



Planning & Development Services Division

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Millcreek Township Planning Commission

REVISED Public Meeting Agenda

Wednesday, January 15, 2014 4:00 P.M.

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

ANY QUESTIONS, CALL (385) 468-6700

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

The 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.

Special Public Meeting – This item will begin at approximately 6 p.m.

The Millcreek Township Planning Commission will hold a public meeting on the “Olympus Hills” Annexation Petition for the purpose of recommending whether to pursue a protest against the proposed annexation to the County Council. The area covered by the Olympus Hills Petition includes approximately 287.93 acres and covers the area roughly described as having a northern boundary of 3900 South; eastern boundary of I-215; southern boundary of 4430 South; and a western boundary of 2700 East. **Presenter:** District Attorney

PUBLIC HEARINGS 4 p.m.

Rezones –

28637 – (Continued From 11/13/2013 and 12/11/2013) Rick Whiting is requesting approval of a Zone Change from the R-2-8 (Residential) zone to the R-M (Residential Multi-Family) zone in order to allow for additional uses on the subject property. **Location:** 3945 South 1300 East. **Community Council:** Millcreek. **Planner:** Lyle Gibson

28694 – Kevin Peterson is requesting approval of a Zone Change from the R-2-10 (Two-Family Residential) zone to the R-1-5 (Single Family) to allow for small lot single family homes. **Location:** 818 East 4125 South. **Community Council:** Millcreek. **Planner:** Lyle Gibson

Subdivisions -

28705 – Jonathan Bohannon is requesting approval to divide an existing lot into a 2 lot subdivision under the flag lot policy. **Location:** 3222 South 2000 East. **Zone:** R-1-8. **Community Council:** Canyon Rim. **Planner:** Lyle Gibson

Exception Request -

28743 – Jonathan Bohannon is requesting an exception to the installation of curb, gutter, and sidewalk along 2000 East in relation to application 28705. **Location:** 3222 South 2000 East. **Zone:** R-1-8. **Community Council:** Canyon Rim. **Planner:** Lyle Gibson

PUD Subdivisions -

28607 - (Continued From 12/11/2013) Russ Sorenson is requesting approval of a Residential Planned Unit Development (PUD) consisting of 10 Single Family Dwelling units, to be known as the “The Woods at Rosecrest”. **Location:** 2455 East to 2477 East, 3225 South and 2450 East Lambourne Avenue (3160 South). **Zone:** R-1-8. **Community Council:** Canyon Rim. **Planner:** Lyle Gibson

28614 – (Continued from 10/16/2013) Eric Saxey of Everest Builders – Residential Planned Unit Development (8 units) to be known as the Olympus View Townhomes. **Location:** 1451 East 3900 South. **Zone:** RM. **Community Council:** Millcreek. **Planner:** Todd A. Draper

BUSINESS MEETING

Previous Meeting Minutes Review and Approval

- 1) Approval of Minutes from the November 13, 2013 meeting.
- 2) Approval of Minutes from the December 11, 2013 meeting.

Other Business Items (as needed)

- 1) APA Membership for Planning Commissioners
- 2) Collection of completed documents
- 3) Election of Chair and Vice Chair for 2014

ADJOURN

8 January, 2014

The Honorable Ben McAdams, Mayor
Salt Lake County
2001 South State Street
Salt Lake City, Utah 84114

Subject: Millcreek Community Council's response to the proposed annexation of the upper Portion of Millcreek Township to Holladay City.

Dear Mayor:

The Millcreek Community Council together with several of its residents met in council last evening and discussed the proposed annexation to Holladay City. Our desires in this matter, as well as in all other relevant matters, is to fairly and equitably represent the will and concerns of the residents and the business establishments residing in our responsible area. It is also our desire and objective to use our best judgment and knowledge of the issues and to present such issues to all who will listen.

It is the position and overwhelming view of the majority of these residents and the Community Council which acts in their behalf, that this annexation as well as any others currently being considered are not in the best interest of the residents nor the businesses in our community.

To allow the Township to shrink in size is to dilute not only the strength of our current boundaries and population but it could and probably would diminish the strength and tax support of our current Salt Lake County Services.

Having fewer taxpayers subscribed to these services would obviously result in additional financial burden on those residents remaining and places the County in a compromising position regarding negotiations with the City of Holladay and any other Cities wishing to selectively Cherry-Pick portions of our Township.

Additionally Mayor, the Township recently voted to remain as such assuming that our boundaries as well as the businesses and commercial establishments residing herein would remain intact. They voted for the status quo and your own successful election was at least in part a result of your positive stance towards helping, assisting and improving the Townships. Your efforts to address and improve the effectiveness and the profiles of the various Townships has been recognized and sincerely appreciated and we trust that it will continue.

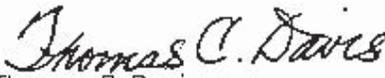
This proposed annexation flies in the face of the voted mandate of the people and will literally open the doors for others to chip-away at our boundaries and our desirable Township assets. The net result will be, in our opinion, a progressively weakened Township and additional and unnecessary problems for County Government plus a potential increased tax burden on the residents.

Page 2

Mayor, we are pro growth and certainly want to encourage commercial, retail and controlled industrial growth in our area. Additionally we will continue to welcome any and all residential developments. But we do not view this annexation as helpful, necessary or healthy for the Township nor for Salt Lake County Government.

Respectfully Submitted

Diane Angus, Chairwoman
Millcreek Community Council


Thomas C. Davis
Millcreek Community Council

CC: Members of the Millcreek Community Council
Circulated: Millcreek Township Newspaper



January 9, 2014

Subject: Request to Protest the Proposed East Mill Creek Annexation into Holladay

To: The Honorable Ben McAdams
Mayor, Salt Lake County

At the January 2, 2014 meeting of the East Mill Creek Community Council, a motion was presented and approved by the Council to request that the Salt Lake County protest the proposed annexation effort and cause a feasibility study to be undertaken.

In addition, our Council, at the December 2013 meeting, voted to continue with the Mayor's effort to produce a bill to the Legislature to protect our Township boundaries.

We have concerns over the impact of the annexation to the future of East Mill Creek, the Millcreek Township and unincorporated Salt Lake County. We request that the financial burden to our residents be made known to the residents for the services provided to us by the County, UFA and UPD if the annexation were to be approved.

We are also concerned about Public Safety with UPD and UFA; what is the impact to service levels provided and costs to our residents in both unincorporated areas as well as to Holladay residents.

Another concern addressed at the meeting was the lack of information to and education for residents in both areas (annexation area and Holladay) as to the effect of the proposed annexation.

Respectfully submitted

Nancy Carlson-Gotts
Chair, East Mill Creek Community Council



January 9, 2014

Subject: Request to Protest the Proposed East Mill Creek Annexation into Holladay

To: Chair, Michael Jensen
Salt Lake County Council

At the January 2, 2014 meeting of the East Mill Creek Community Council, a motion was presented and approved by the Council to request that the Salt Lake County protest the proposed annexation effort and cause a feasibility study to be undertaken.

In addition, our Council, at the December 2013 meeting, also voted to continue with the Mayor's effort to product a bill to the Legislature to protect our Township boundaries.

We have concerns over the impact of the annexation to the future of East Mill Creek, the Millcreek Township and unincorporated Salt Lake County. What is the financial burden to our residents if we have fewer residents buying into the services provided to us by the County, UPD and UFA.

We are also concerned about Public Safety with UPD and UFA; what is the impact to service levels provided and costs to our residents in both unincorporated areas as well as to Holladay residents.

Another concern addressed at the meeting was the lack of information and education for residents in both areas (annexation area and Holladay) as to the effect of the proposed annexation.

Nancy Carlson-Gotts
Chair, East Mill Creek Community Council



January 9, 2014

Subject: Request to Protest the Proposed East Mill Creek Annexation into Holladay

To: Patrick Leary,
Township Executive, Office of Township Services

At the January 2, 2014 meeting of the East Mill Creek Community Council, a motion was presented and approved by the Council to request that the Salt Lake County protest the proposed annexation effort and cause a feasibility study to be undertaken.

In addition, our Council, at the December 2013 meeting, voted to continue with the Mayor's effort to produce a bill to the Legislature to protect our Township boundaries.

We have concerns over the impact of the annexation to the future of East Mill Creek, the Millcreek Township and unincorporated Salt Lake County. We request that the financial burden to our residents be made known to the residents for the services provided to us by the County, UPD and UFA if the annexation were to be approved.

We are also concerned about Public Safety with UPD and UFA; what is the impact to service levels provided and costs to our residents in both unincorporated areas as well as to Holladay residents.

Another concern addressed at the meeting was the lack of information to and education for residents in both areas (annexation area and Holladay) as to the effect of the proposed annexation.

Respectfully submitted

Nancy Carlson-Gotts
Chair, East Mill Creek Community Council



January 9, 2014

Subject: Request to Protest the Proposed East Mill Creek Annexation into Holladay

To: John Janson
Chair, Millcreek Planning Commission

At the January 2, 2014 meeting of the East Mill Creek Community Council, a motion was presented and approved by the Council to request that the Salt Lake County protest the proposed annexation effort and cause a feasibility study to be undertaken.

Our Council, at the December 2013 meeting, voted to continue with the Mayor's effort to produce a bill to the Legislature to protect our Township boundaries.

We have concerns over the impact of the annexation to the future of East Mill Creek, the Millcreek Township and unincorporated Salt Lake County. We request that the financial burden to our residents be made known to the residents for the services provided to us by the County, UFA and UPD if the annexation were to be approved.

We are also concerned about Public Safety with UPD and UFA; what is the impact to service levels provided and costs to our residents in both unincorporated areas as well as to Holladay residents.

Another concern addressed at the meeting was the lack of information to and education for residents in both areas (annexation area and Holladay) as to the effect of the proposed annexation.

Respectfully submitted

Nancy Carlson-Gotts
Chair, East Mill Creek Community Council



**Notice of Intent to File an Annexation Petition with
Holladay City for a portion of the Millcreek Township**
~Summary of Process~

On April 9, 2013 Salt Lake County received a *Notice of Intent to File an Annexation Petition* from residents in the Millcreek Township. These residents (filers) intend to file the annexation petition with Holladay City. The ultimate goal of this petition is to annex a portion of the Millcreek Township into Holladay City. Below is a step by step summary of this process.



Step 9
Protests
Submitted

- A protest may be filed with Holladay City by:
 - private real property owners within 1/2 mile of the area equal to 25% of private land owners and 15% of all real property value
 - any affected entity
 - Millcreek Township Planning Commission may make written recommendation to County to protest within 30 days after certification with copy to Holladay City and contact sponsors.
- Protests are given to the Boundary Commission comprised of two elected County officials, two elected City officials from different cities, and three County residents.

Step 10
Feasibility
Study

- The Boundary Commission shall engage a feasibility consultant within 45 days. The consultant shall complete a feasibility study per the statute within 75 days of being retained. Once complete the feasibility study will be available to the public.

Step 11
Public Hearing

- The Boundary Commission shall hold a public hearing for individuals to ask questions regarding the feasibility study or to comment on the annexation. **Note: This public hearing could be held jointly with the County's hearing outlined in Step 13.**

Step 12
Commission
Decision

- 30 days after the public hearing the Boundary Commission shall issue a written decision. The process then moves to Step 17.
- Review of the Boundary Commission's decision may be sought in 3rd District Court within 20 days of the decision. The District Court shall uphold the Commission unless it determines that the decision was arbitrary or capricious.

Step 13
Council
Hearing

- The County Council must hold a public hearing and make a determination as to whether they will allow the withdrawal from the Millcreek Township. If the Council agrees to the withdrawal the process continues onto Step 17. If the Council denies the withdrawal it moves to Step 14.

Step 14
3-Member
Committee

- If the County Council denies the withdrawal a three-person committee is created comprised of one elected official appointed by the County, one elected official appointed by the City, and one jointly appointed. **Note: The elected officials may not be the Mayors or from either legislative body.**
- The three-person committee may hold one or more public hearings to help determine if the section should be withdrawn from the Township.

Step 15
3-Member
Committee's
Decision

- The three-person committee shall issue a written decision within 45 days of appointment. If they disapprove the withdrawal from the Township annexation request stops. If they approve it, the process continues to Step 18.

Step 16
City Public
Hearing

- If no protest is filed, the City Council shall hold a public hearing regarding the proposed annexation to help determine whether to approve the annexation. If annexation is approved, the City sends notice to the County Council to begin Step 13. **Note: This public hearing could be held jointly with the County's hearing outlined in Step 13.**

Step 17
City Denies or
Accepts
Petition

- Upon receipt of the Boundary Commission's written decision, the City Council may deny the petition or approve the annexation consistent with the Commission's decision. If annexation is approved, the City sends notice to the County to begin Step 13.

Step 18
Annexation
Complete

- The Holladay City Council adopts an ordinance approving the annexation.

This document was last updated on 4/12/13 and was prepared by Kimberly Barnett in Mayor McAdams' Office (kbarnett@slco.org). It is meant to give a summary of the legal process of this specific annexation effort and does not apply to other annexation efforts.

Copy

RECEIVED

APR 09 2013

SALT LAKE COUNTY CLERK

APR 9, March 1st, 2013

Notice of Intent to File an Annexation Petition

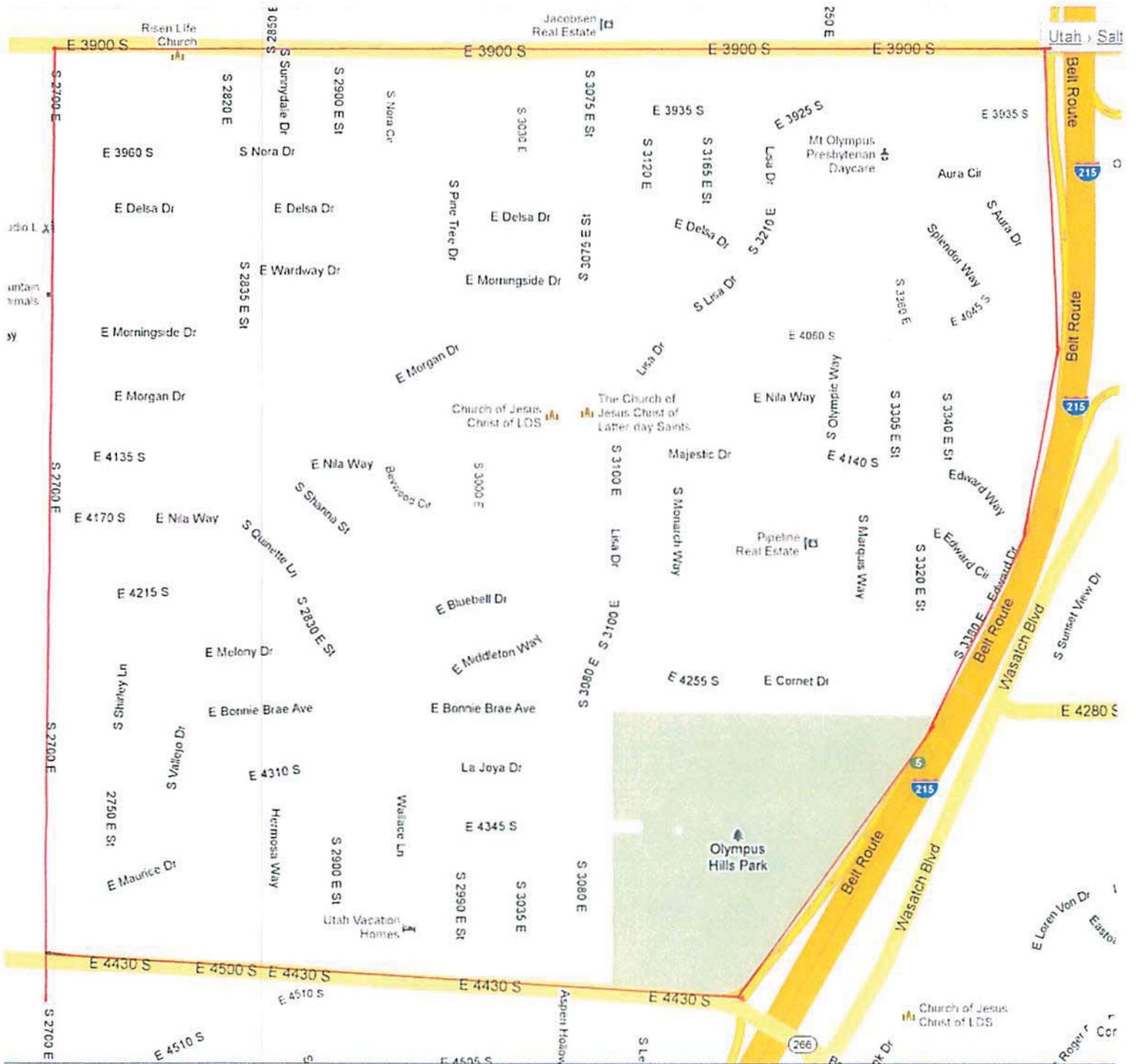
Pursuant to Utah Code Ann 10-2-403(2), notice is hereby given that the persons identified below intend to file an annexation petition with Holladay City, in Salt Lake County, Utah.

The area proposed for annexation has a western boundary of 2700 east, a northern boundary of 3900 south, an eastern boundary of Interstate 215, and a southern boundary of 4500 South, in Salt Lake County, Utah. A map of the proposed area is attached.

The persons listed below are residents within that boundary intending to file the annexation petition.

	Name	Address	Phone #	email	Signature
1	John Bradshaw	4069 Splendor Way	801-557-1476	johnbradshaw@gmail.com	<i>John Bradshaw</i>
2	Jan Bradshaw	4069 Splendor Way	801-910-9596	janbradshaw@gmail.com	<i>Jan Bradshaw</i>
3	BOB WHITNEY	4050 Splendor Cir	801-205-7111	BOB@WATTS LIVING.COM	<i>Bob Whitney</i>
4	Bobbie Whitney	4050 Splendor Cir	801-905-9899	whitneyphotography@mecc.com	<i>Bobbie Whitney</i>
5	Shanna Watts	4030 Splendor Cir	801-278-9147	Shannawatts@comcast.net	<i>Shanna Watts</i>
6	BRENT WATTS	4030 Splendor Cir.	801-278-9147	BRENT.WATTS@SUNG.COM	<i>Brent Watts</i>
7	Cynthia Haller	2740 Nila Way	801-112-8595	cynthiahaller1@aol.com	<i>Cynthia C. Haller</i>
8	Kameron Haller	2740 Nila Way	801-652-5556	kahaller@us.ibm.com	<i>Kameron Haller</i>
9	Thomas R Baird	2807 Wardway	801-272-0126	tom@formal6.com	<i>Thomas R Baird</i>
10	Susan H. Baird	2807 Wardway	801-272-0126	susanbaird6@gmail.com	<i>Susan Baird</i>

SALT LAKE COUNTY, MILLCREEK TOWNSHIP AREA OF PROPOSED ANNEXATION





CITY OF HOLLADAY

**NOTICE OF ACCEPTANCE OF PETITION TO ANNEX INTO THE CITY OF
HOLLADAY "OLYMPUS HILLS" ANNEXATION**

Pursuant to Section 10-2-406 Utah Code, notice is hereby given as follows:

1. On or about August, 2013, initial annexation petitions were given to the City Recorder pertaining to the Olympus Hills Annexation. On Monday, November 18, 2013, the remainder of the petitions to annex approximately 287 acres into the corporate limits of the City of Holladay were deposited with the Office of the City Recorder.
2. On December 5, 2013, the Notice of Certification of the City Recorder dated December 3, 2013, was delivered to the City Council confirming that the petition contained the requisite number of property owners owning a majority of the area sought to be annexed and necessary assessed valuation as set forth in the Utah Code.
3. The area sought to be annex is roughly described as the area having a northern boundary of 3900 South; eastern boundary of I-215; southern boundary of 4430 South; and a western boundary of 2700 East. The area contains approximately 287.93 acres.
4. A copy of the entire annexation petition is available for review and copying in the office of the City Recorder at Holladay City Hall 4580 South 2300 East between the hours of 8:00 a.m. to 5:00 p.m. Monday thru Friday, excepting legal holidays.
5. The proposed annexation may be approved by the city council after the requisite notices being published (generally after 30 days from the date of the notice) unless a protest as set forth in the Utah Code filed.

Any protest must be filed with the Salt Lake County Clerk, 2001 South State, Salt Lake City, Utah on or before January 6, 2014.

A copy of any protest filed with the Salt Lake County Clerk must be filed with the Holladay City Recorder contemporaneously with the filing of any protest at Holladay City Hall.

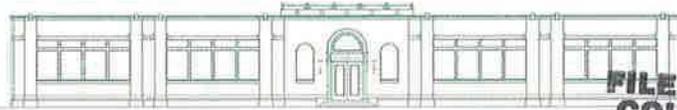
A protest may be filed by the legislative body of any effected entity; or by owners of 25% of the land area included in the boundaries of the proposed annexation, representing at least 15% of the value of the real property; and that are located within ½ mile of the proposal.

6. If the annexation is approved, the subject area will be automatically be withdrawn from the Unified Police District and Salt Lake Valley Fire Service District.

Dated this 5th day of December, 2013.


Stephanie N. Carlson, MMC -
Holladay City Recorder





**FILED SALT LAKE
COUNTY CLERK**

CITY of **HOLLADAY**

DEC 27 2013

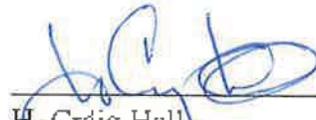
By _____
SALT LAKE COUNTY 
Deputy Clerk

December 27, 2013

I hereby certify that a copy of the Olympus Hills Annexation Petitions as certified by the Holladay City Recorder, were delivered to the following organizations:

1. Clerk of Salt Lake County;
2. Salt Lake County Council; and
3. Office of the chair of the East Millcreek Township Planning Commission.

Dated this 27th day of December, 2013.



H. Craig Hall
Holladay City Attorney



Received
June 18, 2013
[Signature]

PETITION FOR ANNEXATION FOR OLYMPUS HILLS

TO THE CITY OF HOLLADAY:

We the undersigned owners of private real property, hereby petition that the proposed annexation area shown on the map and description that are attached to this petition be annexed to the City of Holladay (the "City"). The areas sought to be annexed by the Petitioners are generally described to be between 3900 South on the north, I-215 on the east, 4430 South (4500 South) on the south and 2700 East on the west. Each of the undersigned affirms that (a) each has personally signed the petition; (b) each is the owner of real property that is located within the proposed annexation area; and (c) the current residence address of each is correctly written after the signer's name.

NOTICE:

Under Utah law, the elected officials of the City may have no choice but to grant this annexation petition if the county's property tax rates for municipal services in the area proposed to be annexed is higher than the property tax rate of the City and if other statutory conditions are met.

The property sought to be annexed is located within a portion of the Millcreek Township of Salt Lake County. If the Petition for Annexation is granted, this area will be withdrawn from the township.

There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by the voters at a public election.

If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the City Recorder of the City. If you choose to withdraw your signature, you must do so no later than 30 days after the City received notice that the petition has been certified.

A copy of the previously filed Notice of Intent, with Exhibits, is attached to this Petition.

Sponsors of the annexation and their contact information are:

	<u>Name</u>	<u>Mailing Address</u>
1.	John Bradshaw*	4069 Splendor Way, Salt Lake City, UT, (*Contact sponsor, 801-557-1476)
2.	Jan Bradshaw	4069 Splendor Way, Salt Lake City, UT
3.	Bob Whitney	4050 Splendor Circle, Salt Lake City, UT
4.	Bobbie Whitney	4050 Splendor Circle, Salt Lake City, UT
5.	Shauna Watts	4030 Splendor Circle, Salt Lake City, UT



COUNTY COUNCIL

Steven L. DeBry, Chair
District #5

Randy Horiuchi
At-Large A

Richard Snelgrove
At-Large B

Jim Bradley
At-Large C

Arlyn Bradshaw
District #1

Michael H. Jensen
District #2

David A. Wilde
District #3

Sam Granato
District #4

Max Burdick
District #6

December 30, 2013

Mr. Craig Hall, City Attorney
City of Holladay
4580 South 2300 East
Holladay, Utah 84117

Dear Mr. Hall:

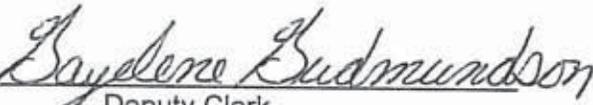
The Salt Lake County Council, at its Committee of the Whole meeting held this day, moved to protest the Holladay annexation petition to allow time for the Millcreek Township Planning Commission to meet on January 15, 2014, review the petition, hear public comment, and report back to the Council with a recommendation. This will also allow the County Clerk time to verify signatures on the petition. Full hearings within the township community councils may also be possible. On Tuesday, January 21, 2014, the County Council will meet to consider the recommendation of the planning commission. Should the planning commission have a positive recommendation to the Council, it is possible that the Council would withdraw its protest.

The Council also agreed to Holladay's request to establish a boundary commission at the January 21, 2014, Council meeting if the County decides not to withdraw its protest.

Respectfully yours,

SALT LAKE COUNTY COUNCIL

SHERRIE SWENSEN, COUNTY CLERK

By 
Deputy Clerk

ld
pc: Sherrie Swensen/Clerk
Sim Gill/District Attorney
Jason Rose/Council Office
Nichole Dunn/Deputy Mayor
Patrick Leary/Township Executive
Randy Fitts/Holladay City Manager

January 9, 2014

Millcreek Township Planning Commission
Salt Lake County Government Center
2001 South State Street, Suite #N3600
Salt Lake City, UT 84190

Re: Citizens for Holladay Annexation Petition

Dear Commission Members,

First, let me apologize for having not notifying the Commission properly of the Certified petition by The City of Holladay. We thought notices to the Mayor, County Recorder, and County Council flowed through to all County entities.

Thank you for allowing Citizens for Holladay to present the background and reasoning behind our Annexation Petition. And we thank you for your service to our community and volunteerism. We firmly believe government is at its best when done from the grass roots level.

Most of the homes in our neighborhoods were developed 60 years ago in the mid 50's. As we knocked on so many doors, particularly those of original homeowners and those who have lived here for a very long time, the most common phrase we heard was, "I always thought I was part of Holladay."

The area has a Holladay zip code, and is served by the Holladay post office. A very large subdivision near Olympus Hills Park is called the Holladay Hills subdivision. We share schools, churches, parks, little league teams, community events, and commerce. Yes, many of us sneak down to Holladay to see the fireworks. The Holladay City Hall is 6 blocks from our border.

When someone asks you the question, "Where do you live?" The most common response isn't, in the Unincorporated Salt Lake County, Millcreek Township, in the East Mill Creek community. The most common response used to be, "I live in Holladay." People now say "in the Holladay area."

Over the last decade our area has been subject to many competing visions of who it is and what it should be.

If you look at a boundary map of Salt Lake County, the reasons for annexation into a city become very clear. The valley's growth has left the unincorporated areas a disjointed patchwork with odd shaped boundaries, isolated and remote islands, no sense of community, an expensive cost structure, and a caretaker county government. The unincorporated areas are under attack and will continue to be. Adjacent cities offer municipal services for less, a more accountable government closer to the people, and a greater sense of community. It's a natural evolution.

Because adjacent cities had been poaching commercial tax base the State Legislature created some protections prohibiting City led annexations within Townships. But citizen led annexations were clearly allowed and contemplated. The statutes created a fairly narrow window of opportunity.

When we designed our annexation boundary, we purposely designed it so as not to be controversial, but yet politically viable. It can't be "cherry picking" tax base, but yet it has to be attractive to the Annexing City. We believe our area fits into this narrow boundary.

Quoting the Millcreek Township website under "The Future of Millcreek":

"...In 1995, the Utah State Legislature created the 'Township Provision' which allowed areas of unincorporated Salt Lake County to form townships...in the spring of 2005 ..Due to the ongoing debate regarding townships, legislative intent was included in the Township bill, known as House Bill 40... The legislative intent was to ensure that Salt Lake County, and the cities residing within and adjacent to the townships, work together to determine the desire of the residents and property owners within the townships..."

Well, the residents and the property owner's desire in our area is now known. They have spoken.

780 property owners representing 59% of the area and 60% of the assessed value signed the petition.

They considered all the alternatives, processed all the messages, and concluded their desire was to be part of Holladay. They want the full benefit of city government with a Mayor and City Council that are directly reportable to their constituents. They concluded that their community that they choose to be part of is not Millcreek Township or Millcreek City. They feel part of and want to be Holladay.

The hurdle for annexation is very high requiring an absolute majority, much higher than a typical election that only requires a majority of those that turn out to vote. There's no faking it. The majority have to agree.

People did not sign the petition casually. The area has been bombarded with various efforts throughout the last several years, and continues to be. But, to their credit, the typical homeowner thought through the issues, carefully considered the options and competing efforts and concluded annexation into Holladay was their clear desire.

Their clear desire is to leave the caretaker county government status and become part of a legitimate city with the full rights, benefits, and accountability that cities enjoy. They want the ability to vote for the Mayor of their city undiluted by the 88% of county voters already living in incorporated areas. They want to have a cost of government that is incurred by their community, not by the islands, peninsulas, and other Townships throughout the valley.

Finally, it is important to note that the population of the City of Holladay is approximately 27,000 people. In contrast, Millcreek Township has a population over 60,000 with substantial commercial tax base. The annexation area has three commercial properties with 1.31 acres and a total 2013 assessed value of \$1,435,000. This same area developed with houses with similar values of surrounding dwellings would assess for about \$ 1,250,000. Our area does not represent "1,000 cuts" that Mayor McAdams refers to.

Because we are a purely residential area we think we are roughly revenue neutral to both Salt Lake County and Holladay's actual cost to provide our municipal services. This is confirmed by the independent analysis done by Zion's Bank for the City of Holladay. We don't believe our departure puts

any economic stress on the balance of the Township. And, because the area little, if any, development potential it's impact to the area's Master Plan is negligible for the foreseeable future.

The East Mill Creek Community Council:

The East Mill Creek Community Council voted 4 to 3, with one member abstaining, to recommend to the Millcreek Township Planning Commission to protest the annexation petition.

