parks</i>
<i>Far from nuclear reactors</i>	<i>Near lakes or ocean</i>
<i>Good public transportation</i>	<i>Near national forests and parks</i>
<i>Good schools</i>	<i>Near places of worship</i>
<i>High civic involvement</i>	<i>New business potential</i>
<i>High marks from ecologists</i>	<i>Plentiful doctors</i>
<i>Housing appreciation</i>	<i>Proximity to major league sports</i>
<i>Inexpensive living</i>	<i>Proximity to minor league sports</i>
<i>Lack of hazardous wastes</i>	<i>Recent job growth</i>
<i>Local symphony orchestra</i>	<i>Short commutes</i>
<i>Low crime rate</i>	<i>Strong state government</i>
<i>Low housing prices</i>	<i>Sunny weather</i>
<i>Low income taxes</i>	<i>Zoos or aquariums</i>

Source: Thinking and Acting Regionally in the Greater Wasatch Area: Implications for Local Economic Development Practice.



Generally speaking, housing costs should not exceed more than 30 percent of household income.

Index
Context
Best Practices
Projects
Official Map
Appendix

6. Retail Development

6a. Retail Market Analysis - Sales Gap, Leakage, & Capture

How can we attract more retail businesses to locate in our community? Sales gap or leakage data is the estimated amount of purchases made by residents outside of their community. Leakage demonstrates areas of opportunity – where communities can recapture some of their lost sales where residents are leaving the local area to make

purchases. Sales leakage data is estimated by taking the actual purchases in a community and dividing by the number of households or population to determine the average spending per household and per capita. This represents purchases made within a community. This data is then compared with average per capita (or per household) purchases statewide. The difference is the leakage.

The results of a sales leakage analysis must always be compared with development and sales

SALES LEAKAGE EXAMPLE - ESTIMATED CAPTURE RATES					
NAICS Major	2009	2008	2007	2006	2005
Motor Vehicle and Parts Dealers	5%	4%	NA	3%	NA
Furniture and Home Furnishings Stores	112%	112%	NA	28%	NA
Electronics and Appliance Stores	83%	86%	90%	73%	66%
Building Material and Supplies Dealers	123%	119%	145%	134%	112%
Food and Beverage Stores	107%	101%	208%	128%	14%
Health and Personal Care Stores	21%	22%	18%	18%	22%
Gasoline Stations	69%	62%	59%	41%	46%
Clothing and Clothing Accessories Stores	53%	46%	39%	17%	16%
Sporting Goods, Hobby, Book, and Music Stores	24%	23%	7%	7%	7%
General Merchandise Stores	61%	61%	53%	42%	42%
Miscellaneous Store Retailers	16%	13%	19%	13%	17%
Non-Store Retailers	27%	22%	25%	34%	29%
Accommodation Services	105%	91%	81%	58%	21%
Total	75%	71%	59%	52%	38%

*NAICS is the North American Industry Classification System and is the standard used by Federal statistical agencies in classifying business establishments.



Use of GIS Mapping to determine market area support.

data in surrounding communities. If comparing grocery store leakage, where are other grocery stores located? Are they located near the borders where they draw sales from one community to another? For example, if one community has a net loss (leakage) of \$700 per person, but a neighboring community has a net gain of \$700 per person (over and above the expected

sales), then it is likely that residents are crossing municipal boundaries to do their grocery shopping.



However, if you encourage another grocery store because it is determined that there is leakage, the development may not actually capture the leakage, but rather dilute the other grocers market share in the area. This is referred to as “cannibalizing” the market. Key site locating is important to prevent cannibalizing of existing development.

Index
Context
Best Practices
Projects
Official Map
Appendix

6b. Capture Analysis

If sales leakage exists in a community, what percentage of these sales can be recaptured? In order to estimate capture rates, it is helpful to map all of the grocery stores in the existing community, as well as in the surrounding areas, in order to assess the true potential for recapturing lost sales or for additional development. Then, locating a potential new grocery store on the map, the developer should visually draw the market area for the new store. In most cases, distance and the location of neighboring stores are the key factors in determining market areas. However, in some areas, where physical barriers exist (i.e., freeway crossing, rivers, railroad tracks, etc.), travel time is the true determinant of market area.

SALES LEAKAGE EXAMPLE

If a community of 10,000 persons had grocery store sales of \$5,000,000 in a given year, the average spending per capita would be \$500 (\$5,000,000 divided by 10,000). In comparison, grocery store purchases in Utah average approximately \$1,200 per person statewide. This suggests that the community is losing \$700 per person, or about \$7 million annually. The community is capturing roughly 42 percent (\$500/\$1,200) of all purchases made by its residents, suggesting there is opportunity for further grocery store development in the local area as shoppers generally desire to purchase food products close to home.

Will the selected market area support another grocery store? Sophisticated developers use mapping software called Geographic Information System (GIS) that can show the population in a designated area. Without the use of GIS, a general estimate can be made, however, by identifying the traffic analysis zones (TAZ) (see [Resources](#)) within the market area and looking up the population and employment, current and projected, within those zones. This information can then be used to assess buying power and determine if there is sufficient buying power to support another retail store (of a specific type, such as a grocery store) within the given area.

MARKET SHARE ANALYSIS		
Building Materials and Supplies Dealers	2003	2009
City 1	1.30%	0.70%
City 2	3.5%	8.20%
City 3	0.00%	16.00%
City 4	31.60%	30.40%
City 5	63.60%	44.70%

6c. Market Share Analysis

What share of the market are we now capturing? What share can we capture in the future? A market share analysis can be conducted for individual store types or for retail centers. It shows the percentage of total sales in the larger market area that are being captured by a particular location or store. For example, if a community is only capturing ten percent of sales in a particular retail category, yet it represents 30 percent of the regional population, it may be able to capture additional sales.

