



## PLANNING COMMISSION MEETING AGENDA

Department of Community and Economic Development  
Meeting Date: September 4, 2019

**NOTICE** is hereby given that the Cottonwood Heights Planning Commission will hold a Work Session Meeting, beginning at 5:00 p.m. in Room 124 (Council Workroom) and a Business Meeting, beginning at 6:00 p.m. in Room 5 (Council Chambers) located at 2277 E. Bengal Blvd., Cottonwood Heights, Utah on **Wednesday, September 4, 2019.**

### 5:00 p.m. WORK MEETING

#### 1.0 Planning Commission Business

##### 1.1. Review Business Meeting Agenda

*The Commission will review and discuss agenda items.*

##### 1.2. Additional Discussion Items

*The Commission may discuss the status of pending applications and matters before the Commission and new applications and matters that may be considered by the Commission in the future.*

### 6:00 p.m. BUSINESS MEETING

#### 1.0 Welcome and Acknowledgements

##### 1.1. Ex Parte Communications or Conflicts of Interest to Disclose

#### 2.0 General Public Comment

*(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group that is present to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Senior Planner prior to noon the day before the meeting.)*

#### 3.0 Business Items

##### 3.1. (Project CUP-19-008)

A public hearing and possible action on a request by Nathan Anderson for approval of 13 mixed-use live-work townhomes, including a conditional use permit for an increase in height and a decrease in setbacks, at approximately 1810 E. Fort Union Blvd. in the MU – Mixed-Use zone.

##### 3.2. (Project SPL-19-007)

A public hearing and possible action on a request by John Prince for approval of 24 mixed-use live-work townhomes, including a conditional use permit for an increase in height and a decrease in setbacks, at approximately 1650 E. Fort Union Blvd. in the MU – Mixed-Use zone.

##### 3.3. (Project SUB-19-007)

A public hearing and possible action on a request by Giverny, LLC and Regal Homes for an amendment to a recorded plat note on the Giverny Planned Unit Development Amended Subdivision at 9216 S. Wasatch Blvd. in the R-1-8 Single Family zone.

##### 3.4. (Project ZTA-19-002)

A public hearing and possible action on a city-initiated zoning text amendment to Chapter 19.80; (Parking Standards) of the City's zoning ordinance.

#### **4.0 Consent Agenda**

##### **4.1. Approval of Planning Commission Minutes:**

- June 5, 2019
- July 17, 2019
- August 7, 2019

#### **5.0 Adjournment**

##### **Meeting Procedures**

Items will generally be heard in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Planning Commission Deliberation
6. Planning Commission Motion and Vote

Planning Commission applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **NO agenda item will begin after 9 pm** without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

##### **Submission of Written Public Comment**

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than the Tuesday prior to the meeting at noon. Comments should be emailed to [mtaylor@ch.utah.gov](mailto:mtaylor@ch.utah.gov). After the public hearing has been closed, the Planning Commission will not accept any additional written or verbal comments on the application.

##### **Notice of Participation by Telephonic/Digital Means**

Planning Commissioners may participate in the meeting via telephonic communication. If a Commissioner does participate via telephonic communication, the Commissioner will be on speakerphone. The speakerphone will be amplified so that the other Commissioners and all other persons present in the room will be able to hear all discussions.

##### **Notice of Compliance with the American Disabilities Act (ADA)**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801)944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711.

##### **Confirmation of Public Notice**

On Friday, August 30, 2019 a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov) and the State Public Meeting Notice website at <http://pmn.utah.gov>.

DATED THIS 30<sup>th</sup> day of August  
2019 Paula Melgar, City Recorder



# PLANNING COMMISSION STAFF REPORT

Union Lofts - 13 Live/Work Townhomes

Meeting Date: September 4, 2019

Staff Contact: Andy Hulka, Associate Planner

## Summary

**Applicant:** Nathan Anderson  
(Union Lofts, LLC)

**Subject Property:**  
1810 E. Fort Union Blvd.

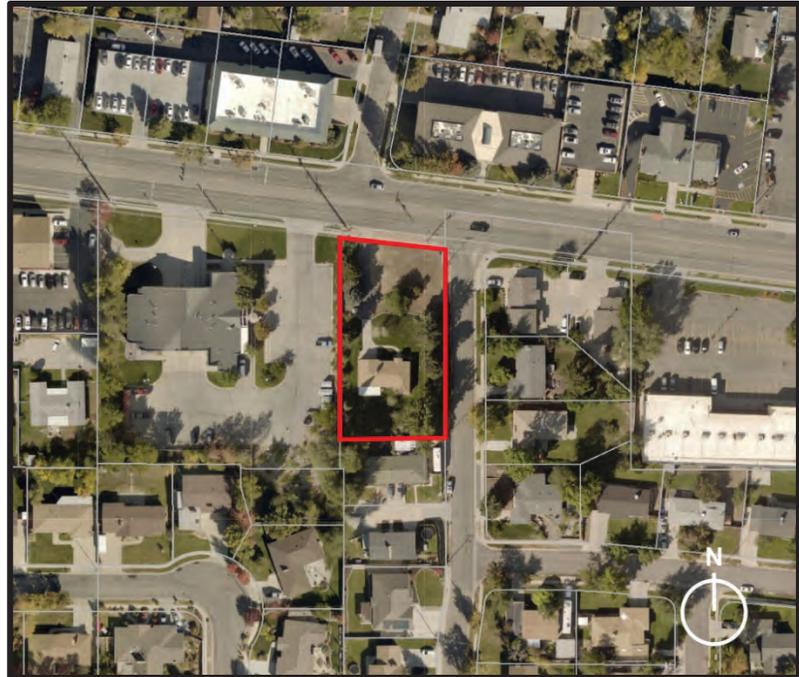
**Action Requested:**

1. Site Plan Approval of 13 mixed-use live/work townhomes.
2. Conditional Use Permit for an increase in height and a decrease in setbacks.
3. Preliminary plat approval of a 13-lot subdivision.

**Recommendation**

Receive public comments and continue consideration to allow for ARC review.

**Project #:** CUP-19-008



## Context

**Property Owner**  
Union Lofts, LLC

**Acres**  
0.54 acres

**Parcel #**  
22-21-460-005



## Site Photos

1810 E. Fort Union Blvd. (Looking south from Fort Union Blvd.)



## Zoning

### Site

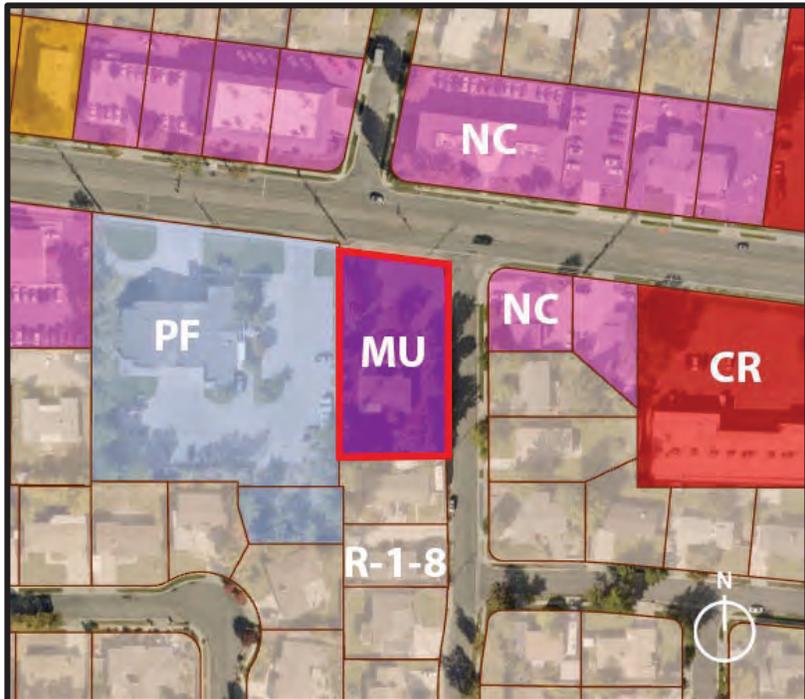
MU: Mixed Use zone

### Surrounding Properties

PF: Public Facilities (Fire Station)

NC: Neighborhood Commercial zone

R-1-8: Residential Single-Family zone (Adjacent property to the south is a legal nonconforming duplex)



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## Analysis

### Request

An application has been made by Nathan Anderson (Union Lofts, LLC) for site plan approval of 13 mixed-use live/work townhomes and a conditional use permit for an increase in height and a decrease in setbacks. Developments in the Mixed Use (MU) zone must submit a site plan, which is subject to Planning Commission approval (19.36.110). Subdivisions of ten or more lots also require Planning Commission approval (12.12.030).



### Planning Commission Authority

The Planning Commission is required to review site plans for all new developments in the MU zone, as required by section 19.36.110 of the zoning ordinance:

**19.36.110 Site plan required.**

*Developments in the MU zone must submit a site plan, which is subject to planning commission approval.*

The Planning Commission is required to approve requests to increase height or reduce setbacks in the MU zone, as required by section 19.36.030 of the zoning ordinance:

**19.36.30 Conditional uses.**

*C. Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU zone, or any other variation based on permitted planning commission approval under this chapter, shall be considered a conditional use.*

The Planning Commission is required to approve preliminary plats for subdivisions with ten or more lots, as required by section 19.36.030 of the zoning ordinance:

**12.12.030 Approval or disapproval.**

*Following a review of the preliminary plat by the planning commission, the community development department and other interested city departments, the planning commission shall act on the plat as submitted or modified.*

## Architectural Review Commission

This property is in the city’s Gateway Overlay District, which requires Architectural Review Commission (ARC) approval for all new development. This project was scheduled for ARC review on August 29, but the meeting had to be rescheduled due to lack of quorum. This project will be presented to the ARC on September 12.

## Ordinance Review

### Summary

	REQUIRED	PROPOSED
<b>HEIGHT</b>	45’ max.	38’ (PC must approve height increase above 35’)
<b>STORIES</b>	3 max.	3 (PC must approve 3 <sup>rd</sup> story)
<b>LOT COVERAGE</b>	65% max.	52%
<b>DENSITY/USE</b>		
RESIDENTIAL:	35 units/acre max.	24 units/acre (13 units/0.54 acres)
OFFICE:	25,000 sq. ft. (permitted)	1,902 sq. ft.
<b>SETBACKS</b>		
FRONT (NORTH):	20’	14’ (PC must approve setback reduction)
SIDE (EAST):	20’	5’ (PC must approve setback reduction)
SIDE (WEST):	10’	7’ (PC must approve setback reduction)
REAR (SOUTH):	25’	25’
<b>PARKING</b>		
TOWNHOMES:	18 stalls (1.38/unit)	26 stalls
OFFICE:	5 stalls (2.84/1,000 sf.)	5 stalls
TOTAL:	23 stalls	31 stalls

### Use

The applicant is proposing to use the property for live/work townhomes. Each residential unit will include professional office space on the lower level for residents’ use. The four units to the rear of the development (A-units) will each have 111 sq. ft. offices, while the nine units to the front (B-units) will each have 162 sq. ft. offices. The project will include a total of 13 residential units with 1,902 sq. ft. of office space. Mixed-use residential buildings and professional offices are both permitted uses in the MU zone:

#### **19.36.020 Permitted uses.**

*A. Permitted uses in the MU zone include the following:*

- 1. Mixed-use residential buildings as defined in this chapter;*
- 17. Professional office, administrative and medical buildings with a maximum of 25,000 gross square feet;*

**19.36.040 Mixed-use building.**

*A mixed-use building is a single building containing more than one type of land use, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.*

**Analysis: The proposed use of live/work townhomes is permitted in the MU zone. The requested height increase and setback reduction are subject to conditional use review. Other aspects of the proposal are entitled to approval if they comply with applicable ordinances.**

**Preliminary Plat**

The applicant has submitted a preliminary subdivision plat for staff review. Because the project is more than 10 units, the preliminary plat requires approval by the Planning Commission. A copy of the preliminary plat is attached to this report for reference.

**Analysis: The proposal meets the density requirements of the MU zone. The applicant will be required to work through all technical corrections required by city staff before the plat can be recorded.**

**Height & Stories**

The proposed building is three stories and 38 feet from the average existing grade to the highest point of the roof structure. The maximum height permitted in the MU zone is two stories and 35 feet. The Planning Commission may increase the maximum height to no more than three stories and 45 feet if the increased height will not adversely affect the public health, safety or welfare:

**19.36.050 Maximum height of structures.**

*Structures in an MU zone shall not exceed a height of two stories, or 35 feet, whichever is less. The planning commission, after receiving favorable recommendation from the DRC, may increase the maximum height of a structure in an MU zone to no more than three stories, upon a finding that such increased height will not adversely affect the public health, safety or welfare.*

**19.36.30 Conditional uses.**

*C. Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU zone, or any other variation based on permitted planning commission approval under this chapter, shall be considered a conditional use.*

**19.49.030 Gateway Overlay District**

*G. Development regulations. The development regulations of the underlying district shall apply, except where such regulations are in conflict with the adopted design guidelines for that overlay district. The following development regulations, however, control any contrary requirements of the underlying zone:*

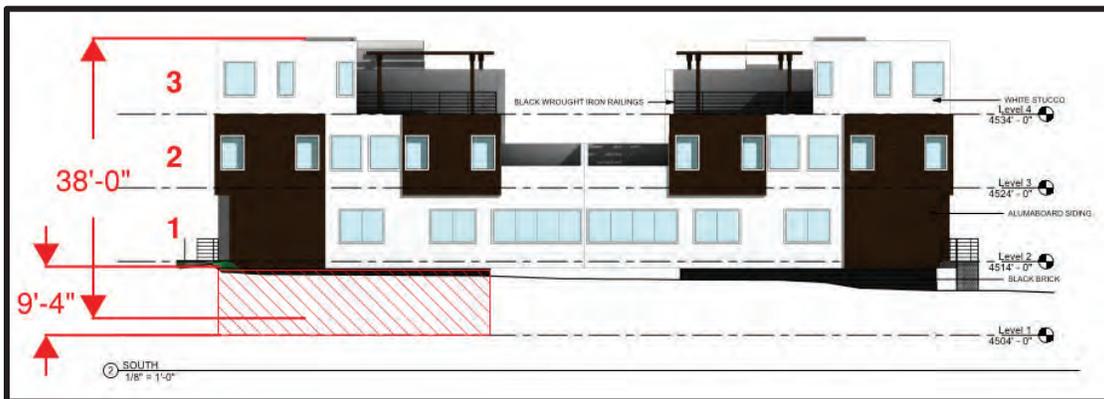
*1. Height: In no case shall structure height exceed 45 feet in the Gateway Overlay District.*



The finished floor elevation at the southwest corner of the building is 9.3 feet below existing grade. Because the floor is more than eight feet below existing grade at the corner, the lowest story of the building does not qualify as a story for the purposes of measuring structure height:

**19.76.030 Structures, bulk and massing requirements.**

*1. Story, first. The lowest story in a building that qualifies as a story, except that a floor level in a building having only one floor level shall be classified as a first story. Where a floor in a building is more than four feet below existing grade for more than 50 percent of the total perimeter of the building, or more than eight feet below existing grade at any point, that floor will not qualify as a story for the purposes of measuring maximum structure height.*



The Fort Union Corridor Plan encourages vertical massing of new development to create a “main street” feel:

**Fort Union Main Street Corridor Area Plan (p. 74)**

*10. Goal: Establish a Critical Mass of Development: To create a more compact and walkable “City center”/“main street” along Fort Union, it will be important to develop a critical mass of buildings that will not be overwhelmed by parking, while maintaining new urbanist development where the urban design promotes environmentally friendly practices by creating walkable neighborhoods containing a wide range of housing and job types consistent with small-city feel that comes with Cottonwood Heights. New development is planned in such a way that doesn’t spread buildings too far apart or intersperse parking between buildings. Furthermore, the overall development program encourages vertical massing (the equivalent of two to four stories) to the extent possible rather than creating a horizontal sea of sprawling one-story buildings.*



**Analysis:** A conditional use permit is required to increase the maximum height from 35 feet to 38 feet. While 38 feet is the overall height of the building as measured from the average existing grade, the slope of the lot effectively decreases the observed building height from 40 feet along Fort Union Blvd. to 30 feet where adjacent to residential to the south. Increasing the building height along Fort Union Blvd. is consistent with the goals of the Fort Union Corridor Plan. Staff recommends approval of the height increase as depicted in the plan submittal.