One of the core motivations for the annexation is to have a more responsive government closer to the people. It is ironic that not one of the 13 possible members of the East Millcreek Community Council lives in the annexation area even though this area accounts for 25% of East Millcreek as defined. We are not well represented in that venue.

In addition, The Community Council voted to recommend that the Millcreek Township Planning Commission protest our annexation AND that Salt Lake County fund a study to assess the financial feasibility of Incorporating the East Mill Creek Community (Not Millcreek Township). In other words they want to leave too and are using us as leverage. It isn't about the purity of their community. If our annexation is successful, what is left in Millcreek Township is just as viable as before our departure.

In summary, we encourage you to respect the will of the people and their right of self-determination in our area. We ask that the Planning Commission recommend to the SL County Council that they withdraw their protest.

Sincerely,

John Bradshaw
Chairperson
Citizens for Holladay

Packet

PATRICK W. LEARY
Township Executive
Salt Lake County
(385) 468-7054
(801) 554-3794 (Mobile)



SALT LAKE COUNTY

Salt Lake County Government Center * 2001 S. State St., Suite N3200 * Salt Lake City, UT 84190



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From: Kay Dickerson [REDACTED]
Sent: Friday, January 10, 2014 11:38 AM
To: Patrick Leary
Cc: Paulina Flint
Subject: Holladay Annexation (Millcreek)

Patrick,

We have reviewed the proposed Holladay Annexation of a portion of Millcreek Township. And as stakeholders in the unincorporated area of the County we, as a council, voted at our last Council meeting to oppose the proposed Annexation. We would ask the Salt Lake County Council and You as Township Executive to recommend voting against this proposal.

Sincerely Kay J Dickerson , Chairman
White City Township Community Council



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, January 15, 2014	04:00 PM	File No:	2	8	6	3	7	
Applicant Name:	Rick Whiting	Request:	Zone Change						
Description:	Rezone from R-2-8 to RM								
Location:	3945 S. 1300 E.								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Continue								
Community Council Rec:	Denial								
Staff Recommendation:	Approval								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

Continued from November's Planning Commission meeting in order to allow time for a recommendation from the Millcreek Community Council before making a recommendation to the County Council. This item was also continued from the December PC meeting upon request from the applicant.

Rick Whiting is requesting approval of a Zone Change from the R-2-8 (Residential) zone to the R-M (Residential Multi-Family) zone in order to allow for additional uses on the subject property. The intent of the applicant in receiving the zone change would be for the purpose of having a medical office at this location. The site is 0.41 acres in size.

The subject property is zoned R-2-8 (low to medium density residential). The current zoning primarily allows for single and 2 family residential homes and includes nearly no commercial uses. The proximity to St. Mark's Hospital as a medical center is the link to compatible uses in the area. The subject property lies directly west, across the street, from the St. Mark's Parking lot. Immediately adjacent to the subject property are single family R-1-8 residences to the north and east, then the homes zoned R-2-8 that match the existing zoning of the subject property along 1300 E. to the south.

The newly requested R-M zone is mainly conducive of low density residential as that is the extent of the permitted uses allowed in the zone, but it expands on the existing zoning by permitting more commercial uses such as office space and medical which must be permitted through a conditional use approval. The full list of allowed uses are listed below. The current allowed density is 6.0 units per acre as single family units, or 10.0 units per acre in two-family units. The proposed zone change would allow Single-family dwellings 7.0 units per acre / Two-family dwellings 12.0 units per acre / 3-family dwellings 15.0 units per acre / 4-family dwellings 18.0 units per acre / Multi-family dwellings 25.0 units per acre.

1.2 Neighborhood Response

As of the date of this report staff has not received any comments from the neighborhood. During the previous hearing at the Millcreek Township Planning Commission the property owner directly adjacent to this lot on the south side was happy to see the concept for use as office and was in support of the zone change.

1.3 Community Council Response

This item was heard by the Millcreek Community Council on 11/5/2013. The community council was very mixed about whether or not this zone change was appropriate. They had concerns about more intense uses affecting traffic and felt that this property being rezoned to R-M may be setting a precedence for that side of 1300 E. They recommended that the item be continued to allow them more time to receive feedback from residence before making a recommendation for or against the proposal. The item was heard again by the community council on 12/3/2013 and received a recommendation for denial as stated in the following from the MCCC chair. 'We voted against the rezone. We had concerns of changing the zone in the middle of surrounding residential zones. We also had concerns that the height of the new building would be greater than 2 stories. The last couple of application's have ended up being taller than the applicant stated he would build. So we are concerned about what would go in there.'

2.0 ANALYSIS

2.1 General Plan General Plan Map

Map Designations - The subject property is identified on the Millcreek Township General Plan Map, adopted in 2009, as being located in a "Blue" or "Stable" area. This is an area that would expect to experience very little change over time. However, the subject property is also located along 1300 East, a designated Corridor. Designated corridors in a "Stable" designation are areas where some additional residential density or non-residential uses are anticipated to occur over time. More specifically, stable does not equate with absolutely no change over time, but recognizes that limited change, on small sites and along corridors are likely to occur. This site would seem to meet the intent of the adopted General Plan Map.

Best Practices

Land Use & Mobility - The Land Use & Mobility Best Practice encourages increased density near economic centers and along corridors where transit is available. This helps to provide a land use buffer from more intense uses and traffic areas for the least intense single family uses.

Corridors - The Corridors Best Practice supports some increased residential density and use intensity along corridors in "Stable" areas. This is where opportunities for improved transit, buffering, and in-fill development are anticipated to occur. Developments that follow the County Standards and the Best Practices within the General Plan will likely result in more efficient and sustainable development and improved economic growth and sustainability of a community.

2.2 Existing Zoning and Land Use

Current Zone: R -2-8

19.32.010 Purpose of provisions.

The purpose of the R-2 zones is to establish low to medium density residential neighborhoods which provide persons who reside therein a comfortable, healthy, safe and pleasant environment.

19.32.020 Permitted uses.

Zone Permitted Uses

R-2-6.5, R-2-8, R-2-10 — Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Agriculture;
- Home business, subject to [Chapter 19.85](#)
- Home day care/preschool, subject to [Section 19.04.293](#)
- Household pets;
- Residential facility for elderly persons;
- Residential facility for persons with a disability;
- Single-family dwelling;
- Two-family dwelling.

19.32.030 Conditional uses.

R-2-6.5, R-2-8, R-2-10 — Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Cemetery;
- Day care/preschool center, subject to [Section 19.76.260](#)
- Dwelling group.
- Golf course;
- Home day care/preschool, subject to [Section 19.04.293](#)
- Nursery and greenhouse, provided that there is no retail sales;
- Pigeons, subject to health department regulations;
- Planned unit development;
- Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
- Private nonprofit recreational grounds and facilities;
- Public and quasi-public uses;
- Short-term rental provided:
 - A. The dwelling unit is located in a single-family or two-family dwelling, but not located in a planned unit development or dwelling group; and
 - B. The site has frontage on a street with an existing or proposed right-of-way of at least sixty-six feet, as identified on the map entitled "Road Widening and Improvement Map" on file with the development services division and such map is made by this reference, as such, a part of this title as if fully described and detailed herein;
- Sportsman's kennel with a minimum lot area of one acre;
- Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work and thirty days after notice, the building will be removed by the county at the expense of the owner.

2.3 Proposed Zoning

19.44.010 Purpose of provisions.

The purpose of the R-M zone is to provide areas in the county for high-density residential development.

19.44.020 Permitted uses.

Permitted uses in the R-M zone include:

- Agriculture;
- Home business, subject to [Chapter 19.85](#);
- Home day care/preschool, subject to [Section 19.04.293](#);
- Household pets;
- Residential development, with a maximum number of two units per structure per lot;
- Residential facility for elderly persons.

19.44.030 Conditional uses.

Conditional uses in the R-M zone include:

- Airport;
- Apartments;
- Apartments for elderly persons;
- Banks;
- Bed and breakfast homestay (provided it is located on a lot which has a minimum area of ten thousand square feet);
- Bed and breakfast inn, which may include conference meeting rooms;
- Boardinghouse;
- Cemetery, mortuary, etc.;
- Day care/preschool center;
- Dwelling group.

A. The development shall comply with the maximum allowable density for the R-M zone.

B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than twenty feet.

C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall not be less than twenty feet wide for one or two rear dwelling units, and not less than thirty feet wide for three or more dwelling units.

D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular

maneuvering areas shall be designed to comply with county standards.

E. Every dwelling in the dwelling group shall be within sixty feet of an access roadway or drive.

F. The development plan shall provide landscaping as specified in [Chapter 19.77](#) of this title. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.

G. The development shall be approved by the development services director and the county fire chief before final approval is given by the planning commission.

- Electrolysis of hair;
- Golf course;
- Gymnastics, dance, dramatic, cosmetic, modeling and art studios for instructional purposes only;
- Home day care/preschool, subject to [Section 19.04.293](#);
- Hospital;
- Hotel;
- Lodginghouse;
- Massage (every massage technician shall be licensed by the state);
- Medical, optical and dental laboratories, but not to include the manufacture of pharmaceutical or other products for general sale or distribution, and also not to include the use of animals;
- Mobile home park;
- Nursery and greenhouse, excluding retail sales;
- Nursing home;
- Office, business and/or professional;
- Parking lot;
- Pigeons, subject to health department regulations;
- Planned unit development;
- Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
- Private nonprofit recreational grounds and facilities;
- Public and quasi-public uses;
- Rail transit mixed-use, provided it meets the following requirements:
- Reception center and/or wedding chapel;
- Residential development with any number of dwelling units per structure per lot, pursuant to [Section 19.44.040](#);
- Shared parking;
- Short-term rental provided:

A. A full-time manager lives on the property. The full-time manager may be the owner of the property; and

B. Except for the manager's dwelling unit, all of the dwelling units on the property, lot, planned unit development, or dwelling group shall be rental units, short-term or long-term.

- Sportsman's kennel (minimum lot area one acre);
- Tanning studio;
- Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction and thirty days after notice, the buildings will be removed by the county at the expense of the owner;
- Veterinary; provided, that:

- A. The operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line,
- B. There is no sale of merchandise on the premises, and
- C. There is no overnight boarding of animals.

19.44.060 Front yard.

In the R-M zone, the minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of eight feet, shall be twenty-five feet or the average of the existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet. Other private garages and all accessory buildings, other than private garages, shall be located at least six feet in the rear of the main building.

19.44.070 Side yard.

In the R-M zone, the minimum side yard for any dwelling shall be eight feet, and the total width of the two required side yards shall be not less than eighteen feet. Other main buildings shall have a minimum side yard of twenty feet, and the total width of the two yards shall be not less than forty feet. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear and at least six feet away from the main building shall have a minimum side yard of not less than one foot, provided that no private garage or other accessory building shall be located closer than ten feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street, for both main and accessory buildings, shall be not less than twenty feet, or the average of existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet, or be required to be more than twenty feet. Dwelling structures over thirty-five feet in height shall have one foot of additional side yard on each side of the building for each two feet such structure exceeds thirty-five feet in height.

19.44.080 Rear yard.

In R-M zones, the minimum depth of the rear yard for any building shall be thirty feet, and for accessory buildings one foot; provided that, on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

19.44.090 Coverage restrictions.

No building or group of buildings in an R-M zone, with their accessory buildings, shall cover more than sixty percent of the area of the lot.

19.44.100 Building height.

A. No building or structure in an R-M zone shall contain more than six stories or exceed seventy-five feet in height, and no dwelling structure shall contain less than one story.

B. Accessory Buildings.

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

19.44.110 Density.

The allowable density for planned unit developments, multiple dwellings and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors:

recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

Single-family dwellings 7.0 units per acre
Two-family dwellings 12.0 units per acre
Three-family dwellings 15.0 units per acre
Four-family dwellings 18.0 units per acre
Multi-family dwellings 25.0 units per acre*

2.4 Other Issues

In considering a proposed zone change, the question before the governing body relates to whether or not the change is consistent with the General Plan and appropriate for a given location. If a new zoning designation were to be approved, a different plan or use could be proposed for the site among the range of uses allowed by the new zoning designation.

Specific site and use related issues and mitigation measures are more appropriately addressed during the Site Plan and/or Conditional Use review process that is required to change uses on this site, including the . During that review, Ordinance compliance is verified and specific conditions addressing known impacts can be considered and implemented. In this case, and as stated previously, the future use of this site for truck rentals would be required to follow the Conditional Use process for approval at which time the Planning Commission could consider mitigation measures to deal with anticipated impacts.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Zone Change .

3.2 Reasons for Recommendation

- 1) The proposal is consistent with the corridor designation on the adopted general plan map. The potential uses found in the desired zone appear to be compatible with neighboring properties.

3.3 Other Recommendations

19.90.060 Conditions to zoning map amendment.

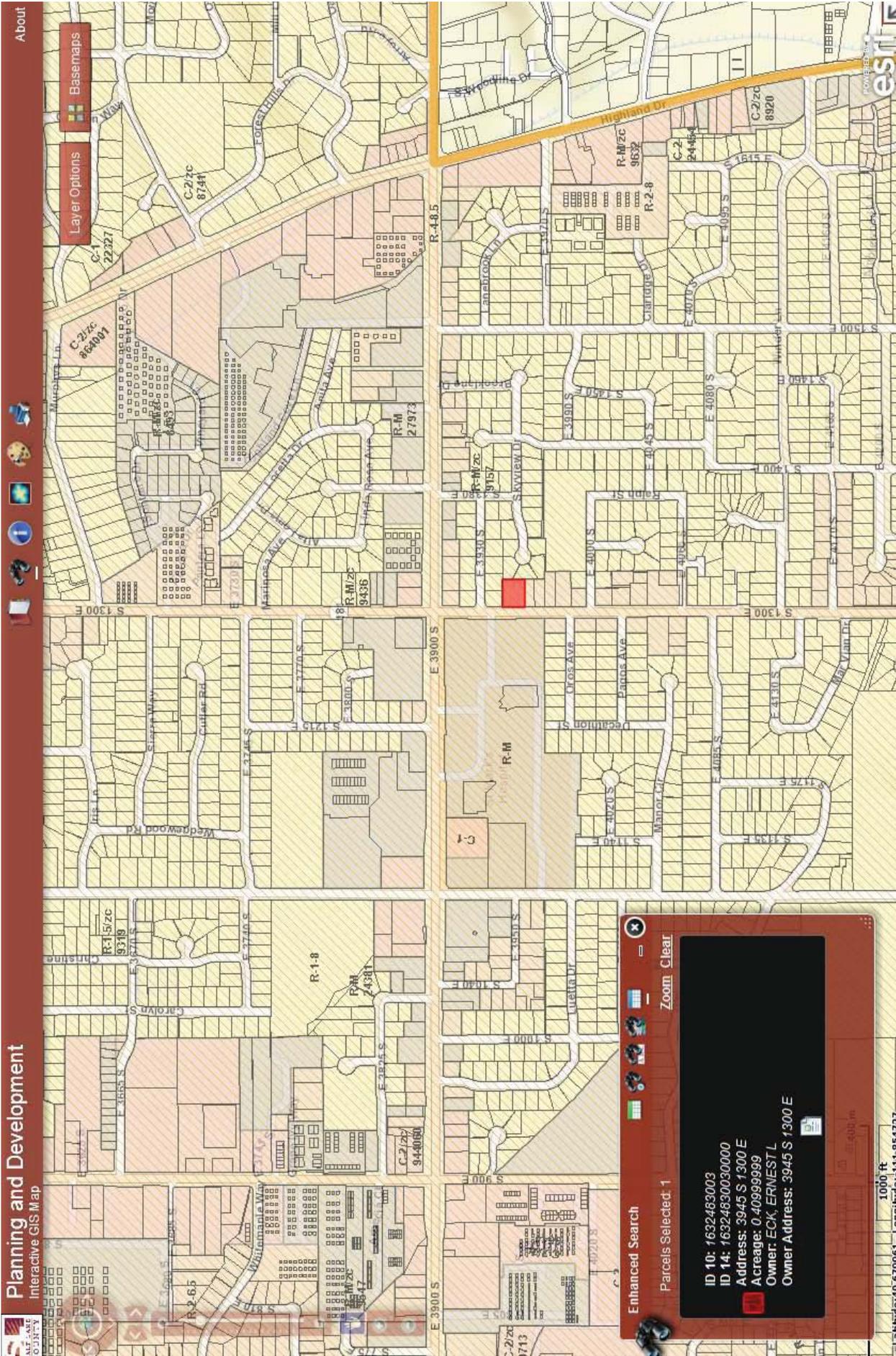
A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

Layer Options

Basemaps



Enhanced Search

Parcels Selected: 1

Zoom Clear

ID 10: 1632483003
ID 14: 16324830030000
Address: 3945 S 1300 E
Acreage: 0.40999999
Owner: ECK, ERNEST L
Owner Address: 3945 S 1300 E

1000 ft
Latitude: 40.679961 Longitude: -111.854727

3945 S. 1300 E.



Salt Lake County Public Works Department
Planning and Development Services Division
 2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050
 Phone: 801-468-2000 FAX: 801-468-2169
 Visit our web site: <http://www.pwpds.slco.org>

AFFIDAVIT – Property Owner

STATE OF UTAH }
 } ss
 COUNTY OF SALT LAKE }

I (we) LEROY ECK (ERNEST) being duly sworn, depose and say that

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

3945 SOUTH 1300 EAST

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

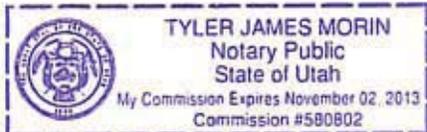
requesting review and approval of ZONE CHANGE

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

Property Owner Ernest L Eck

Property Owner _____

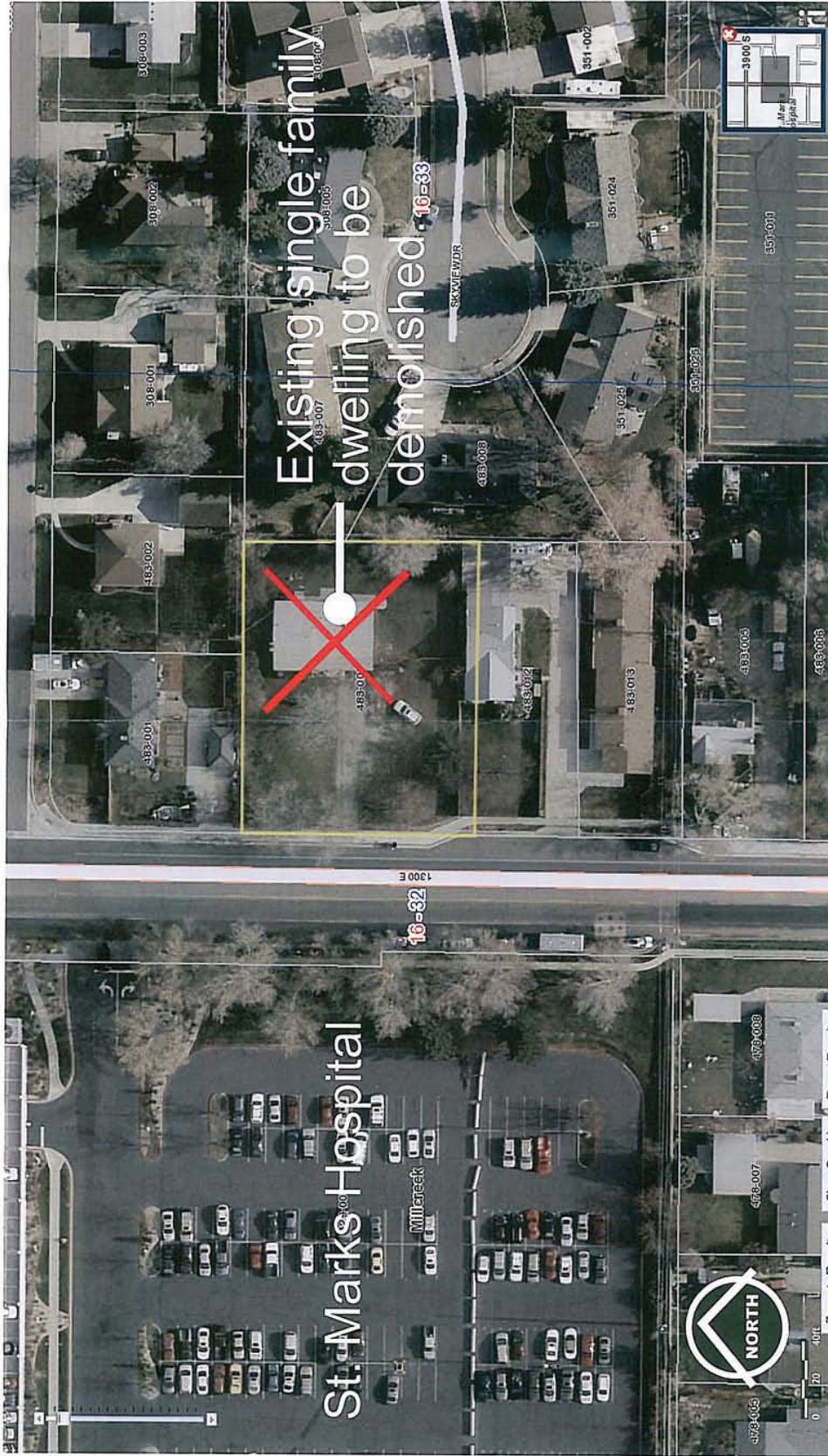
Subscribed and sworn to me this 26 day of APRIL, 2013.



[Signature]
 (Notary)

Residing in Salt Lake County, Utah

My commission expires: 11/02/2013



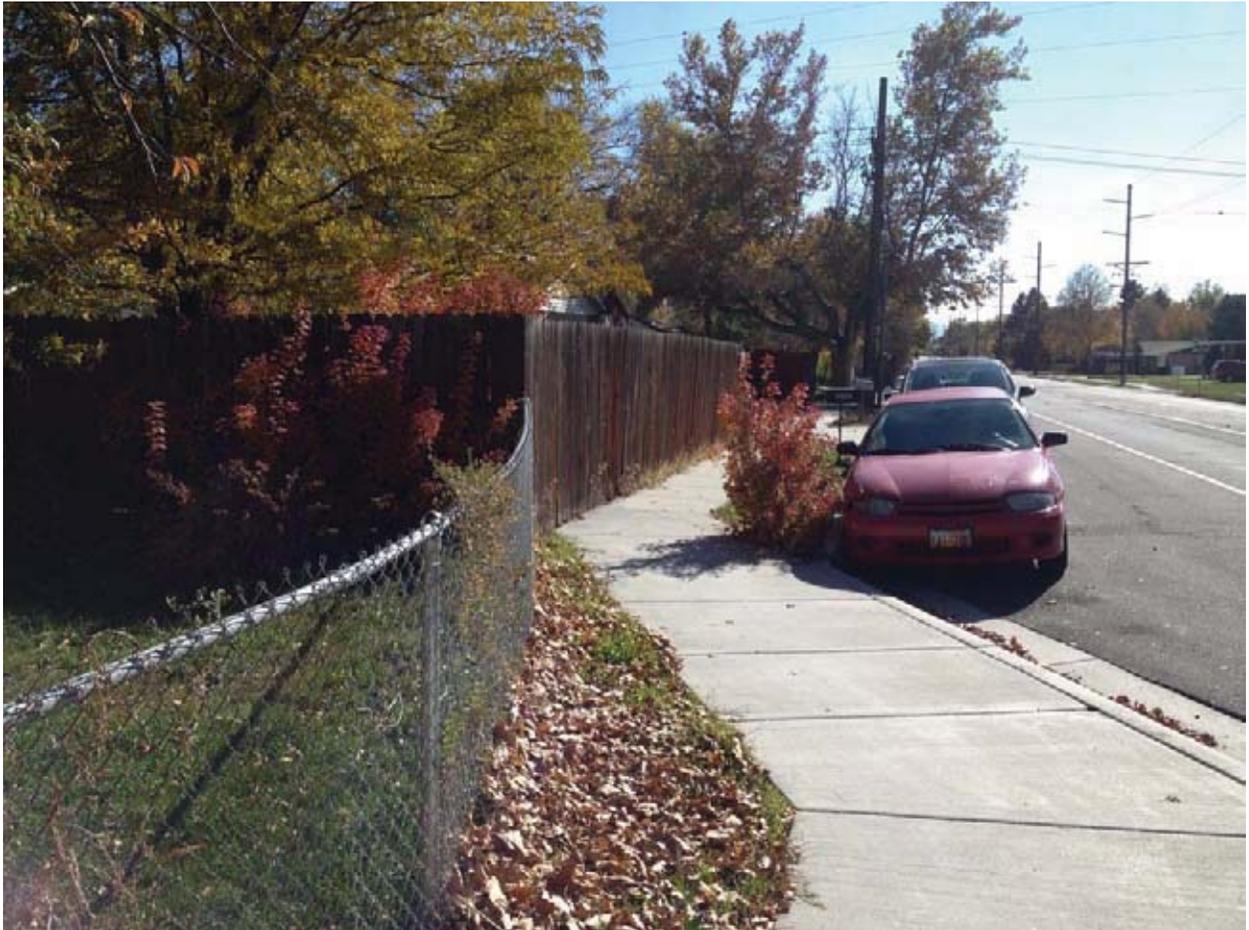
Rezone Request - Eck Rezone - R-2-8 to R-M zone - 3945 S 1300 East

September 30, 2013 - V-1

Legal Description:

COM 344.51 FT S FR NW COR LOT 9, BLK 2, 10 AC PLAT "A", BIG
FIELD SUR, S 114.84 FT; E 154.5 FT; N 114.84 FT; W 154.5 FT
TO BEG. 0.41 AC. BEING IN SW 1/4 SEC 33-1S-1E. 8598-1194
8598-1203 8705-3814 9345-2097 9656-7083 9936-7351













Example of possible architectural style for a proposed new medical/dental office building



Example of possible architectural style for a proposed new medical/dental office building



Example of possible architectural style for a proposed new medical/dental office building



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, January 15, 2014	04:00 PM	File No:	2	8	6	9	4	
Applicant Name:	Deanna Lee	Request:	Zone Change						
Description:	R-2-10 (2-family residential) to R-1-5 (single family residential)								
Location:	818 E. 4125 S.								
Zone:	R-2-10 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting a zone change at the above listed property from the existing R-2-10 zoning to a proposed R-1-5 zone.

The property consists of 0.57 acres. It currently has one single family home on the property with some accessory buildings. Directly to the west the residences are zoned R-1-5 and to the east the properties are zoned R-2-10. Just east of the R-2-10 properties the zoning is once again R-1-5. There are a variety of single family zones to the south, east, and west of the subject property with mainly two-family residential properties to the north.

The property is not located directly on a designated corridor (900 E.) per the general plan, but is located within an area of moderate change where a zone change of this character might be expected to happen.

1.2 Neighborhood Response

As of the date of this report, staff has not received any response from the neighborhood.

1.3 Community Council Response

This item is scheduled to be heard at the Millcreek Community Council's regularly scheduled meeting on January 7, 2014.

2.0 ANALYSIS

2.1 General Plan

The general plan map has indicated this location as part of an area of expected moderate change.

Goals and Best Practices in the Adopted Millcreek Township General Plan speak to the need to create

more housing choices and options for a growing population and the benefits of better connected streets.

While this application does not complete a street connection to the east, it furthers the objective of doing so in the future.

2.2 Existing Zoning and Land Use

Chapter 19.32 R-2-6.5, R-2-8, R-2-10 MEDIUM DENSITY RESIDENTIAL ZONES

19.32.010 Purpose of provisions.

The purpose of the R-2 zones is to establish low to medium density residential neighborhoods which provide persons who reside therein a comfortable, healthy, safe and pleasant environment.

19.32.020 Permitted uses.

Permitted uses in the R-2 zones are as follows:

Zone Permitted Uses

R-2-6.5, R-2-8, R-2-10 — Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Agriculture;
- Home business, subject to [Chapter 19.85](#)
- Home day care/preschool, subject to [Section 19.04.293](#)
- Household pets;
- Residential facility for elderly persons;
- Residential facility for persons with a disability;
- Single-family dwelling;
- Two-family dwelling.

19.32.030 Conditional uses.

Conditional uses in the R-2 zones are as follows:

Zone Conditional Uses

R-2-6.5, R-2-8, R-2-10 —Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Cemetery;
- Day care/preschool center, subject to [Section 19.76.260](#)
- Dwelling group.

- A. The development shall comply with the maximum allowable density for the zone in which it is located.
- B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, if the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall be at least fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be at least the front yard required in the zoning district, except on corner lots the side yard which faces on a public street shall be at least twenty feet.
- C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least twenty feet wide for one or two rear dwelling units and at least thirty feet wide for three or more dwelling units.
- D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet county standards.
- E. Every dwelling structure in the dwelling group shall be within sixty feet of an access roadway or drive.
- F. The development plan shall provide landscaping as specified in [Chapter 19.77](#) of this title. Solid visual fences shall be provided along all interior property lines unless the planning commission approves otherwise.
 - Golf course;
 - Home day care/preschool, subject to [Section 19.04.293](#)
 - Nursery and greenhouse, provided that there is no retail sales;
 - Pigeons, subject to health department regulations;
 - Planned unit development;
 - Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
 - Private nonprofit recreational grounds and facilities;
 - Public and quasi-public uses;
 - Short-term rental provided:
 - A. The dwelling unit is located in a single-family or two-family dwelling, but not located in a planned unit development or dwelling group; and
 - B. The site has frontage on a street with an existing or proposed right-of-way of at least sixty-six feet, as identified on the map entitled "Road Widening and Improvement Map" on file with the development services division and such map is made by this reference, as such, a part of this title as if fully described and detailed herein;
 - Sportsman's kennel with a minimum lot area of one acre;
 - Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion

of construction work and thirty days after notice, the building will be removed by the county at the expense of the owner.

R-2-10 —Bed and breakfast homestay.