Category	Median Sales Per Square Foot
Supermarket	\$391.90
Restaurant with Liquor	\$232.83
Furniture	\$259.43
Electronics	\$294.15
Cards and Gifts	\$125.48
Jewelry	\$322.36

Source: Urban Land Institute, Dollars & Cents of Shopping Centers

The first step is to identify the primary market area – the area from which the store or shopping center draws most of its customers. The current and projected population, as well as employment base in the market area is then calculated. General requirements for retail centers, including size and required population, are shown in the table below as provided by the Urban Land Institute.

Some retail stores generate more sales tax revenues for cities than do other types of stores. Retail sales will vary based on the type of store, as well as the size of the store. For example, average sales per square foot for a variety of store types are found in the chart to the right. Many communities compete against each other to attract stores with the highest sales per square foot. Examples of this would be Costco and other big-box stores that generally have sales of well over \$400 per square foot. While this practice occurs, it is not a best practice, and does not make for good planning, nor does it create additional revenue streams. It simply transfers revenues from one area to another. Transference can also happen within the local government boundary as well.



Shoppers are attracted to locations where there is a large selection of goods and services.

When tax increment funds or other public assistance is used to support retail development, it simply diverts tax dollars from one area to another area and does not result in increased revenues in the regional area.

EXAMPLE OF GENERAL REQUIREMENTS FOR RETAIL CENTERS						
TYPE OF CENTER	LEADING TENTANT	TYPICAL GLA SQ FT	GENERAL RANGE IN GLA	USUAL MIN. SIZE (ACRES)	APPROX. MINIMUM POPULATION SUPPORT REQUIRED	
Neighborhood	Supermarket	60,000	30,000-100,000	3-10	3,000-40,000	
Community	Supermarket, drugstore/pharmacy, discount department store, mixed apparel	180,000	100,000-400,000	10-30	40,000-150,000	
Regional	One or two full-line department stores	600,000	300,000-900,000	10-60	150,000 or more	
Super Regional	Three or more full-line department stores	1,000,000	600,000-2,000,000	15-100 or more	300,000 or more	

Source: Urban Land Institute, Retail Development 4th ed.

6d. Business Clusters



What is a business cluster? How can they benefit retail development? Shoppers are

attracted to locations where there is a large selection of goods and services. For example, clothing stores generally thrive when located near other clothing stores. Car dealerships

locate in clusters because customers are attracted to areas with a wide variety of automobiles.

Clusters also include similar types of businesses such as wedding clusters (jewelry stores, tux rentals, bakeries, florists, etc.) or fitness clusters (sporting goods, running shoes, health foods, exercise equipment, etc.).

These businesses benefit from being in close proximity to each other by catching the spillover traffic from a nearby shop.

Communities or developers may want to map existing stores to see what type of clusters currently exist, which ones could be strengthened and built upon, as well as identify opportunities to develop new clusters that would work well with the demographic profile of the community.

Business clusters are also important in evaluating the role that different locations within a community play. For example, the type of development in a downtown area may focus more on specialty stores, restaurants, personal services such as haircuts, and smaller-scale development, while development near a freeway interchange may include lodging, car dealerships, big box stores, fast food, restaurants and larger-scale development.

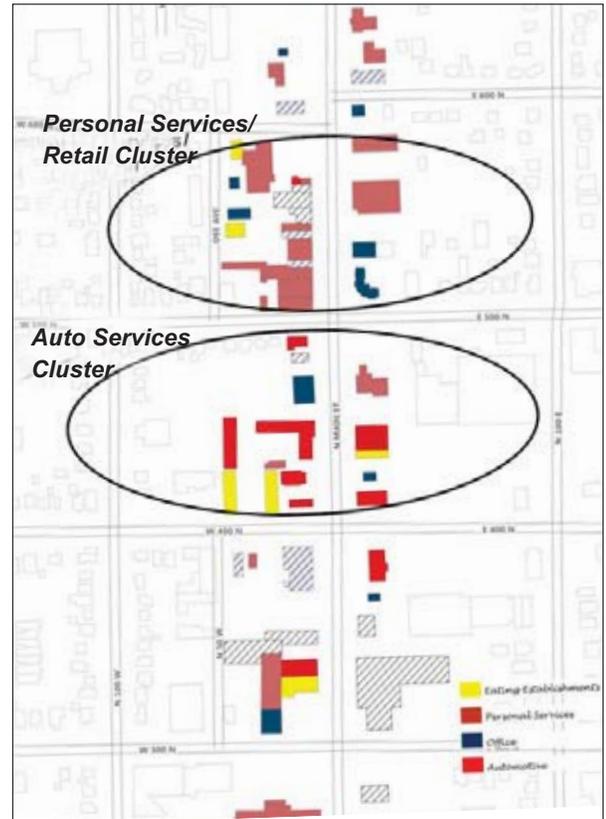
7. Office and Industrial Market Analysis

How do you evaluate the potential for office and industrial development in a community?

In order to understand the potential for office market development, it is helpful to know information such as: current rental rates in different parts of the County, vacancy rates and the number of new square feet of office or industrial space that was occupied during the past year (commonly called absorption). This data is available online from sources such as Commerce Real Estate Solutions, Coldwell Banker and NAI Utah (see [Resources](#)).

On average, the Salt Lake Valley has absorbed 650,000 square feet of office space per year for the past seven years. However, absorption fluctuates greatly from year to year based on varying market conditions (refer to chart in sidebar).

Index
Context
Best Practices
Projects
Official Map
Appendix



Example of business clusters.

ABSORPTION SQUARE FOOTAGE				
YEAR	CBD	PERIPHERY	SUBURBAN	TOTAL
2010	21,570	-23,964	-102,823	-105,217
2009	-165,198	-51,271	304,522	88,050
2008	76,468	26,008	204,884	307,360
2007	-55,864	270,266	938,900	1,153,302
2006	127,044	130,036	617,955	875,035
2005	297,460	211,838	949,735	1,459,033
2004	43,572	92,286	635,134	770,992

Source: Commerce Real Estate Solutions

Index
Context
Best Practices
Projects
Official Map
Appendix

The question becomes, “What percentage of this development can realistically occur in our community?” Or, in economic terms, “What percentage of the market can we capture?”