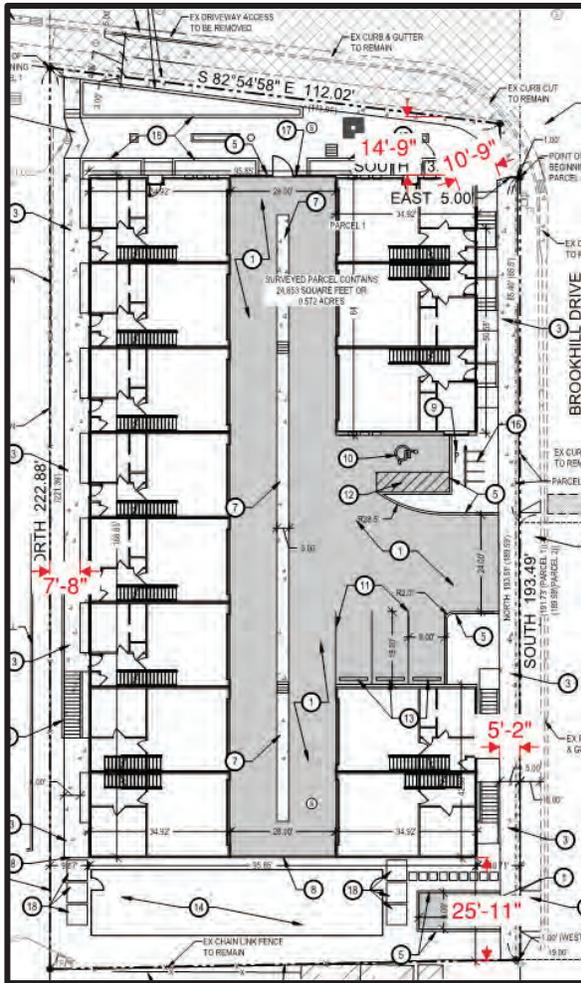
### **Setbacks**

This project requires Planning Commission approval to reduce the front and side setbacks. The front setback is proposed to be reduced from 20 feet to 14 feet. The side setback facing Brookhill Dr. is proposed to be reduced from 20 feet to 5 feet. The interior side setback is proposed to be reduced from 10 feet to 7 feet. As the applicant addresses technical corrections on the preliminary plat, additional frontage may be dedicated to the city for a wider sidewalk and future bike lane along Fort Union Blvd. and for a new sidewalk along Brookhill Dr.

#### **19.36.90 Setbacks, yards and other requirements.**

##### **A. Yards and setbacks.**

- 1. The minimum front or side yard along a street shall be 20 feet; however, the planning commission may reduce or eliminate the setback if it abuts CR, MU, NC, ORD, or PF-zoned properties and finds that the reduction or elimination helps create a better designed development, and that the reduction or elimination will not adversely affect the public health, safety or welfare.*
- 2. Minimum side and rear yards of 25 feet shall be required for side or rear yards of a lot in an MU zone abutting a residential zone. For lots adjacent to a non-residential zone, the minimum setback shall be ten feet for side and rear yards not on a street; however, the planning commission may reduce the setback if it finds that the reduction helps to create a better designed development, and that the reduction will not adversely affect the public health, safety or welfare.*



After dedicating the right of way for the Brookhill Dr. sidewalk, the side yard setback will be reduced to 0 feet because the stairs to the rear units are directly adjacent to the sidewalk.

**Analysis:** The rear setback meets the minimum required setback. A conditional use permit is required to decrease the front setback to 14 feet and the side setbacks to 5 feet and 7 feet (as measured from the existing property lines). Decreasing building setbacks contributes to the city's goal of creating a "main street" character along the Fort Union corridor. Expanding the right of way to install new sidewalks and prepare for a future bike lane will also contribute to the city's goal of improving the pedestrian network along Fort Union Blvd. Staff recommends approval of the proposed setbacks.

### **Lighting**

The applicant has submitted a landscape plan that shows 10 bollard lights (5 in the front along Fort Union Blvd. and 5 in the landscaped area in the back). No plans have been submitted for building-mounted or canopy lighting. There is an existing street light at the corner of the property on a power pole. Pedestrian walkways in the MU zone must have a lighting plan.

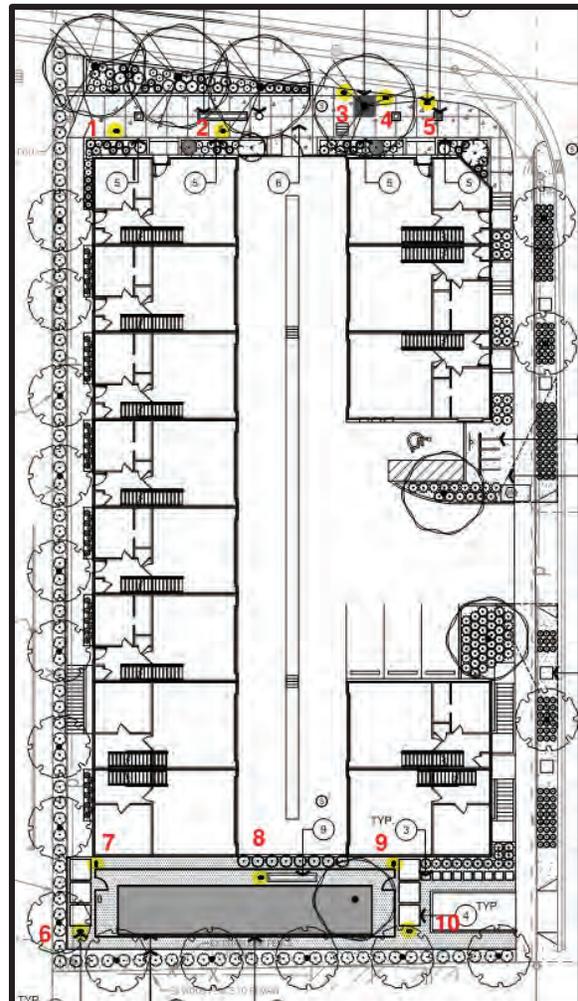
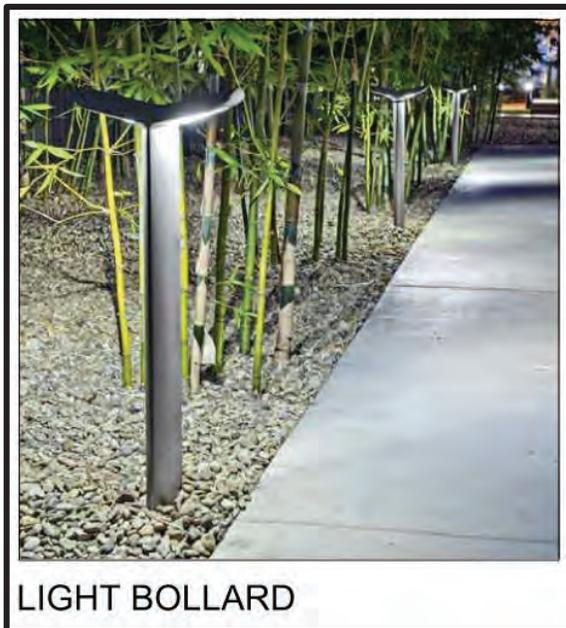
#### **19.36.120 Lighting.**

- A. Uniformity of lighting is desirable to achieve an overall objective of continuity and to avoid objectionable glare.*
- B. The maximum height of luminaries shall be 18 feet unless the planning commission requires a lower height as part of conditional use approval. The light shall be low intensity, shielded from*

uses on adjoining lots, and directed away from adjacent property in a residential or agricultural zone or an adjacent residential or agricultural use.

C. Pedestrian walkways shall be lighted.

D. All lighting next to residential zones, or where the planning commission requires, shall be directional; shall contain hoods or other measures to hide the light source; shall be no more than 15 feet in height to reduce light pollution and light spillage to the adjacent residential zone. The city may require a photometric study to be provided by the applicant demonstrating that such unacceptable light spillage to adjacent residential zones will not result, as determined by city staff.



**Analysis:** The applicant must submit a lighting plan that demonstrates compliance with section 19.36.120 of the zoning ordinance and the lighting standards of the Architectural Design Guidelines.

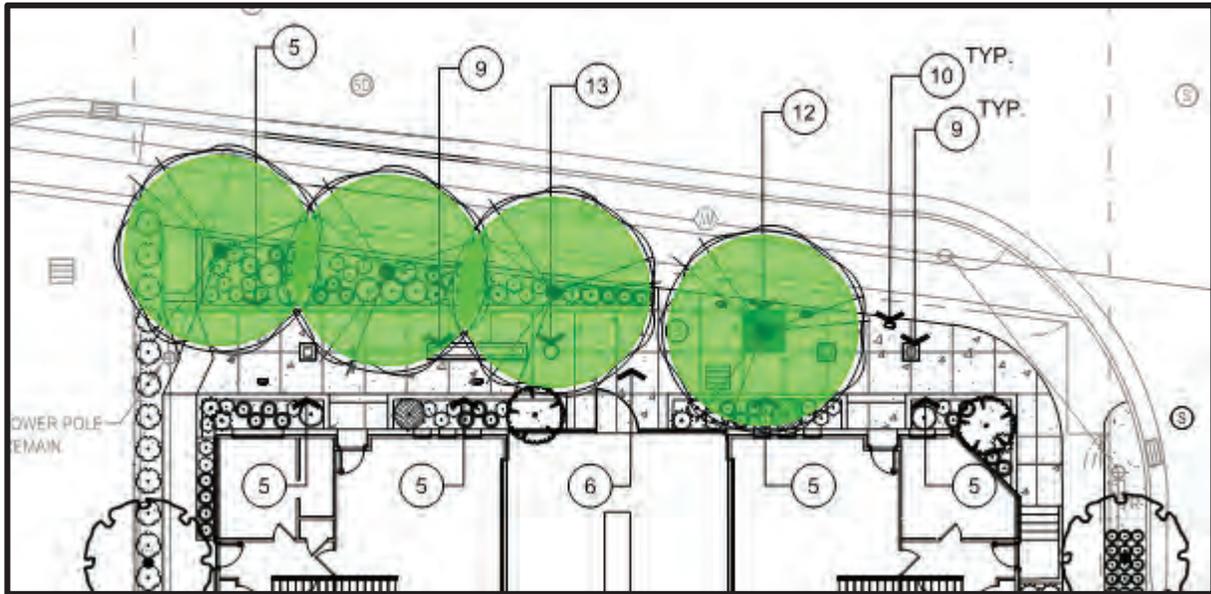
#### **Screening**

No plans have been submitted that clearly show the location and screening of any proposed mechanical equipment or dumpsters.

**Analysis:** The applicant must submit plans clearly demonstrating compliance with section 19.36.130 of the zoning ordinance.

**Landscape & Streetscape**

Four Wireless Zelkova trees are proposed along the street frontage. While these trees are on the Rocky Mountain Power list of 100 tree species to use adjacent to power lines, the applicant will need to verify with Rocky Mountain Power to ensure the tree location is acceptable.



**Street Trees**

- “Wireless Zelkova”
- 2” caliper
- From Rocky Mountain Power: *“The species is a large-statured tree often used as a substitute for American Elm. The cultivars ‘Wireless’ and ‘City Sprite’ are low growing and appropriate under power lines.”*

An 8-foot landscape buffer has been provided along the entirety of the south property line, adjacent to the neighboring duplex property. A greater than 10-foot landscape buffer has been provided between the sidewalk along Brookhill Dr. and the guest parking area. Trees have been provided every 30 feet as required between the MU zone and adjacent residential.

**19.36.140 Landscaping requirements.**

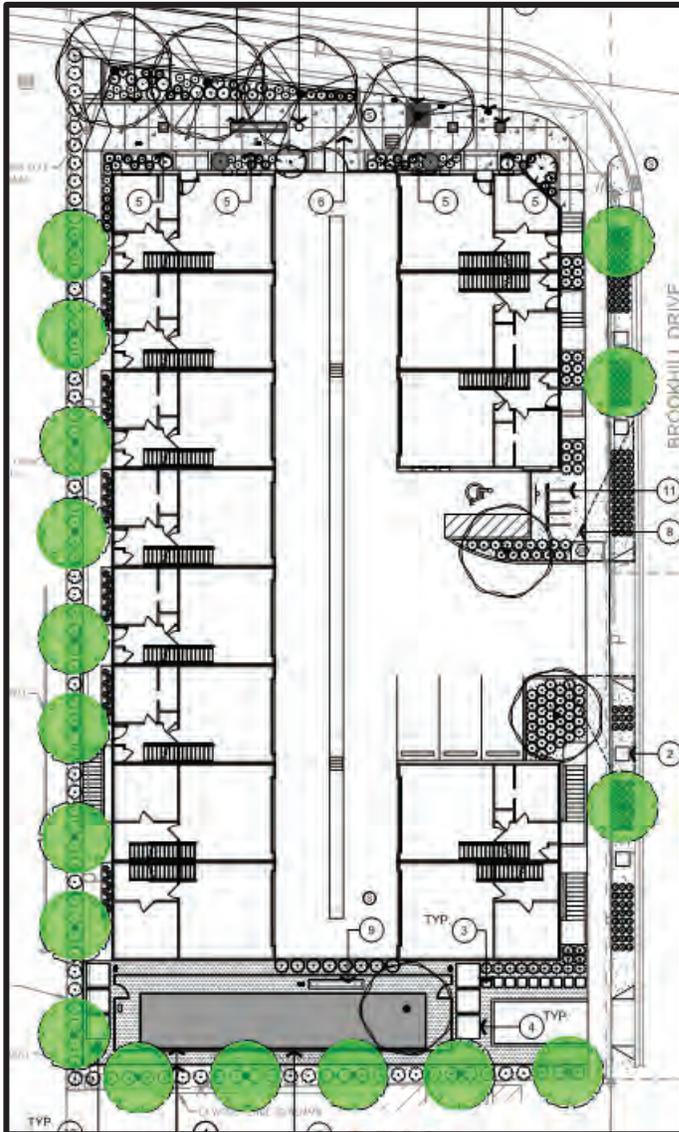
A. All developments in the MU zone shall provide a landscaped buffer between any commercial development and any adjoining residential zone. The landscaped buffer shall be at least eight

feet wide, and shall include trees planted at least every 30 feet on center. This requirement may be included within the side and rear setbacks of the MU zone.

**19.80.080 Landscaping in parking areas.**

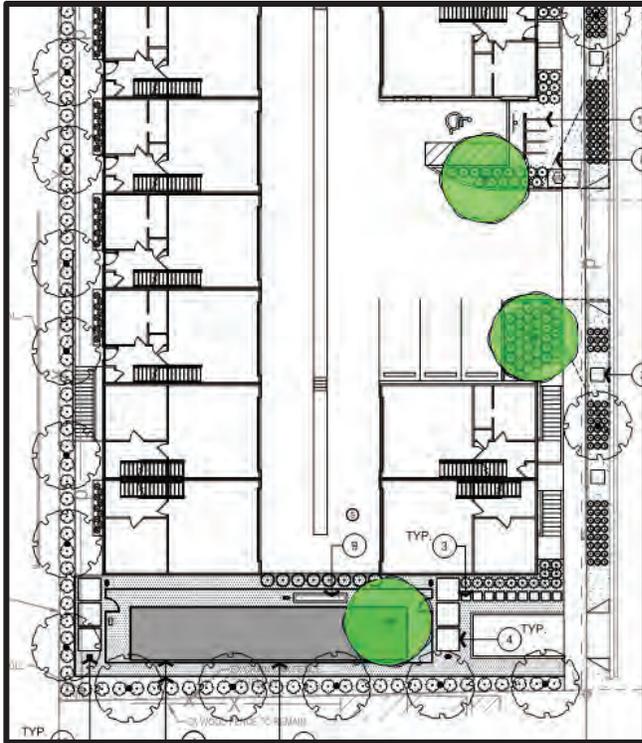
The following requirements shall apply to all landscaping of off-street parking areas:

A. *Parking Areas Adjacent to Public Streets.* All parking areas for nonresidential or multi-family residential uses, which are adjacent to public streets, shall create a landscaped strip of not less than ten feet in width placed between the sidewalk and the parking area. Trees, both deciduous and evergreen, shall be placed in the strip with spacing of no less than 30-foot intervals.