19.32.040 Lot areas and widths.

The minimum lot area and width requirements are as follows:

Zone Minimum Lot Area Minimum Lot Width

R-2-6.5 4,000 square feet for a lot containing 1 unit of a two-family dwelling 6,000 square feet for a single-family dwelling 6,500 square feet for a two-family dwelling 8,000 square feet for any other main building 60 feet at a distance 25 feet from the front lot line

R-2-8 4,000 square feet for a lot containing 1 unit of a two-family dwelling 8,000 square feet for any other main building 65 feet at a distance 30 feet from the front lot line

R-2-10 5,000 square feet for a lot containing 1 unit of a two-family dwelling 10,000 square feet for any other main building Same as above

19.32.050 Yards.

A.

Dwellings: The minimum yard requirements for a private garage or single or two-family dwelling unit are as follows:

Zone Minimum Front Yard Minimum Side Yard (Interior) Minimum Side Yard (Facing a public street) Minimum Rear Yard

R-2-6.5 25 feet 8 feet, however, no side yard setback is required from the property line dividing two units of a two family dwelling subdivided under [19.32.090](#) 20 feet With garage: 15 feet Without garage: 30 feet

R-2-8, R-2-10 30 feet Same as above Same as above

B.

Accessory Buildings: The minimum yard requirements for an accessory building, which may include a private garage that does not meet the setback requirements listed in subsection A above, are as follows:

Zone Minimum Front Yard Minimum Side Yard (Interior) Minimum Side Yard (Facing a public street) Minimum Rear Yard

R-2-6.5, R-2-8, R-2-10 Must be in the rear yard and 6 feet away from the dwelling 1 foot 20 feet 1 foot, except lots which rear upon the side yard of an adjacent lot, in which case the minimum setback shall be 10 feet from the adjoining side yard.

C.

The minimum yard requirements for a main building other than residential are as follows:

Zone Minimum Front Yard Minimum Side Yards Minimum Rear Yard

R-2-6.5 25 feet 20 feet 30 feet

R-2-8, R-2-10 30 feet 20 feet 30 feet

19.32.055 Density.

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

Zone Single-Family Dwelling Two-Family Dwelling

R-2-6.5 7.0 units per acre 12.0 units per acre

R-2-8 6.0 units per acre 10.0 units per acre

R-2-10 5.0 units per acre 8.0 units per acre

(Ord. 1539 § 7, 2004)

19.32.060 Building height.

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

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.

2. Thirty-five feet on other properties.

3. No dwelling shall contain less than one story.

B. Accessory Buildings.

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

19.32.070 Coverage of rear yards.

No accessory building or group of accessory buildings shall cover more than twenty-five percent of the rear yard.

19.32.090 Division of two-family dwelling.

A lot containing a two-family dwelling may be subdivided, creating a new lot line along the shared common wall and extending to the front and rear property lines, subject to the following conditions:

A. The minimum area of the lot containing each unit shall be four thousand square feet in the R-2-6.5 and

R-2-8 zones, and five thousand square feet in the R-2-10 zone.

B. The division of ground is subject to the requirements of the Salt Lake County Subdivision Ordinance (Title 18).

C. The subdivision plat shall specifically note that the purpose of the subdivision is to accommodate the division of a two-family dwelling.

2.3 Other Agency Recommendations or Requirements

Unified Fire: The existing cul-de-sac serves as an appropriate turnaround for the concept lots.

Traffic: while creating a stubbed end on a street is not preferable. In the case of this proposal it does not change the character of the existing street and furthers the intent to move Grand Cayman Drive to a point where it can connect through to 4170 East.

2.4 Other Issues

Proposed Zoning

Chapter 19.14 R-1-3, R-1-4, R-1-5, R-1-6, R-1-7, R-1-8, R-1-10, R-1-15, R-1-21, R-1-43 SINGLE-FAMILY RESIDENTIAL ZONES

19.14.010 Purpose of provisions.

The purpose of the R-1 zones is to establish single-family neighborhoods which provide persons who reside therein a comfortable, health, safe and pleasant environment.

19.14.020 Permitted uses.

Permitted uses in the R-1 zones are as follows:

Zone Permitted Uses

All R-1 zones —Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

—Agriculture;

—Home business, subject to [Chapter 19.85](#)

—Home day care/preschool, subject to [Section 19.04.293](#)

—Household pets;

—Residential facility for persons with a disability.

R-1-6, R-1-7, R-1-8, R-1-10, R-1-15 —Single-family dwelling.

R-1-21, R-1-43 —Animals and fowl for family food production;

—Guesthouse, the square footage must be less than one thousand two hundred square feet;

—Maximum of four horses for private use only, not for rental;

—Single-family dwelling.

19.14.030 Conditional uses.

Conditional uses in the R-1 zones are as follows:

Zone Conditional Uses

All R-1 zones —Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one half-acre or one thousand two hundred square feet on lots one-half acre or larger;

—Cemetery;

—Day care/preschool center, subject to [Section 19.76.260](#)

—Golf course;

—Home day care/preschool, subject to [Section 19.04.293](#)

—Planned unit development;

—Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;

—Private nonprofit recreational grounds and facilities;

—Public and quasi-public uses;

—Residential facility for elderly persons;

—Temporary buildings for uses incidental to construction work, which building must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work or thirty days after notice, the building will be removed by the county at the expense of the owner.

R-1-3, R-1-4, —Single-family dwelling.

R-1-5 —Single-family project developments

The planning commission may approve a detailed development plan for the entire single-family project in an R-1-3, R-1-4, R-1-5 zone, pursuant to [Chapter 19.84](#) of this title. Thereafter, the development services division director may, as authorized by the planning commission, approve use permits for individual residential uses, provided that the plans comply with all requirements and conditions of the approved development plan.

R-1-6, R-1-7, R-1-8, R-1-10, —Nursery and greenhouse, provided that there is no retail sales;

R-1-15 —Pigeons, subject to health department regulations;

—Sportsman's kennel with a minimum lot area of one acre.

R-1-21, R-1-43 —Bed and breakfast homestay;

—Nursery and greenhouse; provided, that there is no retail sales;

- Pigeons, subject to health department regulations;
- Sportsman's kennel with a minimum lot area of one acre.

19.14.040 Lot areas and widths.

The minimum lot area and width requirements are as follows:

Zone Minimum Lot Area Minimum Lot Width

R-1-3 3,000 square feet 25 feet at a distance 20 feet from the front lot line

R-1-4 4,000 square feet Same as above

R-1-5 5,000 square feet Same as above

R-1-6 6,000 square feet 60 feet at a distance 25 feet from the front lot line

R-1-7 7,000 square feet 65 feet at a distance 25 feet from the front lot line

R-1-8 8,000 square feet Same as above

R-1-10 10,000 square feet 80 feet at a distance 30 feet back from the front lot line

R-1-15 15,000 square feet Same as above

R-1-21 21,780 square feet (½ acre) 100 feet at a distance 30 feet from the front lot line

R-1-43 43,560 square feet (1 acre) Same as above

19.14.050 Yards.

A.

Dwellings: The minimum yard requirements for a private garage or dwelling are as follows:

Zone Front Yard Side Yard (Interior) Side Yard (Facing a public street) Rear Yard Without Garage Rear Yard With Garage

R-1-3, R-1-4, R-1-5 20 feet 5 feet unless attached to a dwelling on an adjacent lot 20 feet 20 feet 15 feet

R-1-6, R-1-7, R-1-8 25 feet 5 feet one side and 11 feet on the garage or driveway side or 8 feet on each side 20 feet 30 feet 15 feet

R-1-10, R-1-15, R-1-21 30 feet 10 feet on each side 20 feet Same as above Same as above

R-1-43 30 feet 15 feet on each side 20 feet Same as above Same as above

B.

Accessory Buildings: The minimum yard requirements for an accessory building, which may include a private garage that does not meet the setback requirements listed in subsection A above, are as follows:

Zone Minimum Front Yard Minimum Side Yard (Interior) Minimum Side Yard (Facing a public street) Minimum Rear Yard

R-1-3, R-1-4, R-1-5, R-1-6, R-1-7, R-1-8, R-1-10, R-1-15, R-1-21, R-1-43 Must be in the rear yard and 6 feet away from the dwelling 1 foot 20 feet 1 foot, except lots which rear upon the side yard of an adjacent lot, in which case the minimum setback shall be 10 feet from the adjoining side yard.

C.

The minimum yard requirements for a main building other than residential are as follows:

Zone Minimum Front Yard Minimum Side Yards Minimum Rear Yard

R-1-3, R-1-4, R-1-5 20 feet 20 feet 20 feet

R-1-6, R-1-7, R-1-8 25 feet 20 feet 30 feet

R-1-10, R-1-15, R-1-21, R-1-43 30 feet 20 feet 30 feet

(Ord. 1539 § 3, 2004; Ord. 1285 § 2 (part), 1994)

19.14.055 Density.

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

R-1-3 11.0 units per acre

R-1-4 9.0 units per acre

R-1-5 7.0 units per acre

R-1-6 6.0 units per acre

R-1-7 5.0 units per acre

R-1-8 4.5 units per acre

R-1-10 4.0 units per acre

R-1-15 2.5 units per acre

R-1-21 2.0 units per acre

R-1-43 1.0 units per acre

(Ord. 1539 § 2, 2004)

19.14.060 Building height.

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

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the

property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.

2. Thirty-five feet on properties other than those listed in number one of this subsection.

3. No dwelling shall contain less than one story.

B. Accessory Buildings.

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

19.14.070 Coverage of rear yards.

No accessory building or group of accessory buildings shall cover more than twenty-five percent of the rear yard.

2.5 Subdivision Requirements

A separate subdivision application would be required if the proposed zoning is approved to allow for the creation of the conceptual lots.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Zone Change.

3.2 Reasons for Recommendation

- 1) The zoning as proposed is in character with the immediate neighborhood and is consistent with the Millcreek Township General Plan and General Plan Map.

Layer Options

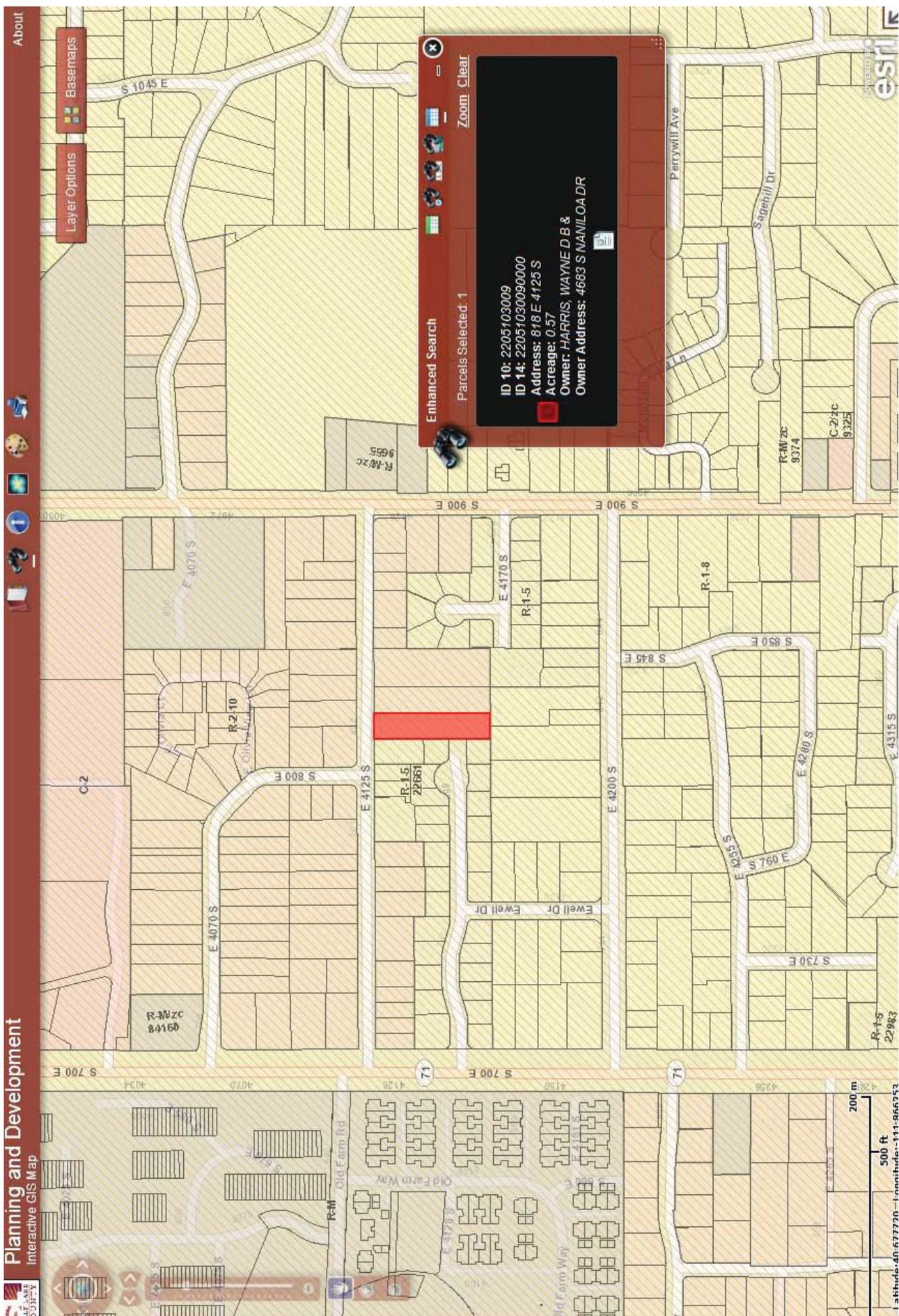
Basemaps

Enhanced Search

Parcels Selected: 1

Zoom Clear

ID 10: 2205103009
ID 14: 22051030090000
Address: 818 E 4125 S
Acreage: 0.57
Owner: HARRIS, WAYNE D B &
Owner Address: 4683 S MANILOA DR



esri

Latitude: 40.677770 - Longitude: -111.866763

796 Grand Cayman Drive



Exit Street View



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818 East 4125 South



Exit Street View



Report a problem

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E 4125 S

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STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, January 15, 2014	04:00 PM	File No:	2	8	7	0	5	
Applicant Name:	Jonathan Bohannon	Request:	Subdivision						
Description:	2 lot standard subdivision - creation of flag lot.								
Location:	3222 S. 2000 E.								
Zone:	R-1-8 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Staff Recommendation:	Approval								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is proposing to subdivide a single lot at 3222 S. 2000 E. to create a flag lot in the rear of the existing home. The subject property is 0.53 Acres (23,086 sq. ft.), which is large enough to allow for a standard 8,000 sq. ft. lot that fronts 2000 East and create a 12,000 sq. ft. lot in the rear to comply with the flag lot subdivision standards. Specifically the proposal would create lots with the following dimensions:

Lot 1 (Standard Lot):

Required lot size: 8,000 sq. ft. / Proposed lot size: 8,316 sq. ft. MEETS REQUIREMENT

Required lot width: 65 ft. / Proposed lot width: 72 ft. MEETS REQUIREMENT

Existing home would remain on lot and the current detached garage would be demolished due to the newly proposed property lines.

Lot 2 (Flag Lot):

Required lot size: 12,000 sq. ft. / Proposed lot size: 14,784 sq. ft. MEETS STANDARD

Required street frontage: 20 ft. / Proposed street frontage: 28 ft. MEETS STANDARD and allows for 4' buffer on either side of drive as per standard.

This new lot would be subject to the standard setbacks of the flag lot policy with a 20' setback around the perimeter. (as shown in the provided plans)

1.2 Hearing Body Action

This item is on the Millcreek Township Planning Commission's agenda for a final decision.

1.3 Neighborhood Response

As of the date of this report, 1/6/2014 staff has not received any comments from the neighborhood.

2.0 ANALYSIS

2.1 Applicable Ordinances

19.14.040 Lot areas and widths.

R-1-8: Minimum Lot Area: 8,000 sq. ft.

R-1-3: Minimum Lot Width: 65 feet at a distance 25 feet from the front lot line.

Flag Lot Policy:

3. In order to **subdivide** an existing lot or parcel so as to create two or more separate lots or parcels (the **base lot(s)** adjacent to the street and a **flag lot(s)** to their rear), sufficient land area must be available to maintain;

a. For the **base lot(s)**, compliance with the required area and width requirements of the zone in which the properties are situated, and

b. For **flag lot(s) less than one half acre in size**;

1. One and one half times the area requirements for the zone in which the properties are situated if ownership of the land providing access to the **flag lot(s)** is retained by or conveyed to the owner of those lots,

6. **Improvements to the travel way** within the access connection from the **flag lot(s)** to the street right-of-way or easement shall be in accordance with the following standards:

f. On properties where the length of the access connection is *less than* one hundred and fifty feet, the **improved surface** of the travel way must be;

1. At least **twelve feet** in width its entire length unless a lesser width is authorized for access purposes by the County=s traffic engineer and fire official; and

2. No closer than;

a. **Five feet** to a neighboring property line at the intersection with the street right of way or easement line so as to provide adequate area for satisfaction of county driveway radius requirements, and

b. **Four feet** to a neighboring property line for the remaining length of the improved travel way from the street right-of-way or easement line to the **flag lot(s)**.

3. Incompliance with county standards at its intersection with the street right-of-way or easement.

2.2 Subdivision Requirements

18.08.010 Procedure generally.

A review procedure, which shall include:

1. An on-site review by the director or director's designee as provided by Utah Code 17-27a-303;

2. Review of the submitted site plan/preliminary plat for compliance with county land use ordinances;

3. Reference of the application and site plan/preliminary plat to any other government agency and/or affected

entity which the director or director's designee deems necessary to protect the health, safety, and welfare of

the public and to ensure the project's compliance with all applicable ordinances and codes;

Report Date: 11/26/13 Page 3 of 4 File Number: 28704

4. The processing of any exception requests that have been made in conjunction with the subdivision application.

C.

A preliminary plat approval procedure, which shall include:

1. Confirmation that all necessary agencies have responded to the requests for recommendation with a recommendation of approval or approval with conditions;

2. Integration of the recommendations from the other government agencies and affected entities involved

above into the preliminary plat;

3. Receipt of a recommendation from the planning staff;

4. Approval of the preliminary plat as outlined in [Section 18.12.030](#), and issuing a preliminary plat approval

letter.

D.

A final plat approval procedure, which shall include:

1. An engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances

and with minimum engineering/surveying requirements;

2. A check of appropriate background information, such as: lot access, property title, record of survey, field

boundary verification, etc.;

3. The collection of the necessary approval signatures (planning commission representative, director or director's designee, health department, district attorney, county mayor or their designees) on the final plat;

4. Payment of final fees and bond;

5. Recordation of the plat.

2.3 Other Agency Recommendations or Requirements

Building:

1. new proposed property line runs right through the existing shed. It is noted on the plans as to be removed. Need to obtain a demo permit to remove the existing shed prior to the subdivision being recorded.

***Once the shed is removed, conditional approval for the 2 lot subdivision would be given based on:

Building permit(s) will be required for the construction of the new home, the new garage, and any other structures/items regulated by the building code.

1. At time of building permit application, provide complete building plans showing compliance with current building code.

2. At time of building permit application, provide fire flow verification and/or show how compliance is going to be made with any Unified Fire District Guidelines.***

Geology:

No apparent geological hazards at this location.

Grading:

1. The property slopes from East to West.

2. I will assume unless informed otherwise that Urban Hydrology will address the irrigation in their

review.

3. There are no sufficient grading issues anticipated with the proposed development.
4. At the time of the Building permit application a site grading and drainage plan will need to be submitted for review and comment.
5. At the time of the Building permit application an erosion control plan will need to be submitted for review and comment.
6. Property is located in an area of Low liquefaction potential.

Traffic:

Exception to curb, gutter, and sidewalk application #28743 is in process. I recommend approval of the exception. Approval of subdivision recommended pending finalization of exception.

Unified Fire Authority:

Requires 20' paved drive access to flag lot. If this standard cannot be met a 'fire code modification' may be applied for.

Urban Hydrology:

1. The developer shall furnish an irrigation easement to the ditch company and/or water users for the irrigation ditches on the property. Relocating, piping or the abandonment of an irrigation ditch requires certification from the ditch company and/or all water users, and property owners affected.
2. The developer shall pipe or fence the irrigation ditch in compliance with the County Ordinance. Irrigation systems shall be relocated outside of the County right-of-way.
3. Abandonment of the irrigation ditches will require a wier master approval stating that they are no longer in use and can be abandoned.
4. The developer shall be required to permanently contain all generated water on thier own property or routed to an approved SLCO storm water conveyance system.
5. Total retention on site will require calculation for a 100-yr storm with 1-ft of freeboard.

2.4 Other Issues

As stated in the comments from the traffic engineer, an exception request to the installation of curb, gutter, and sidewalk for the frontage of these 2 lots is being applied for in conjunction with this application.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Subdivision .

3.2 Reasons for Recommendation

- 1) The proposed subdivision meets the minimum standards of the zoning ordinance and the flag lot policy as adopted by the planning commission.
- 2) Prior to platting the subdivision compliance with standards of all applicable agencies must be verified through the technical review process with staff.



ID 10: 1628430037
 ID 14: 16284300370000
 Address: 3222 S 2000 E
 Acreage: 0.53
 Owner: LMP ACQUISITION LLC
 Owner Address: 10757 S RIVER FRONT PKWY
[CLICK HERE FOR MORE PARCEL INFO](#)



Zoom to

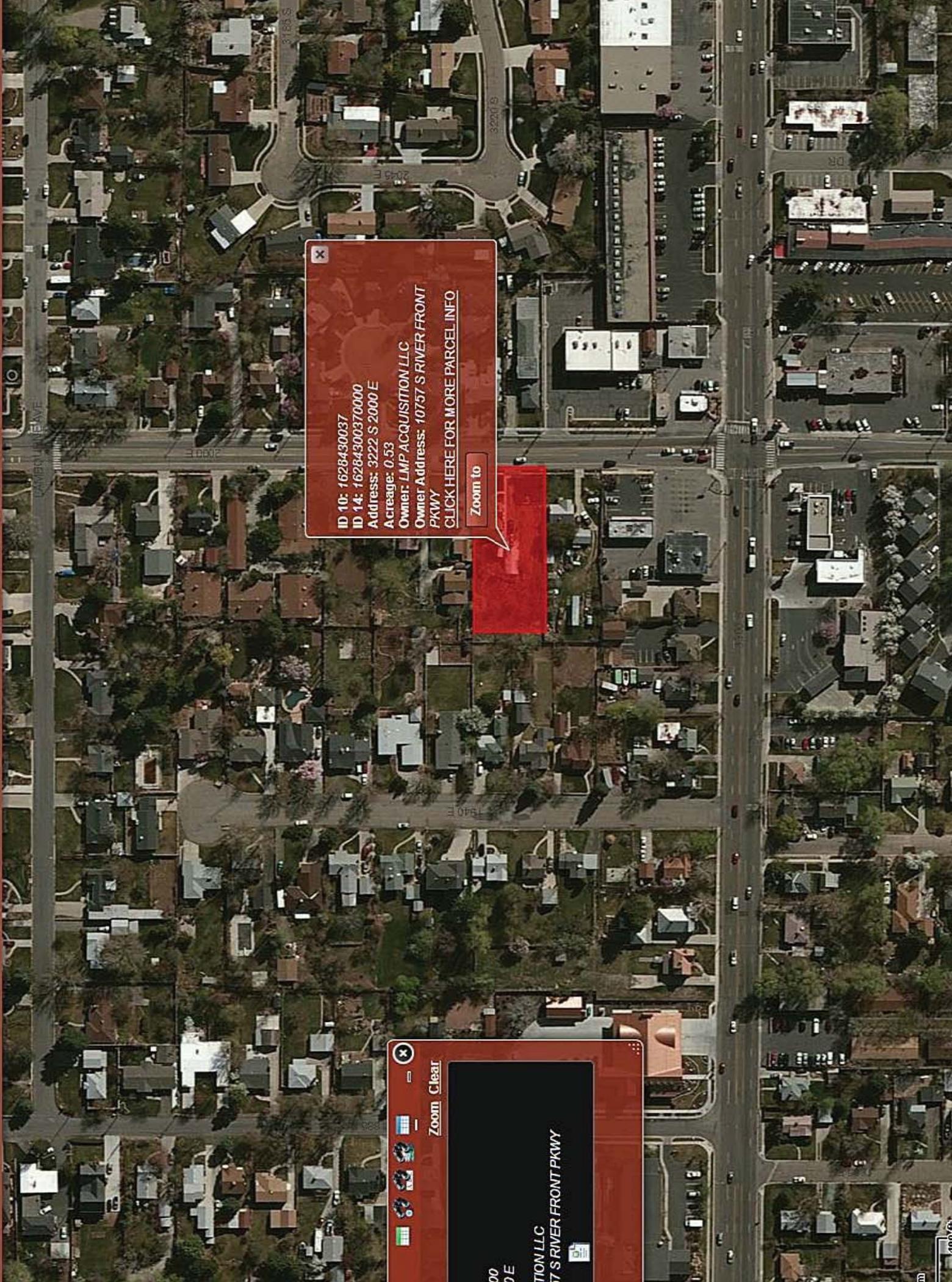







Zoom Clear

LMP ACQUISITION LLC
 10757 S RIVER FRONT PKWY



VTDI 16-28-430-037-0000	DIST 17	TOTAL ACRES	0.53
LMP ACQUISITION LLC	TAX CLASS	REAL ESTATE	167800
		BUILDINGS	85500
		TOTAL VALUE	253300

10757 S RIVER FRONT PKWY NO: 110
 SOUTH JORDAN UT 84095351957 EDIT 0 FACTOR BYPASS
 LOC: 3222 S 2000 E EDIT 0 BOOK 10159 PAGE 2542 DATE 07/16/2013
 SUB: UNKNOWN TYPE UNKN PLAT

11/14/2013 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
 BEG S 0-04' W 1146.7 FT FR NE COR OF SE 1/4 SEC 28, T 1S, R
 1E; S L M; S 89-56' W 264 FT; S 0-04' W 100 FT; N 89- 56' E
 264 FT; N 0-04' E 100 FT, M OR L TO BEG. LESS STREET 0.53
 AC, M OR L. 6926-2842 9895-7876,7880 9909-2201,2203,2205
 9909-2207 10156-7014

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV





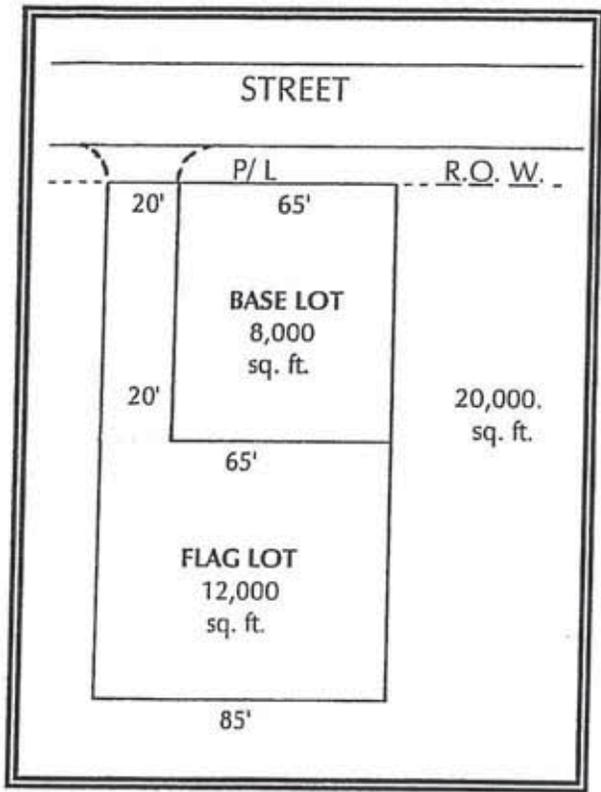
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FLAG LOT in the R-1-8 Zone



Base Lot Requirements

- Minimum Lot Area = 8,000 sq. ft.
- Minimum Lot Width = 65 ft.
- Minimum Lot Depth = varies (123 ft. w/ 65 ft width)

Flag Lot in R-1-8 Zone

- Minimum Lot Area = 1.5 X base = 1.5 X 8,000 sq.ft. = 12,000 sq. ft.
- Minimum Access Area Width = 20 ft.
- Minimum Lot Width = base + access = 65 ft. + 20 ft. = 85 ft.
- Minimum Lot Depth = varies (112 ft. w/85 ft. width)

Total land area required for a Flag Lot in R-1-8 Zone

- Base Lot = 8,000 sq. ft.
- Flag Lot = 12,000 sq. ft.
- = 20,000 sq. ft.
- minimum land area required

Yard Requirements

Main Dwelling

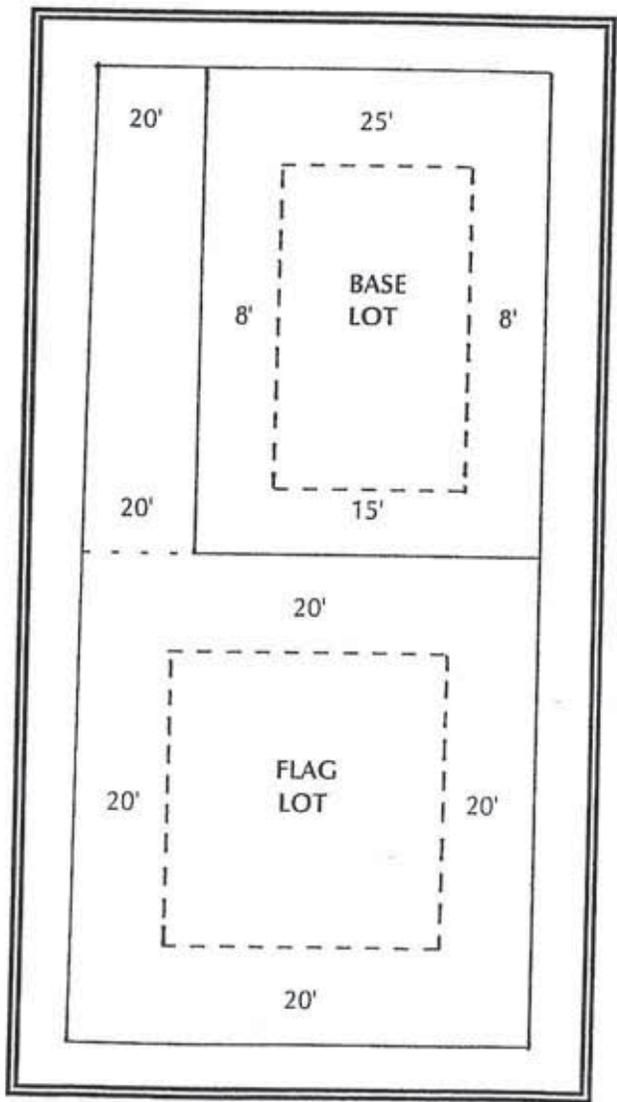
(w/garage)

- | | |
|-----------------|----------------------------|
| Base Lot | Flag Lot |
| Front = 25 ft. | 20 ft. from property lines |
| Side = 8 ft. | of "flag" portion of lot |
| Rear = 15 ft. | |

Detached Accessory Structures

Must be to the rear of and at least 6 ft. from main dwelling = 1 ft., unless adjacent to the side yard of a dwelling on an adjacent lot, in which case = 10 ft. from that property line.