Rents and vacancy rates are another important factor in assessing development potential. Office rents are generally based on either Triple Net (NNN) or Full Service (FS). A NNN lease is a type of lease in which the tenant pays all or part of the taxes, insurance and maintenance associated with use of the property. These fees are paid in addition to the tenant’s regular monthly rent. These types of leases favor the landlord and should be carefully negotiated in order to limit how much the landlord can increase the NNN fees each year.

A Full Service (FS) lease includes in the rent payments the cost of certain types of services – janitorial, utilities, property taxes, etc. Therefore, rents quoted as “full service” are higher in comparison to NNN rents in the same area.

Due to the natural turnover in the market, there are always some vacancies. Generally, a five percent vacancy rate is considered full occupancy.

Capitalization (CAP) rates are often used to assess the true value of a property. A CAP rate equals the annual net operating income divided by the cost or the current value of the property.

$$CAP\ Rate = \frac{Annual\ Net\ Operating\ Income\ (NOI)}{Cost\ (Value)}$$

CAP rates are provided by all of the major brokers for a variety of commercial development types in their annual reports. A potential buyer of a commercial building might want to first obtain the current CAP rates, as well as the annual net operating income for the building he is purchasing. The buyer can then compute the “value” of the building in today’s market and compare that with the asking price of the property.

CAP rates are also used to assess the highest and best use of vacant land. By applying appropriate but varied CAP rates for a variety of development types – apartment, retail, office, industrial, etc. – and using current market rent and vacancy rates to estimate net operating income, a property owner can assess the resulting land value under each of the development scenarios.

8. Sustainable Commercial Development

Is the amount of commercial development in our community equal to what the community can support?



Many communities zone large amounts of acreage for commercial (retail, office and industrial) development. How much acreage is truly sustainable? Based on the number of commercial square feet in Salt Lake, Weber, Davis and Utah counties, the sustainable square footage is approximately 22 SF of office space per capita, 96 SF of industrial space, and 29 SF of retail space. As the population grows, sustainable commercial development can occur in approximately similar ratios.

Clearly, communities need to assess their individual needs and preferences for commercial development, their role in the regional market, and provide for sufficient commercial space to allow for flexibility in commercial development. However, zoning for too much commercial space will not necessarily attract additional commercial development but is more likely to lead to poor planning and spotty development patterns.

	SALT LAKE Co.	WEBER Co.	DAVIS Co.	UTAH Co.	AVERAGE	WEIGHTED AVERAGE
Population 2010	1,029,655	231,236	306,479	516,564		
Office SF*	31,282,745	2,551,063	2,553,930	9,294,059		
Industrial SF*	111,840,216	32,211,920	26,106,135	30,071,498		
Retail SF*	37,352,228	5,904,675	7,449,808	10,391,821		
Office SF per capita	30	11	8	18	17	22
Industrial SF per capita	109	139	85	58	98	96
Retail SF per capita	36	26	24	20	27	29
Total commercial SF per capita	175	176	118	96	141	147
<i>*Source: Commerce Real Estate Solutions, Year-end 2010 Market Review</i>						

In order to “translate” building square footage requirements into the number of acres that a community would need to designate for a particular development type, a floor area ratio (FAR) is used. This ratio compares the total building square footage to the total square footage of a piece of property. For example, a building with 5,000 square feet situated on a one-acre piece of property (43,560 sf) would have an FAR of 0.11 (5,000 ÷ 43,560). By considering the density and massing of existing development in the area or of desired development, a community can use the FAR, along with its estimate of supportable building square footage, to project the desired acreage for each development type.

$$\text{Acres needed} = \frac{\text{Building SF}}{(43,560 \times \text{FAR})}$$

Index
Context
Best Practices
Projects
Official Map
Appendix

Index
Context
Best Practices
Projects
Official Map
Appendix

For example, on average, a community with a population of 20,000 persons could support roughly 86 acres of retail, 37 acres of office and 247 acres of industrial development. However, each community must also assess its role in the overall region. A regional center can support more acreage, while a bedroom community will support less commercial acreage. Also, industrial development varies widely from community, based on proximity to major transportation corridors, airport and rail

services.

Higher FARs mean more density and massing in a development to make the project economically feasible. This entails additional infrastructure costs, such as larger parking structures, which can add to infrastructure gaps unless addressed properly.

SUPPORTABLE COMMERCIAL ACREAGE: 20,000 POPULATION				
YEAR	SUPPORTABLE BLDG SF PER CAPITA	FAR *	SUPPORTABLE BLDG SF	ACRES
Retail	28	0.15	560,000	86
Office	20	0.25	400,000	37
Industrial	97	0.18	1,940,000	247

*FAR is the floor area ratio and represents the total building square footage of a project, compared to the total land area. As the FAR increases, the number of supportable acres decreases; as the FAR decreases, the number of supportable acres increases.

9. The “Main Street” Approach and Downtowns



Downtown areas can thrive with targeted, appropriate investment.



How can our downtown be a vibrant destination and the heart of our community? Main Streets – the heart of many communities – often struggle due to a lack of reinvestment in the “downtown” area. Often, investment dollars are being spent on the outskirts of town or near freeway interchanges. As a result, downtown gradually takes on a rundown appearance, vacancies and boarded-up storefronts appear, and rents decrease. There are tools available for communities to change this cycle of disinvestment.

The National Main Street Organization has developed a four-point approach to economic development that includes: 1) Organization; 2) Marketing; 3) Streetscape and Design; and 4) Economics. This approach recognizes that strong downtowns are based on all of these elements working together. At one point, a downtown may need to focus on its streetscape and design, while at another time it may be more important to pull businesses together in a joint marketing campaign.

An organization for downtown can be formed that will identify and work to solve issues in the area. This organization can focus on cleanup activities; improving infrastructure such as street lighting, sidewalks and pavers; safety issues; a marketing and awareness campaign for downtown; façade renovations, etc. Every downtown has unique issues and opportunities which must be identified so that limited resources are directed to the most noteworthy and important areas.