**Landscape Buffer/Street Trees**

- "Princeton Sentry Ginkgo"
- 2" caliper



**Site Trees**

- "Sawleaf Zelkova"
- 2" caliper

The Fort Union Corridor Plan calls for eight-foot sidewalks and five-foot bike lanes along Fort Union Blvd:

**Fort Union Main Street Corridor Area Plan (p. 87)**

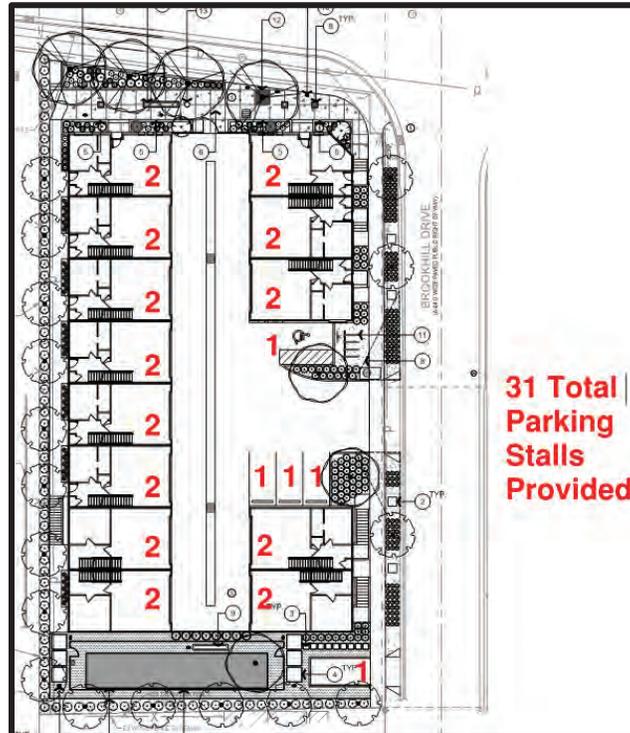
*Sidewalks along Fort Union should be a minimum of eight to ten feet wide that includes a two foot park strip, leaving a 6 - 8 foot unobstructed pedestrian passageway.*



**Analysis:** The proposed landscaping meets the minimum requirements of the zoning ordinance. The applicant will work with city staff to coordinate approval of the trees near the Fort Union power lines and to provide full frontage improvements along Fort Union Blvd. and Brookhill Dr.

### **Parking**

The required parking for residential condominiums/townhomes is 1.38 vehicles per dwelling unit. 18 parking stalls are required for 13 townhomes. The required parking for office uses is 2.84 vehicles per 1,000 sq. ft. 5 parking stalls are required for 1,902 sq. ft. of office (A-units: 111 sq. ft. x 4 units = 444 sq. ft. + B-units: 162 sq. ft. x 9 units = 1,458 sq. ft.). The total number of required parking stalls for the mixed use development is 23 stalls (22 standard stalls + 1 handicapped stall). The proposed plan provides 31 stalls (30 standard stalls + 1 handicapped stall).



**Analysis:** The proposed site plan meets the minimum parking requirements of the zoning ordinance.

### **Traffic**

The applicant has submitted a traffic letter for review by the Planning Commission and city staff.

#### ***Summary***

- 1. The project consists of 13 townhomes, 3 levels each unit, and an access on the east side of the site on Brookhill Drive.*
- 2. The proposed development is estimated to generate approximately 71 new external daily trips, with 5 trips during the AM peak hour and 6 trips during the PM peak.*
- 3. Existing ADT volumes are 21,330 veh/day on Fort Union Boulevard and 3,750 veh/day on Brookhill Drive.*
- 4. Project traffic adds approximately 0.33% of daily traffic to existing vehicles traveling on Fort Union Boulevard and about 1% to vehicles traveling on Brookhill Drive.*
- 5. The project will require one access to be removed from Fort Union Drive which will reduce delay and increase traffic flow.*
- 6. No mitigations are recommended at this time.*

## Recommendation

Staff has concluded that additional documentation is required to verify full compliance with the zoning ordinance. The project also requires a Certificate of Design Compliance from the ARC. Staff recommends continuing the item to the October Planning Commission meeting, with the following items to be addressed by the applicant before the next meeting:

1. Receive a Certificate of Design Compliance from the ARC;
2. Submit a lighting plan that demonstrates compliance with section 19.36.120 of the zoning ordinance;
3. Submit a plan with details for all equipment and dumpster locations and screening if applicable and a plan for residential waste and recycling pickup;
4. Submit a plan with exact setbacks showing the minimum distance from any portion of the building intended for human inhabitants to the property line;
5. Submit a lighting plan with details about building mounted lighting that complies with section 19.36.120 of the zoning ordinance;
6. Verify the appropriateness of the proposed street trees with Rocky Mountain Power;
7. Work with staff to provide full frontage improvements in accordance with the Fort Union Corridor Plan and city right-of-way standards.

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## Model Motions

### Approval

I move to approve project CUP-19-008, subject to the findings and conditions of approval in the staff report dated September 4<sup>th</sup>, 2019:

- List any conditions of approval...

### Denial

I move to deny project CUP-19-008, based on the following findings:

- List findings for denial...

### Continue

I move to continue project CUP-19-008 to the October 2<sup>nd</sup> Planning Commission meeting, based on the recommendations in the staff report dated September 4<sup>th</sup>, 2019:

- List any additional recommendations...

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## Attachments

1. Findings
2. Applicant Narrative
3. Plans

## Findings of Fact

1. *That the proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;*

**Finding of Fact:** Increased height of 3 stories and a reduced setback are both conditional uses within the MU zone.

2. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;*

**Finding of Fact:** Neither use of property will be detrimental to health, safety, comfort, order or general welfare of persons residing or working in the vicinity.

3. *That the use will comply with the intent, spirit, and regulations of this title and will be compatible with and implement the planning goals and objectives of the city;*

**Findings of Fact:** The request for an increase in stories and decrease in setbacks is supportive of the planning goals and objectives of the city, particularly those outlined in the General Plan Fort Union Corridor Master Plan.

4. *That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located;*

**Findings of Fact:** Neighboring uses will be along Fort Union are planned to be similar in scale and nature as the proposed development. The development maintains the required setbacks to adjacent single-family development areas and will be no less in setback distance or greater in building height than that which is permitted within the R-1-8 zone.

5. *That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;*

**Findings of Fact:** As a primarily residential use with a limited mixed-use office component, no greater nuisances are anticipated than a typical single-family development where home occupations are allowed.

6. *That protection of property values, the environment, and the tax base for the city will be assured;*

**Findings of Fact:** The proposed development will increase the tax base and help achieve the long-range goals of the Fort Union Corridor Master Plan, which in turn should increase economic activity for the city as a whole.

7. *That the use will comply with the city's general plan;*

**Findings of Fact:** The proposed development complies with the goals of the General Plan.

8. *That some form of a guaranty assuring compliance to all imposed conditions will be imposed on the applicant or owner;*

**Findings of Fact:** Guarantees will be imposed at the time of development in the form of a cash bond or equivalent to ensure that infrastructure and landscaping is installed as designed.

9. *That the internal circulation system of the proposed development is properly designed;*

**Findings of Fact:** The internal circulation system designed to minimize impacts on adjoining street network, particularly, by reducing curb-cuts and conflict points on Fort Union Boulevard and redirecting traffic to a signalized intersection on a local street.

10. *That existing and proposed utility services will be adequate for the proposed development;*

**Findings of Fact:** Utility services are adequate for the proposed use.

11. *That appropriate buffering will be provided to protect adjacent land uses from light, noise and visual impacts;*

**Findings of Fact:** The site is planned to be buffered by landscaping and setbacks keeping the new development buffered from existing development. The proposed lighting plan should mitigate any issues from light. The increase in height and decreased setbacks will not be a source of noise. The design review committee has issued a certificate of design compliance that mitigates visual impacts.

12. *That architecture and building materials are consistent with the development and surrounding uses, and otherwise compatible with the city's general plan, subdivision ordinance, land use ordinance, and any applicable design standards;*

**Findings of Fact:** The proposed project has achieved the standards of goals of the above documents.

13. *That landscaping appropriate for the scale of the development and surrounding uses will be installed in compliance with all applicable ordinances;*

**Findings of Fact:** The landscaping is typical for that which currently exists within the MU zone.

14. *That the proposed use preserves historical, architectural and environmental features of the property; and*

**Findings of Fact:** No identified historical, architectural and/or environmental features on the site have been identified.

15. *That operating and delivery hours will compatible with adjacent land uses.*

**Findings of Fact:** The hours of use are 24/7 as is that of the adjacent single-family residential uses.

16. *The foregoing approval standards shall be subject to any contrary requirements of Utah Code Ann. § 10-9a507, as amended.*

**Findings of Fact:** There is no conflict Utah Code Ann. [§ 10-9a-507](#), which governs how municipalities regulate conditional uses.

## Conditional Use Application: July 15, 2019.

Written Narrative: Union Lofts a Live/Work, PUD.

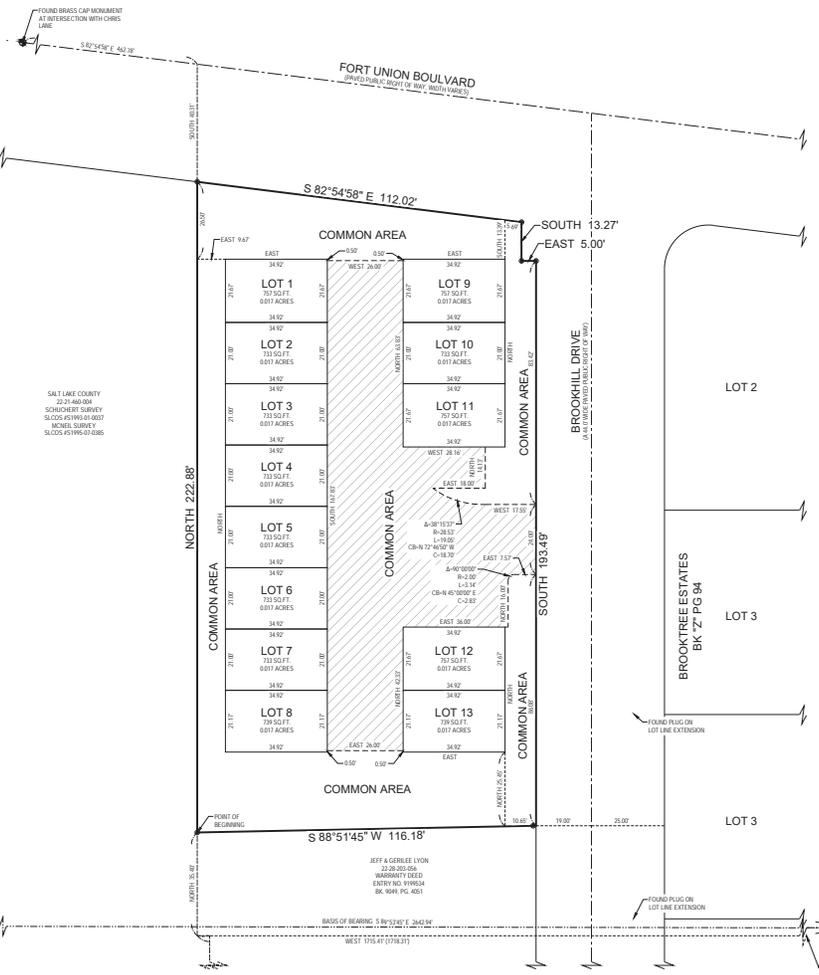
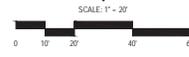
Nathan Anderson-Union Lofts, LLC.

- 1. Project Title:** Conditional Use Application – Union Lofts a Live/Work, PUD.
- 2. Conditional Use Proposed:** A mixed-use live/work 13-lot PUD.
- 3. Architect:** Russell Platt Architecture 1559 West 3860 South West Valley City, Utah 84119 (801) 580-0181.
- 4. Landscape Design:** Scott Schoonover McNeil Engineering 8610 So. Sandy Pkwy #200 Sandy, Utah 84070 (801) 255-7700.
- 5. Civil Engineer:** McNeil Engineering 8610 So. Sandy Pkwy #200 Sandy, Utah 84070 (801) 255-7700; D. Canning.
- 6. Compliance Statement:** Cottonwood Heights Ordinance No. 321-A, an ordinance approving the rezone of the real property located at 1810 East Fort Union Blvd. From R-1-8 (Residential Single Family) to MU (Mixed-Use) and amending the zoning map on May 21, 2019. The intended use is in compliance with the general plan designated as MU in Cottonwood Heights city. In addition, the Fort Union master Plan overlay is a guideline that has been implemented into the architectural design as well as the landscape architecture for the front plaza. Highly influencing the plaza area of the development along Fort Union Blvd.
- 7. Buffering nearby residential:** This development has both commercial and a residence across the street to the east along Brookhill Drive. So, relative to the residence across the street we placed the entrance to this development at that point in Brookhill to break-up the mass and provide a view corridor to the west. Along Brookhill Drive we will have a green wall of street trees planted every 15' to protect existing residence and new residence in this live/work development. The south neighbor is two single-level duplex buildings. This property sits to the south up-grade approximately 25' feet from the proposed development. To buffer these duplexes from this 3-story development we have taken the south two buildings on both sides (east and west) and pushed them into the ground one level. Now having 2.5 stories above grade with a reduced 3<sup>rd</sup> level stepped back. In addition to this architectural amendment we will have a 25' green space between this development and the duplex property that will be used as a tree lined resident dog-park.
- 8. Blending to the surrounding area:** This mixed-use live/work PUD will hold most of the dominant features viewed along Fort Union Blvd. The most dominant featured building material is brick, then glass, stucco and railings (wrought iron). We will use these same primary exterior building materials in a more forward-looking design. We have employed many references from the Fort Union General Plan Overlay that will be integrated to the design. And most prominent in the set-back from Fort Union Blvd in the form of a plaza. This plaza to include suggested street trees in grates with low profile shrubs every 13' to 15' along Fort Union Blvd. The balance of the plaza will include raised concrete planters with grasses and bushes. Along with bollard lights, sitting areas and bike rack area.

- 9. Traffic & Parking:** This 13-lot live/work PUD will have 6 visitor parking stall and one handicapped parking stall beyond the 2-car garage within the live-work townhome. According to Horrocks Traffic Engineers, this 13-lot Development is expected to have a traffic impact of less than .0021, very low. Additionally, impacted by the live-work component of the design. With the intended user living and working within the premises, thus not driving in an AM or PM commute along with shopping and restaurants within walking distance. Most business services expected in these live/work townhomes is primarily professional grade services that are more digitally oriented than those business with direct client interaction. Thus, this business activity is to have no notable impact to the expected on impacted streets.
- 10. Height of Building:** Of the allowed 45' in the M-U zone. The architecture is based on three 10' plates to an approximate total of 32'. This property will be a full story less than recent townhome developments in the M-U zone within the city.
- 11. Amenities:** The amenities for the development will include a front plaza gathering area designed in compliance with the Fort Union General Plan Overlay. In addition to a heavily desired fenced dog park on the south end of the development. For private amenities the live/work townhome will include a roof top deck area exclusive to the townhome owner. An amenity that enhances the unit and the over-all look, appeal and use by residents to have an all-encompassing lifestyle in an urban setting.