Adjacent to any street = 20 ft.





LEGEND LANE SUBDIVISION

November 7, 2013

JOB #5934

LEGEND LANE SUBDIVISION

3222 SOUTH 2000 EAST
SALT LAKE CITY (MILLCREEK), UTAH

INDEX OF DRAWINGS

- 1-1 BOUNDARY TOPO SURVEY
- 1 of 1 PRELIMINARY SUBDIVISION PLAT
- C-1-0 SITE IMPROVEMENT PLAN

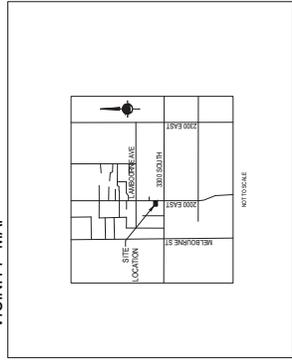


CALL BUESTAKES
AT LEAST 24 HOURS PRIOR TO
THE COMMENCEMENT OF ANY
CONSTRUCTION.

UTILITY DISCLAIMER
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND OR RELATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO LOCATE ALL UTILITIES AND SHALL CONTACT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

NOTICE TO CONTRACTOR
ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN OR RELATED TO THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND ALL APPLICABLE REGULATIONS AND ORDINANCES. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO LOCATE ALL UTILITIES AND SHALL CONTACT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

VICINITY MAP



NOTICE TO DEVELOPER/CONTRACTOR
UNAPPROVED DRAWINGS, RESERVE WORK IN PROGRESS, ARE SUBJECT TO CHANGE AND DO NOT CONSTITUTE A FINISHED DRAWING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED BY THE LOCAL GOVERNMENT SHALL BE AT THE DEVELOPER'S RISK AND NOT LIMITED TO BEST ESTIMATION. FAVORABLE SOILING SITE CLEARING DURING INFRASTRUCTURE CONSTRUCTION, ETC.

DEVELOPER
32 LINES, LLC
1075 SOUTH RIVER FRONT PKWY.
SOUTH JORDAN, UTAH
801-473-6650
CONTACT: JON BURMAN

GENERAL NOTES

1. ALL WORK SHALL COMPLY WITH SALT LAKE COUNTY ORDINANCES, SPECIFICATIONS AND REGULATIONS.
2. CALL BUESTAKES 48 HOURS PRIOR TO BEGINNING.
3. ALL UTILITY SERVICE CONNECTIONS SHALL COMPLY WITH THE UTILITY DISTRICTS DESIGN STANDARDS AND REGULATIONS.
4. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES BEFORE CONSTRUCTION.
5. UTILITIES SHALL BE BURYED AND BENEATH WITHIN "VIC" CONNECTION.

ENGINEER/SURVEYOR:

SALT LAKE CITY
50 W. 300 S.
SALT LAKE CITY, UT 84119
Phone: 801.225.4888
Fax: 801.225.4889
www.ensgn.com

LAYTON
1000 W. 1200 S.
LAYTON, UT 84040
Phone: 801.225.4888
Fax: 801.225.4889
www.ensgn.com



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, January 15, 2014	04:00 PM	File No:	2	8	7	4	3	
Applicant Name:	Jonathan Bohannon	Request:	Exception Request						
Description:	Curb, Gutter, & Sidewalk								
Location:	3222 S. 2000 E.								
Zone:	R-1-8 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Staff Recommendation:	Approval								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

In conjunction with application 28705 for a 2 lot subdivision, the applicant is requesting an exception to the installation of curb, gutter, and sidewalk along 2000 East.

1.2 Hearing Body Action

This item is on the Millcreek Township Planning Commission's agenda to provide a recommendation to the Salt Lake County Mayor's Office.

1.3 Neighborhood Response

As of the date of this report, 1/6/2014, staff has not received any comments from the neighborhood.

2.0 ANALYSIS

2.1 Applicable Ordinances

18.24.090 states that for new subdivisions right of way improvements to be installed in compliance with current design standards.

18.08.020 states that an exception for these improvements in a new subdivision require a recommendation from the planning commission with the final approval given by the mayor's office.

County Ordinance 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 or 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"

2.2 Other Agency Recommendations or Requirements

Planner:

The subject parcel is not directly adjacent to any curb, gutter, or sidewalk improvements. The opposite side of the street has all of these improvements so there is a route for pedestrians in the immediate area. There is a large irrigation ditch that runs in front of the property and the properties adjacent to the north and south.

Traffic Engineer:

Due to the large ditch along the property the cost of installation of curb, gutter, and sidewalk is disproportionate to the impact of the development, which is the addition of one lot. I recommend approval of the exception.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Exception Request .

3.2 Reasons for Recommendation

- 1) As per the findings of the County Traffic Engineer.

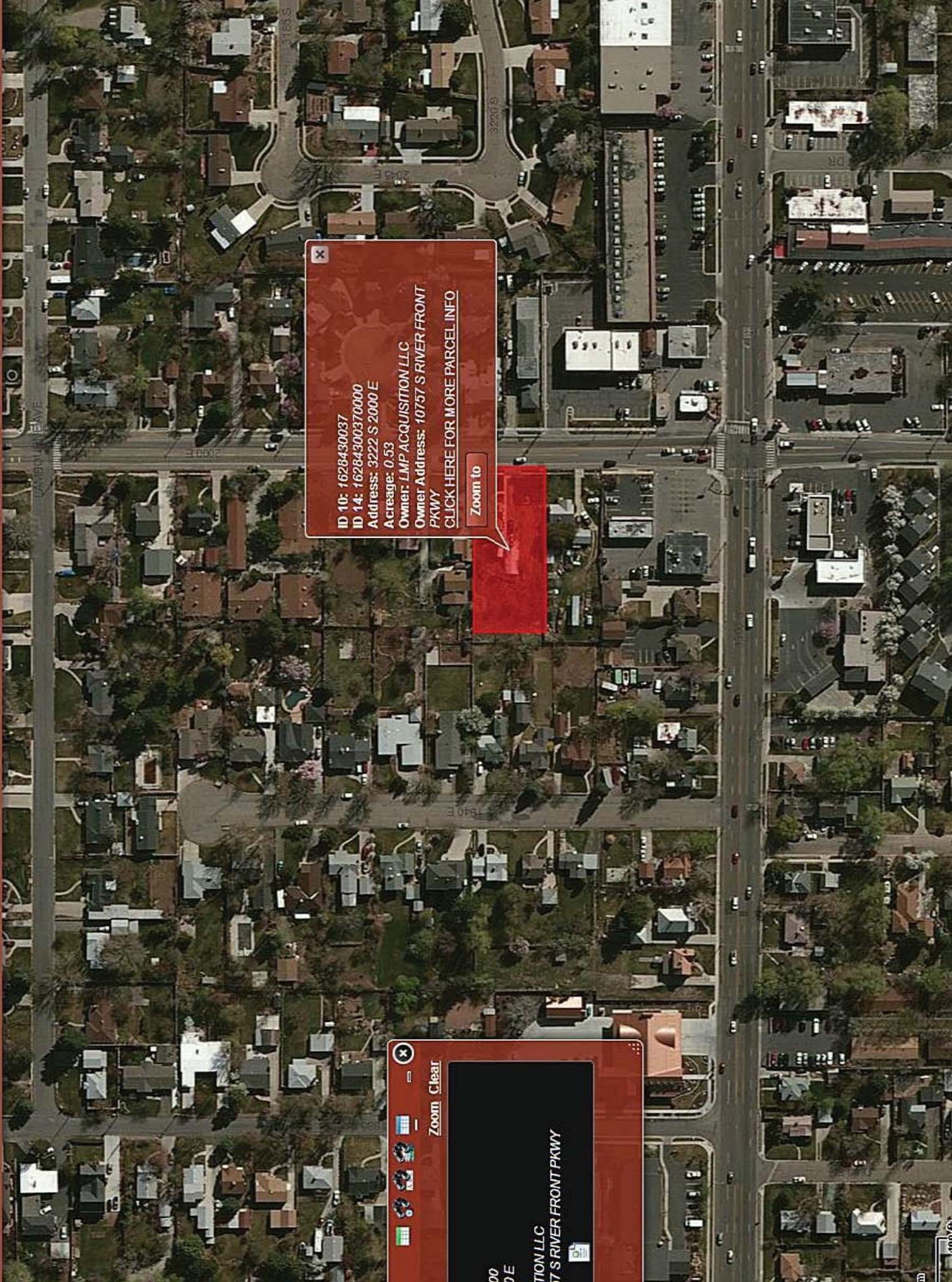


ID 10: 1628430037
 ID 14: 16284300370000
 Address: 3222 S 2000 E
 Acreage: 0.53
 Owner: LMP ACQUISITION LLC
 Owner Address: 10757 S RIVER FRONT
 PKWY
[CLICK HERE FOR MORE PARCEL INFO](#)

Zoom to

Zoom Clear

LMP ACQUISITION LLC
 10757 S RIVER FRONT PKWY







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LEGEND LANE SUBDIVISION

December 20, 2013

JOB #5934

LEGEND LANE SUBDIVISION

3222 SOUTH 2000 EAST
SALT LAKE CITY (MILLCREEK), UTAH

INDEX OF DRAWINGS

- 1-1 BOUNDARY TOPO SURVEY
- 1 of 1 PRELIMINARY SUBDIVISION PLAT
- C-1-0 SITE IMPROVEMENT PLAN



UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND OR RELATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO LOCATE ALL UTILITIES AND SHALL CONTACT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN OR RELATED TO THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND ALL APPLICABLE REGULATIONS AND ORDINANCES. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO LOCATE ALL UTILITIES AND SHALL CONTACT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

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NOTICE TO DEVELOPER/CONTRACTOR

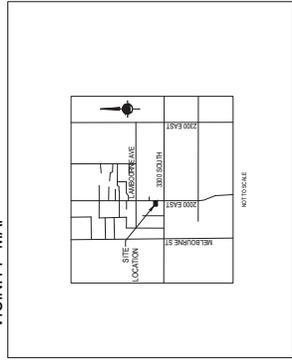
UNAPPROVED DRAWINGS, RESERVE WORK IN PROGRESS, ARE SUBJECT TO CHANGE AND DO NOT CONSTITUTE A FINISHED DRAWING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED BY THE LOCAL GOVERNMENT SHALL BE AT THE DEVELOPER'S RISK AND NOT LIMITED TO BEST ESTIMATION. FAVORABLE BIDDING SPECIFICATIONS ORIGINATING INFRASTRUCTURE CONSTRUCTION ETC.

DEVELOPER

32 LINES, LLC
1075 SOUTH RIVER FRONT PKWY.
SOUTH JORDAN, UTAH
801-473-6650
CONTACT: JON BURMAN

GENERAL NOTES

1. ALL WORK SHALL COMPLY WITH SALT LAKE COUNTY ORDINANCES, SPECIFICATIONS AND REGULATIONS.
2. CALL BUSES MARKERS PRIOR TO EXCAVATION.
3. ALL UTILITY SERVICE CONNECTIONS SHALL COMPLY WITH THE UTILITY DISTRICTS DESIGN STANDARDS AND REGULATIONS.
4. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
5. UTILITIES SHALL BE BURYED AND BENEATH WITHIN "VIC" CONNECTION.



ENGINEER/SURVEYOR:

SALT LAKE CITY
50 W 300 S
SALT LAKE CITY, UT 84119
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STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wed. December 11, 2013	04:00 PM	File No:	2	8	6	0	7	
Applicant Name:	Russ Sorensen	Request:	Conditional Use						
Description:	Planned Unit Development								
Location:	2455 East 3225 South								
Zone:	R-1-8 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Continue								
Staff Recommendation:	Approval with Conditions								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting Conditional Use and Preliminary Plat approval of a 10 lot PUD subdivision. Details of the proposal are outlined in the Zoning Analysis Table in this report. The proposal includes 50% Open Space which includes a playground and picnic area. Currently the property which occupies 2.27 acres has 4 single family homes. 3 of the 4 homes will remain and the additional 7 units are proposed as 7 new single family units.

Type of PUD - Single-Family PUD Subdivision

Number of Units/Lots & Density - 10 Units on 2.27 acres = 4.4 dwelling units per acre

Lot Sizes - Range approximately 7,000 to 15,500 square feet / 0.16 to 0.36 acres

Minimum Setbacks -

Development Boundary

Right of way: From 3225 East - 25 feet / From Lambourne Ave. - 30 feet. (measured on plans, existing setback)

Remaining Perimeter - All new structures set back a minimum of 15 feet from project perimeter.

Internal Setbacks

From back of curb - Buildings are very close to the proposed Walnut Park Cove along the west side of the development. Dimensions provided indicate that the homes are as close as 2 feet to the edge of the sidewalk or 6 feet from the back of curb with a 4 foot integrated sidewalk.

Between buildings - buildings are setback a minimum of 8' from the property line shared by another structure. Where there is a shared drive the range from 10 to 15 feet to the property line between buildings.

Recreational Facilities

The amenities are all located towards the center of the development, north of the new homes and are proposed on the south side of lot 10. The play structure and picnic pavilion are location in a dedicated common space area that is approximately 2,500 square feet.

Playground - Play Structure details provided

Picnic Areas - Example of structures provided.

Open Space - Total of 48,271 sq. ft. or 1.13 acres of open space -49% of development

Typical Architecture - See attached elevations. Essentially brick ramblers.

The elevations proposed are all under 28' in height.

Private Street - (Proposed Name - Walnut Park Cove)

Internal 25-foot wide Private Right-of-way owned in common (not part of the lots). With 5' integrated sidewalk along east side. The street then become a 20' paved surface with 5' of integrated sidewalk along each side as it turns heading east.

Public Street -

Dedication proposed to correct property alignment with right of way along both Lambourne Ave and 3225 S.

Cross Section/Improvements - Applicant proposes to add Sidewalk, Curb, Gutter and park-strip in the public right-of-way in front of the subject property. Engineering staff has initial concerns with the installation of the curb, gutter, and sidewalk along 3225 S. and will be working with the applicant through the technical review process to determine if the right of way improvements are appropriate or if they will require the applicant to pay into the highway fund in lieu of the improvements.

Parking

2 spaces in the garage of each home minimum (20 spaces);

Spaces provided in a few driveways (5 spaces);

2 spaces at end of drives near amenities dedicated to guest parking (4 spaces)

Total 29 spaces = 2.9 parking spaces per dwelling.

Property Info

Zoning - Subject property and surrounding area is zoned R-1-8, Single Family Residential, 8,000 square foot lots. Directly adjacent to the proposed development on the west are 7 homes that are zone R-2-8, Residential Two-Family 8,000 square foot minimum lot size.

Surrounding Land Use - The property is surrounded by single family homes with the exception of some duplex units that lie directly west of the property at the end of a cul-de-sac.

Property Size - The subject property is 2.276 acres.

Existing Improvements

The properties involved currently have 4 single family dwellings. Lambourne Avenue has curb and gutter, but no sidewalk along the south side of the street up until the project area. 3225 S. does not have curb, gutter, or sidewalk along the north side of the street. The south side of the street and the cul-de-sac to the east have curb gutter and sidewalk.

1.2 Hearing Body Action

This item is on the agenda for a final decision from the Millcreek Township Planning Commission.

1.3 Neighborhood Response

As of the date of this report, 11/27/2013, staff has not received any response from the neighborhood.

1.4 Community Council Response

The Canyon Rim Community Council heard this item at their meeting on November 19, 2013. Staff and the applicant were in attendance at the meeting. Concerns were raised during the discussion about the sidewalk and internal setbacks between the new homes. The Community Council approved a motion to approve the PUD as proposed and recommend that curb gutter and sidewalk be installed along 3225 S.

The applicant and staff left the meeting shortly after this item was discussed and an original motion had been passed. Before the meeting was adjourned, the motion previously passed was amended seeking a continuance to allow for more feedback from the community.

The following e-mail was received by staff from the Canyon Rim Community Council Chair describing the request:

...'My council had further discussions on the "Woods as Rosecrest" PUD and since our council is off in December CRCA voted to ask for a continuance from the planning and zoning commission so the citizens surrounding the area have a chance to voice their opinion on the matter before P&Z makes their ruling.

From what I remember the flyers were going to go out to residents around the 11th of December. That flyer will need to have January 21st, 2014 as the date of the next CRCA council meeting on it. P&Z's vote will need to be after Jan 21st in order to let the citizens approach CRCA on the conditional use.'

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>
		As proposed, with the approval of the planning commission as stated in 19.78.090 of the zoning ordinance, the setbacks, and height may be approved per the proposed site plan. The amount of parking meets and exceeds the usual standard of 2.25 stalls per unit. The development appears to be able to meet and shall apply with all other applicable provisions of the zoning ordinance prior to final approval including landscaping requirements.

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>
		As proposed the plan appears to comply with all other applicable laws and ordinance. The technical review process by staff will require verification of compliance with these items prior to final approval. Summary:
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>
		Lots 1, 4, 5, 6, 8, and 9 have side load garages that show a very tight turn radius. There are initial concerns that as proposed there may be issues turning into the garages proposed, however it is not impossible and the applicant may provide documentation to demonstrate that the current layout is appropriate.
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>
		Preliminary reviews by Geology indicate that there are no mapped geologic hazards at this location. However due to the projects size, a geotechnical report will be required and compliance with the findings must be demonstrated for final approvals from staff. The final storm drain details will require approval through the technical review, this issue has been considered but the actual design is in discussion with engineering and shall be required to meet their standards prior to final approval.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		The proposed use and plan creates homes that fit within the Residential compatibility overlay zone building envelope that will help create home similar in size and scale to the existing single family homes in the area. The use consisting of single family homes is compatible with the single and two-family homes in the area.

2.2 Zoning Requirements

The following is a summary comparing the zoning requirements and the proposal from the applicant. The table also indicates whether or not the provision meets, exceeds, doesn't comply, or would need approval under this PUD Conditional Use application. Some items in the zoning regulations can be modified through PUD approval, others cannot. For example, the Commission cannot approve density higher than the maximum allowed in the underlying zone; approves land uses not listed in the underlying zone; or approved exceptions from County Roadway Standards on public streets. Setbacks, Architecture, layout, minim lot size, recreational facilities and open space can be modified under a PUD. A maximum density can also be set as long as it does not exceed the maximum allowed in the zone.

* = Needs PUD Approval	Base Standard	Proposed	PUD Modification
Minimum PUD Project Area	R-1-8 zones: 1- Acre	2.27 acres	<u>Exceeds Standard</u>
R-1-8 Maximum Density	4.5 units per acre	4.4 units per acre	<u>Meets Standard</u>
Lot Dimensions			
*Minimum Area	8,000 square feet	Lots range between approximately 7,000 to 15,500 sq. ft.	Needs PUD Approval (proposed sizes are reflective of proposed building footprints)
*Minimum Width	65 feet at 25-foot setback	<u>Estimated:</u> 45 to 65 feet	Needs PUD Approval
Recreational Facilities			
Quantity	2	2	<u>Meets Standard</u>
Type	Playground 1,000 sq. ft. w/play equipment, PLUS Two other per policy standards	Playground 1,000 sq. ft. Picnic Areas 500 sq. ft. –	<u>Meets Standard</u> (allows for 2% reduction in open space)
Open Space			
Types of Open Space	Landscape, Natural Areas, Recreational Areas, Yards, Patios	Playground, Picnic Area	<u>Meets Standard</u>
Percent of Site	50% (may be reduced to 42%)	50% (landscape plan indicates 49%... this does not count internal sidewalk as open space)	<u>Meets Standard</u>
Maximum Building Height	28 feet to ridge line per RCOZ (option B allows up to 33')	No elevations exceed 28 feet in height	<u>Meets Standard</u>
MINIMUM BUILDING SETBACK			
Project Perimeter			
East	15 feet - perimeter	15 feet. (existing detached garage within a couple feet. Would meet standards allowed for accessory structures).	<u>Meets Standard</u>
North	25 feet from Lambourne Ave. 15 feet from project perimeter	30 foot estimated setback from Lambourne Ave. (Existing) Perimeter - 15 foot minimum	<u>Meets Standard</u>

* = Needs PUD Approval	Base Standard	Proposed	PUD Modification
South	25 feet from 3225 South. Lot 1 has side yard facing 3225 South, side yard facing public street may have 20 foot setback.	25 foot minimum	<u>Meets Standard</u>
West	15 feet	35 foot minimum per private drive on west side	<u>Meets Standard</u>
Individual Lots			
*Front	25 feet	-Lots 4, 5, 8, and 9 have 20 foot front yard setbacks -Lots have an estimated 3 foot setback from closest point of structure to private drive. -Existing lots have 25 and 30 foot front yard setbacks.	Needs PUD Approval
Interior Side	8 feet (both 25% of lot width)	8 foot minimum, where homes share drive access sideyards range from 10 to 15 feetd	<u>Meets Standard</u>
Street Side	Side yard facing public street – 20 feet	This development does not include sideyards facing a public street except for lot 1 which has a 25' setback.	<u>Meets Standard</u>
Rear	15 feet with Garage	Estimated: 15 minimum	<u>Meets Standard</u>
Parking			
*Total	2 per dwelling + guest space (Qty. approved by PC)	2 per dwelling 4 guest 5 additional on lots	Needs PUD Approval
Per Unit	2 per dwelling	2 per dwelling in garage	<u>Meets Standard</u>
In Driveway	None, but can count towards guest parking	5 spaces which keeps shared access drives free from cars blocking access.	<u>Meets Standard</u>
*Guest (Not on the lots)	Determined by Planning Commission	4 off lot	Needs PUD Approval

2.3 Other Agency Recommendations or Requirements

Building Inspector:

Prior to building approval for the new subdivision planning file, will need to obtain permits to do one of the following options for buildings or structures that will have exterior walls or roof overhangs within 5' of the new property line locations.

Option 1 - obtain a building permit to demo the existing structure

Option 2 - obtain a building permit to address fire rated protection for the walls/openings/overhangs that are within this 5' protection area.

Once this issue has been resolved, conditional approval will be based on the following:

1. Building permits are required for the removal of existing structures.
2. Building permits are required for the construction of the new homes. Building permit is required for the homes. At time of building permit application, provide complete building plans showing compliance with current building code. At time of building permit application, provide fire flow verification and show how compliance is going to be made with any Unified Fire District Guidelines.

Geology:

Approved, no apparent or mapped geologic hazards at this site.

Grading:

- 1- Need to submit a copy of the Geotechnical Engineering report
- 2- Need to submit site grading and drainage plans
- 3- Need to show how the lot surface drainage will be maintained on the property or directed to an approved outlet.
- 4- Due to the size of the lot and disturbance to develop a SWPPP and NOI are required.
- 5- Need to submit a Stormwater maintenance agreement and stormwater management plan for review and recording against the property prior to final approval.
- 6- All site grading shall be completed under the Grading permit process administered through planning and development services.

Traffic:

1. Need to see plan and profile for curb, gutter, and sidewalk.
2. Driveways need to have clear dimensions site plan showing garage to driveway to indicate enough turn radius.
3. Deposit funds into highway fund for 3225 S.

Unified Fire Authority:

1. Site plan as shown works for UFA.

Urban Hydrology:

1. Need to route storm drain to approved Salt Lake County storm drain facility. 3300 S. or Lambourne if applicable
2. Please note that all irrigation, whether abandon of active must be shown on the plans. All Active

irrigation must be piped with 15-inch (minimum) RCP per SLCo. ordinance #18.24.130.

3. Over 2 CFS must be piped.

4. Irrigation master to sign off on utility / drainage plan.

2.4 Update since last Planning Commission Meeting

At the last planning commission meeting a question arose whether the Applicant may include all of the Patterson property in the calculation of the open space requirements of the County's Open Space Standards for Residential PUD ("Open Space Standards"). The answer is yes, if certain requirements of County ordinance are met.

The Open Space Standards require that each development must provide a minimum of 50% open space, which may include private yards and common areas.

County Ordinance 19.78.100 provides that preservation, maintenance and ownership of required open space within the development must be accomplished by any one of the following: 1) dedication as a public park or parkway (not applicable here), 2) granting the County a permanent open space easement, similar to a conservation easement (not applicable here), or 3) complying with the Condominium Ownership Act (57-8-101 et seq., hereinafter "the Act") relating to common areas.

The Act requires that each owner must own an undivided interest in the fee simple estate of the common area. Utah Code Sections 57-8-3(8),(11),(33) and 57-8-7(2). The common area in the subject PUD may not be owned individually by Patterson, but each owner within the PUD must own an undivided interest in that common area. The Act also requires that Patterson sign and be subject to the PUD's Declaration of CC&Rs. Utah Code Sections 57-8-2, 57-8-10(8)(a), and 57-8-34(1).

So, if the common area is owned in common by all the owners within the PUD, including Patterson, and Patterson signs and is subject to the CC&Rs, then the common area satisfies County Ordinance 19.78.100 relating to open space requirements for a PUD. Additionally, if Patterson signs and is subject to the CC&Rs (thereby becoming "part of the PUD"), then it is reasonable to include his private yard in the calculation of open space (along with all other lot owners' private yards). And if Patterson is "part of the PUD", and Patterson and the other lot owners all have ownership and access to the centrally located common area, there is also substantial evidence that the integrated design element of the PUD definition is present, which was another concern of the Planning Commission.

The Planning Commission could impose a condition that the requirements of County Ordinance 19.78.100 be met, namely that the common area be commonly owned in fee simple by all lot owners within the PUD (including Patterson), and that Patterson and the other lot owners sign and be subject to the Declaration of CC&Rs.

3.0 STAFF RECOMMENDATION

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

- 1) Applicant to verify safe and appropriate turn radius for side load garages on shared drive. Must receive approval from traffic engineer for final drive access to all homes.
- 2) Setbacks as per preliminary plat shall remain as minimum required setbacks.
- 3) To comply with section 19.71.030 of RCOZ, final home designs shall demonstrate compliance with item 7: Mass and Scale. To avoid a large, continuous building mass of uniform height; no portion of

any building shall continue more than forty feet horizontally without a minimum of an eighteen-inch break in the roofline or an architectural element such as an overhang, projection, inset, material and textural change to create shadow patterns along the elevation of the building. The elements required by this section are in addition to all other requirements under this Part.

- 4) All of the lot owners within the PUD (including Patterson) own an undivided interest in the common area, and that Patterson and the other lot owners sign and be subject to the Declaration of CC&Rs.

3.2 Reasons for Recommendation

- 1) Proposal meets the majority of standards from the underlying zone, the remaining standards may be approved as proposed by the planning commission.
- 2) The development meets the criteria for a conditional use or appears to be able to comply with all the criteria before final approval.

3.3 Other Recommendations

- Applicant shall complete the technical review, preliminary plat, and final plat process with staff prior to recording.