For example, Richfield, located in central Utah along I-70, is a regional retail center. However, the market area is still not large, and many residents frequently leave the area to do their shopping elsewhere -- particularly in Utah County. Recognizing that it does not have the buying power to offer as wide a selection of goods as Utah County, Richfield conducted a survey in order to gain a better understanding of community needs and preferences. From these initial efforts, a downtown committee developed the slogan, “Just the Right Stuff – Downtown Richfield” to portray that they were responding to the community’s preferences.

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

10. Marketing and Recruitment

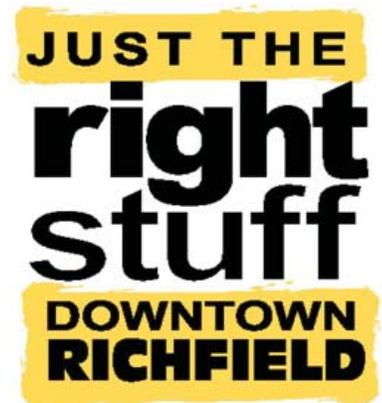
What type of information will attract developers to the area? Many communities choose to prepare a marketing flyer for distribution by the City to potential developers, as well as posting information on the community’s website. Generally, marketing material includes some demographics that are appealing about the community -- such as a graph or map displaying growth rates, household sizes, incomes and educational levels.

The marketing material often includes sales leakage information, the city’s general policies or willingness to provide incentives to new development, key sites for future development, summary of successful development taking place in the city and statements from developers about the favorable business climate in the city.

Accessibility to certain locations available for immediate development is also key to recruitment. Links to real estate listing, concept plans, etc, can help to attract new business.

11. Financing, Public Assistance Options and Government Policies

What financing tools are available to encourage our development priorities? What funding tools should developers be aware of to assist them with development? Local governments in Utah have a number of tools available for encouraging economic development and for financing needed capital facilities related to economic development on a tax-exempt basis. Competition for key businesses can be intense and communities need to carefully consider policies of when public assistance should be provided to encourage economic development. Policies may differ between communities but should always be developed to promote: 1) the maximum investment by the private sector; 2) redevelopment of underutilized and key properties; 3) job creation with above-average wages; and 4) coordination with the State of Utah in using Economic



The Richfield community developed a new slogan for their downtown to portray that they were responding to the community’s preferences.

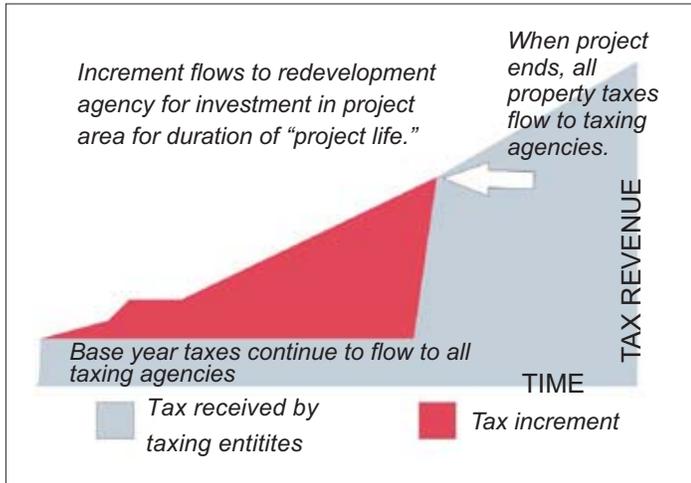
Index
Context
Best Practices
Projects
Official Map
Appendix

Development Tax Increment Financing (EDTIF) funds to attract key businesses to the State.

Best practices include a financing strategy that includes: 1) economic development incentives; and 2) financing mechanisms for capital improvements necessary for economic development to occur.

Specific tools are listed below, with more information provided in the [Appendix](#).

Example of Tax Increment Financing



11a. Utah Community Development & Renewal Agencies Act (CDRA)

Tax increment financing can be an attractive option to developers because it provides public assistance and funding for improvements, infrastructure, land write-downs, etc., in partnership with private investment in an area. The purpose is to encourage development to take place in areas that are deteriorating, to create jobs, or to assist with important community projects.

The main steps in establishing a tax increment area include:

- Formation of a Community Development Redevelopment Agency (must only be created once by a community, not for each project)
- Creation of a project area plan and budget
- Approval of taxing entities

TAX INCREMENT EXAMPLE	
Total taxable value	\$10,000,000
Baseline taxable value	\$2,000,000
Incremental taxable value	\$8,000,000
Tax rate	0.000326
Incremental revenues	\$2,608

The first step of redevelopment is the creation of a Redevelopment Agency by a local governmental entity. After the Agency is created, there are three types of redevelopment areas that can be formed by the local entity: Urban Renewal Area (URA); Economic Development Area (EDA); and Community Development Area (CDA).

A **URA** is formed in an area that has deteriorating properties, high criminal activity, excessive vacancies or abandoned buildings, potential environmental or health issues, etc. To be eligible, 50 percent of the parcels must have improvements (i.e., buildings) and these parcels must cover at least 66 percent of the land area in the URA. The purpose of a URA is to eliminate or reduce blight – a term used in the Utah Code to describe conditions in these areas. The power of eminent domain is

allowed in these areas, meaning that in order to achieve the purposes of the redevelopment the governmental authority may require a landowner to sell property at market prices (after fair appraisals). However, Utah law greatly restricts the ability of government to use eminent domain for residential and commercial development.

An **EDA** is formed in an area for the purpose of attracting new jobs to the area and a **CDA** is formed to encourage a wide range of community development projects. No power of eminent domain is given to EDA or CDA areas.

Project area plans and budgets should be created for each project area in accordance with the requirements of Utah Code Title 17C – the Community Development and Renewal Agencies Act.