# UNION LOFTS P.U.D.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
1810 EAST FORT UNION BOULEVARD, COTTONWOOD HEIGHTS CITY, UTAH



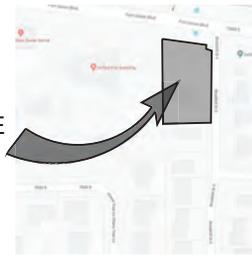
### LEGEND

- LOT LINE
- PROPERTY LINE
- SECTION LINE
- CENTERLINE
- ADJOINING DEED LINE
- EASEMENT LINE
- PUBLIC UTILITY EGRESS, EGRESS & EMERGENCY VEHICLE EASEMENT

### NOTES

1. UTILITIES SHALL HAVE THE RIGHT TO RECAL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAN MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS DESCRIBED HEREIN INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND SHRUBS THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.
2. COUNCILMAN APPROVES THIS PLAN SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAN CONTAINS PUBLIC UTILITY EASEMENTS. QUESTIONS MAY REQUIRE OTHER EASEMENTS IN ORDER TO SUBMIT THE DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABANDON OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAN INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE FOR FURTHER INFORMATION PLEASE CONTACT QUESTIONS RIGHT OF WAY DEPARTMENT AT 800-562-6822.
3. NO CITY MAINTENANCE PROVIDED ON PRIVATE STREETS.
4. PRIVATE ROAD TO BE OPEN TO ALL VEHICLES.
5. NO PUBLIC SERVICES ON PRIVATE STREETS.

### VICINITY MAP



### SURVEYOR'S CERTIFICATE

I, DAVID B. DRAPER DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 413196, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, AND HAVE SUBMITTED SAID TRACT OF LAND AND LOTS AND STREETS HEREIN TO BE TO BE DONORAL.

### UNION LOFTS P.U.D.

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAN.

### BOUNDARY DESCRIPTION

ALL OF THESE CERTAIN PARCELS CONVEYED IN WARRANTY DEED RECORDED MAY 30, 2014 AS ENTRY NO. 009984 IN BOOK 1076 AT PAGES 558 - 559 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID PARCELS BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND BEING MORE PARTICULARLY AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF THE LYON PARCEL, AS CONVEYED BY WARRANTY DEED RECORDED OCTOBER 15, 2004 AS ENTRY NO. 019958 IN BOOK 604 AT PAGE 403 IN THE OFFICE OF SAID COUNTY RECORDER, SAID POINT BEING WEST 171.61 FEET AND NORTH 8.8 FEET FROM THE SOUTHWEST QUARTER CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 222.88 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF WAY LINE FORT UNION BOULEVARD AS DECLARATED PER WARRANTY DEED RECORDED APRIL 18, 1984 AS ENTRY NO. 003349 IN BOOK 033 AT PAGE 130 IN THE OFFICE OF SAID COUNTY RECORDER; THENCE ALONG SAID SOUTHERLY BOUNDARY OF WAY LINE THE FOLLOWING THREE COURSES: 1) SOUTH 82°54'58" EAST 112.02 FEET, 2) SOUTH 13.27° EAST 5.00 FEET TO A POINT ON THE WEST BOUNDARY OF WAY LINE OF BROOKHILL DRIVE; THENCE SOUTH ALONG SAID WEST BOUNDARY OF WAY LINE 193.49 FEET TO THE NORTHEAST CORNER OF SAID LYON PARCEL; THENCE SOUTH 82°54'58" WEST ALONG THE NORTHERLY BOUNDARY OF SAID LYON PARCEL 13.8 FEET TO THE POINT OF BEGINNING.  
CONTAINING 24.83 SQUARE FEET, OR 0.572 ACRES, IN THIRTEEN (13) RESIDENTIAL LOTS.



DAVID B. DRAPER  
U.S. LICENSE NO. 413196

### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT \_\_\_\_\_ THE UNDERSIGNED OWNER, \_\_\_\_\_ OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE CAUSED SAME TO BE SUBMITTED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE:

### UNION LOFTS P.U.D.

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC USE, IN WITNESS WHEREOF, \_\_\_\_\_ HAVE HEREON SET \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

### INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH COUNTY OF SALT LAKE } \$5  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, THE SIGNER, \_\_\_\_\_ OF THE ABOVE OWNER'S DEDICATION, \_\_\_\_\_ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT \_\_\_\_\_ SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN SET FORTH.  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC RESIDING IN \_\_\_\_\_ COUNTY

### UNION LOFTS P.U.D.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
1810 EAST UNION BLVD., COTTONWOOD HEIGHTS, UTAH

SHEET  
1 OF 1



<b>COMMUNITY DEVELOPMENT</b> APPROVED THIS _____ DAY OF _____ A.D. 20____ DIRECTOR: BRIAN BERNAT	<b>CITY ENGINEER</b> APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____ CITY ENGINEER: BRAD GILSON, P.E.	<b>BOARD OF HEALTH</b> APPROVED THIS _____ DAY OF _____ A.D. 20____ DIRECTOR:	<b>PLANNING COMMISSION</b> APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE SAHEY CITY PLANNING COMMISSION. CHAIRMAN:	<b>CITY ATTORNEY</b> APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____ WM. SHANE TAPPAH, CITY ATTORNEY	<b>CITY COUNCIL</b> PRESENTED TO THE CITY OF COTTONWOOD HEIGHTS CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____ RELYN H. COLLIERE, JR., MAYOR LINDA DUNLAP, CITY RECORDER	<b>SALT LAKE COUNTY RECORDER</b> RECORD NO. _____ STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF SAID COUNTY OF SALT LAKE, BOOK _____ PAGE _____ DATE _____ TIME _____ SCALE _____ BOOK _____ PAGE _____ FEE \$ _____ SALT LAKE COUNTY RECORDER
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# SITE AMENITIES SCHEDULE

SYMBOL	DESCRIPTION	QTY
	CAST STONE RECTANGULAR BENCH LANDSCAPE FORMS MODEL NO. SC08-142 11'-10" LENGTH, GREY COLOR.	3
	CAST STONE SQUARE BENCH LANDSCAPE FORMS MODEL NO. SC08-24 24" LENGTH, GREY COLOR.	6
	LANDSCAPE FORMS BICL-68-10 BIKE RACK COMES IN POLISHED STAINLESS STEEL, 10' LENGTH W 8 BIKE CAPACITY.	2
	LANDSCAPE FORMS STON-50 STEEL CAN SIDE OPENING RECEPTACLE	2
	LANDSCAPE FORMS MULTIPLICITY PATH LIGHT, SILVER METALLIC, 7" X 36" TALL X 14".	10



CAST STONE RECTANGULAR BENCH



CAST STONE SQUARE BENCH



LIGHT BOLLARD



BIKE RACK



EXPOSED AGGREGATE



TRASH RECEPTACLE



DECORATIVE METAL FENCE



DECORATIVE METAL GATE

## LANDSCAPE SUMMARY DATA

COTTONWOOD HEIGHTS, UT CHAPTER 19.36, MIXED-USE ZONE		MIXED-USE WITH GATEWAY OVERLAY	
ZONED AS:			
TOTAL SITE AREA (ON-SITE ONLY)		24,788 S.F.	
TOTAL LANDSCAPE AREA ON-SITE		6,101 S.F.	
GENERAL:		REQUIRED	PROVIDED
MINIMUM LANDSCAPING ON SITE	19% MIN. = 3,714 S.F.	24,788 S.F. / 6,101 S.F. = 26%	
SETBACK ALONG FORT UNION BLVD	20' MIN.	YES	
REAR YARD ADJUTING RESIDENTIAL	20' MIN.	YES	

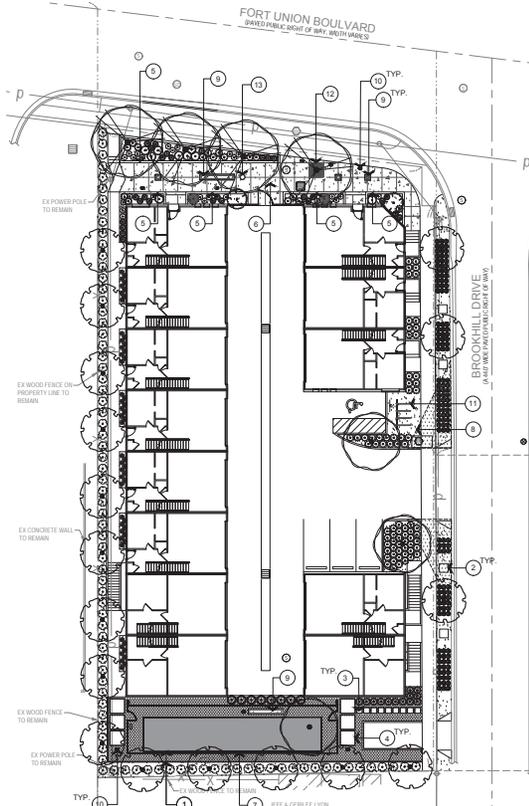
## REFERENCE NOTES

SYMBOL	DESCRIPTION
1	METAL EDGING
2	PRECAST CONCRETE STEPPING STONE, 30" SQUARE
3	PRECAST CONCRETE STEPPING STONE, 24" SQUARE
4	CAST-IN-PLACE CONCRETE PAD, 5' SQUARE
5	CAST-IN-PLACE CONCRETE PLANTER WALL, 18" HIGH X 8" THICK
6	CONCRETE PAVING WITH 'SILVER CLIFF' EXPOSED AGGREGATE FINISH FROM ROMANTIC WITH 8" JOINTS. SEE IMAGES ON THIS SHEET
7	4" TUBULE DOUBLE WIRE FENCE FROM OMEGA 4 FORCE SYSTEM AROUND DOOR RUN WITH 3" WIDE 'OMEGA ARCHITECTURAL SINGLE SWING' GATE, BOTH FENCE AND GATE IN COLOR BASALT GREY.
8	CLEAR VIEW SITE TRIANGLE, 15' X 30'
9	CAST STONE BENCH - SEE IMAGES AND SITE AMENITIES SCHEDULE ON THIS SHEET
10	LIGHT BOLLARD - SEE IMAGES AND SITE AMENITIES SCHEDULE ON THIS SHEET
11	BIKE RACK - SEE IMAGES AND SITE AMENITIES SCHEDULE ON THIS SHEET
12	CAST IRON TREE GRATE, 60" SQUARE
13	TRASH RECEPTACLE - SEE IMAGES AND SITE AMENITIES SCHEDULE ON THIS SHEET



NORTH

SCALE: 1" = 20'



# PLANT SCHEDULE

TREES	QTY	COMMON NAME	BOTANICAL NAME	SIZE
	2	FLUOREE JAPANESE MAPLE	ACER PALMATUM 'FLUOREE GREEN'	16 GAL
	17	PRINCETON SENTRY GINKGO	GINKGO BILOBA 'PRINCETON SENTRY'	2" CAL
	8	TAYLOR EASTERN REDCEDAR	JUNIPERUS VIRGINIANA 'TAYLOR'	16 GAL
	3	SAWLEAF ZELKOVA	ZELKOVA SERRATA 'MUSASHINO'	2" CAL
	4	WIRELESS ZELKOVA	ZELKOVA SERRATA 'WIRELESS'	2" CAL

SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	CONT.
	86	ARCTIC FIRE DOGWOOD	CORNUS STOLONIFERA 'FARROW'	5 GAL
	2	MOTHER LODGE JUNIPER	JUNIPERUS HORIZONTALIS 'MOTHER LODGE'	5 GAL
	25	MAY NIGHT SAGE	SALVIA X SYLVESTRIS 'MAY NIGHT'	5 GAL
	9	LAVENDER COTTON	SANTOLINA CHAMMEDIOPARISSIS	5 GAL
	136	RED CREEPING THYME	THYMUS PRAEOCX 'COCOONUS'	1 GAL

ORNAMENTAL GRASSES	QTY	COMMON NAME	BOTANICAL NAME	CONT.
	54	ALL GOLD JAPANESE FOREST GRASS	HAKONECHLOA MACRA 'ALL GOLD'	1 GAL
	19	RUBY RIBBON SWITCH GRASS	PANICUM VIRGATUM 'RUBY RIBBON'	1 GAL
	28	HAMELN DWARF FOUNTAIN GRASS	PENSTEMUM ALOPECUROIDES 'HAMELN'	1 GAL

LAWN	QTY	COMMON NAME	BOTANICAL NAME	CONT.
	747 S.F.	LAWN SOD, "IMPERIAL BLUE" FROM CHANDRASEKHAR FABRIC BROS SOD EASY OR APPROVED EQUAL		INSTALL OVER MINIMUM 5" TOPSOIL LAYER.

DECORATIVE STONE	QTY	COMMON NAME	BOTANICAL NAME	CONT.
	3,406 S.F.	CRUSHED ROCK, 1/2" SCREENED "MANSATCH GREY" FROM STAKER & PARSON COMPANIES (801) 819-8089 OR APPROVED EQUAL INSTALLED A MINIMUM 3" DEEP.		INSTALL OVER DEWITTS PRO 5 WEED BARRIER FABRIC. STONE SHALL BE FREE OF DIRT, LEAVES, WEEDS, AND OTHER FOREIGN DEBRIS.
	1,877 S.F.	"MANSATCH GOLD" CHERT FROM STAKER & PARSON COMPANIES (801) 819-8089 OR APPROVED EQUAL INSTALLED A MINIMUM 3" DEEP.		INSTALL OVER DEWITTS PRO 5 WEED BARRIER FABRIC. STONE SHALL BE FREE OF DIRT, LEAVES, WEEDS, AND OTHER FOREIGN DEBRIS.