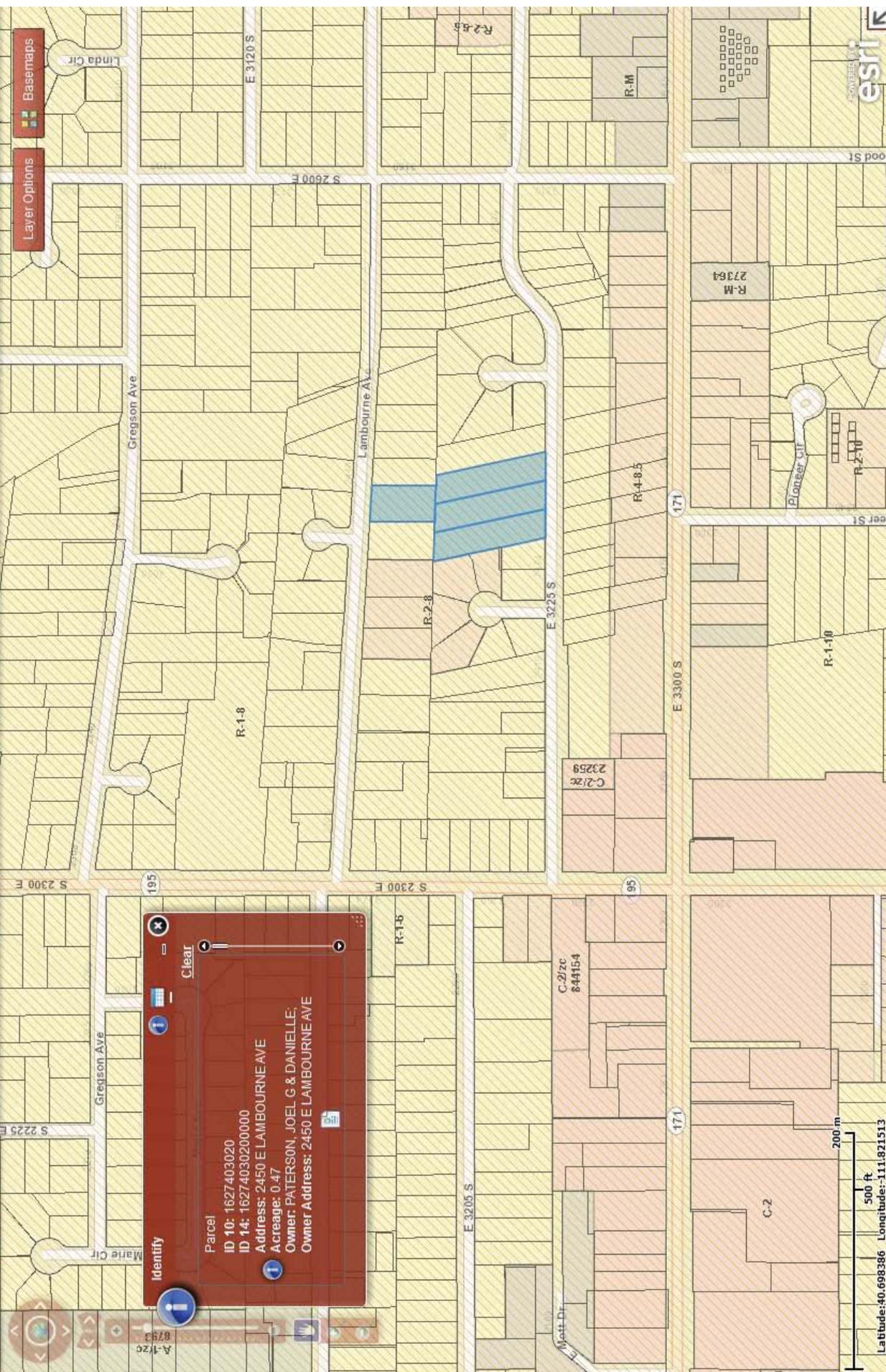
Planning and Development

Interactive GIS Map



About

Layer Options Basemaps



Identify Clear

Parcel
 ID 10: 1627403020
 ID 14: 16274030200000
 Address: 2450 ELAMBOURNEAVE
 Acreage: 0.47
 Owner: PATERSON, JOEL G & DANIELLE;
 Owner Address: 2450 E LAMBOURNEAVE



Latitude: 40.698386 Longitude: -111.821513





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50 m

100 ft

Latitude: 40.700725 Longitude: -101.4819899



9/18/2013 #28607

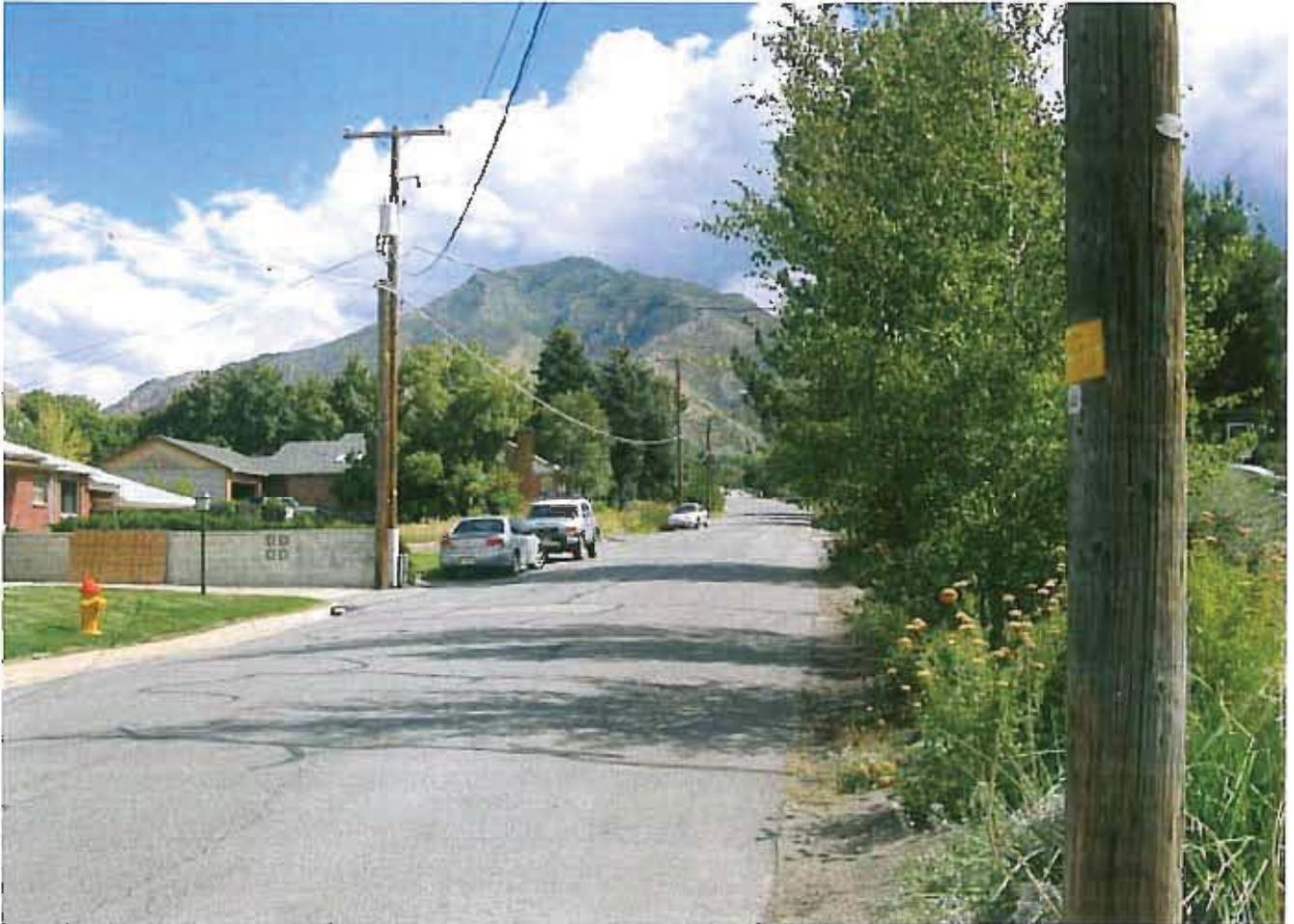




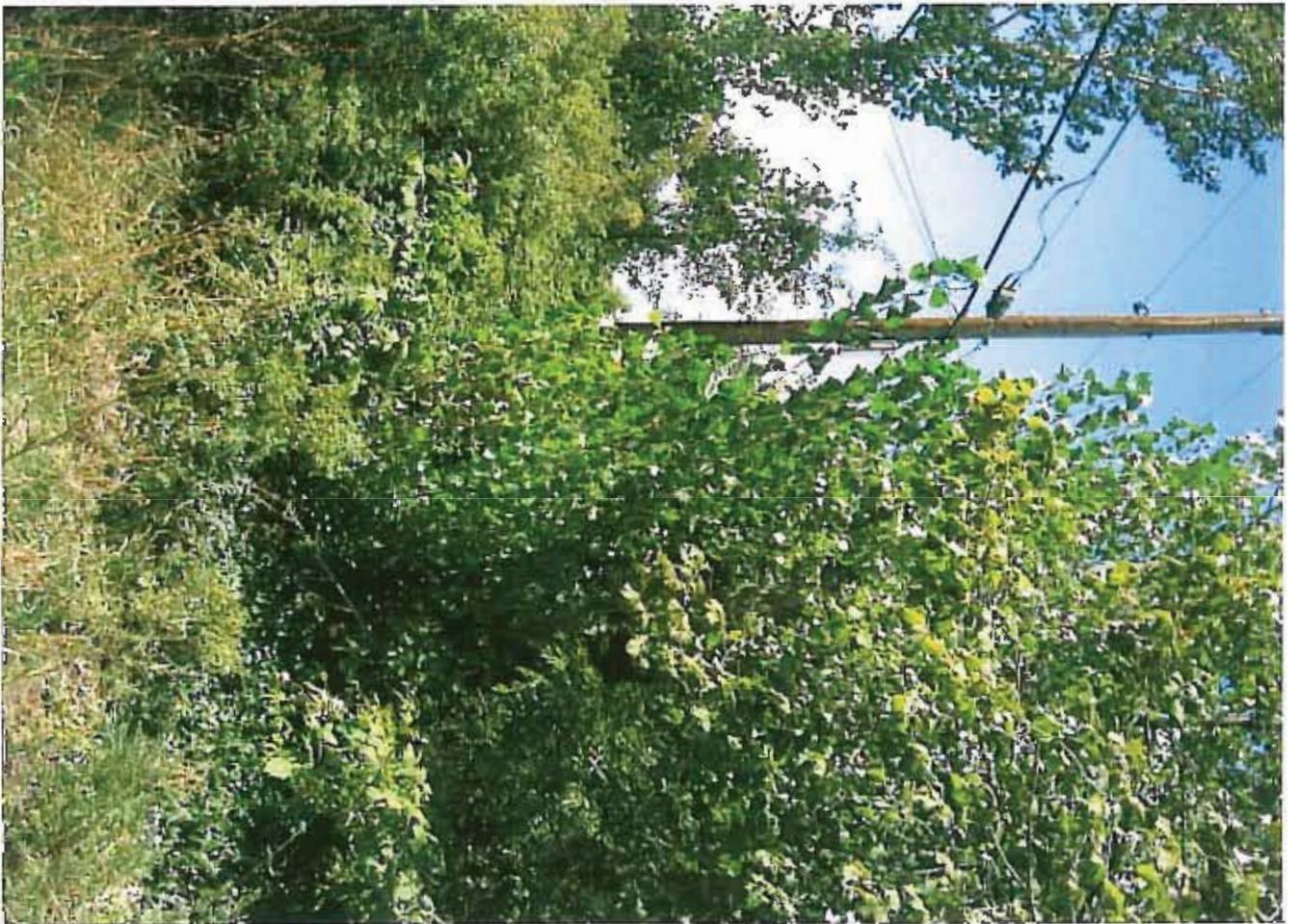




















CALL BEST PRACTICES
 AT LEAST 48 HOURS PRIOR TO
 THE COMMENCEMENT OF ANY
 CONSTRUCTION.

THE WOODS AT ROSECREST P.U.D.

PRELIMINARY SUBMITTAL
 2467 EAST 3225 SOUTH
 MILLCREEK TOWNSHIP, SALT LAKE COUNTY, UTAH

INDEX OF DRAWINGS

C-000	COVER SHEET
C-100	PRELIMINARY SUBDIVISION PLAT
C-200	PRELIMINARY GRADING PLAN
C-300	PRELIMINARY UTILITY AND DRAINAGE PLAN
L-100	PRELIMINARY LANDSCAPE PLAN
L-101	LOT TYPICAL, NOTES & DETAILS

NOTICE TO DEVELOPER/ CONTRACTOR

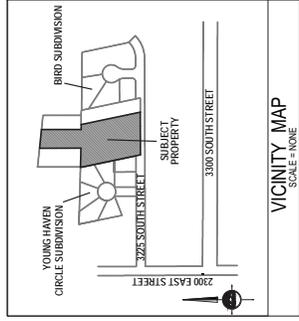
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GENERAL NOTES

- CALL BLUE STAKES 48 HOURS BEFORE TO STAKING.
- REMARKS CONTAINING RECOMMENDATIONS LOCATED AT 200 SOUTH AND 2467 EAST ELEVATION - 4625.24.
- ALL SANITARY ENGINEERING CONSTRUCTION SHALL COMPLY WITH UTAH DEVELOPMENT DISTRICT DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS.
- REVISIONS SHALL BE MADE TO ALL DRAWINGS AND OTHER DOCUMENTS AS REQUIRED BY THE ENGINEER/SURVEYOR.

ENGINEER/SURVEYOR:

ENSGN
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 1000 East 1000 South, Suite 100
 Salt Lake City, UT 84119
 Phone: 801.467.1100
 Fax: 801.224.4489
 www.ensgn.com

DEVELOPER

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 60, 61, 62, 63, 64, 65, 66, 67, 68, 69
 MILLCREEK TOWNSHIP, SALT LAKE COUNTY, UTAH
 (801) 211-4404



THE WOODS AT ROSECREST P.U.D.
 November 4, 2013



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 Fax: 801.255.4449

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TOOELE
 Phone: 435.843.3590

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.590.0187

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THE WOODS AT ROSECREST P.U.D.
PRELIMINARY SUBMITTAL
 2467 EAST 3225 SOUTH
 MILLCREEK TOWNSHIP, SALT LAKE COUNTY, UTAH

PREL. SUBMITTAL 11-4-13
 V. 024 10.024

**PRELIMINARY
 GRADING PLAN**

PROJECT NUMBER: 1102073
 DRAWN BY: S. Steinhilber
 CHECKED BY: F. J. B. B. B.
 P. 1000

C-200



BENCHMARK
 CENTERMARK BENCHMARK #17
 3208 SOUTH 3225 EAST
 ELEVATION: 4987.7

CALL ILLUSTRATIONS AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION

LANDSCAPE NOTES:

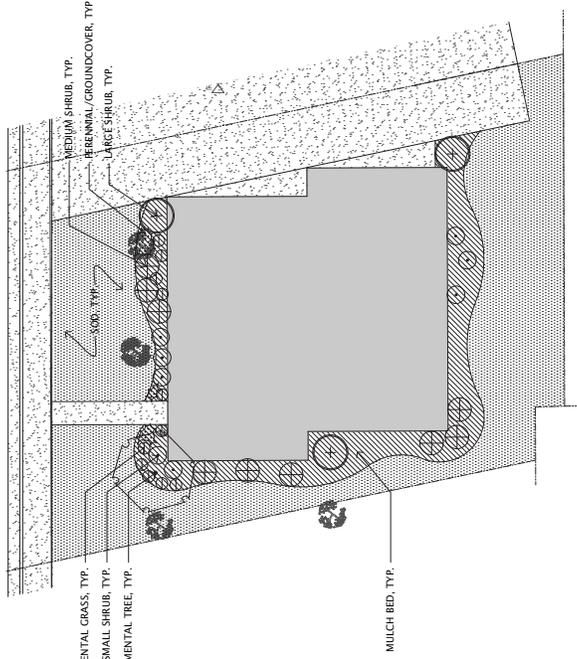
- ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST AMERICAN PUBLIC WORKS ASSOCIATION (APWA) AND SALT LAKE COUNTY STANDARDS, SPECIFICATIONS, AND DETAILS.
- ALL PLANT MATERIAL SHALL BE GROWN IN CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THIS WORK AND SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1, UNLESS OTHERWISE NOTED. PROVIDE STRAIGHT TRUNKS AND WELL DEVELOPED LEADERS, BRANCHES, AND ROOTS.
- EXISTING UTILITIES, EASEMENTS, AND STRUCTURES SHOWN ON THE DRAWINGS SHALL BE MAINTAINED AND PROTECTED. ALL UTILITIES TO BE EXCAVATED OR THE PROJECT PRIOR TO ANY EXCAVATION AND CONSTRUCTION IN THE VICINITY OF THE EXISTING UTILITIES AND STRUCTURES.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL REQUIRED PERMITS, LICENSES, AND APPROVALS REQUIRED TO LEGALLY AND RESPONSIBLY COMPLETE THE WORK.
- DAMAGE TO ANY EXISTING IMPROVEMENTS OR TO ANY PORTION OF THE PROJECT'S SURROUNDING AREA DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL CALL BLUE STAKES AT 1-800-662-4111 FOR UNDERGROUND UTILITY LOCATIONS AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION.
- CONTRACTOR SHALL ROUGH GRADE TO WITHIN 1/4" TENTH OF A FOOT FROM FINISH GRADE. ALL SOD AREAS SHALL BE GRADED 4" BELOW PROPOSED FINISH GRADE. ALL SHRUB AREAS SHALL BE GRADED 12" BELOW PROPOSED FINISH GRADE.
- ALL COMPACTED AREAS DEVELOPED THROUGH CONSTRUCTION WITHIN PROPOSED LANDSCAPE AREAS SHALL BE SCARIFIED AND LOOSENEED TO A DEPTH OF 12" PRIOR TO LANDSCAPE AND IRRIGATION WORK BEGINNING.
- CONTRACTOR SHALL INSTALL A MIN. OF 4 INCHES OF PLANTING SOIL FOR ALL SOD AREAS AND 12 INCHES OF PLANTING SOIL FOR ALL SHRUB AND PERENNIAL BEDS.
- CONTRACTOR SHALL INSTALL A MIN. OF 3 INCHES OF MULCH IN ALL PLANTING BEDS UNLESS OTHERWISE SHOWN ON PLANS.
- NO PLANT SPECIES SUBSTITUTIONS WILL BE MADE WITHOUT APPROVAL OF OWNER.
- ALL PLANT LAYOUT SHALL BE VERIFIED AND APPROVED IN FIELD BY OWNER PRIOR TO PLANTING. FAILURE TO RECEIVE APPROVAL MAY RESULT IN REWORK BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- ALL AREAS WITHIN AND AFFECTED BY THIS PROJECT SHALL HAVE POSITIVE DRAINAGE. POSITIVE DRAINAGE SHALL BE PROVIDED TO DIRECT STORMWATER AWAY FROM ALL STRUCTURES.
- ALL CLARIFICATIONS OF DISCREPANCIES BETWEEN THE DRAWINGS AND THE SITE SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER PRIOR TO BEGINNING OF WORK.
- CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID DAMAGE TO EXISTING FEATURES AND FACILITIES SCHEDULED TO REMAIN AS PART OF THE FINISHED CONSTRUCTION. REPAIR, REPLACEMENT, AND/OR REMOVAL AS DETERMINED BY OWNER SHALL BE AT THE CONTRACTOR'S EXPENSE.

PLANT SCHEDULE

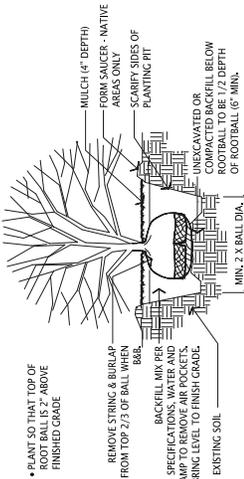
BOTANICAL NAME	COMMON NAME	MIN. SIZE
ACER X FREEMANTII 'JEFFERSON'	AUTUMN BLAZE MAPLE	2" CAL., B&B
AMELANCHIER X GRANDIFLORA	AUTUMN BRILLIANCE SERVICEBERRY	6' CLUMP, MULTI STEM
CLEODITISIA TRIACANTHOS INERMIS	IMPERIAL LOCUST	2" CAL., B&B
JUNIPERUS VIRGINIANA 'BLUE ARROW'	BLUE ARROW JUNIPER	10 GAL.
PNUS EDULIS	PINON PINE	6' HT., B&B
PNUS NEGRA	AUSTRIAN PINE	8' HT., B&B
PRUNUS VIRGINIANA 'CANADA RED'	CANADA RED CHOKECHERRY	8' CLUMP, MULTISTEM
PYRUS CALLERYANA	CHANTICLEER PEAR	2" CAL., B&B
QUERCUS COCCINEA	SCARLET OAK	2" CAL., B&B
TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2" CAL., B&B
SHRUBS, PERENNIALS, GRASSES		
AGASTACHE RUPESTRIS	SUNSET HYSSOP	1 GAL.
ASTER FRIKARTII 'MONCHI'	FRIKARTII MONCH' ASTER	1 GAL.
BERBERIS THUNBERGII ATROPURPUREA	RED BARBERY	5 GAL.
CALAMAGROSTIS A. 'YAKI FOSTER'	FEATHER REED GRASS	1 GAL.
CORNUS SERICEA 'BAILEY'	RED TWIG DOGWOOD	5 GAL.
CORNUS SERICEA 'SANTI'	ISANTI DOGWOOD	5 GAL.
ECHINACEA PURPUREA 'WAGNUS'	PURPLE CONEFLOWER	1 GAL.
EUNYMUS ALATUS 'COMACTA'	DWARF BURNING BUSH	5 GAL.
GAURA LINDHEIMERI	WHIRLING BUTTERFLIES	1 GAL.
HELIOTRICHON SEMPERVIRENS	BLUE OAT GRASS	1 GAL.
HEMEROCALIS SP.	DAYLILY	1 GAL.
PENNETUM ALOPECUROIDES 'HAMELI'	DWARF FOUNTAIN GRASS	1 GAL.
PEROVSKIA APTILICHOUIA	RUSSIAN SAGE	1 GAL.
ROSA SP.	ROSE	5 GAL.
SPirea JAPONICA 'ANTHONY WATERER'	ANTHONY WATERER SPREA	5 GAL.
SYRINGA SP.	LILAC	5 GAL.
RUBRIKERA FILICIDA	BLACK EYED SUSAN	1 GAL.
SALVA SYLVESTRIS X 'MAINMACHT'	MAY NIGHT SALVIA	1 GAL.

PLANT SCHEDULE

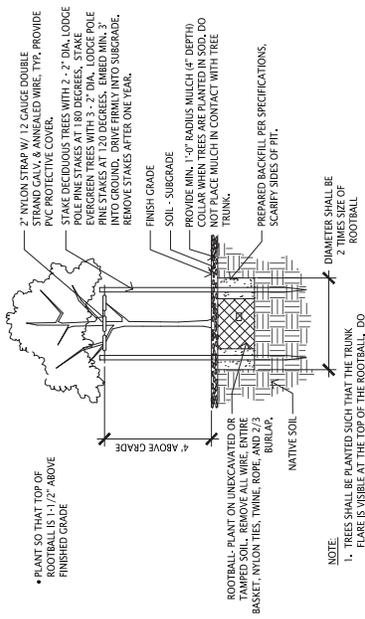
SYMBOL	ITEM
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	Existing Tree to be Removed
	Deciduous Tree
	Evergreen Tree
	Upright Evergreen Tree
	Ornamental Tree
	Shrub
	Perennial
	Sod
	Shrub Bed
	6' Pre-Cast Wall



1 LOT TYPICAL LANDSCAPE PLAN
SCALE 1" = 10'-0"



3 SHRUB/ PERENNIAL/ ORNAMENTAL GRASS PLANTING
SCALE: NTS

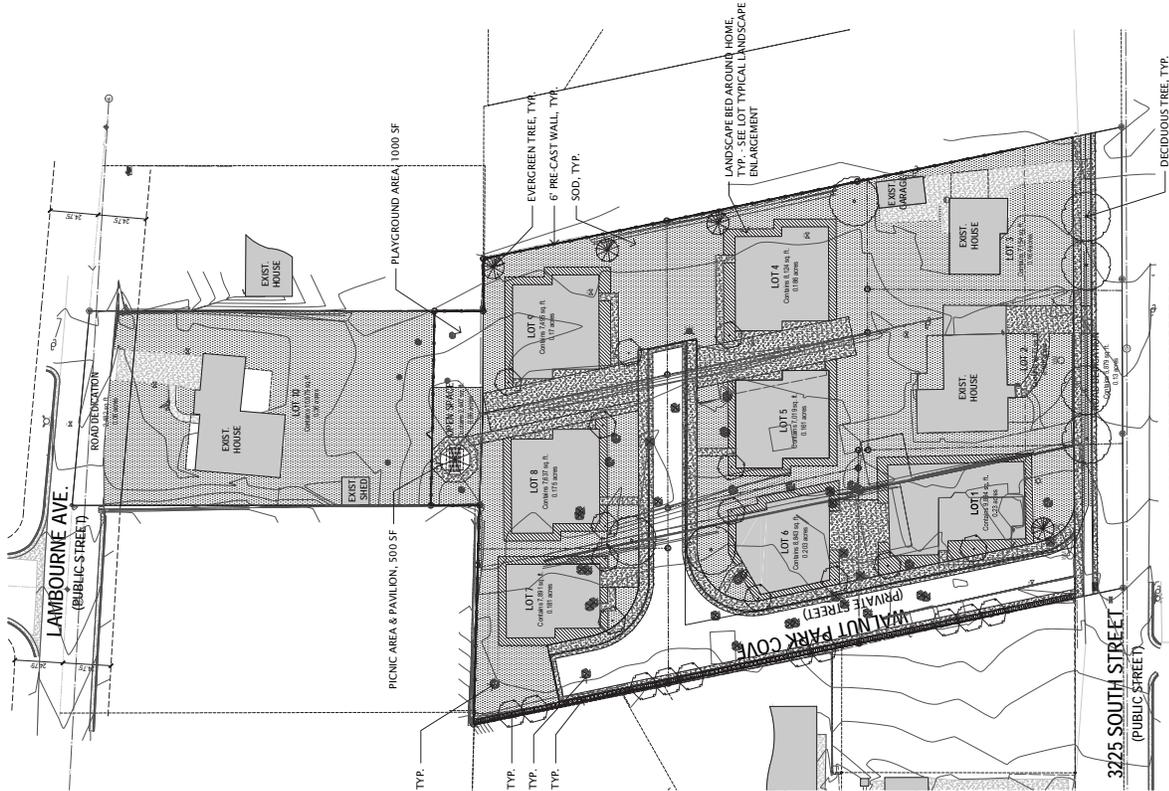


2 TREE PLANTING
SCALE: NTS

blu
blu line designs
415 w sego lily drive
suite 500
sandy, ut 84070
p 801.913.7994



CALL BUREAUCRATS AT
EAST 48 HOURS PRIOR
TO ANY CONSTRUCTION!



SYMBOL	ITEM
	Existing Tree to Remain
	Deciduous Tree
	Evergreen Tree
	Upright Evergreen Tree
	Ornamental Tree
	Shrub
	Ornamental Grass
	Perennial
	Sod
	Shrub Bed
	6' Pre-Cast Wall

LANDSCAPE TABULATION

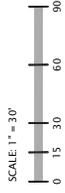
LANDSCAPE AREA WITHIN PROPERTY =	48,271 SF (49%)
IMPERVIOUS AREA =	29,209 SF (29%)
BUILDING AREA =	21,666 SF (22%)
TOTAL AREA =	99,146 SF

LANDSCAPE DESIGN INTENT

The prevailing landscape design intent of this project is to preserve as many existing trees on this site as possible. There are a number mature trees within this project that add character, sense of place and value to this development. The intent of and purpose of the proposed landscaping improvements is to enhance the existing vegetation and to provide added aesthetic quality to this development. Some areas of the development have been designed to be open and usable for activities such as kicking a ball. Other areas are proposed to be heavily landscaped and buffered. Areas around the common play areas are designed to provide shade and visual interest. Foundation plantings are intended to soften any visual exposure of foundation walls as well as provide color and interest to the community.



blu line designs
45 w sego lily drive
suite 500
sandy, ut 84070
p 801.913.7994



L100

PRELIMINARY
LANDSCAPE PLAN

DATE: 08/11/2011
PROJECT: 2455 & 2467 EAST, 3225 SOUTH
DRAWN BY: CAS
CHECKED BY: CAS
PROJECT NUMBER: 100000000
P: 10000

THE WOODS AT ROSECREST P.U.D.
PRELIMINARY PLAT

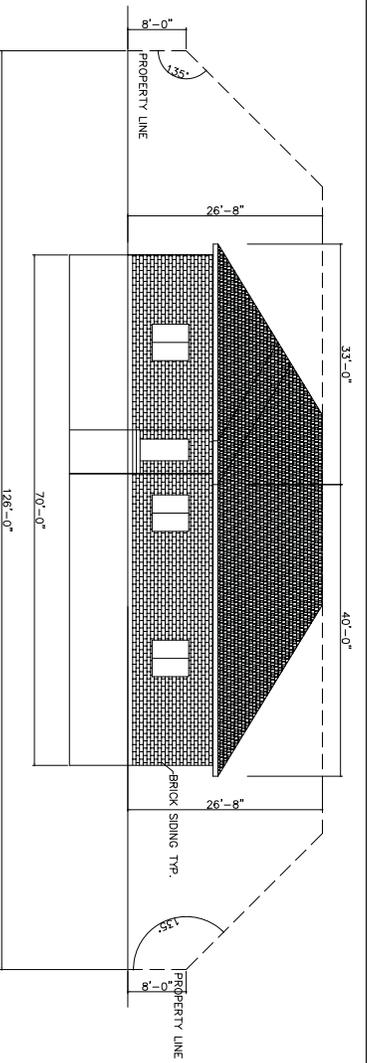
2455 & 2467 & 2477 EAST, 3225 SOUTH
SALT LAKE CITY, UTAH



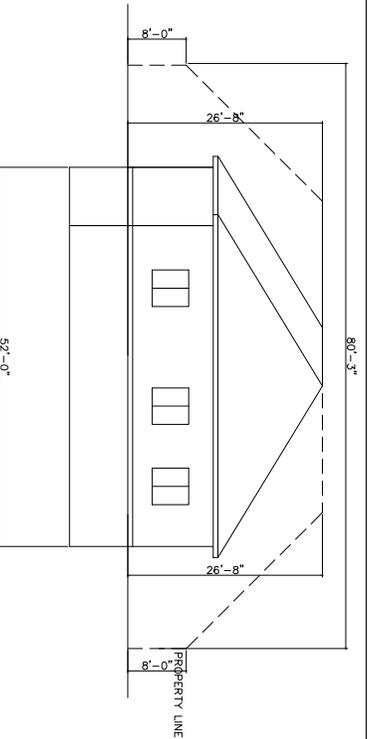
SALT LAKE CITY,
UTAH 84143-3000
Phone: 801.255.0289
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.590.0187
WWW.ENSTIGNARCH.COM

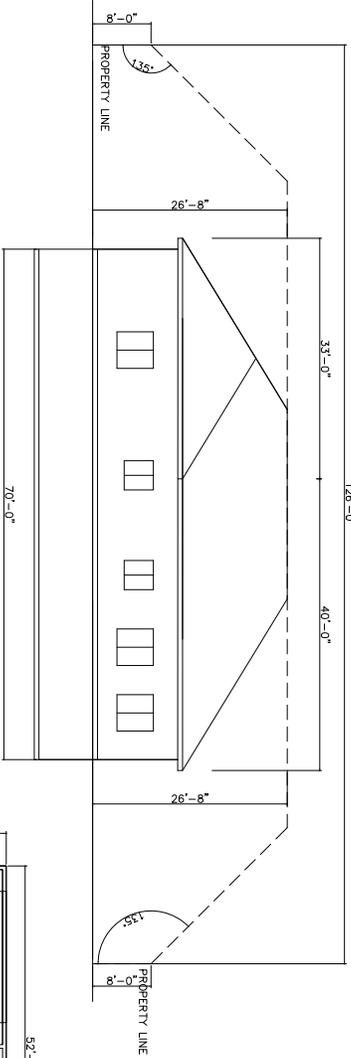
2008 REG. BY GROUP
2007 EXIST. 288.0007P403
SALT LAKE CITY, UTAH 84143
RUSSELLSON
PHONE: 801-461-1010
FAX: 801-461-1010