Public funding for projects in the redevelopment areas comes from tax increment. What is tax increment? Some people mistakenly assume that this means higher taxes. But it doesn't. Rather, it is the additional tax monies that are generated in a redevelopment area as a result of increased value from development in that particular area. Increment value is determined by calculating the difference between a baseline property value, set when the project area is established, and the additional property value from development. Tax increment from a project area is available for a specific number of years as agreed upon by the taxing entities. Therefore, timing becomes especially important in the creation of project areas in order to maximize the amount of increment generated and returned to development within the project area boundaries.

Tax increment funds (TIF) can be monetized (i.e., you can borrow against the future tax increment revenue streams in order to provide up-front funds to build infrastructure), because TIF revenues are more risky and unpredictable compared to other revenue sources and therefore generally carry a higher interest rate than GO or revenue bonds. Also, lenders prefer multiple years of revenue history and generally allow only \$0.33 - \$0.50 on the dollar of the increment generated to be monetized (or borrowed against).

For example, if a TIF area generates \$100,000 in tax increment revenues per year, only \$33,000 to \$50,000 of those funds can be used for annual debt repayment because the lenders require more excess funds, known as the debt service coverage ratio, for tax increment bonds than for other types of bonds that investors consider to be relatively less risky.

However, a community can choose to use other revenue sources as a

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Index
Context
Best Practices
Projects
Official Map
Appendix

security pledge to acquire the bond, and then use tax increment funds as a repayment source. If TIF funds fall short of repayment amounts, other pledged revenue sources must be used to make up the difference.

The amount of public assistance provided in TIF areas is generally based on a percentage of the property tax increment generated by a specific development within the project area. Tax increment dollars are often returned to the developer in the form of infrastructure development, land cost write-down, or other appropriate means.

One method that has been used to overcome the market challenges posed by direct tax increment financing is to use a Special Assessment Area (SAA) in conjunction with the use of tax increment. Special Assessment Areas are discussed in a following section. This provides a means to leverage the potential tax increment at an earlier stage in the development process. Under this structure, a CDRA is created and the developer/landowner enters into an Agreement to Develop Land (ADL) with the local government wherein the developer negotiates receipt of a portion of the tax increment to be generated. Then, SAA bonds are issued and assessments on the benefited property of the developer/landowner provide security to the bonds noting that the property then serves as the ultimate security for the debt, not projected increment receipts. If the developers proceed with

development and building in a timely fashion, they can utilize the increment received to make the assessment payments, although they are not pledging this stream of revenues.

Public concerns about redevelopment projects are centered on three main issues. Education is needed to resolve these concerns. When property owners understand the true nature of redevelopment areas, they are generally enthusiastic about the opportunities RDA's offer.

1. Blight. The Utah Code uses the term "blight" to refer to properties with various characteristics, such as physical dilapidation, lack of code enforcement, etc. Property owners need to be assured that while blight factors are used to establish a project area, no individual properties are recorded as blighted on any official county records. An evaluation of properties, in terms of blight, is used solely to determine if the area, as a whole, qualifies as a redevelopment area.

2. Tax Increment. There is a common misunderstanding that tax increment means that property owners will pay more taxes.

Figure: Utah Code on Eminent Domain

UCA 17C-2-601. Use of eminent domain in an urban renewal project area -- Conditions -- Acquiring single family owner occupied residential property or commercial property -- Acquiring property already devoted to a public use -- Relocation assistance requirement.

Utah law greatly restricts the ability of government to use eminent domain for residential and commercial development.

Single Family Residential

- Owner consents; or
- Petition of owners of >80% of parcels and >70% of value of owner-occupied property.

Commercial

- Owner consents; or
- Petition of owners of >75% of parcels and 60% of value of property

This is simply not the case. Tax rates do not change because of the creation of a redevelopment area. Rather, more taxes are generated in the area because of the increased development that occurs. It is the taxes that flow from additional development and therefore increased taxable value that constitute tax increment.

3. Eminent Domain. Property owners are often concerned that they will be forced to sell their property if they are in a redevelopment area. Utah law has set very restrictive requirements regarding when the power of eminent domain can and cannot be used (see sidebar figure).

Index
Context
Best Practices
Projects
Official Map
Appendix

11b. Revolving Loan Funds

A revolving loan fund (RLF) is a source of money from which loans are made for small business development projects. A loan is made to a business and as repayments are made, funds become available for new loans to other businesses. The major purpose is to provide a source of financing, which may not otherwise be available within the community, for local, expanding, or start-up businesses. Often they are used to fill a financing gap in a business development project. A gap occurs when the business lacks the funds to meet the equity requirements of bank financing or needs a lower interest rate.

The source of capitalization (the funds used to create the RLF) may have regulations governing program design. For example, RLF's which are capitalized with Community Development Block Grant (CDBG) funds must follow the rules and regulations established by the U.S. Department of Housing and Urban Development (HUD) and must show some benefit to low- and moderate-income households.

Revolving loan funds have been used successfully in many communities to encourage façade and building renovations in commercial areas (see images in sidebar). Capitalization could potentially be obtained through CDBG funds.

Salt Lake County's Economic Development Revolving Loan Fund (EDRLF) has successfully funded a number of traditional and technology-based companies. These companies

Examples of a successful façade renovation program:



Before

After



Before

After

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

have expanded their operations, created new jobs, and made capital investments in the county. Without this non-traditional type of funding, these companies could not have reached their potential. The loan amounts range from \$50,000 to \$250,000 and are usually paid off within a five-year period. The average cost per job from companies who utilize the loan fund is \$2,500. This is considerably lower than the traditional economic development tools.

Since 2005, the County's EDRLF has created over 500 jobs and has had zero loan losses. Companies that have taken advantage of the loan fund now create over \$17 million in annual revenues.

Another financing avenue is the Microenterprise Loan Fund which handles smaller loans up to \$35,000. The county has contributed over \$600,000 to the fund to help small businesses who cannot get traditional loans. This fund has an average loan size of \$16,843, and creates about five jobs per loan.