## PLANTING NOTES

- PLANT TOTALS ARE FOR CONVENIENCE ONLY AND ARE NOT GUARANTEED. VERIFY AMOUNTS SHOWN ON CONTRACT DOCUMENTS. ALL PLANTING INDICATED ON CONTRACT DOCUMENTS IS REQUIRED UNLESS INDICATED OTHERWISE.
- PLANT COMMON NAMES ARE SHOWN AS A REFERENCE ONLY. USE COMPLETE BOTANICAL NAMES WHEN PURCHASING ALL PLANT MATERIAL.
- IMPORT AND INSTALL TOPSOIL AS NEEDED TO FILL ALL PLANTING AREAS. SUBMIT TEST BY LICENSED LABORATORY TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION. TOPSOIL USED IN LANDSCAPED AREAS SHALL BE WEED FREE, FERTILE, LOOSE, FRAGILE SOIL MEETING THE FOLLOWING CRITERIA:
  - CHEMICAL CHARACTERISTICS:
    - SOLUBLE SALTS: LESS THAN 10 MMHOS/CM
    - pH: 5 TO 8.5
    - SODIUM ADSORPTION RATIO (SAR): LESS THAN 6.0
    - ORGANIC MATTER: GREATER THAN ONE PERCENT
  - PHYSICAL CHARACTERISTICS:
    - AGGREGATION AS DEFINED BY USDA TRIANGLE OF PHYSICAL CHARACTERISTICS AS MEASURED BY HYDROMETER:
      - SAND: 15 TO 40 PERCENT
      - SILT: 10 TO 40 PERCENT
      - CLAY: 5 TO 20 PERCENT
    - CLEAN AND FREE FROM TOXIC MINERALS AND CHEMICALS, NOXIOUS WEEDS, ROCKS LARGER THAN OR EQUAL TO 1 1/2 INCH (25 MM) IN ANY DIMENSION, AND OTHER OBJECTIONABLE MATERIALS.
- SOIL:
  - SOIL SHALL NOT CONTAIN MORE THAN FIVE (5) PERCENT BY VOLUME OF ROCKS MEASURING OVER 1/4 INCH (6 MM) IN LARGEST SIZE
  - SOIL SHALL BE TOPSOIL IN NATURE
  - SOIL RESEMBLING ROAD BASE OR OTHER LIKE MATERIALS ARE NOT ACCEPTABLE
- FINISH TOPSOIL GRADE OF PLANTING AREAS BEFORE PLANTING AND AFTER ADDITION OF SOIL ADDITIVES SHALL BE SPECIFIED DISTANCES BELOW TOP OF ADJACENT PAVEMENT OF ANY KIND:
  - GROUND COVER AREAS: 2 INCHES BELOW
  - SEEDING AREAS: ONE INCH BELOW
  - SODDED AREAS: 2 INCHES BELOW
  - TREE AND SHRUB AREAS (NOT INDIVIDUAL TREES): 4 INCHES BELOW
- RAKE THE FINISH GRADE OF THE TOPSOIL WITHIN THE PLANTING AREAS TO REMOVE CLOUDS, ROCKS, WEEDS, ROOTS, DEBRIS OR OTHER MATERIALS 1/2" OR MORE IN ANY DIMENSION. GRADE AND SHAPE LANDSCAPE AREA TO BRING SURFACE TO TRUE UNIFORM PLANES FREE FROM IRREGULARITIES AND TO PROVIDE PROPER SLOPE FOR DRAINAGE.
- PLANTS SHALL CONFORM TO REQUIREMENTS OF THE PLANT SCHEDULE AND TO THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION / AMERICAN NATIONAL STANDARDS INSTITUTE ANIA / ANSI Z663.1-2004, "AMERICAN STANDARD FOR NURSERY STOCK."
- PLANT NAMES USED IN PLANT LIST CONFORM TO STANDARDIZED PLANT NAMES BY AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE EXCEPT IN CASES NOT COVERED. IN THESE INSTANCES, FOLLOW CUSTOM OF NURSERY TRADE. PLANTS SHALL BEAR TAG SHOWING GENUS, SPECIES, AND VARIETY OF AT LEAST 10 PERCENT OF EACH SPECIES DELIVERED TO SITE.
- PLANT MATERIAL QUALITY:
  - PLANTS SHALL BE SOUND, HEALTHY, VIGOROUS, FREE FROM PLANT DISEASE, INSECT PESTS OR THEIR EGGS, NOXIOUS WEEDS, AND HAVE HEALTHY, NORMAL ROOT SYSTEMS.
  - CONTAINER STOCK SHALL BE WELL ESTABLISHED AND FREE OF EXCESSIVE ROOT-BINDING CONDITIONS.
  - DO NOT PRUNE PLANTS OR TOP TREES PRIOR TO DELIVERY.
  - PLANT MATERIALS SHALL BE SUBJECT TO APPROVAL BY LANDSCAPE ARCHITECT AS TO SIZE, HEALTH, QUALITY AND CHARACTER.
  - BARER ROOT TREES ARE NOT ACCEPTABLE.
  - PROVIDE PLANT MATERIALS FROM LICENSED NURSERY OR GROWER.
- BEFORE PROCEEDING WITH WORK, CHECK AND VERIFY DIMENSIONS AND QUANTITIES. REPORT VARIATIONS BETWEEN DRAWINGS AND SITE TO LANDSCAPE ARCHITECT BEFORE PROCEEDING.



UNION LOFTS  
1810 EAST UNION BOULEVARD  
COTTONWOOD HEIGHTS, UT

REVISIONS	DESCRIPTION
1	
2	
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11	
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13	

PROJECT NO.: 19207  
DRAWN BY: YG  
CHECKED BY: SS  
DATE: JULY 2019  
PROP NO.:

LANDSCAPE PLAN

L1.01

WIDE CUTTING UNDERGROUND UTILITIES. UTILITY LOCATIONS SHOWN ON THIS SHEET ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL UTILITIES ABOVE OR BELOW THE PROJECT. SHOWN OR NOT SHOWN ON THE PLAN.

NOTICE!

Call 811

1-800-642-4111

# UNION LOFTS

## 1760 FORT UNION BLVD COTTONWOOD HEIGHTS, UT 84121

7-12-19



Russell Platt Architecture  
4301 West 4370 South  
West Valley City, Utah 84120  
801-580-0108



CODE OFFICIAL STAMP

PROJECT NAME:

UNION LOFTS  
1760 FORT UNION BLVD  
COTTONWOOD HEIGHTS, UT 84121

REVISIONS

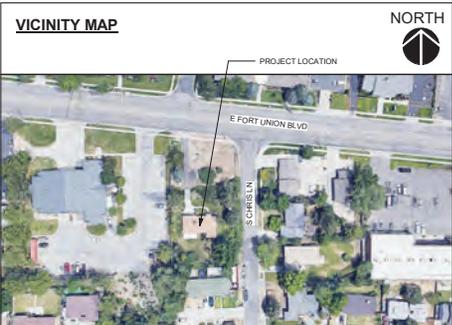
ISSUED	NO.	DATE	DESCRIPTION

OWNER PROJECT #:  
RPA PROJECT #:  
DRAWN BY:  
CHECKED BY:  
DESIGNED BY:  
COPYRIGHT:  
© 2018 RUSSELL PLATT ARCHITECTURE  
SHEET TITLE:

COVER SHEET

SHEET NUMBER:

C100



Sheet List	
Sheet Number	Sheet Name
C100	COVER SHEET
C101	MATERIAL BOARD
A101	LEVEL 1 FLOOR PLANS
A102	LEVEL 2 FLOOR PLANS
A103	LEVEL 3 FLOOR PLANS
A104	LEVEL 4 FLOOR PLANS
A105	ROOF PLAN
A106	A UNIT FLOOR PLANS

Sheet List	
Sheet Number	Sheet Name
A107	B UNIT FLOOR PLANS
A201	ELEVATIONS
A202	ELEVATIONS
A203	ELEVATIONS
A204	ELEVATIONS
A901	RENDERINGS
A902	RENDERINGS
A903	ISOMETRIC VIEWS HEIGHT STUDY





ALUMABOARD SIDING

BLACK BRICK

WHITE STUCCO

ARCHITECTS INFORMATION  
**RUSSELL PLATT ARCHITECTURE**  
 Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108



CODE OFFICIAL STAMP

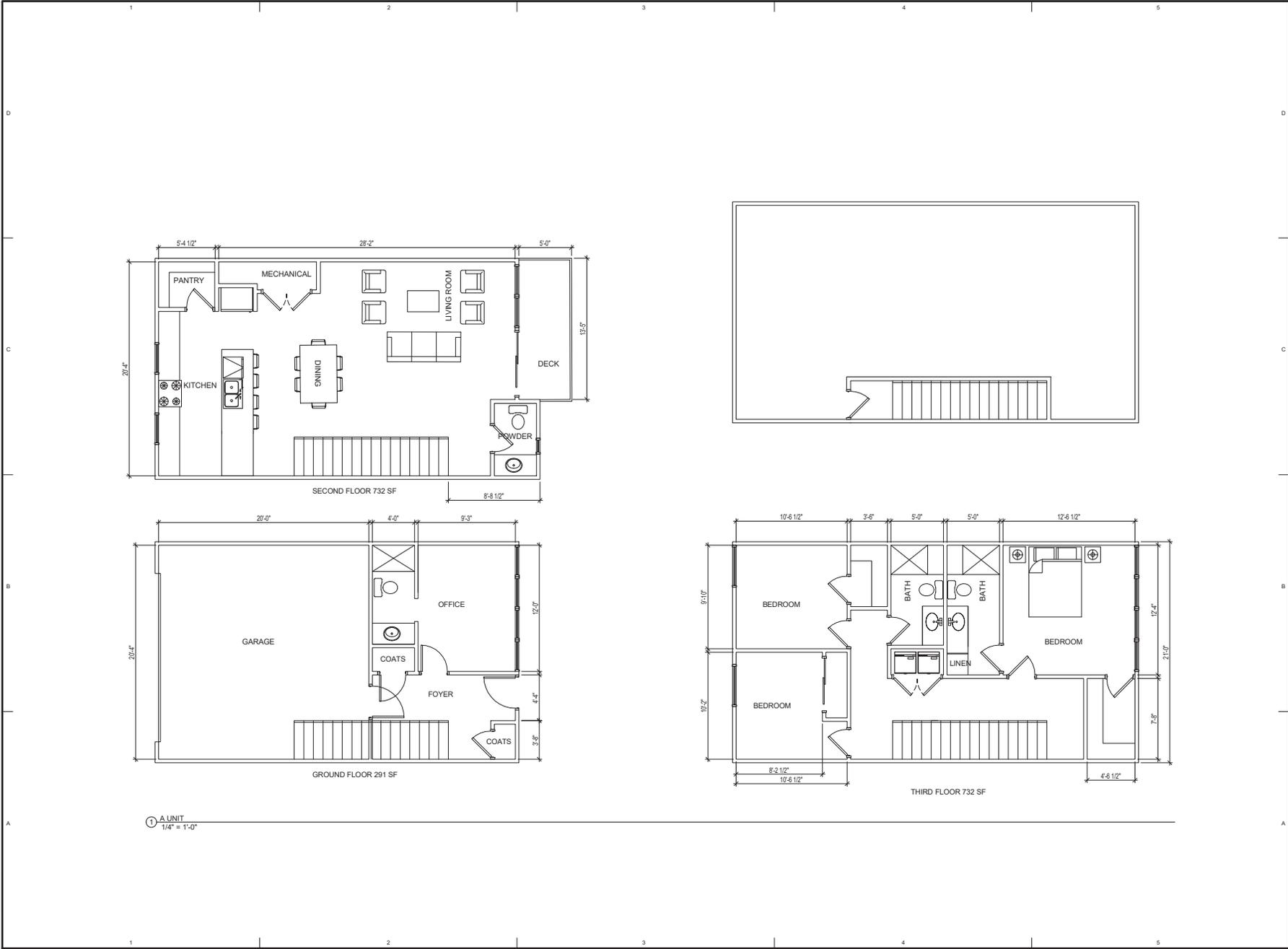
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**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

NO.	DATE	DESCRIPTION

ISSUED: 7-12-19  
 OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
 CHECKED BY:  
 DESIGNED BY:  
 COPYRIGHT:  
 © 2019 RUSSELL PLATT ARCHITECTURE

SHEET TITLE  
**MATERIAL BOARD**

SHEET NUMBER  
**C101**



ARCHITECTS INFORMATION  
**RUSSELL PLATT**  
 ARCHITECTURE  
 Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108



PROFESSIONAL STAMP  
 LICENSED ARCHITECT  
 RUSSELL PLATT  
 STATE OF UTAH

CODE OFFICIAL STAMP

PROJECT NAME  
**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

ISSUE NO.	DATE	DESCRIPTION

ISSUED: 7-12-19  
 NO. DATE DESCRIPTION

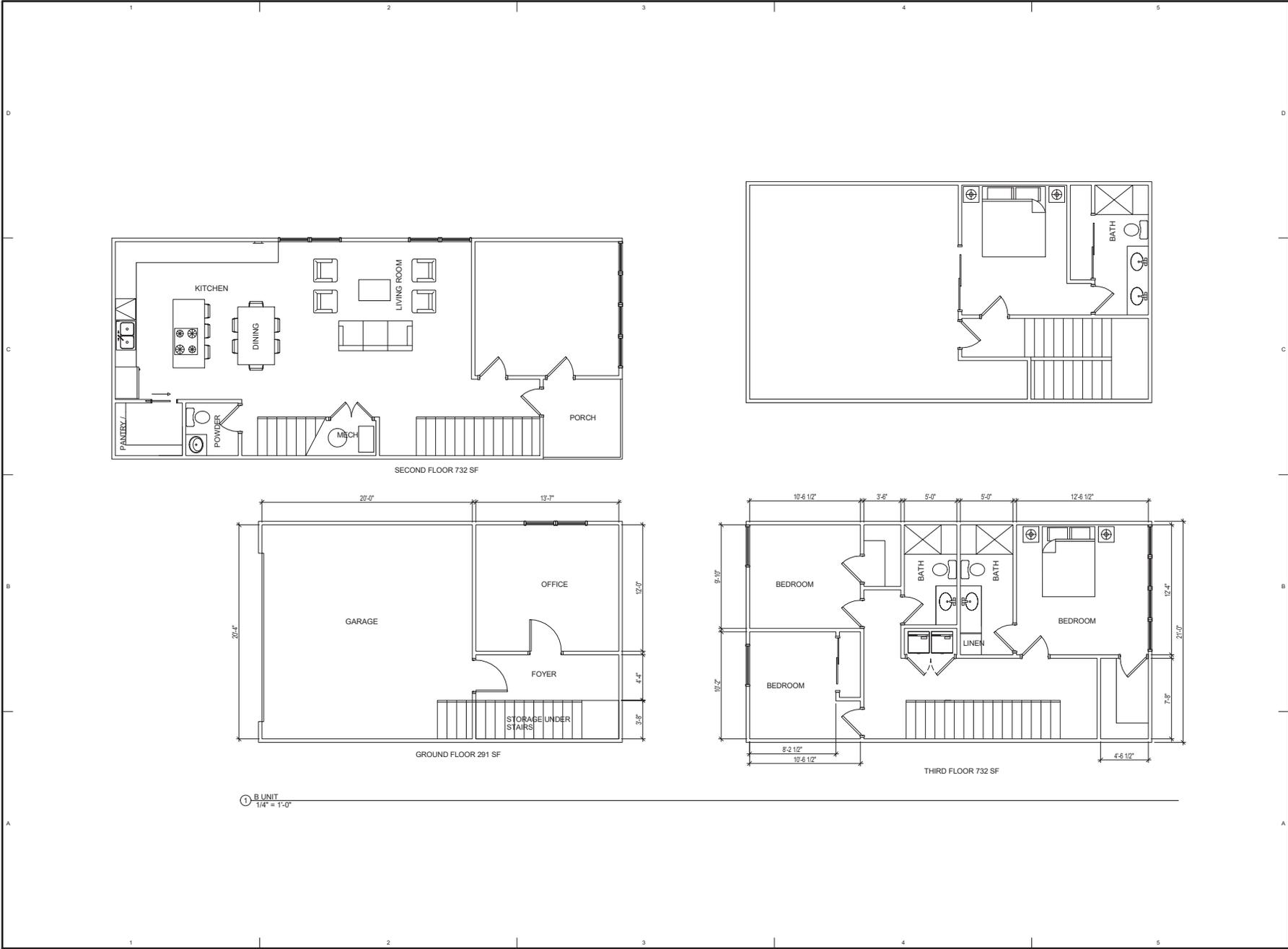
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SHEET TITLE  
**A UNIT FLOOR PLANS**