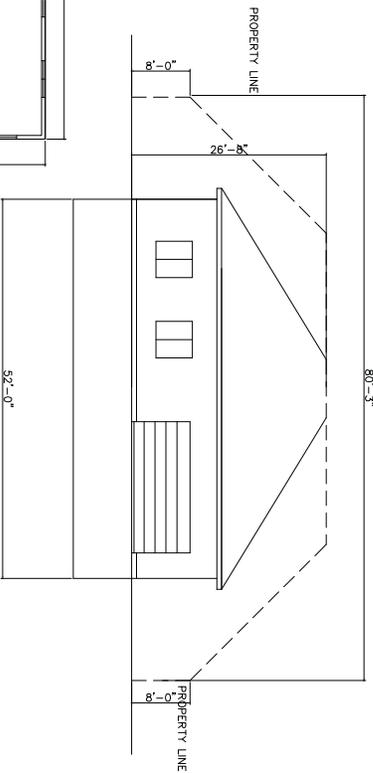
FRONT ELEVATION
SCALE: 1/8" = 1'-0"
LOT 1
128'-0"



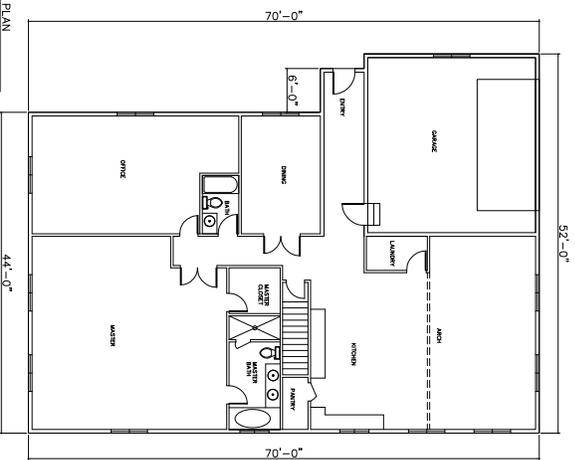
SIDE ELEVATION
SCALE: 1/8" = 1'-0"
LOT 1
80'-3"



REAR ELEVATION
SCALE: 1/8" = 1'-0"
LOT 1
70'-0"



SIDE ELEVATION
SCALE: 1/8" = 1'-0"
LOT 1
52'-0"

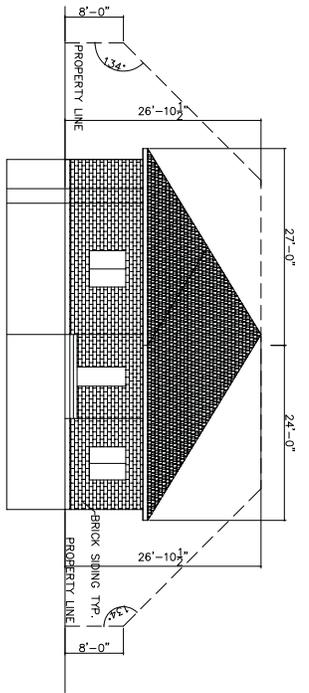


MAIN FLOOR PLAN
LOT 1
308 SQFT

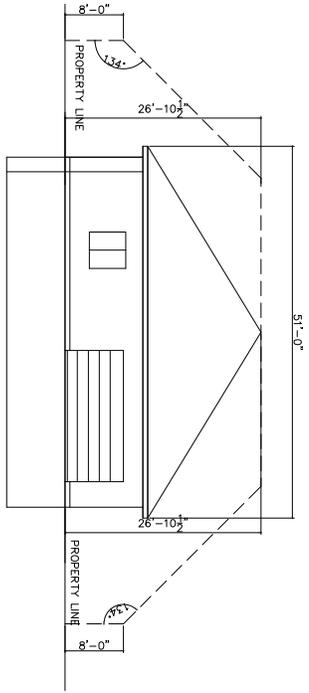
SCALE: 1/8" = 1'-0"
DATE: 11/4/13
2455 EAST 3225 SOUTH
SALT LAKE CITY, UTAH 84109

MICHAEL SOTOVO DESIGN & ENGINEERING
(801) 648-6392

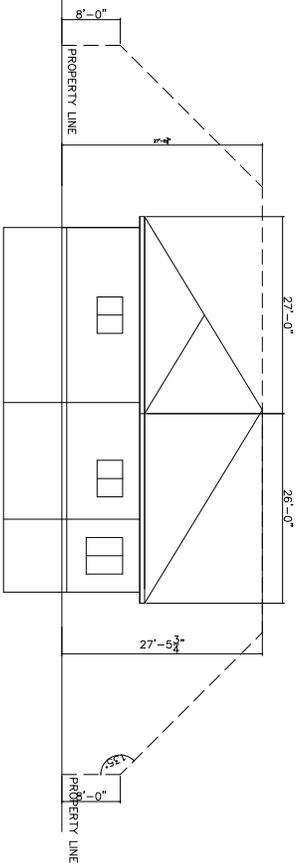
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NUMBER
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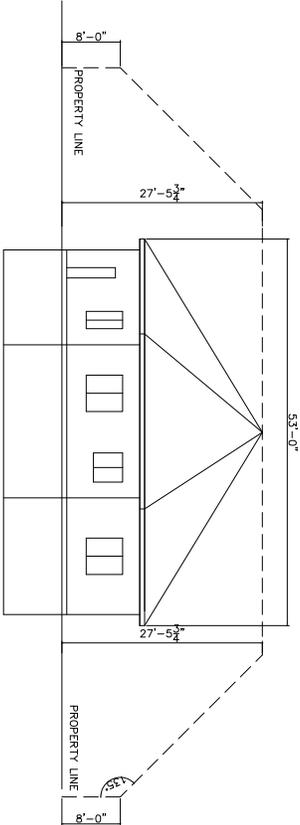
FRONT ELEVATION
SCALE 1/8" = 1'-0"



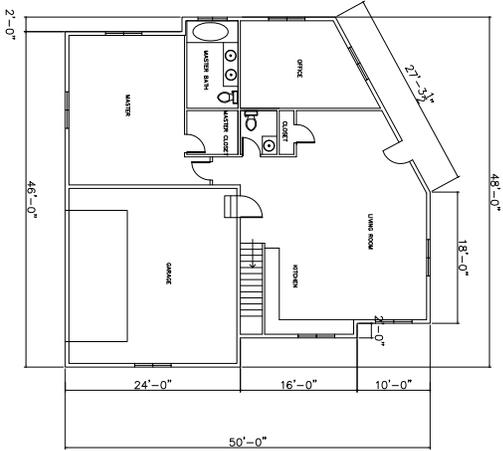
REAR ELEVATION
SCALE 1/8" = 1'-0"



SIDE ELEVATION
SCALE 1/8" = 1'-0"



SIDE ELEVATION
SCALE 1/8" = 1'-0"

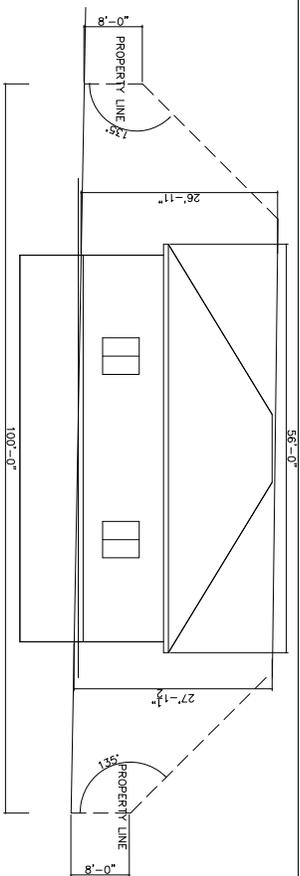


MAIN FLOOR PLAN
LOT 6
2088 SQFT

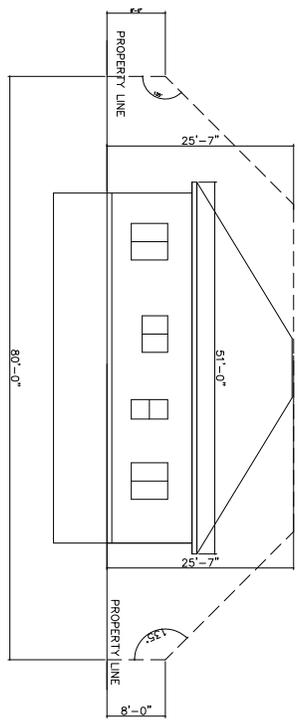
SCALE 1/8" = 1'-0"
DATE: 11/24/13
2455 EAST 3225 SOUTH
SALT LAKE CITY, UTAH 84109

MICHAEL SOTOYO DESIGN & ENGINEERING
(801) 644-6392

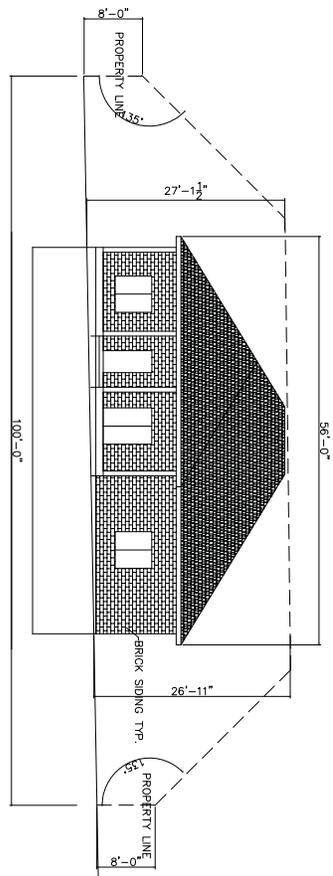
DRAWING
NUMBER
A1.1



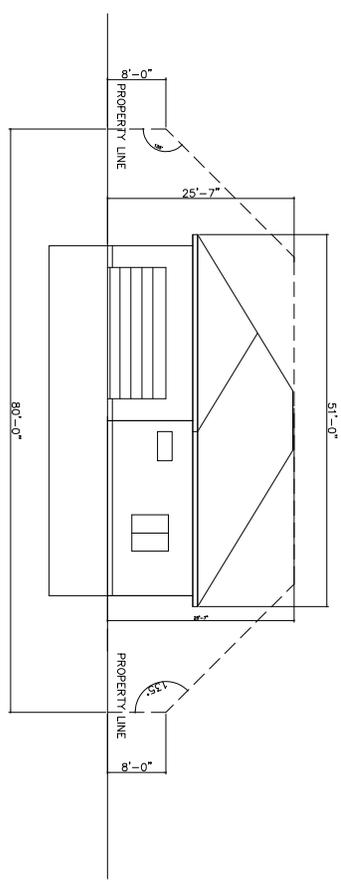
REAR ELEVATION
SCALE 1/8"=1'-0"
LOT 4, 5, 8, 9



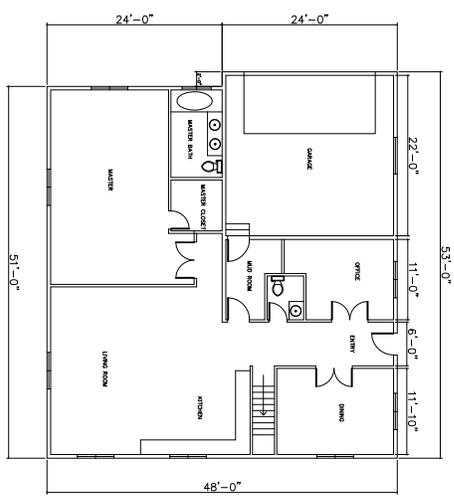
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SCALE 1/8"=1'-0"
LOT 4, 5, 8, 9



FRONT ELEVATION
SCALE 1/8"=1'-0"
LOT 4, 5, 8, 9



SIDE ELEVATION
SCALE 1/8"=1'-0"
LOT 4, 5, 8, 9



MAIN FLOOR PLAN
SCALE 1/8"=1'-0"
LOT 4, 5, 8, 9
2496 SQFT

SCALE 1/8"
DATE: 11/4/13
2455 EAST 3225 SOUTH
SALT LAKE CITY, UTAH 84109

MICHAEL SOTOVO DESIGN & ENGINEERING
(801) 648-8392

DRAWING
NUMBER
A1.0



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, October 16, 2013	04:00 PM	File No:	2	8	6	1	4	
Applicant Name:	Eric Saxey	Request:	Conditional Use						
Description:	Planned Unit Development								
Location:	1451 East 3900 South								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Denial								
Staff Recommendation:	Continue								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting approval for a 8 unit residential Planned Unit Development (PUD) to be known as the Olympus View Townhomes.

The property was recently rezoned from the R-2-6.5 to the RM zone and has a 12 foot wide private right of way along the Western portion of the property that is used to access three single family dwellings, two on the property that are slated to be removed and the third located behind the subject property.

Surrounding land uses are a mix of commercial and residential development. To the West is a large parking lot that recently received preliminary approval from the Millcreek Township Planning Commission for the Construction of 14 Townhomes (#28038).

This application was heard on the October Millcreek Township Planning Commission meeting. At this meeting based on the existing information the planning commission continued the item until the regularly scheduled meeting in January. Since this continuance, the applicant has been working with staff to look at the project again to address initial concerns. The applicant is still working to provide staff with updated documentation. The modified plan has yet to be reviewed by staff, therefore a recommendation for a continuance for up to 90 days is being recommended.

The analysis of this report has remained unchanged and is based on the original documents submitted by the applicant. It is anticipated that updates and modifications based on this analysis will lead to a new analysis after a new review.

1.2 Hearing Body Action

Item was continued from the October meeting to the January 2014 meeting date.

1.3 Neighborhood Response

No individual neighborhood response has been received as of the writing of this report.

1.4 Community Council Response

At their October 1, 2013 meeting the Millcreek Community Council recommended that the project be denied as proposed.

The council discussed several areas of the proposed plan that were not up to requirements such as, adequate green and recreational space, proper parking and fire lane areas, and setback requirements. The lot is neighboring another proposed project that was controversial with residents in the area, so the Council discussed that this would add to the density of development in that immediate area. Motion and second to deny the plan because of the issues discussed and recommending to the planning commission that the applicant provide proper adjustments to the plan and consider an alternative plan. Council members unanimously in favor of the motion.

The council also discussed the desire for the plan and the applicant to come before their body once revisions and adjustments were made.

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 type="checkbox"/>	NO <input checked="" type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		Discussion: The plan as proposed is not in compliance with landscape ordinance requirements, parking requirements, setback requirements, or building height requirements of the ordinance. Substantial changes would be needed in order to comply. While utilization of a PUD concept does allow for variation or deviation from the typical standards of the zone in which it is located, it allows for such variations only when they can be shown to meet the intent of the zoning ordinance and improve the design and character of the neighborhood. Also some of the proposed deviations are not within the scope of the Planning Commission's authority to waive or modify. The current design in the opinion of staff does not meet the intent of the zoning ordinance, fails to meet the adopted policies and design standards ascribed to PUD's, and seeks only to maximize the dwelling unit count and structural footprints on the property.
YES <input type="checkbox"/>	NO <input checked="" 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 current development plan does not meet minimum requirements for

		emergency vehicle access. Plan revisions could very easily bring this into compliance.
YES <input type="checkbox"/>	NO <input checked="" 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 current proposal has poor interior circulation which does present a traffic hazard. Various options to change the site design appear to exist that could mitigate this issue. The proposal is small enough that it is unlikely that traffic increases from this project would have a significant effect on 3900 South. Again, site plan revisions could could bring the project into compliance with this standard.
YES <input type="checkbox"/>	NO <input checked="" 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: As stated above, emergency vehicle and fire department access requirements are not met as the project is currently proposed. However, there is nothing in the current plans that would suggest that compliance with life safety could not be achieved. The remaining identified issues are mainly dealt with during the technical review process and compliance would be required before final land use approval for the project could be issued by staff.
YES <input type="checkbox"/>	NO <input checked="" 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: While the specific residential use and dwelling unit density should not have a significant impact on quality of life issues, the size and intensity of the proposed structures coupled with the lack of open space and recreational amenities will negatively impact the future residents of the proposed development as well as residences in the immediate vicinity and the neighborhood in general.

2.2 Zoning Requirements

19.04.420 Planned unit development.

"Planned unit development" means a complete development plan for an area pursuant to [Chapter 19.78](#) of this title.

19.44.040 Lot area.

The minimum lot area in the R-M zone shall be five thousand square feet for each one-family dwelling, with seven hundred fifty additional square feet for each additional dwelling unit in a dwelling structure having more than one dwelling unit. For group dwellings, the minimum lot area shall be not less than five thousand square feet for the first separate dwelling structure, with three thousand square feet for each additional separate dwelling structure, and with seven hundred fifty square feet additional for each additional dwelling

unit in excess of one dwelling unit in each separate dwelling structure, not less than five thousand square feet for any other main building.

19.44.060 Front yard.

In the R-M zone, the minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of eight feet, shall be twenty-five feet or the average of the existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet. Other private garages and all accessory buildings, other than private garages, shall be located at least six feet in the rear of the main building.

19.44.070 Side yard.

In the R-M zone, the minimum side yard for any dwelling shall be eight feet, and the total width of the two required side yards shall be not less than eighteen feet. Other main buildings shall have a minimum side yard of twenty feet, and the total width of the two yards shall be not less than forty feet. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear and at least six feet away from the main building shall have a minimum side yard of not less than one foot, provided that no private garage or other accessory building shall be located closer than ten feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street, for both main and accessory buildings, shall be not less than twenty feet, or the average of existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet, or be required to be more than twenty feet. Dwelling structures over thirty-five feet in height shall have one foot of additional side yard on each side of the building for each two feet such structure exceeds thirty-five feet in height.

19.44.080 Rear yard.

In R-M zones, the minimum depth of the rear yard for any building shall be thirty feet, and for accessory buildings one foot; provided that, on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

19.44.090 Coverage restrictions.

No building or group of buildings in an R-M zone, with their accessory buildings, shall cover more than sixty percent of the area of the lot.

19.44.100 Building height.

A. No building or structure in an R-M zone shall contain more than six stories or exceed seventy-five feet in height, and no dwelling structure shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a dwelling shall exceed twenty feet in height. For each foot of height

over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.

19.44.110 Density.

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

Single-family dwellings	7.0 units per acre
Two-family dwellings	12.0 units per acre
Three-family dwellings	15.0 units per acre
Four-family dwellings	18.0 units per acre
Multi-family dwellings	25.0 units per acre*

* Where supported by the community general plan, and found by the planning commission to be compatible with land uses in the vicinity, multi-family residential development which incorporates innovations of design, amenities, and features, may be approved by the planning commission for higher densities than shown above, but shall in no case be higher than 32.0 units per acre.

19.77.010 Purpose and intent.

A. The purpose of this chapter is to establish standards for the protection and enhancement of Salt Lake County's environmental, economic, recreational, and aesthetic resources. The *landscape design and development standards* set forth in this chapter are intended to promote the following:

1. More efficient use of water resources for landscape irrigation purposes;
2. Preservation and enhancement of the county's environmental and aesthetic character;
3. Enhancement of land use compatibility and promotion of design continuity between adjacent land uses;
4. Reduction of energy consumption through the prudent placement of plant materials;
5. Improved management of stormwater runoff;
6. Reduction in the absorption and re-generation of heat from paved vehicular parking areas and other impervious surfaces;
7. Separation of vehicular and pedestrian functions within on-site vehicular circulation and parking areas;
8. Spatial and visual separation of parked vehicles from public view and adjacent vehicular travel ways;
9. Reduction of vehicular headlight glare and intrusive artificial light onto area residences;
10. Reduction of development-related environmental impacts through improved management of erosion,

noise, dust, air pollution and glare;

11. Re-introduction of native and low water use plant species into the developed environment;

12. Reduction of landscape maintenance responsibilities and costs.

19.77.040 Landscape design standards and guidelines.

(E) 10. Area Requirements for Landscape Improvements. *No less than twenty percent of the gross area of a property subject to the requirements of this chapter shall be improved and maintained as landscape area.* Land area encumbered by buildings, structures, paving and other impervious surfaces not related to on-site landscape improvements shall not be considered in the calculation of landscape area.

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.

19.78.030 Planned unit development defined.

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

A. The development of compatible land uses arranged in such a way as to provide desirable living environments that may include private and common open spaces for recreation, circulation and/or aesthetic uses;

B. The conservation or development of desirable amenities not otherwise possible by typical development standards;

C. The creation of areas for multiple use that are of benefit to the neighborhood.

D. The adaptive improvement of an existing development.

19.78.050 Minimum area.

Planned unit developments in any FM, FR, R-1, FA, or A zone shall have a minimum area of one acre. Planned unit developments in any other zone shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of structures in the development

19.78.090 Effect on adjacent properties.

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

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

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

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

19.78.100 Preservation of open space.

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

A. Dedication of the land as a public park or parkway system;

B. Granting to the county a permanent open space easement on or over the private open spaces to guarantee that the open space remain perpetually in recreational use with ownership and maintenance being the responsibility of the owner or an owner's association established with articles of association and bylaws which are satisfactory to the county; or

C. Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated (1953), as amended, which provided for the payment of common expenses for the upkeep of the common areas and facilities.

19.78.110 Landscaping.

Site landscaping shall be as specified in [Chapter 19.77](#) of this title.

19.78.120 Signs and floodlighting.

The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application.

19.78.130 Site plan requirements.

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

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

19.78.160 Plan review at public meeting.

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

19.78.170 Scope of planning commission action.

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

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

**ALSO SEE ATTACHED RECREATIONAL FACILITY AND OPEN SPACE STANDARDS
POLICY DOCUMENT**

2.3 Other Agency Recommendations or Requirements

Boundary C/G/S Check - Review Conditionally Approved

These items are for the final plat

1. The RSC number on the preliminary plat does not correspond with the parcels in question. Record of Survey must be received by County Surveyor's office before plat can leave Planning and Development and the following statement A Record of Survey has been filed as #xxxxxxxxxxx in the S. L. County Surveyor's Office MUST be included in the Surveyor's Certificate on the final mylar, the x's being the RSC No. received from the County Surveyor's office
2. Final plat must be on regular County Titleblock
3. All required improvements shall be bonded for before plat can be recorded
4. Note to keep Fire turnaround open at all times must be on plat
5. Show street name (Lemmon Ln) and coordinate for same on plat
6. Show Fire Hydrants on Final Plat along with distance to back line of subdivision by path of travel
7. Require digital copy of Final Civil drawings signed by Licensed Engineer for all improvements after approvals from Hydrology, Grading and Traffic have been received
8. All Streets within 200 ft. of the proposed subdivision must be shown on plat
9. Label all utility and drainage easements on final plat
10. A preliminary report of title will be required at the final stage of the project. They are only good for 60 days so don't get it until we are at the final plat stage
11. Drive approach on east side of property must be removed and curb and gutter put in to match existing
12. County description shows frontage as 90.74 ft but drawing is showing 99.32 feet. Drawing also shows parking within Lemon Lane which is a private street that appears to be used by parcel north of subject parcels. Easement for ingress/egress for those parcels must be in place and travel can't be blocked by parked cars
13. Show tie from section corner to block corner on plat. Description on preliminary plat and drawing do not match at all. I think the block should be block 23 not 28 please check
14. The RSC number shown on preliminary plat is incorrect. Please show correct number on final plat
15. North arrow pointing in wrong direction

Building - Review Conditionally Approved

Building permits are required for the construction of the new townhomes and any other structure regulated by the building code.

1. At time of building permit application, provide complete building plans showing compliance with current building code.
2. At time of building permit application, provide fire flow verification and/or show how compliance is going to be made with any Unified Fire District Guidelines.

Geology - Review Conditionally Approved

Liquefaction potential is moderate. Applicant must file disclosure statements for each property with the county before Geology can be approved.

Grading - Review Incomplete

TECHNICAL REVIEW REQUIRED

- 1- The site is located in an area of potential poor soils and high ground water a Geotechnical report is required.
- 2- The grading plans prepared by Johanson engineering are incomplete
- 3- The plans do not show the how the site will be graded, does not give the elevations of the storm drain inlet boxes, and there are no details on the Geo-web system proposed as the turn around. Need to provide engineering and design for the planned Geo-web turn around that supports H-20 loading
- 4- The proposed turn around does not meet the requirements of the UFA which requires a minimum of 20 foot widths and 60 foot lengths with a 28 foot interior radius for the trucks to turn around. Need to design the turn around to meet the requirements of the UFA or obtain a Code modification from the UFA and Chief Building Official.
- 5- The site is less than one Acre so a full SWPPP is not required, however Erosion control plans and BMP plans are required to be submitted at the time of the building permit.

Health Department - Review Approved

Traffic Engineering - Review Denied

Adequate passenger car turn-around to the north of all parallel parking spaces is required. 90 degree parking in front of garages is preferred to parallel parking. Show dimensions on plan. Parallel parking stalls must be a minimum of 9' by 20'. Private road must be a minimum of 20' wide, exclusive of parking.

Show easement across property for existing access to the north.

Repair any damaged curb, gutter, and sidewalk.

Unified Fire Authority - Review Disapproved, revised and resubmit

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

revision to the site plan are required to bring it into compliance with the codes/ ordinances administered by this agency.

Unified fire authority plan review. This project must meet all local building and fire code requirements.

Fire Access requirements. Fire department access roads required an unobstructed width of 20'. Height of 13'6" designed and maintained to support the imposed loads of emergency apparatus. Surface to provide all weather driving capabilities. Shall have an inside turning radius of 28 feet. Maximum grade of 10%. Access roads over 150' shall have an approved turn around.

Fire Hydrant requirements. One Hydrant required. Fire flow required 1,500 G.P.M. Verification of fire flow is required. Hydrants must be installed as indicated on site plans, prior to delivery of combustible construction elements. Footings and Foundation only.

"Fire Lane" signs required.

Urban Hydrology - Review Conditionally Approved
Site plan approved. TECHNICAL PLANS REQUIRED.

1. Owner must connect into a SLCo storm drain system on 3900 South.
2. Check list given to planner for owner or designer.

A final drainage plan is required. Include calculation sheets showing "Q" based on $Q=Cia$ for 10 year storm. Indicate size of pipe, flow lines, type of pipe, ground cover over pipe, and catch basin locations. List rim and invert elevations on all pipe and boxes.

Provide plan and profile of drainage system (show all existing utilities)

Show location of all irrigation; abandoned or active.

Include the name and phone number of registered professional engineer. (P.E. stamp required, signed and dated).

Include project name, address, north arrow and scale (min 1" = 20')

Approximate storm drainage fee is \$2116 per acre.

2.4 Other Issues

Planning - Review Denied

There are a number of fairly significant issues that need to be addressed and resolved. While a PUD is allowed to vary from strict compliance with ordinance pertaining to the zoning district in which it is located, there are specific landscape, development, open space, and recreational amenity standards for PUD's that must be met. The overall responsibility rests with the applicant to demonstrate (to the satisfaction of the Planning Commission) how the proposal continues to meet the intent and purposes of the zoning ordinance with regards to the waived or varied regulations of the zoning district. Additionally, any leeway related to policies of the Planning Commission is at the discretion of the Planning Commission.

1. Site plan
 - a. The footprints, sizes, and location of the units does not match with the floor plans provided.
 - b. Setbacks are measured from the nearest point of the structure to the property line. This includes the cantilevered floors above the ground, and decks higher than 18" from natural grade.
 - c. A minimum of a 15 foot perimeter setback is required.
 - d. Perimeter fencing is required. This appears to be missing on the West and is not located completely on the perimeter on the North. No additional details on the type and construction of the fencing have been provided.
 - e. Need to show the location of neighboring structures.

- f. The full property is not shown. A significant portion of the property extends to the north.
- g. Location of existing easements is not shown.
- h. A 30 foot rear yard is required by the RM zone. Only 15' has been proposed.
- i. A 20' landscape buffer is required between residential and non-residential uses. This appears to apply along the eastern boundary of the property. Only approximately 15 feet has been provided.
- j. Location of all existing trees (including those to be removed) is not shown on the plans. Must include the caliper of each existing tree with the landscape plan package.
- k. No details on required amenities have been provided. A minimum of a 1000 square foot playground plus one additional amenity is required. The proposed area for the playground is only 480 square feet in size at best. Playground cannot be located on the required fire department turn around.

- l. Minimum 50% open space is required. Appears that only 37% has been provided. A reduction to 42% can be allowed if an additional 4 recreational amenities (that meet certain minimum size requirements) are provided.
- m. No details on were provided regarding the fencing of the playground area
- n. A minimum of 1 handicap accessible parking stall (for a van) will be required in addition to the minimum amount of guest parking.
- o. The 4 proposed guest parking spaces on the North do not have a turn around.
- p. Parallel parking spaces must be a minimum of 9' x 20'. No dimensions were provided.
- q. Location of mechanical equipment is not shown.
- r. Access drive is shown at only 15 feet wide. 26 to 30 feet is typical requirement. 20 feet is minimum requirement.
- s. 5 foot landscape setback between parking and property line is required.
- t. Minimum front yard setback from 3900 South is 25 feet.
- u. Maximum coverage of buildings and impervious surfaces is 60%. Current plans indicate 63% coverage.
- v. Buildings are limited to 2 stories in height. This has typically been interpreted as 28 feet from natural grade. Buildings shown are 3 stories in height.
- w. Fire and emergency vehicle turn around does not meet required standards for lane width. Also, as proposed it incorporates the sidewalk. If the sidewalk is incorporated into the turnaround it cannot be counted as a walkway for purposes of the open space calculations.