11c. Qualified Redevelopment Bonds:

Qualified Redevelopment Bonds ("QRBs") are authorized under Section 144 (c) of federal tax code that allows Community Development and Renewal Agencies ("CDRA") to issue bonds that are tax-exempt. The purpose of the QRBs is to promote redevelopment purposes within blighted areas. In order to qualify, the CDRA must meet the following requirements:

- At least 95% of the bond proceeds must be used for redevelopment in designated blighted areas (redevelopment is defined as land acquisition and preparation of land for redevelopment purposes);
- The CDRA must have the option of eminent domain;
- The CDRA must first adopt a project area plan and budget authorizing tax increment;
- The payment of principal and interest on the bonds must be secured by:

Taxes of general applicability within the local government
or

Tax increment under the project area plan and budget

- The transfer of any real property, for which bond proceeds were used, must be transferred at fair market value to a person other than a governmental unit; and

- The CDRA must receive private activity volume cap from the Private Activity Bond Authority, pursuant to 9-4-501, Utah Code.

QRBs can greatly enhance the ability of local government to promote and coordinate redevelopment activity. Since blight and eminent domain are requirements of QRBs, only Urban Renewal Project Areas have the ability to use this financing vehicle. Often this vehicle will save 2.00-3.00% difference in interest rates.

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

11d. New Market Tax Credits

New Market Tax Credits (NMTCs) are additional financing tools that can be used to promote redevelopment, community and economic development. Projects within certain census tracts can qualify for allocation of new market tax credits, which are used by equity and debt investors to reduce tax liability. The reduction in tax liability is then used to off-set low interest loans or grants to community and economic development oriented projects. NMTC allocations require the following steps:

- Determine if the project qualifies under the US Treasury's Community Development Financial Institutions Fund (CDFI);
- Identify a Community Development Entity (CDE) who has received NMTC allocations;
- Apply for the allocation; and
- Find equity and debt participants

The primary benefit of NMTCs is the ability to attract investors at below market rates of interest and in many cases promotes infusion of equity into projects.

NMTCs are a relatively new financing tool for economic development but have proved to be valuable resources for economic development activity. More information can be found at www.cdfifund.gov.

11e. Industrial Loan Companies (ILCs) or Industrial Banks

Industrial Loan Companies or Industrial Banks are financial institutions in the United States that lend money and in many cases are owned by non-financial institutions. Many of the largest ILCs are domiciled in the State of Utah. ILCs like other commercial banks have community reinvestment requirements (CRA credits) that encourage lending within the market areas they operate in. Since, the State of Utah has approximately 55% of the ILCs in the nation and the requirement for CRA credits is specific to

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

magnitude of assets, ILCs become great partners in promoting and funding economic development oriented projects. The concepts of Qualified Redevelopment Bonds and New Market Tax Credits discussed above can be used in concert with ILCs. In fact, in many cases the projects often align themselves based on criteria and scope that ILCs can be participants in lending the credit to accomplish these projects.

In the course of reviewing project finance options, communities should consider how ILCs can be used to assist in funding large-scale development projects.

11f. Special Assessment Area

Special assessment areas (SAA) are a legal mechanism to raise funds to enhance the maintenance and management of a particular section of a city or town. They are guided by the philosophy that the value of property is not driven solely by the investment made in an individual property, but rather that a major portion of property value is derived from how investors, businesses and visitors view the entire area as a business, retail and cultural center.

The purpose of an SAA is to create a sustainable funding system that makes possible the creation of multiyear plans and budgets. In an SAA, property owners and businesses cooperate to share the costs of solving common problems or realizing economic opportunities. Common activities funded through an SAA include: removal of litter and graffiti, clean sidewalks, shovel snow, cut grass, trim trees, plant flowers, increase security presence (uniformed), hospitality personnel, festivals and events, coordinate sales promotions, signage, market research, marketing to investors, planning and advocacy for parking, management organization, development of urban design guidelines, lighting guidelines, façade and storefront improvement programs, homeless assistance, street lighting, street furniture and public space improvements.

11g. Grants for Economic Development and Façade Renovation

For years the Utah Main Street program was involved with providing matching grant funds to individual business owners for façade renovation that restored buildings to their historical integrity. Many of these business owners reported markedly increased sales from improvements to their building facades. They also reported that they were willing to pay off the improvements within a relatively short period of time. While these funds are no longer available in Utah, other national resources for community



and economic development projects are as follows:

- Funding Sources for Community and Economic Development 2005/2006: A Guide to Current Sources for Local Programs and Projects. Westport, CT: Oryx Press (an imprint of Greenwood Publishing), 2005.
- National Guide to Funding for Community Development. New York: The Foundation Center, 1998. UPDATE

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

11h. Community Development Block Grants (CDBG)

CDBG funds are available to all portions of the County that fall within the CDBG Entitlement Area, which includes eleven cities/towns and the unincorporated County. Not included in the County's allocation of funding are the five entitlement cities within the County that receive their own allocation of CDBG funding directly: Salt Lake City, Sandy, Taylorsville, West Jordan and West Valley City.

As established by HUD, the purpose of the CDBG program is "To assist in developing viable urban communities by providing decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income (LMI)."

The range of eligible activities for CDBG is very broad, but all projects must meet one of three national criteria:

1. Benefit low and moderate income residents
2. Elimination or prevention of slum and blight
3. Urgent health/welfare needs

CDBG funds could be a good source for establishing a revolving loan fund for neighborhood improvements in lower-income or blighted areas, assistance with job creation in low-income areas, and the development of infrastructure that benefits low-income households.

11i. Economic Development Tax Increment Financing (EDTIF)/HB 11

Approved in 2005, EDTIF is a relatively new state incentive program created through the Governor's Office of Economic Development (GOED) that allows local governments to create economic development zones (EDZ) in order to encourage job creation and capital investment. New or existing employers creating new jobs or significant capital investment within these zones may apply for a partial rebate of taxes paid to the state. Qualifying companies must create new jobs paying at least the county

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

median wage. The typical incentive range is a 15 percent tax rebate over five years. GOED requires that local communities also participate, generally through tax increment funds, in order for EDTIF funds to be used for a project in their area.