SHEET NUMBER  
**A106**

LinE Plotted: 7/12/2019 11:26:54 AM



ARCHITECTS INFORMATION  
**RUSSELL PLATT ARCHITECTURE**  
 Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108



CODE OFFICIAL STAMP

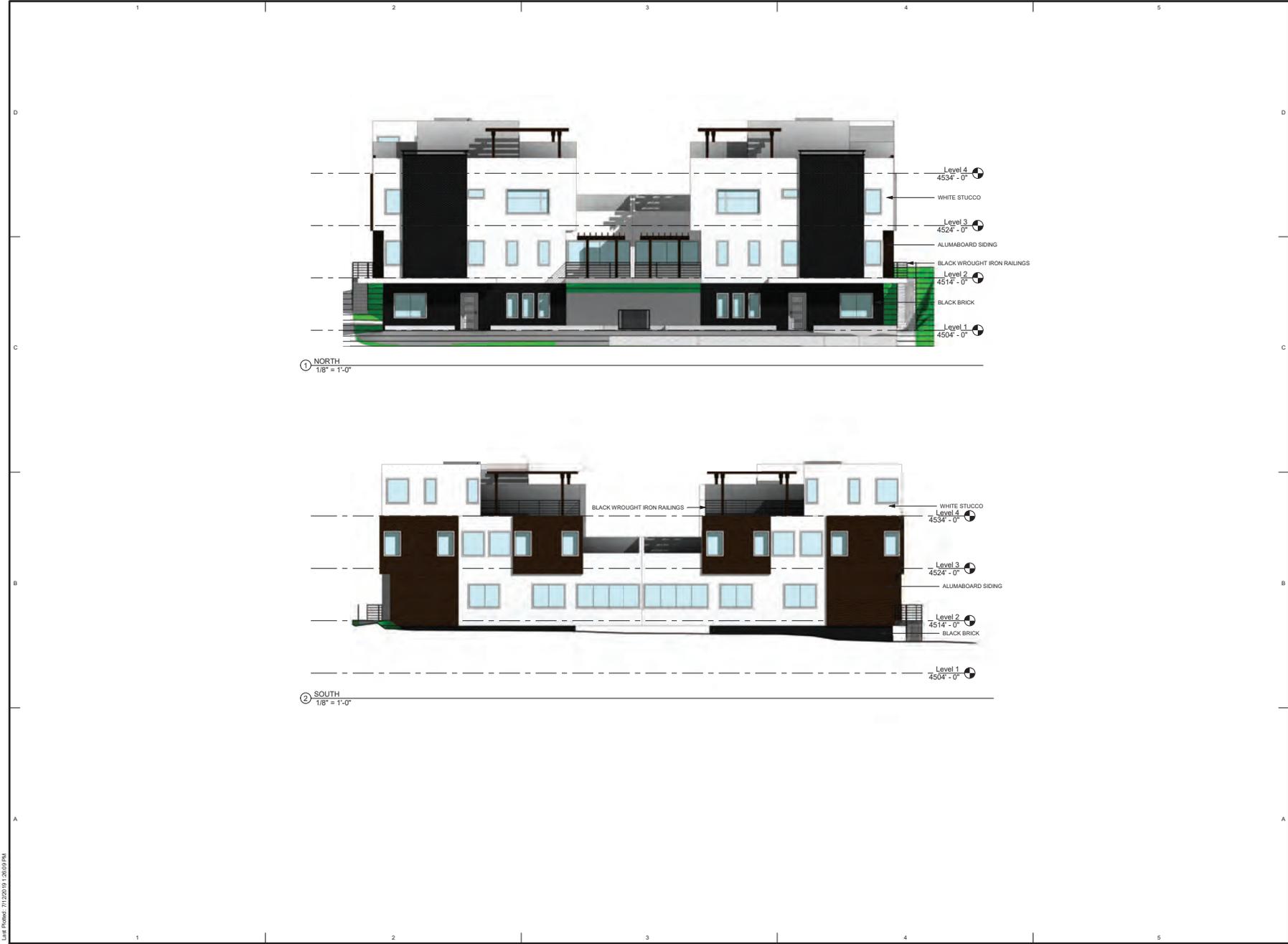
PROJECT NAME  
**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

ISSUANCE NO.	DATE	DESCRIPTION

ISSUED: 7-12-19  
 OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
 CHECKED BY:  
 DESIGNED BY:  
 COPYRIGHT © 2019 RUSSELL PLATT ARCHITECTURE  
 SHEET TITLE:

**B UNIT FLOOR PLANS**  
**A107**

Last Printed: 07/12/2019 11:28:54 AM



Last Printed: 07/12/2019 11:28:09 AM

ARCHITECTS INFORMATION

**RUSSELL PLATT ARCHITECTURE**

Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108

---

PROFESSIONAL STAMP

*Richard Russell Platt*  
 RUSSELL PLATT ARCHITECT  
 STATE OF UTAH

---

CODE OFFICIAL STAMP

---

PROJECT NAME

**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

---

ISSUES

NO.	DATE	DESCRIPTION

---

ISSUED: 7-12-19

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OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
 CHECKED BY:  
 DESIGNED BY:

---

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SHEET TITLE:  
**ELEVATIONS**

---

SHEET NUMBER:  
**A201**



① EAST  
1/8" = 1'-0"

② WEST  
1/8" = 1'-0"

ARCHITECTS INFORMATION

**RUSSELL PLATT ARCHITECTURE**

Russell Platt Architecture  
4301 West 4570 South  
West Valley City, Utah 84120  
801-580-0108

---

PROFESSIONAL STAMP

**LICENSURE ARCHITECT**

*Russell Platt*  
Russell Platt

STATE OF UTAH

---

CODE OFFICIAL STAMP

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PROJECT NAME

**UNION LOFTS**

1760 FORT UNION BLVD  
COTTONWOOD HEIGHTS, UT 84121

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ISSUES

NO.	DATE	DESCRIPTION

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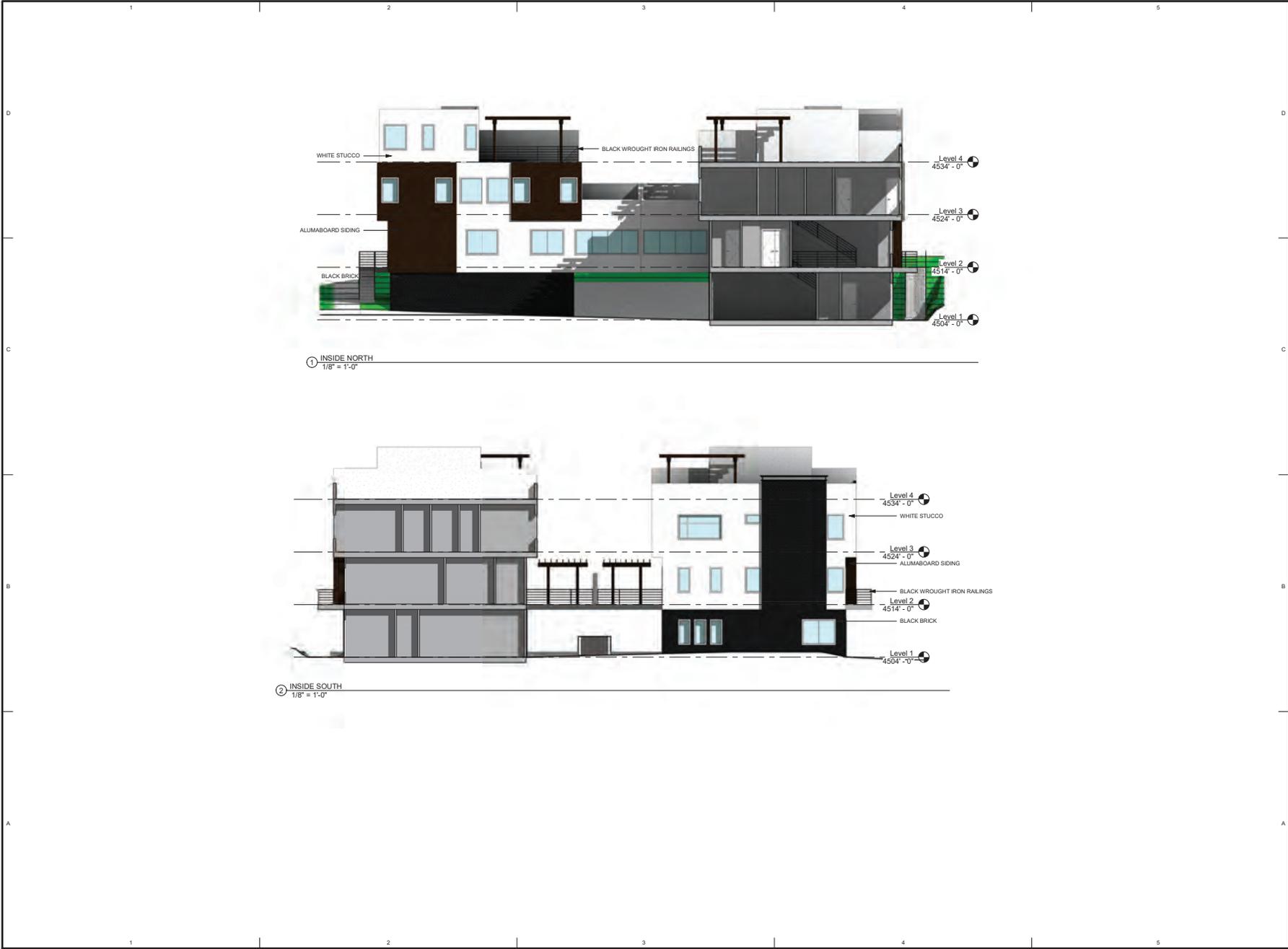
ISSUED: 7-12-19

OWNER PROJECT #:  
RPA PROJECT #:  
DRAWN BY:  
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SHEET TITLE:  
**ELEVATIONS**

SHEET NUMBER:  
**A202**



ARCHITECTS INFORMATION  
**RUSSELL PLATT ARCHITECTURE**  
 Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108



CODE OFFICIAL STAMP

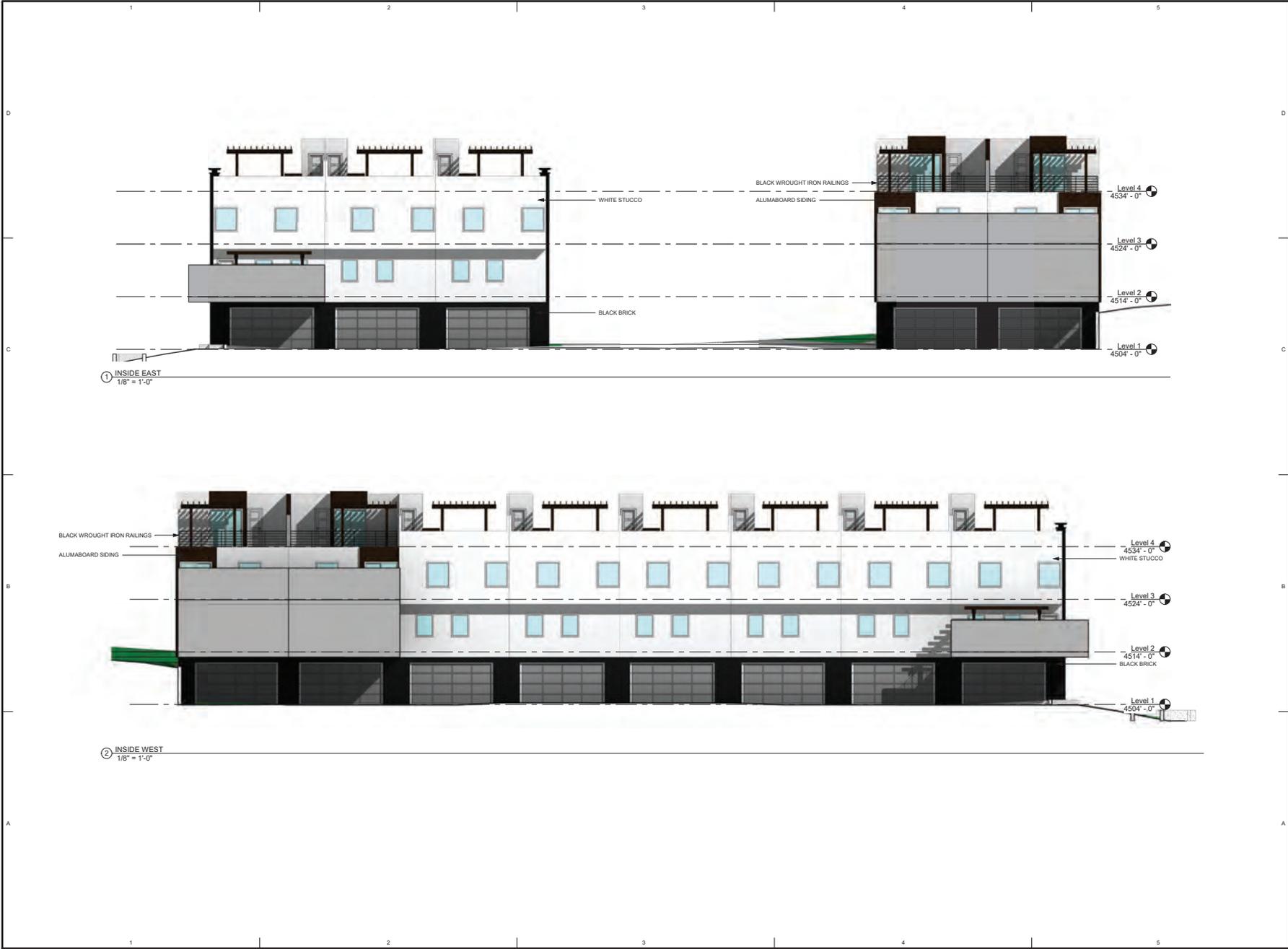
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**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

ISSUING	NO.	DATE	DESCRIPTION

ISSUED: 7-12-19  
 OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
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SHEET TITLE  
**ELEVATIONS**  
 SHEET NUMBER  
**A203**

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ARCHITECTS INFORMATION

**RUSSELL PLATT ARCHITECTURE**  
 Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108

---

PROFESSIONAL STAMP

*Russell Platt*  
 ARCHITECT  
 STATE OF UTAH

---

CODE OFFICIAL STAMP

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PROJECT NAME

**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

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ISSUES

NO.	DATE	DESCRIPTION

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OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
 CHECKED BY:  
 DESIGNED BY:

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SHEET TITLE:  
**ELEVATIONS**

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SHEET NUMBER:  
**A204**

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ARCHITECTS INFORMATION

**RUSSELL PLATT ARCHITECTURE**  
 Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108

PROFESSIONAL STAMP:

CODE OFFICIAL STAMP:

PROJECT NAME:  
**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

REVISION	NO.	DATE	DESCRIPTION

ISSUED: 7-12-19  
 NO. DATE DESCRIPTION

OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
 CHECKED BY:  
 DESIGNED BY:

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SHEET TITLE:  
**RENDERINGS**

SHEET NUMBER:  
**A901**

Last Printed: 7/12/2019 11:28:52 AM



ARCHITECTS INFORMATION

**RUSSELL PLATT ARCHITECTURE**

Russell Platt Architecture  
4301 West 4570 South  
West Valley City, Utah 84120  
801-580-0108

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PROFESSIONAL STAMP

LICENSURE ARCHITECT

*Russell Platt*

RUSSELL PLATT ARCHITECT

STATE OF UTAH

---

CODE OFFICIAL STAMP

---

PROJECT NAME

**UNION LOFTS**

1760 FORT UNION BLVD  
COTTONWOOD HEIGHTS, UT 84121

---

ISSUES

NO.	DATE	DESCRIPTION

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ISSUED: 7-12-19

OWNER PROJECT #:

RPA PROJECT #:

DRAWN BY:

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DESIGNED BY:

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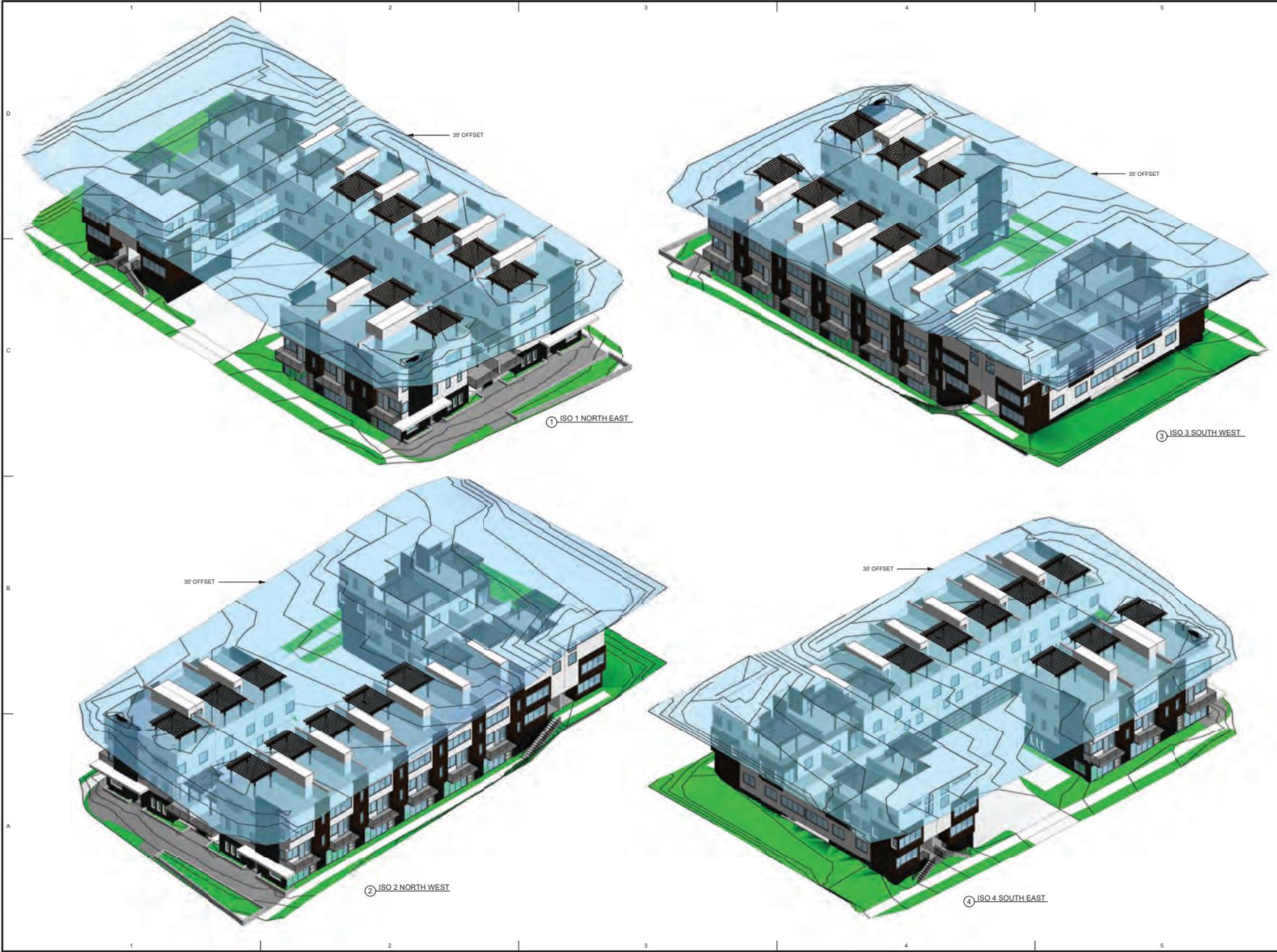
SHEET TITLE:

**RENDERINGS**

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SHEET NUMBER:

**A902**



ARCHITECTS INFORMATION  
**RUSSELL PLATT ARCHITECTURE**

Russell Platt Architecture  
 4301 West 4570 South  
 West Valley City, Utah 84120  
 801-580-0108



CODE OFFICIAL STAMP

PROJECT NAME

**UNION LOFTS**  
 1760 FORT UNION BLVD  
 COTTONWOOD HEIGHTS, UT 84121

ISSUE NO.	DATE	DESCRIPTION

ISSUED	DATE	DESCRIPTION

OWNER PROJECT #:  
 RPA PROJECT #:  
 DRAWN BY:  
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 DESIGNED BY:  
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 SHEET TITLE:

**ISOMETRIC  
 VIEWS HEIGHT  
 STUDY**

SHEET NUMBER:  
**A903**

Last Printed: 01/20/2019 1:27:08 PM



# PLANNING COMMISSION STAFF REPORT

Union Lofts - 23 Live/Work Townhomes

Meeting Date: September 4, 2019

Staff Contact: Matt Taylor, Senior Planner

## Summary

**Applicant:** John Prince (1700 Fort Union Partners, LLC)

**Subject Properties:**

1658 S. 1700 E.

1648, 1680, 1690 E. Fort Union Blvd.

**Action Requested:**

1. Site Plan Approval of 23 mixed-use live/work townhomes.
2. Conditional Use Permit for an increase in height and a decrease in setbacks.

**Recommendation**

Continue item to the October Planning Commission meeting.



**Project #:** SPL-19-007

## Context

Property Owner	Address -- Parcel #	Acres
Silvia Ann Johnson	1648 E. Fort Union Blvd. <a href="#">2221380007</a>	0.24
Chytraus, Darlene H; Tr	1680 E. Fort Union Blvd. <a href="#">2221380008</a>	0.21
1700 Fort Union Partners, LLC	1690 E. Fort Union Blvd. <a href="#">2221380009</a>	0.44
1700 Fort Union Partners, LLC	6958 S 1700 E <a href="#">2221380014</a>	0.24
	Total Acres:	1.13



Site Photos

Subject Properties – Looking Southeast



Subject Properties – Looking Southwest



## Zoning and Land Use

### Site

**Zone:** MU - Mixed Use /  
Gateway Overlay District

**Land Use:** Single-Family Residential,  
Vacant

### North

**Zone(s):** PF - Public Facilities /  
R-2-8 - Multi-Family Res.

**Land Use:** Park, Twin Homes

### South

**Zone:** R-1-8 –Single Family Res.

**Land Use:** Single-Family Res.

### East

**Zone:** R-1-8 –Single Family Res.

**Land Use:** Single-Family Res.

### West

**Zone:** R-1-8 –Single Family Res.

**Land Use:** Single-Family Res.



---

## Analysis

### Request

An application has been made by John Prince (1700 Fort Union Partners, LLC) for site plan approval of 23 mixed-use live/work townhomes and a conditional use permit for an increase in height and a decrease in setbacks.





### Planning Commission Authority

The Planning commission is required to review site plans for all new developments in the MU zone, as required by section 19.36.110 of the zoning ordinance:

**19.36.110 Site plan required.**

*Developments in the MU zone must submit a site plan, which is subject to planning commission approval.*

The Planning commission is required to approve requests to increase height or reduce setbacks in the MU zone, as required by section 19.36.030 of the zoning ordinance:

**19.36.30 Conditional uses.**

*C. Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU zone, or any other variation based on permitted approval under this chapter, shall be considered a conditional use.*

### Architectural Review Commission

This property is in the city's Gateway Overlay District, which requires Architectural Review Commission (ARC) approval for all new development. This project was scheduled for ARC review on August 29, but the meeting had to be rescheduled due to lack of quorum. This project will be reviewed by the ARC on September 12.

**Analysis:** It is recommended that as a condition of approval that this item be continued after public hearing until October 4, 2019.

## Proposal

The applicant submitted a written narrative for Planning commission consideration. Copies of the written narrative and all relevant plans have been attached to this report for reference.

## Ordinance Review

### Summary

	PERMITTED	PROPOSED
<b>HEIGHT</b>	45' max.	33.5'
<b>STORIES</b>	2 permitted, 3 max with CUP.	3 <b>(PC must approve 3<sup>rd</sup> story)</b>
<b>LOT COVERAGE</b>	65% max.	31%
<b>DENSITY</b>	35 units/acre max.	20.35 units/acre
<b>SETBACKS</b>		
FRONT (NORTH):	20'	7.75' (minimum) 18' (average) 26' (average with street dedication) <b>(PC must approve setback reduction)</b>
REAR (SOUTH):	25'	25' (min)
SIDE (EAST):	20'	14' <b>(PC must approve setback reduction)</b>
SIDE (WEST):	25'	25' (min)
<b>PARKING</b>	31 residential (1.34 spaces per unit) 10 office	56 stalls

### Use

A permitted use for this site is “mixed-use residential buildings as defined” in the MU zone.

#### **19.36.040 Mixed-use building.**

*A mixed-use building is a single building containing more than one type of land use, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated.*

Each of the 23 units has a main-floor area suitable for several of the permitted and conditional uses as allowed in the MU zone.

**Analysis:** The proposed use of live/work townhomes is compatible as a “mixed-use residential building” as permitted in the MU zone.

### Fort Union Blvd Corridor Right-of-Way Requirements

#### **19.76.050.B Off-site improvements required**

*The applicant for a building or conditional use permit for all dwellings, commercial or industrial uses, and all other business and public and quasi-public uses shall provide curb, gutter, sidewalk and asphalt along the entire property line which abuts any public road or street in cases where it does not exist at city standards.*

**14.08.040 Determination of width of right-of-way**

*The department may, subject to ordinances adopted by the city council, determine the permissible width of rights-of-way for public highways in the city.*

**Ft. Union Corridor Master Plan Cross Section**

It is the policy to reconstruct Ft. Union Blvd to the cross section as adopted by Cottonwood Heights Ordinance 268. Additional right-of-way will need to be dedicated to accomplishing this. Although this will affect the front yard setback, staff recommends approval of the previously discussed reduced setbacks to accommodate the right-of-way expansion. The corridor bike lane will alternatively be developed as a park/planter strip for the time being. The property line will need to be 48 feet from the existing Ft. Union centerline to the back of sidewalk. (see Fort Union Corridor Area Master Plan).

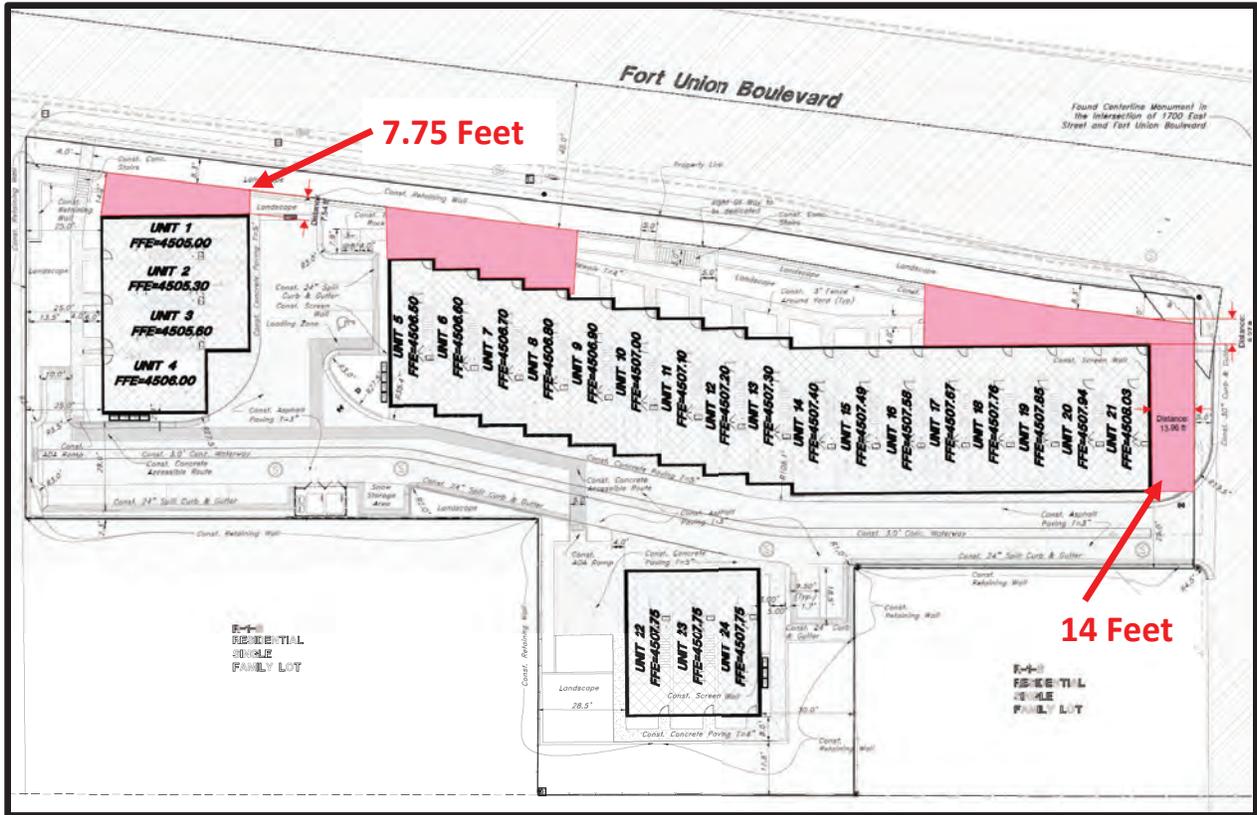


**Analysis:** This requirement is discussed first as it effects the applicant’s proposed setbacks.

**Setbacks**

The west side and south rear setbacks all meet the required setbacks for building adjacent to single-family residential properties. The applicant is requesting an exception to the north front and east side yard, 7.75 and 15 feet, respectively. However, it should be noted that the average setback along the front yard is 18 feet. Also, the City is requiring the dedication of 8 feet of the front yard for future improvements to accomplish the goals of the Fort Union Corridor Master Plan for redesigning the street into a pedestrian-friendly, mixed use, downtown environment.

The areas shaded in red have less than 20 feet of setback after additional road dedication to the City. All other setback meets zoning minimums.



**19.36.30 Conditional uses.**

C. Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU zone, or any other variation based on permitted planning commission approval under this chapter, shall be considered a conditional use.

**19.36.070 Development standards.**

Any development in the MU zone shall conform to the city's general plan, the standards of the city's Gateway Overlay District (if applicable), and the standards of this chapter.

**Fort Union Main Street Corridor Area Plan**

The City Council adopted the Fort Union Main Street Corridor Area Plan “as an element of the City’s General Plan” ... and “deemed to augment” it. The Fort Union Plan encourages new development to create a “main street” feel:

*New structures shall be constructed so as to maintain a traditional streetscape edge. The setbacks of adjacent structures and context of spacing between buildings shall be considered in determining the appropriate building setback. At a minimum, a new structure shall be constructed within a Build-to-Zone between 15’ and 25’ from the public street right of way. If site circumstances dictate, a new structure may be constructed as close as 10’ of the public street right of way (p. 84).*

**Conditional Use Permit Standards Analysis – Setbacks**

The planning commission is required to approve or deny a conditional use based upon written findings of fact that address a set of standards (see 19.84.080 CH Code).

Per 19.84.080.B, CH Code, *“The planning commission shall only approve with conditions, or deny a conditional use, based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in the specific zoning district. The planning commission shall not approve issuance of a conditional use permit unless the evidence presented is such as to establish the following:*

See Appendix “A” for a full list of conditional use permit standards and proposed findings for approval.

**Setback Reduction Analysis:** The reduced setbacks are within the design goals and guidance of the City Design Guidelines and supports the goals of the General Plan. The reduced setbacks do not create detriments to the health, safety, and welfare of the community and findings can be adopted that support the standards for the issuance of a conditional use permit.

### Height

The proposed building is three-stories and approximately 33.5 feet from the natural grade to the highest point of the roof structure. The maximum height permitted in the MU zone is 35 feet. Although the applicant is not asking for additional height, the Gateway Design Corridor does allow up to 45 feet (19.49.030 CH Code).

**Analysis:** The height of this project is in full compliance with the provisions of City code. The building is approximately the same height of the maximum height of that allowed for a single-family residence in the adjoining R-1-8 Single Family zone. However, there is a difference in the scale of the building massing that will communicate a higher building height to observers.