2. Preliminary Plat

- a. Nearest fire hydrant within 500 feet is not shown. Show existing and proposed fire hydrants.
- b. Need to show the full width of 3900 South and indicate the location of the centerline.
- c. Sewer lines, water lines, and utility lines are not show (existing and proposed).
- d. Lots are not dimensioned.
- e. Unit footprints do not match up with floor plans.
- f. Unclear where property lines are located
- g. Topography (2' contour intervals) is not shown.
- h. No plat revision block is included

- i. Location and details of amenities is not shown.
- j. Neighboring properties and structures are not shown (within 200 feet). Existing structures are not shown.
- k. Show and label all easements (existing and proposed).
- l. Does not include the name and address of the subdivider.
- m. Does not show proposed fencing.
- n. Must show all existing and proposed conditions (inclusive of existing structures on the property)
- o. Vicinity map had not been included.
- p. North arrow is incorrect.
- q. The plan is not dated. (Also the date on the surveyors certificate is incorrect).

3. Landscape Plan Package

- a. Only a single "conceptual" page was submitted. A full landscape plan package is required.
- b. North arrow is incorrect
- c. Plan must be prepared by a licensed landscape architect, or certified nurseryman per ordinance.
- d. Need to show all of the existing trees on the property and include a chart of their caliper measurements and the tree credit/replacement tree calculations.
- e. Existing trees that remain will need to have details on the tree protection measures that will be implemented. (see ordinance)
- f. Show all required perimeter fencing.
- g. No details on playground fencing are provided.
- h. Water allowance calculations were not provided.
- i. 20% of the gross property must be in live plant landscaping (does not include walkways or other impervious surfaces)
- j. Plan as proposed does not meet species diversity requirements for plants or trees.
- k. Hatching is unclear as to what is proposed turf grass and what is proposed pavement.
- l. No plant schedule with quantities of plants and required plant details (including water usage factor values) has been provided.
- m. No tabulation of total landscape area, total impervious area, building area, and building coverage percentage was provided.
- n. Missing the landscape design intent statement.
- o. No applicant details included. Name, address, phone, fax, and e-mail.
- p. No hydrozones are shown.
- q. 20' landscape buffer required between residential and non-residential uses. One tree per 25' of buffer required.
- r. No irrigation plans included.
- s. Watering schedule (irrigation schedule) also not included.
- t. Plant coverage (non-turf) must be 75% of each bed within 3 years. Proposed quantities do not appear to be sufficient to meet this requirement.
- u. A berm is required in the front yard setback. A minimum of 50% of the front yard setback next to the

parking area must be landscaped with perennials, shrubs, and other non-turf groundcovers.

v. Need at least one additional street tree along 3900 South.

4. Utility Plan

- a. Need to show the existing water meter(s) and laterals to the existing home(s)
- b. Need to show existing and proposed utility easements
- c. Show fire hydrants (existing and proposed).

5. Grading and Drainage Plan

- a. No topography shown
- b. The hydrology calculations are wrong. The property is only .59 acres in size (not 1.02, and the address is not 900 East 32226 South) I believe these calculations are from another project.
- c. Don't forget to include the required landscaping berm adjacent to 3900 South.

6. Elevation Drawings

- a. No colors or materials are called out.
- b. Appears to be 3 stories in height. PUD chapter limits height along boundary to 2 stories (approximately 28 feet in height from natural grade).
- c. Need to show existing natural grade as well as finish grade on all elevations
- d. Side and rear elevations have not been provided as required.
- e. Front elevation drawing does not match floor plans or site layout provided.

7. Floor Plans

- a. Plans are drawn with a 4" separation between units. This would indicate that these are not four-family dwellings rather that they are single-family dwellings. Density limits for single-family dwellings would limit the site to a maximum of 4 units. Need to show how units will be connected at a common wall.
- b. Floor plan dimensions are larger than the footprints shown on the site plan and preliminary plat and do not match the footprints shown on those plans either. Footprint will include cantilevers, bump-outs, offsets, and decks over 18 inches in height from natural grade.

2.5 Subdivision Requirements

18.08.015 Time limits.

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

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

18.12.010 Required information. *(excerpts)*

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:

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.***

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.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends the proposed Conditional Use be CONTINUED for up to 90 days.

3.2 Reasons for Recommendation

- 1) The proposal as it currently stands does not meet minimum requirements necessary for approval by the Planning Commission.
- 2) Significant and substantial changes to the site plan and development plans are needed to meet the minimum development standards of the County.
- 3) Submittal of additional required plans and details is needed in order to allow for a thorough analysis of the project by planning staff.
- 4) Granting the applicant additional time to work towards a more realistic and compliant development proposal is in the best interest of all parties.

3.3 Other Recommendations

Alternatively staff recommends that the project be denied as proposed due to the failure of the plans to meet minimum ordinance requirements and/or the intent of the ordinances, standards, and policies governing such development. An additional reasoning for the recommendation of denial is the failure of the plans to adequately address and mitigate the negative impacts to the surrounding neighborhood.

RECREATION FACILITY AND OPEN SPACE STANDARDS



FOR RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD), DWELLING GROUP, CLUSTERED SUBDIVISION, AND MEDIUM / HIGH DENSITY RESIDENTIAL DEVELOPMENT

These standards are official policies adopted by the Salt Lake County Planning Commission on May 28, 1996 and amended on May 9, 2000. The information and minimum standards provided herein will be used to insure the standards are met for all development projects within the unincorporated areas of Salt Lake County.

Objective: To establish a minimum standard for open space and on-site recreation facilities to improve opportunities for a wide range of activities within a project for residents of all ages.



The information requested below is required as part of your application and must be displayed on the site plan before approval is granted.

General Information

AP #: _____ Project Name: _____

Property Address: _____

New Project: Amendment: New Phase:

Units will be: Owned: Rented:

Property Size and Project Density

Total number of acres or square footage: _____

Total Units: _____ Density: _____

Building Information

(for this part, buildings are structures used as dwellings only)

Percentage of the site in buildings (this is the footprint of the buildings): _____

Total number of buildings: _____

List each building type & provide square footage:

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |

List number of floors in each building type:

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |

Parking and Driveway Information

Percentage of the site in driveways and parking: _____

Bedrooms

Number of bedrooms in project: _____	Number of one bedroom units: _____
Number of two bedroom units: _____	Number of three bedroom units: _____

Open Space Information

Definition: An area of land or water set aside, or reserved for use by residents of the development. An expanse of lawn, trees, plants, and other natural areas. Any landscaped area of the site including: required yards, setbacks, walkways, and limited common areas. It does not include parking, driveways, or buildings used for dwelling purposes.

Every development must provide a minimum of 50 percent open space as defined above. However, for each additional recreation facility that exceeds the minimum number required by the Recreation Facility Standards Table (see pg. 4) the total amount of open space may be reduced by 2 percent. In no case, shall the total amount of open space be reduced to less than 42 percent. If a development is phased, each phase must meet this requirement.

Total Open Space Provided: Percentage: _____ Square Footage: _____

Total Square Footage of Walkways: _____

Recreation Facility Standards

Definitions:

Recreation Facility: A centrally located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities. It provides areas for aerobic exercises, game courts, swimming, etc. The number and type of facilities should be chosen to anticipate tenant mix.

Active Recreation: Activities of a formal nature and often performed with others, requiring equipment and taking place at prescribed places and sites.

Passive Recreation: Activities that involve inactive or less energetic activities, such as walking, sitting and picnicking, etc. These activities have less potential impact on surrounding land uses.

Active and passive areas should be equally distributed throughout the site.

Minimum Requirements and Adjustments

Any development containing 10 or more bedrooms shall comply with the Recreation Facility and Open Space Standards. There are three parts to the recreation facility standards that must be met by every development. They are:

1. A playground of not less than 1,000 sq. ft. (See Recreation Facility List)
2. An additional number of recreation facilities are based on number of bedrooms. The total number is determined by using the Recreation Facility Table.
3. Each recreation facility shall meet the minimum size requirement shown below.

When a proposed recreation facility exceeds the required minimum square footage related any of the above standards by 1.5, 2, 2.5 times, etc. It may be counted as that number of facilities.

Recreation facilities may be reduced by one for every additional 4 percent of open space provided on the site that exceeds 55 percent. In no case, shall the total number of recreation facilities be reduced by more than 50 percent.

Recreation Facility List

Below is a list of possible recreation facilities. The figures shown represent the minimum size a facility must be to receive credit as a recreation facility.

Basketball Court - 1,600 sq. ft.

Volleyball Court- 3,500 sq. ft.

Sports Court - 1,600 sq. ft.

Tennis Court - 7,000 sq. ft / court

Swimming Pool - 800 sq. ft., does not include surrounding decks, etc.

Package of leisure activity areas - putting green, horseshoes, shuffle board, etc.

Picnic Area - 500 sq. ft., equipped with a pavilion/gazebo and tables, benches, grills and trash receptacles for people to gather, cook, eat, and relax.

Community Center - 1,200 sq. ft., includes at least one recreation facility such as table tennis, billiards, weight room, handball courts, or social area with television, etc.

Lawn area for non-organized sports - 12,000 sq. ft. and at least 60 feet wide. Landscaping must be done in a manner that preserves the openness of the area for such activities.

Path - 1,000 sq. ft., A cleared way for pedestrians (other than sidewalks) that may or may not be paved, and is used for bicycling, walking, skating, jogging, etc. (6 ft. wide with continuous length of 1500 linear feet.)

Playground - An active recreational area with a variety of facilities, including equipment for younger children. When adjacent to any parking area, road, or other hazardous place the playground must be fenced with a transparent material.

Other - Any facility not listed that is determined by the Planning Commission to be appropriate.

Recreation Facility Calculation Table

Total Number of Bedrooms	Total Number of Facilities
10-75	1
76-150	2
151-225	3
226-300	4
301-400	5
401-500	6
501-600	7
601-700	8
701-800	9
801-900	10
901-1000	11
1001-1150	12
1151-1300	13
1301-1450	14
1451-1625	15
1626-1800	16
1801-1975	17
1976-2150	18
2151-2325	19
2326-2500	20

Developments with more than 2,500 bedrooms must provide one additional recreation facility for every 200 bedrooms.

Recreation Facility Information

Total number of recreation facilities required to meet minimum standards: _____
(See Recreation Facility Calculation Table to determine the number and minimum size required.)

Type of Facility	Square Footage		Credit Used Toward Reducing Open Space
	Provided	Required	

Planners Comments













ALICANTE PUD

3900 SOUTH 1451 EAST SALT LAKE CITY, UTAH
PRELIMINARY ONLY

COVER SHEET

CLIENT CONTACT

EVEREST BUILDERS
676 MARKEA AVE #9
SALT LAKE CITY, UTAH 84102
801-554-8424

COMPLETION STATUS
PRELIMINARY ONLY

PROJECT
ALICANTE PUD
1451 EAST 3900 SOUTH
SALT LAKE CITY, UTAH

GENERAL NOTES:

1. INSTALL IMPROVEMENTS TO SALT LAKE COUNTY STANDARDS. MINIMAL 10' DISTANCE BETWEEN WATER AND SEWER LINE.
2. A MINIMAL 18" OF CLEARANCE IS REQUIRED WHERE EXISTING UTILITIES CROSS UNDER PROPOSED UTILITIES.
3. A MINIMAL 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
4. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DEPTHS OF ALL EXISTING UTILITIES BEFORE CONSTRUCTING ANY NEW UTILITY LINES.
5. ALL UTILITIES SHALL BE COVERED WITH A MINIMUM 18" THICKNESS OF COVER REQUIRED OVER ANY UTILITY LINES.
6. CONTRACTOR RESPONSIBLE FOR OBTAINING SALT LAKE COUNTY PERMITS AND APPROVALS FOR ALL UTILITIES. STANDARDS: SALT LAKE COUNTY SHALL TAKE PRIORITY OVER APWA WHERE PROVIDED. TO OBTAIN AND FOLLOW THE SOILS REPORT RECOMMENDATIONS.
7. CONTRACTOR RESPONSIBILITY TO VERIFY CIVIL SITE PLAN AND BE RESPONSIBLE FOR ALL CONSTRUCTION PLANS BEFORE STARTING CONSTRUCTION BUILDING.
8. ALL SANITARY SEWER CONSTRUCTION SHALL COMPLY WITH SALT LAKE CITY PUBLIC UTILITIES STANDARDS.
9. ALL CATCH BASINS AND MANHOLES TO BE INSTALLED PER SALT LAKE COUNTY STANDARDS.
10. GRANULAR FILL AS PER SALT LAKE COUNTY OR APWA 2007 STANDARDS.
11. ALL PIPING TO BE 6" OFF FINISH WITH INSIDE GROUDED SMOOTH WITH A NON-SHRINK GROUT.
12. CONTRACTOR SHALL VERIFY ALL UTILITIES BEFORE CONSTRUCTION. SITE THAT IS DAMAGED DURING CONSTRUCTION.

REVISIONS:

REV #	DESCRIPTION	DATE
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JOHANSON ENGINEERING
CIVIL-ENVIRONMENTAL-SURVEYING

909 EAST 400 SOUTH SUITE C
SALT LAKE CITY, UTAH
PHONE: (801) 539-3506 FAX: (801) 485-3547

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PROJECT NO. E-3-10012

DATE 6-21-12

DESIGNED BY CAREY D. JOHANSON
DRAWN BY CAREY D. JOHANSON
CHECKED BY CAREY D. JOHANSON
STREET NUMBER C-001



* VICINITY MAP
PLANNED UNIT DEVELOPMENT
3900 SOUTH 1451 EAST

Sheet Number	Sheet Title
C-001	COVER SHEET
C-002	SITE PLAN
C-003	LANDSCAPE PLAN
C-004	GRADING PLAN
C-005	UTILITY PLAN
C-006	PUD PLAT

NOTICE TO CONTRACTOR

CAUTION TO THE CONTRACTOR NOTE THAT THE ELEVATION AND OR LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS BASED ON RECORDS FROM PUBLIC UTILITIES AND PRIVATE UTILITY COMPANY MARKINGS AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR IS RESPONSIBLE TO CONTACT THE UTILITY COMPANIES TO VERIFY THE EXACT FIELD LOCATIONS OF THE UTILITIES. THE CONTRACTOR SHALL ALSO NOTE THAT ANY UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHALL BE RELOCATED.

DETAILS

- 08 CATCH BASIN
- 09 INLET STRUCTURE

APWA DETAILS

- 121 STRAW BALE BARRIER
- 122 SILT FENCE
- 123 DIVERSION DIKE
- 124 INLET PROTECTION
- 125 EQUIPMENT AND VEHICLE WASHDOWN AREA
- 126 STABILIZED ROADWAY ENTRANCE

LEGEND

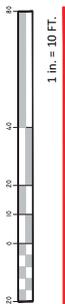
- PROPERTY LINE
- EXISTING CONTOURS
- EXISTING STORM DRAIN LINE
- EXISTING UTILITY
- EXISTING FENCE
- EXISTING WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED ASPHALT
- LANDSCAPING
- EXISTING POWER POLE
- OVERHEAD POWER LINES

DRAWING TITLE

LANDSCAPE PLAN

PRELIMINARY ONLY

LANDSCAPE



COMPLETION STATUS

PRELIMINARY ONLY

PROJECT

AUCANTE PUD
1451 EAST 3900 SOUTH
SALT LAKE CITY, UTAH

GENERAL NOTES

1. INSTALL IMPROVEMENTS TO SALT LAKE COUNTY STANDARDS.
2. MAINTAIN A MINIMAL 10' DISTANCE BETWEEN WATER AND SEWER LINES.
3. CLEARANCE IS REQUIRED WHERE SEWER & WATER CROSS.
4. A MINIMAL 12" OF CLEARANCE IS REQUIRED WHERE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND UTILITY LINES.
5. CONTRACTOR SHALL STARTING OR CONSTRUCTING ANY NEW UTILITY LINES.
6. A MINIMUM OF FOUR FEET OF COVER REQUIRED OVER ALL UTILITY LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING SALT LAKE COUNTY STANDARDS AND APWA 2007 CONSTRUCTION STANDARDS FOR ALL UTILITY LINES.
8. CONTRACTOR SHALL VERIFY ALL UTILITY LINES AND CONTRACTOR RESPONSIBILITY TO OBTAIN AND FOLLOW THE SOILS REPORT RECOMMENDATIONS FOR ALL CIVIL SITE PLANS BEFORE STARTING CONSTRUCTION.
9. ALL UTILITY LINES SHALL BE INSTALLED WITH SALT LAKE CITY PUBLIC UTILITIES STANDARDS AND CONSTRUCTION SPECIFICATIONS.
10. ALL UTILITY LINES SHALL BE BACKFILLED WITH SELECT PER SALT LAKE COUNTY STANDARD.
11. ALL STORM DRAIN PIPING TO BE CUT OFF FLUSH WITH INSIDE WALL OF DRAINAGE BOX/INSIDE WALL TO BE INSTALLED PER SALT LAKE COUNTY STANDARD.
12. ALL UTILITY LINES SHALL BE BACKFILLED WITH SELECT PER SALT LAKE COUNTY STANDARD.
13. INSIDE WALL OF DRAINAGE BOX/INSIDE WALL TO BE INSTALLED PER SALT LAKE COUNTY STANDARD.
14. CONTRACTOR IS TO REPLACE ANY AREAS AROUND CONSTRUCTION SITE THAT IS DAMAGED DURING CONSTRUCTION.

REVISIONS:

REV #	DESCRIPTION	DATE



JOHANSON ENGINEERING
CIVIL-ENVIRONMENTAL-SURVEYING

PHONE (801) 891-1822 FAX (801) 493-2347

390 EAST 3900 SOUTH SUITE C
SALT LAKE CITY, UTAH 84119

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PROJ # E-13-0017
DATE 3-18-2013
DRAWN BY JESSICA JOHNSON
CHECKED BY JAMES JOHANSON, P.E.
STATE OF UTAH PROFESSIONAL ENGINEERING BOARD
JESSICA JOHNSON
JAMES JOHANSON, P.E.
STREET ADDRESS C-03

LEGEND

- PROPOSED ASPHALT
- COUNTY APPROVED GRASS
- PROPOSED TREE
- PROPOSED #800B

Plant Type or on per city approval

INSTALL GEO-CELL TO STABILIZE AND PRE TURN AROUND AND INSTALL SMALL SIGN FOR FIRE TURN AROUND

INSTALL Siltwall To match site

1,000 Sqft Paved Grounds With Hard Surface

3900 south street

LANDSCAPE NOTES

PROVIDED LANDSCAPING = 20,852 SQ.FT (47%)

1.25 trees per 1,000 sq.ft of building foot print or placed at every 25 linear feet
7,037 sq.ft building main floor

Required trees = 9
Provided trees = 10

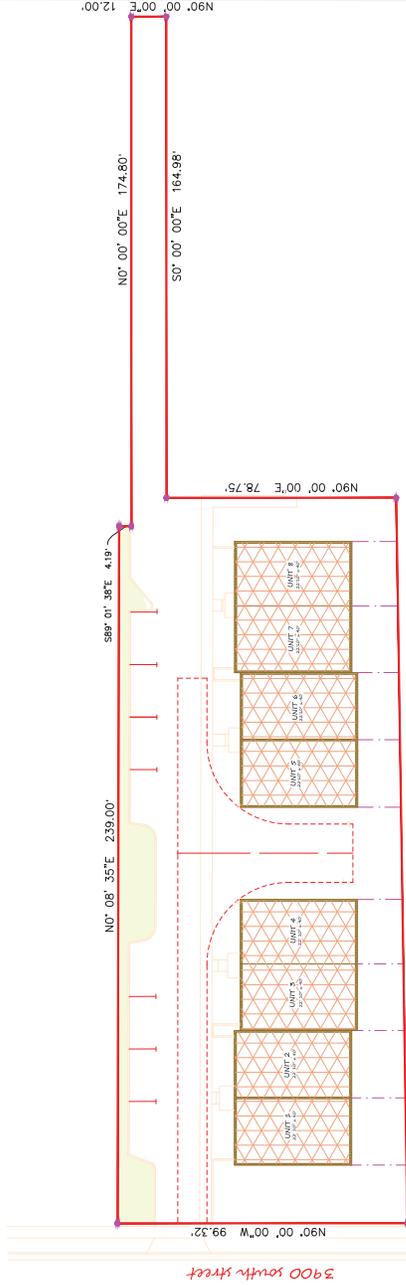
ALICANTE PUD

LOCATED IN A PORTION OF LOT 2 BLOCK 28
TEN ACRE PLAT "A" BIG FIELD SURVEY
SALT LAKE COUNTY, UTAH

PRELIMINARY ONLY



- LEGEND**
- Property Line
 - Existing Creek & Gutter
 - Existing Fire Highway
 - Private Ownership
 - Limited Common Ownership
 - Limited Private Ownership
 - #1 5/8" roller with cap
 - #1 1/2" roller with cap



ADDRESS FRONTAGE APPROVED
DATE _____ SIGNED _____

CHECKED FOR ZONING COMPLIANCE
Zone: _____ Lot Area: _____
Lot Width: _____ Front Yard: _____
Side Yard: _____ Rear Yard: _____

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____ A.D., 20____ BY THE SALT LAKE COUNTY PLANNING COMMISSION.
Signature _____
Date _____

RECORD OF SURVEY
RSC NO.: S-2011-11-0410
Signature _____
Date _____

PLAN CHECK
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
DATE _____ PLAN REVIEW SECTION MANAGER _____

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20____

UNIFIED FIRE AUTHORITY APPROVAL
DATE _____ SIGNED _____
MAYOR OF THE SALT LAKE COUNTY
PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ AT _____ THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
MAYOR, OR DESIGNEE _____



JOHANSON ENGINEERING
CIVIL-PLANNING-SURVEYING
300 EAST EXETER STREET
SALT LAKE CITY, UTAH 84103
PHONE (801) 581-1500 FAX (801) 581-2500

APPROVAL AS TO FORM
DATE _____ SIGNED _____
MAYOR OF THE SALT LAKE COUNTY
PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ AT _____ THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
MAYOR, OR DESIGNEE _____

APPROVAL AS TO FORM
DATE _____ SIGNED _____
MAYOR OF THE SALT LAKE COUNTY
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MAYOR, OR DESIGNEE _____

APPROVAL AS TO FORM
DATE _____ SIGNED _____
MAYOR OF THE SALT LAKE COUNTY
PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ AT _____ THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
MAYOR, OR DESIGNEE _____

APPROVAL AS TO FORM
DATE _____ SIGNED _____
MAYOR OF THE SALT LAKE COUNTY
PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ AT _____ THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
MAYOR, OR DESIGNEE _____

SURVEYORS CERTIFICATE

I, Richard Johanson, do hereby certify that I am a Licensed Surveyor, and that I hold certificate No. 153956, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat, and that the same has been surveyed and shown on this plat. This survey was performed within the accordance of the minimum accuracy of an urban survey, Class "A", or a linear closure of 1:15,000". The purpose of this survey is to locate the boundaries of the described parcel and create a plat for a legal one lot subdivision as shown herein.

Prepared this 19th day of AUG, 2013

BOUNDARY DESCRIPTION

BEGINNING 269.1 FEET NORTH AND 7.0 FEET EAST FROM THE SOUTHWEST CORNER OF LOT 2, BLOCK 28 TEN ACRE PLAT "A" BIG FIELD SURVEY TO THE POINT OF BEGINNING; THENCE NORTH 90° 00' 00" WEST 99.32 FEET TO THE POINT OF BEGINNING; THENCE EAST 11.00 FEET; THENCE EAST 18.00 FEET; THENCE SOUTH 53.98 FEET; THENCE EAST 135.58 FEET; THENCE SOUTH 00° 00' 00" WEST 103.00 FEET; THENCE WEST 154.50 FEET; THENCE NORTH 10.00 FEET; THENCE WEST 193.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.06 ACRES

NOTES

Utilities shall include the right to install, maintain and operate their equipment above and below ground and all other related utilities within the utility easement. The utility easement on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities on the right of way, shall be subject to the terms and conditions of the utility easement agreement to be placed within the plat. The utility may require the lot owner to remove all structures within the easement at the lot owners expense, or the utility may remove such structures at the owners expense. At no time may any permanent structures be placed within the easement or any other utility easement. The use of the plat without the prior written approval of the utilities with facilities in the plat.

OWNERS DEDICATION

Know all men by these presents that _____, the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

ALICANTE PUD

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for use as _____ in _____ A.D., 20____ have hereto set this _____ day of _____

ACKNOWLEDGMENT

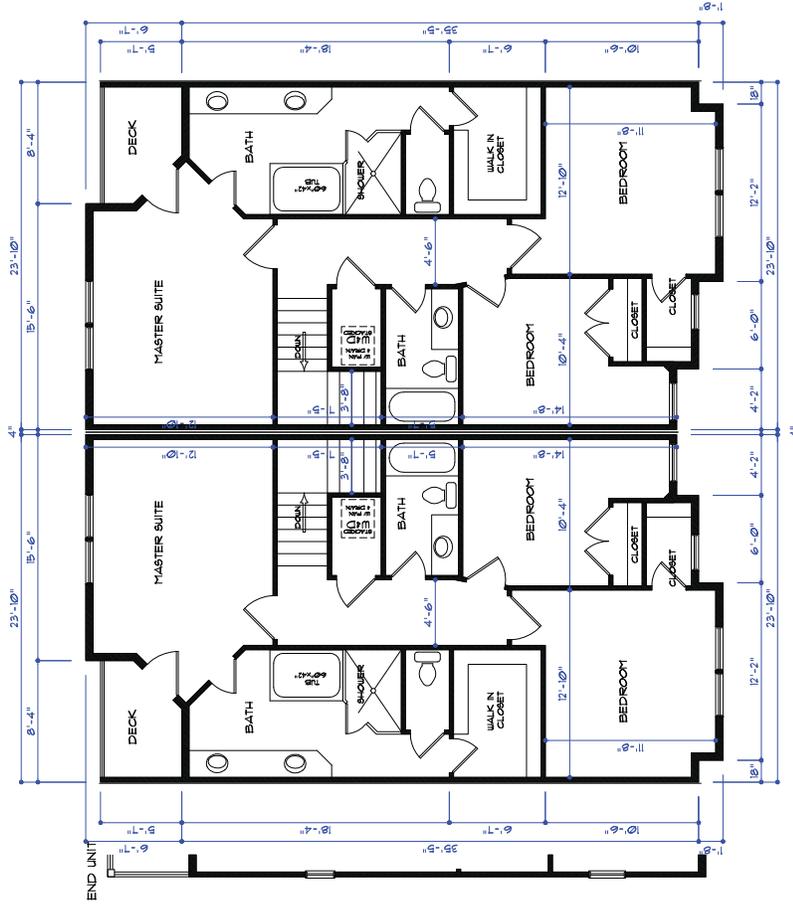
STATE OF UTAH }
County of SALT LAKE } S.S.
On the _____ day of _____ A.D., 20____, personally appeared before me _____ who being by me duly sworn did say the he/she is _____ and that the foregoing instrument was signed voluntarily for said corporation and for the uses and purposes herein mentioned.