11j. Industrial Assistance Fund (IAF)

Companies expanding or relocating in Utah may receive incentive grants from the IAF. Criteria for urban areas includes jobs that pay at least 125 percent of the county median wage; creation of at least 50 new jobs; or a focus on biomedical, finance, technology, aerospace or corporate headquarters.

11k. Custom Fit

Custom Fit provides specialized training for companies to train their employees. This incentive subsidizes up to \$500 per trainee, with a maximum subsidy of \$100,000 per company.

11l. Utah Historic Preservation Tax Credit

The Utah Historic Preservation Tax Credit is a 20 percent nonrefundable tax credit for the rehabilitation of historic buildings which are used as owner-occupied residences or residential rentals. Twenty percent of all qualified rehabilitation costs may be deducted from taxes owed on your Utah income or corporate franchise tax.

Eligible buildings are those buildings listed in the National Register of Historic Places, which, after rehabilitation, are used as a residence(s). The credit is not available for any property used for commercial purposes including hotels or bed-and-breakfasts. (If the historic B&B is also owner-occupied, this portion of the rehabilitation may qualify.) The building does not need to be listed in the National Register at the beginning of the project, but a complete National Register nomination must be submitted when the project is finished. The property must be listed in the National Register within three years of the approval of the completed project. Staff of the Historic Preservation Office can evaluate the eligibility of your building and provide instructions on nomination requirements. (See [Resources.](#))



Resources

1. American Fact Finder : Population data and household characteristics
<http://factfinder2.census.gov/main.html>
2. The Bureau of Economic Analysis, U.S. Department of Commerce
 Economic information, GDP, consumer price index, incomes
www.bea.gov
3. The Bureau of Labor Statistics, U.S. Department of Labor
 Labor and employment information
www.stats.bls.gov
4. Coldwell Banker Commercial
 Retail, office and industrial market information
www.coldwellutah.com
5. Commerce Real Estate Solutions/ Cushman & Wakefield Affiliate
 Retail, office and industrial market information
www.comre.com/research.cfm
6. Economic Development Corporation of Utah
 Demographic information and site selection assistance
<http://www.edcutah.org/>
7. Envision Utah, Thinking and Acting Regionally in the Greater Wasatch Area: Implications for Local Economic Development Practice, May 2005.
8. Home Prices Along the Wasatch Front, The Salt Lake Tribune
<http://extras.sltrib.com/homeprices/Index.asp?County=Davis>
9. Moore, Terry; Meck, Stuart; and Ebenhoh, James. An Economic Development Toolbox Strategies and Methods. American Planning Association. 2006.
10. NAI Utah: Retail, office and industrial market information
www.naiutah.com
11. National Register of Historic Preservation
<http://www.cr.nps.gov/nr/about.htm>
12. Salt Lake County UPGRADE – Business at the Next Level
 Assistance with starting or expanding a business in Salt Lake County

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Index

Context

Best Practices

Projects

Official Map

Appendix

<http://www.upgrade.slco.org/up/startUp.html>

13. Urban Land Institute. Retail Market Analysis. 4th ed.

14. The U.S. Census Bureau

Population data and household characteristics

www.census.gov

15. Utah Department of Workforce Services

Local employment information

<http://jobs.utah.gov/>

16. Utah Governor's Office of Economic Development

Population projections, demographic information

<http://goed.utah.gov/contracting/PTAC/>

17. Utah State Tax Commission

Sales and property tax data, tax districts and tax rates

<http://tax.utah.gov/esu/sales/index.html>

18. Wasatch Front Regional Council (WFRC)

Traffic Area Zones (TAZ) – population projections

www.wfrc.org



ECONOMIC BEST PRACTICES APPENDIX

Capital Infrastructure Financing

Financing alternatives that are available to local governments in Utah are summarized as follows:

General Obligation Bond: General Obligation (GO) bonds are subject to simple majority voter approval by the constituents of the issuing entity. General obligation elections can be held two times each year, in November and June, following certain notification procedures that must be adhered to in accordance with State Statutes in order to call the election (pursuant to Utah State Code Section 11-14-2 through Section 12). Following a successful election, it is not necessary to issue bonds immediately, but all bonds authorized must be issued within ten years. Once authorized to proceed with the issuance of the bonds, it takes approximately sixty days to complete the bond issuance.

General obligation bonds can be issued for any governmental purpose as detailed in Section 11-14-1. The amount of general obligation debt is subject to the following statutory limitations:

- Counties are limited to two percent (2%) of the total taxable value of the County
- School Districts are limited to four percent (4%) of the total taxable value in the District
- Cities of the 1st and 2nd class are limited to a total of eight percent (8%) of the total taxable value; four (4%) for general purposes and four (4%) for water, sewer and lights
- Cities of other classes or towns are limited to a total of twelve percent (12%) of total taxable value; four percent (4%) for general purposes, and eight percent (8%) for water, sewer and lights

Notwithstanding the limits noted above, most local governments in Utah have significantly less debt than the statutory limitations. Pursuant to state law, general obligation bonds must mature in not more than forty years from their date of issuance. Typically, however, most GO bonds mature in twenty-five to thirty years.

Since general obligation bonds are secured by the taxing power and are a full faith and credit pledge of the issuing government, they offer the lowest credit risk to the bondholders and the lowest overall cost. The downside to GO bonds is that they require an election, and election outcomes are

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

Index

Context

Best Practices

Projects

Official Map

Appendix

uncertain and can be costly (win or lose). GO bonds are generally issued when the benefits are viewed as accruing to the community as a whole, not just a specific area of town.

Excise Tax Revenue Bond: Revenue bonds payable from excise tax revenues are governed pursuant to Utah State Code Section 11-14-307. Without the need for a vote, cities and counties may issue bonds payable solely from excise taxes levied by the city, county or those levied by the State of Utah and rebated to the city or county such as gasoline taxes or sales taxes.

Class B&C Road Bond: Gasoline taxes are collected and distributed pursuant to cities and counties in a formula that is based upon population and the weighted (weighting depends on whether the roads are dirt, gravel or paved) city or county road miles within the local government. These funds can be utilized by cities and counties to construct, repair and maintain city and county roads and can be utilized as a sole pledge for repayment of debt issued for those purposes.

State law limits the amount of bonds that can be issued through this mechanism by limiting the pledge to a maximum of 80 percent of the preceding fiscal year's receipt of Class B & C road funds for a period not-to-exceed ten years. This state law matches well with the general requirements of the market relative to revenue bonds as it automatically serves to create a 1.25X debt service coverage ratio.

Practical consideration for the issuance of this type of debt for most cities and counties lies with the fact that most local governments spend these funds and more on the maintenance of their roads. Therefore, generally, while B & C road funds are the means used for securing the debt, other general funds may actually be utilized by the issuer to make the annual payments or to pay for maintenance while the excise tax bonds are being retired with Class B&C road fund revenues.

Depending on the ownership of the road(s) being financed, the city or possibly the County could issue the excise tax revenue bonds. The issuer would need to adopt a Notice of Intent to Issue Bonds and allow for a thirty-day contestability period prior to closing on the bonds. Once the Notice of Intent has been adopted it would take approximately sixty days to complete an issuance of these bonds.

There exists in State law a non-impairment clause (11-14-307 (a)) that restricts the State's ability to change the distribution formula in such a way that would harm bondholders while local governments have debt

outstanding. Coupled with the fact that historical gasoline tax revenues have been strong and the increasing trend, excise tax revenue bonds are well received by the market.

Sales Tax Revenue Bond: Sales taxes are also collected and distributed by the State of Utah. With a change in the state's constitution in November of 2000, and with a clarification from the Attorney General's office regarding a technical matter, the first non-voted sales tax revenue bond was issued in July 2001. Sales tax revenues can also be utilized as a sole pledge for repayment of debt without a vote of the constituents and funds can be utilized for the acquisition and construction of any capital facility owned by the issuing local government. They are frequently used for parks and recreation facilities or other city buildings such as City Hall or Public Safety buildings.

Just as with Class B&C road bonds, state law limits the amount of bonds that can be issued through this mechanism by limiting the pledge to a maximum of 80 percent of the preceding fiscal year's receipt of sales tax revenues. However, sales taxes are not limited to a pledge for a ten-year period but can legally be issued for up to forty years. While this state law provides a 1.25X debt service coverage ratio, due to the elasticity of sales tax revenues and local governments' typical heavy reliance on the revenues for general government operations, the market will demand a significantly higher debt service coverage ratio of at least two or three times revenues to debt. Also, most sales tax revenue bonds are structured to mature in twenty-five years or less.

Depending on the ownership of the capital facilities to be financed, a city could issue sales tax revenue bonds. The issuer would need to adopt a Notice of Intent to Issue Bonds and allow for a thirty-day contestability period prior to closing on the bonds and must also hold a public hearing. Once the Notice of Intent has been adopted, it would take approximately sixty to seventy-five days to complete an issuance of these bonds.

Local Building Authority Lease Revenue Bond: Pursuant to the Utah Local Building Authority Act (17D-2-103) cities, counties and school districts¹ are allowed to create a non-profit organization solely for the purpose of accomplishing the public purpose of acquiring, constructing, improving and financing the cost of a project on behalf of the public body that created it.

The security for a lease revenue bond is a first trust deed on the real property, any buildings or improvements and any security interest in any

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>

furniture, fixtures and equipment financed pursuant to a particular MBA transaction. The only pledge by the City is that it will remit any lease payments received from the MBA to the trustee. Bonds structured in this fashion are not considered long-term debt as the lease payments are subject to an annual appropriation by the City.

Due to the security structure, the best types of capital facilities to finance under this mechanism are those that are deemed as an essential purpose by the bond market. Municipal buildings such as city halls, public safety buildings and public works buildings are considered essential public purposes. That stated, many other capital improvements and facilities have been funded using lease revenue bonds including parks and recreation facilities. To strengthen the credits of facilities that are not deemed as essential purpose, it is common to cross-collateralize facilities (collateral for one loan is also used as collateral for another loan). However, under Utah law once a facility has been completely paid for and is owned outright by the local government, it cannot be utilized to collateralize debt on another facility.

The legal limitation for maturity on bonds issued pursuant to the Building Authority Act is forty years. From a market perspective however, final term on this type of debt will be governed by the maximum useful life of the facility. Most lease revenue bond transactions are structured to mature in thirty years or less.

Due to the real property nature of the transaction, it may take some additional time to process and close a lease revenue bond due to the need to obtain a title report and clear any liens or encumbrances that may appear on the title so that clear title policies can be provided to the owner and lenders.

Special Assessment Area (SAA) Bond: A county, city, town or special service district can create a Special Assessment Area and issue Special Assessment Bonds.

There are currently no specific legal limitations under state law as to the amount of improvements or debt that can be issued and secured by special assessments, but local governments can, by policy, determine when they will consider the creation and utilization of assessment districts. Additionally, through the creation process, all property owners that are to be assessed are given the opportunity to protest the creation of an SAA. If more than fifty percent (50%) protest, measured by proposed method of assessment (i.e., acreage, frontage, taxable value, etc.), then the local



government cannot create the SAA. Practically speaking, if a significant number of protests are received, even if the 50 percent benchmark is not exceeded, the elected officials may choose not to create the SAA.

SAA bonds are secured by an assessment lien against all property benefited by the SAA improvements. The lien is on parity with a tax lien and can be foreclosed on for non-payment in the manner provided for actions to foreclose mortgage or trust deed liens, which in Utah takes approximately 120 days.

Industrial Revenue Bond: IRB's are now restricted to manufacturing facilities and are capped at \$10 million of tax exempt proceeds. Total capital investment is limited to \$20 million including the tax exempt capped portion. Strict regulations require that Bond Counsel be involved.

<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>



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<i>Index</i>
<i>Context</i>
<i>Best Practices</i>
<i>Projects</i>
<i>Official Map</i>
<i>Appendix</i>