My commission expires: _____ Notary Public
residing in: _____

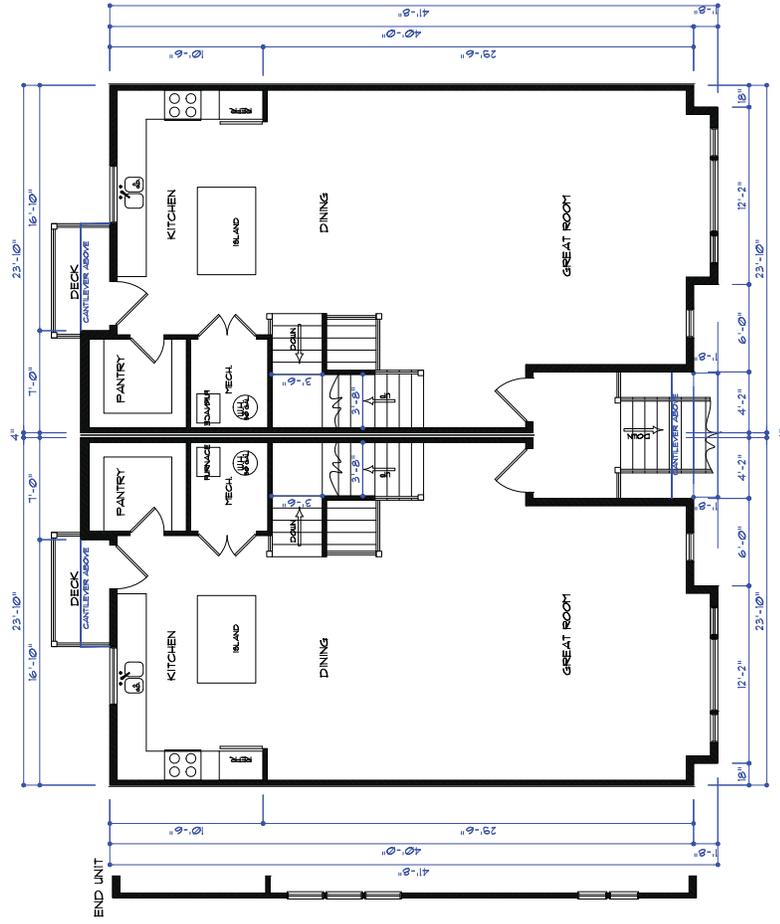
ALICANTE PUD

LOCATED IN A PORTION OF LOT 2 BLOCK 28
TEN ACRE PLAT "A" BIG FIELD SURVEY
SALT LAKE COUNTY, UTAH

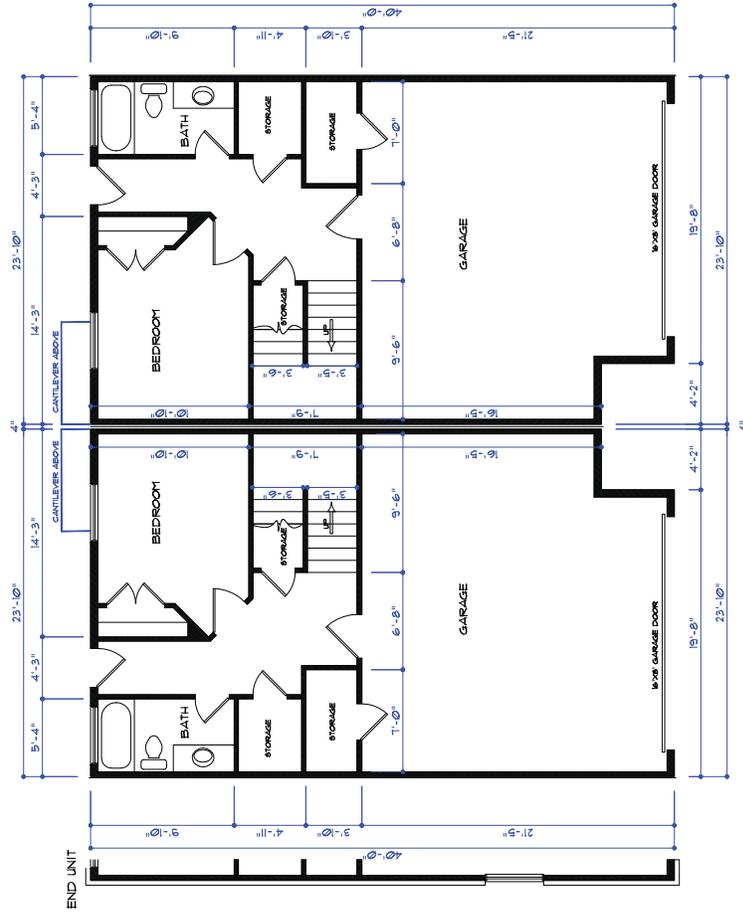
RECORDED # _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____
SALT LAKE COUNTY RECORDER



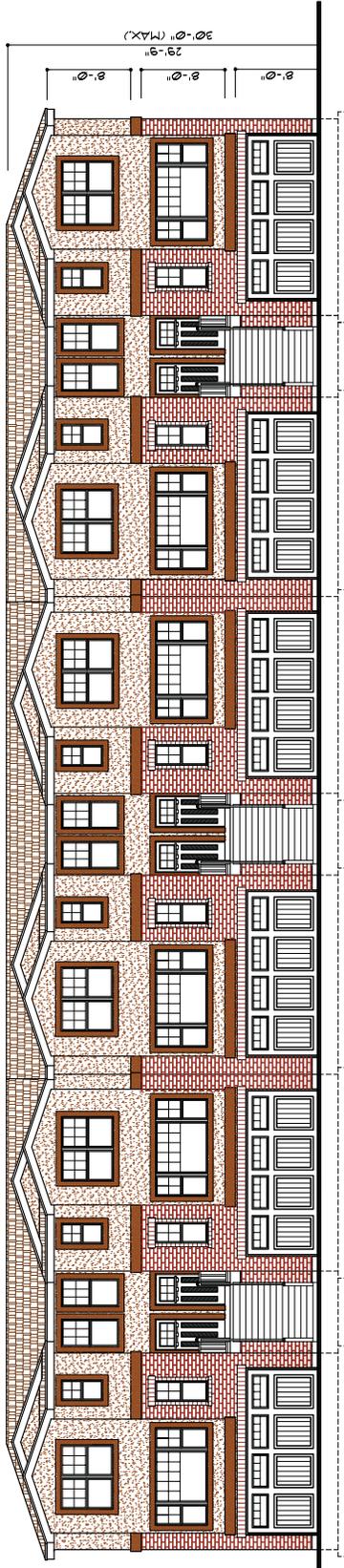

UPPER FLOOR PLAN
 915 SQUARE FEET SCALE: 1/4"=1'-0"



MAIN FLOOR PLAN
 856 SQUARE FEET EA SCALE: 1/4"=1'-0"



FOUNDATION PLAN
421 SQUARE FEET
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE 3/4"=1'-0"



MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING

Wednesday, November 13, 2013 4:00 p.m.

Approximate meeting length: 2 hours 7 minutes
Number of public in attendance: 5
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Riddle (Vice Chair)

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

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair			x	Lyle Gibson	x	x
Leslie Van Frank	x	x		Wendy Gurr	x	x
Leslie Riddle - Vice Chair	x	x		Max Johnson	x	x
Tom Stephens	x	x		Chris Preston (DA)	x	x
Geralyn Parker-Perkins			x	Curtis Woodward	x	x
Ann Ober	4:18 pm	x				

OTHER BUSINESS ITEMS

Began at – 4:09 p.m.

WORK SESSION

Informational Items –

- 2014 Millcreek Sidewalk Projects** – update on plans and involvement of the engineering division regarding sidewalk projects in Millcreek. **Presenter:** Staff

Commissioners and Staff had a brief discussion. Schedule a special work session, sit down for a couple hours and finish up the questionnaire.

Commissioner Ober arrived at 4:18 p.m.

BUSINESS MEETING

Meeting began at – 4:18 p.m.

- Approval of Minutes from the September 11, 2013 meeting.

Motion: to approve minutes from the September 11, 2013 meeting with the amendments made by Commissioner Van Frank.

Motion by: Commissioner Van Frank

2nd by: Commissioner Ober

Vote: unanimous in favor (of commissioners present)

2) Approval of Minutes from the October 16, 2013 meeting.

Motion: to approve minutes from the October 16, 2013 meeting with the amendments made by Commissioner Van Frank.

Motion by: Commissioner Van Frank

2nd by: Commissioner Ober

Vote: unanimous in favor (of commissioners present)

The Public Hearings will begin immediately following the Business Meeting.

PUBLIC HEARINGS

Hearings began at – 4:20 p.m.

Ordinance Amendment (Continued from 10/16/2013) -

28640 – Salt Lake County is considering amendments to Salt Lake County Ordinances 19.04.235, 19.14.020, and 19.14.030 to limit the scope of “animals and fowl for family food production” and to make that land use a conditional use rather than a permitted use in the R-1-21 and R-1-43 zones in order to allow planning commission review and approval with the imposition of conditions of approval as necessary to mitigate the impacts of the introduction of farm animals into residential areas. **Community Council:** All. **Planner:** Curtis Woodward

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

No one from the public was present to speak.

PUBLIC PORTION OF MEETING CLOSED

Motion: to recommend denial of application #28640 as currently proposed and recommend County Council not approve the ordinance as currently proposed. Direct the planning Staff to review other ordinances with the same subject throughout the Wasatch Front, with the rationale for number of animals that should be allowed in an urban environment. The current proposal is based on decades old statistics.

Motion by: Commissioner Stephens

2nd by: Commissioner Van Frank

Vote: unanimous to recommend denial of this application as proposed. (of commissioners present)

Conditional Use –

28663 – Rick Hellstrom is requesting conditional use approval to build an end facility for Questar Gas. **Location:** 3381 South 1300 East. **Zone:** R-1-8. **Community Council:** Millcreek. **Planner:** Lyle Gibson

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant (Lead property agent – Questar Gas)

Name: Rick Hellstrom

Address: 1140 West 200 South

Comments: They do have an existing pipeline that is scheduled to be replaced in January. Direct assessment is due every 7 years, with the first assessment due in 10 years. Smart pig is inserted into the pipeline and travels through the pipeline collecting data. It can tell if there are any problems with the pipeline or coding on the outside of pipe. Same drive access as existing. Would not be able to build a structure over the pipeline. Would like to have a gravel lot to get in there for inspections. The access is off the canal property. Would like to minimize the landscape along the outside. Has concerns with wrought iron and would like leeway with staff for other options, rather than chain link.

Commissioners, Staff and Applicant had a brief discussion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Staff had a brief discussion.

Motion: to approve application #28663 subject to the following conditions and changes to fencing. Wrought iron fencing to the West side of the property and chain link fencing to the remainder of the parameter. Weed abatement 3 times a year, and landscaping will be adequate to visibly buffer the parameter.

Motion by: Commissioner Stephens

2nd by: Commissioner Van Frank

Vote: unanimous in favor (of commissioners present)

Rezone -

28637 – Rick Whiting is requesting approval of a Zone Change from the R-2-8 (Residential) zone to the R-M (Residential Multi-Family) zone in order to allow for additional uses on the subject property.

Location: 3945 South 1300 East. **Community Council:** Millcreek. **Planner:** Lyle Gibson

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant representing the owner

Name: Rick Whiting

Address: 6633 Greenfield Way

Comments: Read from an article, regarding medical services. Factors will increase the demand for medical office buildings. Anticipates there will be a need for medical office buildings. The Single Family homes will diminish and medical offices would be more desirable along 1300 East.

Commissioners and Staff had a brief discussion.

Speaker # 2: Citizen

Name: John Leslie

Address: 3955 South 1300 East

Comments: Has lived there since 1997. He has always thought these properties would make an excellent medical facility. There would not be any interference with the neighbors, he believes it would be okay considering what is there now.

Speaker # 3: Applicant

Name: Rick Whiting

Address: 6633 Greenfield Way

Comments: With the size of property, they would self-limit with parking and have no intention of building up.

PUBLIC PORTION OF MEETING CLOSED

Motion: to Continue Application #28637 to the December 11, 2013 meeting to give the Community Council an opportunity to provide feedback.

Motion by: Commissioner Van Frank

2nd by: Commissioner Stephens

Vote: unanimous in favor (of commissioners present)

3) Other Business Items (as needed)

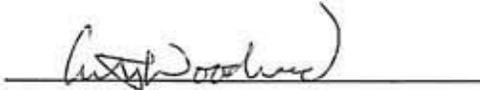
MEETING ADJOURNED

Time Adjourned – 6:16 p.m.

Minutes reviewed by:

 _____ 12/7/2013

Review by Others:

 _____



**MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**

Wednesday, December 11, 2013 4:00 p.m.

Approximate meeting length: 4 hours 37 minutes
Number of public in attendance: 32
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Janson (Chair)

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

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair	x			Lyle Gibson	x	
Leslie Van Frank			x	Wendy Gurr	x	
Leslie Riddle - Vice Chair			x	Max Johnson	x	
Tom Stephens	x			Zach Shaw (DA)	x	
Geralyn Parker-Perkins	x					
Ann Ober	x					

OTHER BUSINESS ITEMS

Began at – 4:06 p.m.

PUBLIC HEARINGS

Hearings began at – 4:09 p.m.

PUD Subdivisions -

28695 – Dade Rose is requesting approval of a 17-unit Residential Planned Unit Development (PUD) to be known as the Hamptons PUD. **Location:** 3662 South, 3674 South, 3680 South, and 3690 South on 2300 East. **Zone:** R-2-10 (Residential). **Community Council:** East Mill Creek. **Planner:** Lyle Gibson

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Dade Rose and Richard Cook

Address: 1020 South Foothill Drive

Comments: Background about his Company, formed their development company 14 years ago. Partners and developing properties, built out 34 PUD Residential units in Farmington and 14 units in draper. Out of the 48 units, 40 have sold. In addition, they have a 43 unit project in midway and have sold 10 in the last year. All which are PUD's. They also have a 16 unit project in Salt Lake County completed in 2003, close to size and scope of the Hamptons. They built 16 unit twin homes on 2 acres. The Hamptons are less dense than the 16 unit project.

Architect is the Highland Group, have done many projects successfully, and designed this. Engineer George Buys, could answer technical questions. Landscape architect is LOPS architect. If they tried to do small homes, they could put twenty-two homes. These are high end units, Three units are single family dwellings, Two are on the west side, the other is on the Southwest portion. The others are twin homes, with two units in each one. There will be seventy parking spaces, more than what's required. Two are in the garage and Two are in the driveways, with and extras at the end of the project. At the front at 2300 east will have picnic areas with tables and benches, gazebo and a playground at the back. Tried to design to satisfy the market for people that are looking in late 40's and 50's. The landscaping company will take care of grass. This is a good community. In the design effort, you don't see twin homes, design is to look like a single home, as many as they could do to look vibrant. The size of the homes are modest, but not small. The size ranges from 3600 square feet for the smallest and 5400 square feet on the largest. Full, finished basement and enough room so your kids can come back to stay. They spent time and effort on elevation, for attraction and architectural features. Adjoining units would have different garage doors. They do intend to apply with RCOZ. The zone allows a 30' height and that is what they are asking for. If conditioned, they have no problem with that. The slope is 10-13 feet from the extreme east to the extreme west. Cedar wood fencing on the sides, east will be a masonry wall with rod iron and matches what they've done on the alpine chateaus. They did not want to deal with the issue to make sure they have the distance for a car to park, they want the feel of a gated community, but will not have an operable gate and will be permanently open. Removing 3 houses from the property and the largest piece of property is vacant.

Commissioners had questions for Applicant.

Speaker # 2: Bush and Gudgell

Name: George Buys

Address: not provided

Comments: Retaining water in storage system on Northwest corner of property beneath the recreation area.

Speaker # 3: East Millcreek Community

Name: Leanna Hanson

Address: 3507 Kirk Circle

Comments: Met with applicant last week, made a recommendation the east fencing would be masonry with rod iron and wood and a positive recommendation. The fencing runs along within their plan for height density.

Commissioners had a question for East Millcreek Community Council.

Speaker # 4: Citizen

Name: Greg and Ami Neff

Address: 3719 South 2235 East

Comments: Had questions for staff rearing deviation to set backs and they all meet standards. With respect to building height all along the west and southern, they raised the grading considerably to help the drainage and to require less pumping for the waste water all of the units would need a pump. If the buildings are thirty feet high, and it's already sitting four feet higher, the house could be six feet higher than what's allowed. All open space is a steep hillside in the backyard, about every three to four feet its dropping a foot, so there is a slope. They are way out of the ground for all the neighbors on the west that they will be adjacent to. He wanted to point out the fact the PUD's allow for consolidating buildings and open space, but are not centrally located, if this were in a R-2-10 zone they would have to have 10,000 square feet excluding the street and here they get to include the street.

Staff answered questions from Citizen.

Speaker # 5: Citizen

Name: Chris Bills

Address: 3685 South 2245 East

Comments: His backyard causes this proposal to be A-Symmetrical. Drainage pond on the map is in the top corner for duplexes, he has concern of irrigation run off on 2300 east and would not have anything to stop the water from flooding basements. He wants to know who to sue if there were damages. There are a number of available parties to sue. Since his backyard will be surrounded by the property, he wonders if the proposed fence will be noticeable.

Water easements, the water that falls along the ditch on 2300 east, are owned by the East Millcreek water company. Water that flows through the ditches and all the surrounding are all owners of the water in the ditch. There are easements that run from head gates that run along the front of the property. His meeting with Mr. Cook reassured him they would not interfere with obtaining water. Water rights in Utah is superior, what exists now is three prescriptive water easements. He's concerned there could be a risk today. He contacted East Millcreek water company and talked to Bill Callaster who is an Attorney and received a legal opinion from the legal counsel from the water company and read the opinion. The approval must go up to that water company and the cost would be by the developer. He hopes there is discussion before a decision is made.

Commissioners answered questions from Citizen and he handed out a drawing to Commissioners.

Speaker # 6: Citizen

Name: Julia Kruger

Address: 3671 South 2300 East

Comments: Lives right across the street. Has questions and concerns, concern to the entry and the amount of cars that will be coming out . She has one house in front of her home on a skinny road meant to be a neighborhood, one headlight with potential seventy headlights hitting her front windows. Would like clarification where her house sits.

Speaker # 7: Citizen

Name: Mark Iverson

Address: 3674 South 2300 East

Comments: Have enjoyed the easement with water irrigation, there are many residents with long standing residence that is worth defending. In his case, the particular easement is not his concern to him and developer mentioned likelihood and he would have a new water pipe installed. As far as irrigation, they have had problems and Mr. Bills mentioned how much water will go down through. Easement is the main thing and the right to get water or who is responsible or both parties should be responsible for the repairs. For sentiment, wishes they would not remove the three trees.

Speaker # 8: Citizen

Name: Steve Martindale

Address: 3724 South 2300 East

Comments: He has been there over 46 years. The current property taxes are moderate and he thinks they will double and would not enjoy that.

Speaker # 9: Applicant

Name: Dade Rose and George Buys

Address: 1020 South Foothill Drive

Comments: Setbacks comply on the exterior with all of the zoning setbacks. It would not necessarily be further away for anyone than what they've done. Between the sidewalk and wall on 2300 east is a 4 foot setback from the sidewalk. Storm drainage will flow and is designed for a one hundred year storm this storm facility would be sufficient to hold those waters. The freeboard always leaves a little extra space to carry. The title report will show the easements and called prescriptive easements that come about through use. The East Millcreek is still doing research. George designed a potential line and if it is used, then the water would flow. They have designed the project so it can carry water in two areas. One is on the south side along 2300 east. They don't want to deny anyone any of their water. West property line on existing fences and will be on their property line to grade and same height. The west side is elevated five feet to get units high enough. With a slight slope to east to west downward, don't want the grade of the road to be far off from the roads. This will feel much more flat and enjoyable rather than if they had steps. Units on the west would be off five feet.

Commissioners had questions for Staff and Applicants.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion. Counsel made additions.

Motion: to approve application #28695 with the following conditions:

1. Application shall demonstrate pedestrian connectivity from units to amenities provided.
2. Gate to the project to remain open and secured in an open fashion
3. The general architectural design features as provided shall be honored, in the event of a substantial change to these features the applicant shall return to planning commission for approval of changes.
4. Fence height at the perimeter of the project shall not exceed the height of the currently existing fence heights of neighboring properties.
5. Fencing along front of property shall be masonry and rod iron, remaining perimeter fencing shall be wood paneled.

Motion by: Commissioner Stephens

2nd by: Commissioner Ober

Vote: unanimous in favor (by commissioners present)

28607 – The applicant, Russ Sorenson, is requesting approval of a Residential Planned Unit Development (PUD) consisting of 10 Single Family Dwelling units, to be known as the “The Woods at Rosecrest”.

Location: 2455 East to 2477 East, 3225 South and 2450 East Lambourne Avenue (3160 South). **Zone:** R-1-8 (Residential). **Community Council:** Canyon Rim. **Planner:** Lyle Gibson

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Russ Sorenson

Address: 3267 East 3300 South #539, Salt Lake City

Comments: He has done several PUD's in this area. The two lots facing Lambourne are large enough to have homes built behind them. In time will come back and ask for a modification to the roads. Every one of the homes in there is part of the PUD and has access to the amenities. There is a one hundred foot cottonwood tree outside of the park area, next to the gazebo that is being maintained. The parcels are large and the home owners have rights to put homes on there. Irrigation that services this property will be discontinued. The current ditch is on an adjacent property and across 3225 south is the supply line. The Parcels to the west of the PUD have no curb, gutter or sidewalk and is not up to their current standards. West of 2300 east, the county is installing at their cost. Storm drainage will be what the county engineer deems best. The roadway will be on the side. This is an issue and any development there is impact. To the west there are large parcels that will eventually have housing. Next to us in R-2-10 is a cul-de-sac and with twin homes. Every home is a brick Rambler in the neighborhood. They will all be brick ramblers under 28 feet. The Community Council wanted curb, gutter and sidewalk on 3225 south. There isn't any on Lambourne. Exterior fencing will be masonry, interior back yards are gated. Each house will have a private yard, and access to common area. Property falls from the east and south, drainage will not exceed the 28 foot RCOZ. Each house meets RCOZ. They have tried to conform to ordinance.

Speaker # 2: Property Owner

Name: Joel Patterson

Address: 2450 East Lambourne Avenue

Comments: They are selling the rear twenty-five feet of their property for the open space. He would like to clarify, he wasn't certain if curb, gutter and sidewalk were required, their lot has none to the west. Installing curb, gutter and sidewalk would result in the loss of three mature trees on his property. He would like to recommend no street improvement requirements. To move the lot line, they have to add it to the plat. They are not involved in the HOA and will not be paying into it and their participation is really not involved.

Commissioners had questions for property owner. Applicant advised he would be included in the HOA, but would not be paying into it

Speaker # 3: Citizen

Name: Blake Keithley

Address: 3682 South 2975 East

Comments: They are to make requirements regarding the PUD. One property at Millcreek cottage 3900 south 2140 east, one house is included in the PUD, but excluded from the PUD community. There is a race track development within the PUD example on evergreen, there is a little gingerbread house on the north side facing 2300 e is included in the PUD, the piece was included, but was not part. 1300 east 3400 south to get density of corner sold off, this use has been legally applied.

Commissioners and Staff had a brief discussion.

Speaker #4: Citizen

Name: Devin Pope

Address: 3199 South Young Haven Circle

Comments: As far as density is concerned, adding in 3 circles up young haven on 1 street. They need to install 3 way stop signs down that street and would like to hear from the applicant where the other PUD's were built. He would like to know lot size on acres and the grading. His grading is seven feet down. He already gets too much water from the irrigation ditch and floods his basement.

Speaker #5: Citizen

Name: Roger Upwall

Address: 3195 South Young Haven Circle

Comments: Parking concerns, most driveways are not deep enough to park a car. If residents have visitors there would not be adequate parking. He questioned the masonry fence, around the full perimeter. No irrigation water on the property. If it runs on 3225, it would run right into young havens circle. Is this going to increase value and pay more taxes, and is very concerned. He is concerned with garbage pickup and too many cans on the street.

Speaker #6: Citizen

Name: Eleanor Sasuki

Address: 2535 East 3225 South

Comments: Parking on street. The traffic is fast and busy, she gets a lot of 3300 south traffic and they get so much traffic already. She questioned other properties being involved and sold on 3225 south and are there deals going on regarding three other properties.

Speaker #7: Citizen

Name: Steve Heaps

Address: 2467 East 3225 South

Comments: Owns the middle property to remain. The trees are all almost dead and on his property. These are old walnut trees cracking and dying. The plan is adding a lot more trees. With all the twin homes in the circle, the density is higher. He is selling his whole property. Two years ago he attempted to appeal his tax value and would have to meet R-1-8 zone requirements and the value is based on an assumption that development such as this proposed PUD would be happening.

Commissioners had a question for the Citizen

Speaker #8: Citizen

Name: Lance Hobbs

Address: 2441 East Lambourne Avenue

Comments: He agrees and plans to merge lots and build a larger home to replace two existing homes. He is sure he will be required to put in curb and gutter. Recommends they require curb and gutter.

Speaker #9: Citizen

Name: Bruce Smith

Address: 2580 East 3210 South

Comments: The property located at 2361 east 3225 south he owns is vacant. The ditch that he derives his water from goes across Lambourne Ave. and runs in front of the north lot on the west side. On this application does East Millcreek water company have to sign off and concern of the garbage pick-up.

Commissioners answered questions from the Citizen.

Speaker #10: Applicant

Name: Russ Sorenson

Address: 3267 East 3300 South #539, Salt Lake City

Comments: They will sign an agreement with county for access for garbage. The road would become a public utility easement. Irrigation would have a letter of abandonment from the irrigation company. The ditches outside of his property, they have no control over or do anything with them. Engineering department makes them meet standards and ditch owners would sign a plat block saying that they acknowledge the improvement. He could provide a list of PUD's and he will go through them. Elevations they're having are not raising the grade. Water drainage will be through high back curb and gutter. If there is overflow, the water will go on the park strip on the west property line. They will add a masonry fence along the park strip and add vegetation. The whole parameter will have a masonry fence. The whole property will be included in the subdivision plat. Inside use of a PUD is specified through CC&R's regarding the property purchase. They have an affidavit the property owner will sign involved in the project that they agree to sale. He has done this many times in this area with little fingers like this and property. The main buildings are three thousand to thirty-six hundred square feet and fifteen hundred to eighteen hundred square feet each residence. The shared driveways will provide 24feet turning radius coming out of the garage and is designed for this turn around. Snow can be stored at the end of the guest parking. They addressed the parking with the requirement according to the ordinance.

Commissioners had questions for Applicant.

PUBLIC PORTION OF MEETING CLOSED

Commissioners, Staff and Counsel had a brief discussion.

Motion: to continue application #28607 to the January 15, 2014 Planning Commission meeting.

Motion by: Commissioner Stephens

2nd by: Commissioner Ober

Vote: unanimous in favor (by commissioners present)

28704 – Richard Cook is requesting approval of a 2-lot subdivision. The lots front 2300 East with a standard lot and a flag lot as proposed. **Location:** 3702 South 2300 East. **Zone:** R-2-10 (Residential). **Community Council:** East Mill Creek. **Planner:** Lyle Gibson

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Speaking on behalf of the Applicant

Name: Dade Rose

Address: 1020 South Foothill Drive

Comments: They plan to clean up what's existing. Will not be moving existing home and does have a vacancy in the rear. The code allows for a turnaround, or structure can be fire sprinkle, and they plan to do one of the two. Fire truck access can be paved up to 18 feet in width, if they did that they would not have a full four feet of landscaping. They would like the ability to move forward with the subdivision.

Speaker # 2: Citizen

Name: Greg Neff

Address: 3719 South 2235 East

Comments: He always expected a house to be built, but it kept getting pushed off. If they wanted to build a duplex, he thinks there should be fire restrictions on the lane should be adhered to. The side yards need to be 25% of the lot width. Everything would have to be worked out when the building permit is obtained. All requirements would have to be met.

Staff answered questions from Citizen.

Speaker # 3: Speaking on behalf of the Applicant

Name: Dade Rose

Address: 1020 South Foothill Drive

Comments: The intention is to do a single dwelling and comply with the R-2-10 zone and they would meet everything with the fire department.

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: to approve application #28704 as presented.

Motion by: Commissioner Stephens

2nd by: Commissioner Perkins

Vote: unanimous in favor (of commissioners present)

Conditional Use -

28687 – Elias Haddad is requesting conditional use approval to operate as an agency for the rental of motor vehicles, trailers or campers in addition to the existing gas station. **Location:** 2905 East 4430 South. **Zone:** C-2 (Community Commercial). **Community Council:** East Mill Creek. **Planner:** Lyle Gibson

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Elias Haddad

Address: 2905 East 4430 South

Comments: Mr. Haddad provided a video and went over the location and driving ability with the trucks parked in the lot.

Speaker # 2: East Millcreek Community Council

Name: Laura Hanson

Address: 3507 Kirk Circle

Comments: Recommendation positive as proposed.

Speaker # 3: Citizen

Name: Blake Keithley

Address: 3682 South 2975 East

Comments: In favor of the conditional use, does not pose an issue and does not pose an obstruction.

PUBLIC PORTION OF MEETING CLOSED

Commissioners, Staff and Counsel had a brief discussion.

Motion: to approve application #28687 and exclude condition 2 in the Staff Report and add a condition for the clear view corner be striped and vehicles be excluded from parking within that zone.

Motion by: Commissioner Ober

2nd by: Commissioner Perkins

Vote: unanimous in favor (of commissioners present)

Subdivisions -

28673 – Richard Sorensen is requesting approval of a 3-lot subdivision. These proposed lots front a private drive so will each be ½ acre or larger as required by ordinance. **Location:** 3612 South Virginia Way (3450 East). **Zone:** R-1-8 (Residential). **Community Council:** East Mill Creek. **Planner:** Lyle Gibson

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Speaking on behalf of the Applicant

Name: Rural O'Brien

Address: 4880 Highland Circle

Comments: No Comment.

Speaker # 2: Citizen

Name: Nancy Carlson-Gotts

Address: 3500 South Millcreek Canyon Road

Comments: Curious about the pipe and Lyle has received a phone call from metro water and they know they need to be involved. The pipeline goes underneath the tennis court at Highland.

PUBLIC PORTION OF MEETING CLOSED

Motion: to approve application #28673 as presented.

Motion by: Commissioner Stephens

2nd by: Commissioner Perkins

Vote: unanimous in favor (of commissioners present)

Exception Request -

28706 – Adam Maher is requesting an exception to the installation of curb, gutter, and sidewalk along 945 E. in relation to application 28351. **Location:** 3225 South 900 East. **Zone:** R-M (Residential Multi Family). **Community Council:** Canyon Rim. **Planner:** Lyle Gibson

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Speaking on behalf of the Applicant

Name: Steele Jensen

Address: 7825 South Hartford Street

Comments: Through discussions with the civil engineer, he proposed point directing any rainfall to a south property and a smaller home to the north of the property. There are not any storm water drains as it is now, the water that runs off the street will flow into a landscaped area and will not cause danger.

Commissioners and Staff had a brief discussion.

Speaker # 2: East Millcreek Community Council

Name: Nancy Carlson-Gotts

Address: 3500 South Millcreek Canyon Road

Comments: She loves the containers. One of the things they are doing, is looking at exceptions and doesn't know where the safe routes are near the schools and whether they are having sidewalks or not.

Commissioners had a few questions for Community Council.

Commissioners and Staff had a brief discussion.

Speaker # 3: Citizen

Name: Blake Keithley

Address: 3682 South 2975 East

Comments: In favor of the applicant to pay into the fund. As far as the fund goes, when they pay in the fund, eventually it will work, if not the person will be reimbursed if they don't use it. It would be used for their property.

PUBLIC PORTION OF MEETING CLOSED

Motion: for application #28706 to recommend referral to the Mayor that funding be taken from this project or paid by this project into the highway fund to be used at a future date.

Motion by: Commissioner Ober

2nd by: Commissioner Stephens

Vote: unanimous in favor (of commissioners present)

Rezone - (Continued From 11/13/2013)

28637 – Rick Whiting is requesting approval of a Zone Change from the R-2-8 (Residential) zone to the R-M (Residential Multi-Family) zone in order to allow for additional uses on the subject property. **Location:** 3945 South 1300 East. **Community Council:** Millcreek. **Planner:** Lyle Gibson

PUBLIC PORTION OF MEETING OPENED

Applicant left. Application continued to the January 15, 2014 meeting.

PUBLIC PORTION OF MEETING CLOSED

Motion: To continue this item until the January Planning Commission meeting.

Motion by:

2nd by:

Vote: unanimous in favor (of commissioners present)

The Business Meeting will begin immediately following the Public Hearings.

BUSINESS MEETING

Meeting began at - p.m.

- 1) Approval of Minutes from the November 13, 2013 meeting.

Motion:

Motion by:

2nd by:

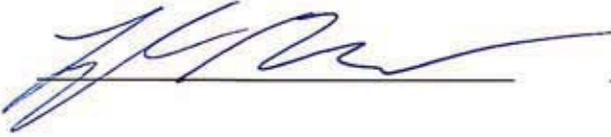
Vote:

2) Other Business Items (as needed)

MEETING ADJOURNED

Time Adjourned – 8:43 p.m.

Minutes reviewed by:

 1/9/2014

DRAFT