### Number of Stories

The MU zone does limit the number of stories in a building to two stories unless the planning commission approves a conditional use permit finding that the number of stories from two to three will not adversely affect the public health, safety or welfare:

***19.36.050 Maximum height of structures.***

*Structures in a MU zone shall not exceed a height of two stories, or 35 feet, whichever is less. The planning commission, after receiving favorable recommendation from the DRC, may increase the maximum height of a structure in a MU zone to no more than three stories, upon a finding that such increased height will not adversely affect the public health, safety or welfare.*

***19.49.030 Gateway Overlay District***

*(G)... (1) In no case shall structure height exceed 45 feet in the Gateway Overlay District.*



#### Fort Union Main Street Corridor Area Plan

The City Council adopted the Fort Union Main Street Corridor Area Plan “as an element of the City’s General Plan...” and “deemed to augment” it. The Fort Union Plan encourages vertical massing of new development to create a “main street” feel:

*10. Goal: Establish a Critical Mass of Development: To create a more compact and walkable “City center”/“main street” along Fort Union, it will be important to develop a critical mass of buildings that will not be overwhelmed by parking, while maintaining new urbanist development where the urban design promotes environmentally friendly practices by creating walkable neighborhoods containing a wide range of housing and job types consistent with small-city feel that comes with Cottonwood Heights. New development is planned in such a way that doesn’t spread buildings too far apart or intersperse parking between buildings. Furthermore, the overall development program encourages vertical massing (the equivalent of two to four stories) to the extent possible rather than creating a horizontal sea of sprawling one-story buildings. (p. 74)*

#### **19.36.070 Development standards.**

*Any development in the MU zone shall conform to the city’s general plan, the standards of the city’s Gateway Overlay District (if applicable), and the standards of this chapter.*

**Conditional Use Permit Standards Analysis – Number of Stories.** The planning commission is required to approve or deny a conditional use based upon written findings of fact that address a set of standard (see 19.84.080 CH Code). Staff has prepared findings of fact that the commission can consider adopting for each standard.

Per 19.84.080.B, CH Code, “The planning commission shall only approve with conditions, or deny a conditional use, based upon written findings of fact with regard to each of the standards set forth below

and, where applicable, any special standards for conditional uses set forth in the specific zoning district. The planning commission shall not approve issuance of a conditional use permit unless the evidence presented is such as to establish the following:

See Appendix "A" for a full list of conditional use permit standards and proposed findings for approval.

**Analysis:** A conditional use permit is required to increase the maximum height from 2 stories to 3 stories within the permitted height of 45' in the MU zone / Gateway Overlay District. Staff recommends approval of the additional building story as it is within normal ordinance height provisions and supports the goals of the General Plan.

### Screening & Landscaping

Plans have been submitted that demonstrate compliance with city codes for screening of dumpsters and mechanical equipment, and for landscaping.

### Signage Plan

**19.87.060.D.11. Signage plan.** The planning commission shall approve an overall signage plan during the site plan approval process. All information to be provided for the sign approval may be submitted concurrently with site plan application materials but is not required.



**Analysis:** The proposed signage seems appropriate to the scale and size of main-floor work portion of each dwelling unit. It is recommended that as a condition of approval that provisions be incorporated into the development CC&Rs and condominium plat limiting signage to the development sign plan or seek specific modification of sign plan by architectural review committee approval.

## Parking

The required parking for residential condominiums/townhomes is 1.38 vehicles per dwelling unit. 32 parking stalls are required for 23 townhomes. The required parking for office uses is 2.84 vehicles per 1,000 sq. ft. 10 parking stalls are required for 3,186 sq. ft. of office. The total number of required parking stalls for the mixed-use development is 43 stalls and the plan provide 56 stalls.

**Analysis:** The plan complies with all parking regulations and design standards of Cottonwood Height city code. It is recommended as a condition of approval that the exterior parking stalls be sufficiently signed to indicate that parking is for business patrons and visitors only between the hours of 8:00 am and 5:00 pm and that this regulation is incorporated into the development CC&Rs and condominium plat. It is also recommended that the CC&Rs explicitly detail the agreement among condominium owners on use of parking spaces in common areas.

---

## Recommendation

Staff has concluded that additional documentation is required to verify full compliance with the zoning ordinance. The project also requires a Certificate of Design Compliance from the ARC. Staff recommends continuing the item to the October Planning Commission meeting, with the following items to be addressed by the applicant before the next meeting:

1. Receive a Certificate of Design Compliance from the ARC;
2. Submit a traffic study and any other pertinent preliminary plan information as requested by the City Engineer;
3. Submit a lighting plan with details about building mounted lighting that complies with section 19.36.120 of the zoning ordinance;
4. Verify the appropriateness of the proposed street trees with Rocky Mountain Power;
5. That provisions be incorporated into the development CC&Rs and condominium plat limiting signage to the development sign plan or seek specific modification of sign plan by architectural review committee approval.
6. That the exterior parking stalls be sufficiently signed to indicate that parking is for business patrons and visitors only between the hours of 8:00 am and 5:00 pm and that this regulation is incorporated into the development CC&Rs and condominium plat and also explicitly detail the agreement among condominium owners on use of parking spaces in common areas.

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## Model Motions

### Approval

I move to approve project SPL-19-007, based upon the findings outlined in this staff report:

- List any other findings or conditions of approval...

### Denial

I move to deny project SPL-19-007, based on the following findings:

- List findings for denial...

### Continue

I move to continue project SPL-19-007 to the October 2<sup>nd</sup> Planning Commission meeting, based on the recommendations in the staff report dated September 4<sup>th</sup>, 2019.

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### Attachments

1. Conditional Use Permit Standards Analysis and Findings – Height and Setbacks
2. Applicant Statement
3. Plans

**APPENDIX "A" - Conditional Use Permit Standards Analysis and Findings – Height and Setbacks**

The planning commission is required to approve or deny a conditional use based upon written findings of fact with regard to a set of standard (italicized type below) (see 19.84.080 CH Code). Staff has prepared findings of fact that the commission can consider adopting for each standard (unitalicized type below):

Per 19.84.080.B, CH Code, *"The planning commission shall only approve with conditions, or deny a conditional use, based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in the specific zoning district. The planning commission shall not approve issuance of a conditional use permit unless the evidence presented is such as to establish the following:*

1. *That the proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;*

**Finding of Fact:** Increased height of 3 stories and a reduced setback are both conditional uses within the MU zone.

2. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;*

**Finding of Fact:** Neither use of property will be detrimental to health, safety, comfort, order or general welfare of persons residing or working in the vicinity.

3. *That the use will comply with the intent, spirit, and regulations of this title and will be compatible with and implement the planning goals and objectives of the city;*

**Findings of Fact:** The request for an increase in stories and decrease in setbacks is supportive of the planning goals and objectives of the city, particularly those outlined in the General Plan Fort Union Corridor Master Plan.

4. *That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located;*

**Findings of Fact:** Neighboring uses will be along Fort Union are planned to be similar in scale and nature as the proposed development. The development maintains the required setbacks to adjacent single-family development areas and will be no less in setback distance or greater in building height than that which is permitted within the R-1-8 zone.

5. *That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;*

**Findings of Fact:** As a primarily residential use with a limited mixed-use office component, no greater nuisances are anticipated than a typical single-family development where home occupations are allowed.

6. *That protection of property values, the environment, and the tax base for the city will be assured;*

**Findings of Fact:** The proposed development will increase the tax base and help achieve the long-range goals of the Fort Union Corridor Master Plan, which in turn should increase economic activity for the city as a whole.

7. *That the use will comply with the city's general plan;*

**Findings of Fact:** The proposed development complies with the goals of the General Plan.

8. *That some form of a guaranty assuring compliance to all imposed conditions will be imposed on the applicant or owner;*

**Findings of Fact:** Guarantees will be imposed at the time of development in the form of a cash bond or equivalent to ensure that infrastructure and landscaping is installed as designed.

9. *That the internal circulation system of the proposed development is properly designed;*

**Findings of Fact:** The internal circulation system designed to minimize impacts on adjoining street network, particularly, by reducing curb-cuts and conflict points on Fort Union Boulevard and redirecting traffic to a signalized intersection on a local street.

10. *That existing and proposed utility services will be adequate for the proposed development;*

**Findings of Fact:** Utility services are adequate for the proposed use.

11. *That appropriate buffering will be provided to protect adjacent land uses from light, noise and visual impacts;*

**Findings of Fact:** The site is planned to be buffered by landscaping and setbacks keeping the new development buffered from existing development. The proposed lighting plan should mitigate any issues from light. The increase in height and decreased setbacks will not be a source of noise. The design review committee has issued a certificate of design compliance that mitigates visual impacts.

12. *That architecture and building materials are consistent with the development and surrounding uses, and otherwise compatible with the city's general plan, subdivision ordinance, land use ordinance, and any applicable design standards;*

**Findings of Fact:** The proposed project has achieved the standards of goals of the above documents.

13. *That landscaping appropriate for the scale of the development and surrounding uses will be installed in compliance with all applicable ordinances;*

**Findings of Fact:** The landscaping is typical for that which currently exists within the MU zone.

14. *That the proposed use preserves historical, architectural and environmental features of the property; and*

**Findings of Fact:** No identified historical, architectural and/or environmental features on the site have been identified.

15. *That operating and delivery hours will compatible with adjacent land uses.*

**Findings of Fact:** The hours of use are 24/7 as is that of the adjacent single-family residential uses.

16. *The foregoing approval standards shall be subject to any contrary requirements of Utah Code Ann. § 10-9a507, as amended.*

**Findings of Fact:** There is no conflict Utah Code Ann. [§ 10-9a-507](#), which governs how municipalities regulate conditional uses.

# Written Narrative

## Block 17

1. Conditional Use:
  - a. 24 Townhomes, 3 Stories
2. Architect and Engineer Information
  - a. Pierre Langué, Axis Architects
    - i. 801-864-8642
    - ii. 927 South State Street Salt Lake City, UT 84111
  - b. Guy Williams, Great Basin Engineering
    - i. 213-500-5936
    - ii. 5746 S 1475 E Ogden, UT 84403
3. General Plan and Zoning Compliance Statement
  - a. Fort Union General Plan Paragraph
    - i. “The Fort Union Boulevard Area is comprised of active centers along the corridor that connects residents, employees and visitors with the area ski resorts, regional businesses, downtown Salt Lake City, the SLC international airport and the University of Utah and Westminster College, in addition to providing local service to amenities along the corridor itself. Long-time and new residents mix in public spaces created to meet the needs of a diverse population. Significant automobile traffic still travels through the area, but it does not overshadow the built environment and drivers now know when they enter the area that they are traveling through a distinct and special place. Also, transit service provides frequent and efficient travel options, making it easy to get around without use of a car. A designated bicycle lane on Fort Union enables cyclists to travel safely through the area and to destinations along the way.”
    - ii. Fort Union Partners has spent a great deal of thought developing a design that Cottonwood Heights can be proud of for years to come, and that encapsulates the spirit of the Fort Union Plan. A first glance shows a walkable design that integrates seamlessly with Fort Union Blvd. Citizens will be able to take a stroll through a beautifully landscaped corridor connecting new residents and old. Benches, potential bike lanes, and a compelling visual facade will draw residents to this area and immediately bolster an area of Fort Union in desperate need of gentrification. As stated in the general plan, when residents enter this project they will immediately feel it is “a distinct and special place.” The immaculately designed townhomes / live-work units are the vision of Pierre Langué at

Axis Architects, a best in class Architecture firm that designs modern commercial and residential buildings. Block 17 is a classic modern design seen throughout Cottonwood Heights that will endure for years to come. We hope you love it as much as we do.

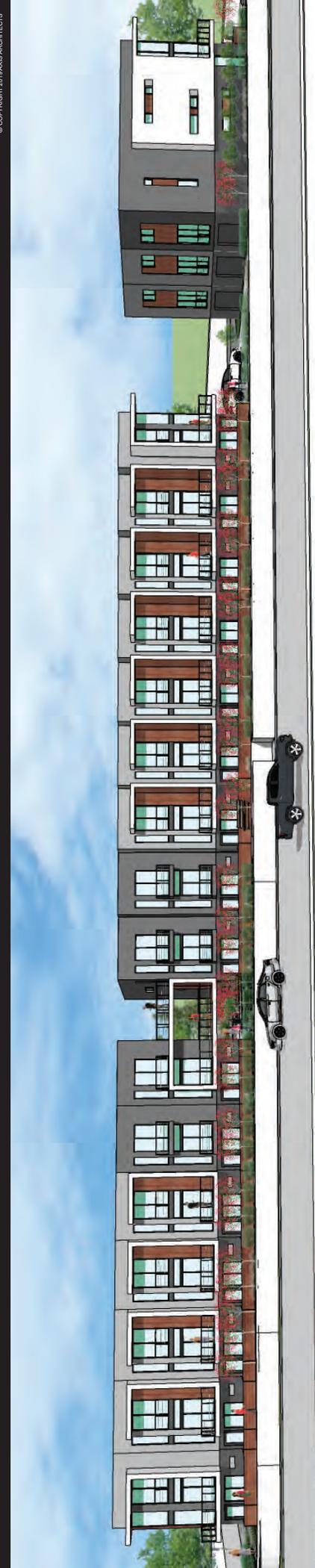
4. Buffering

- a. All setbacks in Block 17 are in compliance with the MU code. Special thought has especially been given to the rear setback which abuts a residential zone to go the extra-mile by providing lots of landscaping and a playground area between the two projects.



FORT UNION TOWNHOMES - 3D VIEWS

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FORT UNION TOWNHOMES - 3D VIEWS





FORT UNION TOWNHOMES - 3D VIEWS



FORT UNION TOWNHOMES - 3D VIEWS



FORT UNION TOWNHOMES - 3D VIEWS



FORT UNION TOWNHOMES - 3D VIEWS



FORT UNION TOWNHOMES - 3D VIEWS

AE201

REVIEWS

Axis Job # 1901  
Owner # 8192019  
Date  
Drawn  
Checked

Revision # Date

FORT UNION TOWNHOMES  
6958 S. 1700 E  
COTTONWOOD HEIGHTS, UTAH  
SCHEMATIC DESIGN

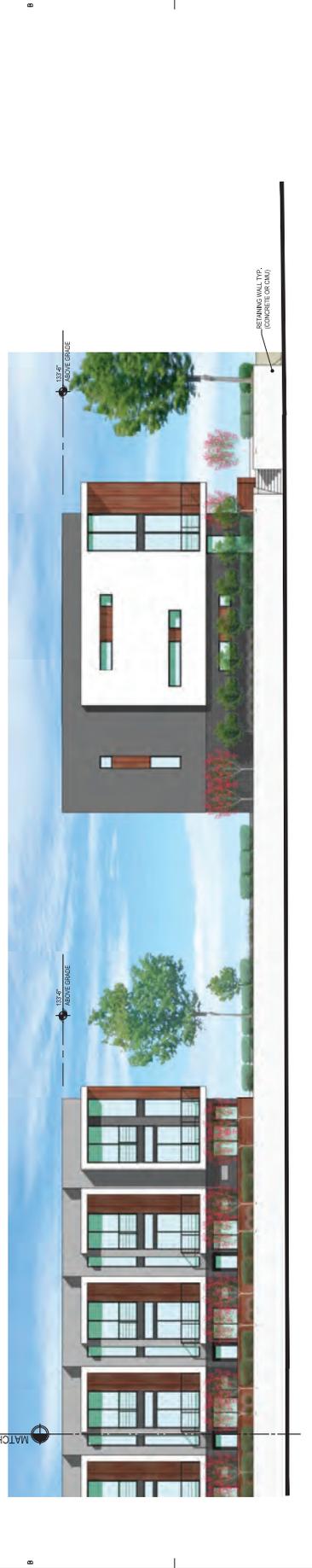
Axis Architects

272 SOUTH STATE STREET  
SALT LAKE CITY, UTAH 84111  
P. 365-3003

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B1 NORTH ELEVATION - B UNITS  
SCALE: 1/8"=1'-0"



A1 NORTH ELEVATION B UNITS - CONT.  
SCALE: 1/8"=1'-0"

REVIEWS

Axis Job # 1901  
 Owner # 8192019  
 Date  
 Drawn  
 Checked

Revision # Date

FORT UNION TOWNHOMES  
 6958 S. 1700 E  
 COTTONWOOD HEIGHTS, UTAH  
 SCHEMATIC DESIGN

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**B1** SOUTH ELEVATION - B UNITS  
 SCALE: 1/8"=1'-0"



**A1** SOUTH ELEVATION B UNITS - CONT.  
 SCALE: 1/8"=1'-0"



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REVIEWS

Axis Job # 1901  
 Order # 81932019  
 Date  
 Drawn  
 Checked

Revision # Date

FORT UNION TOWNHOMES  
 6958 S. 1700 E  
 COTTONWOOD HEIGHTS, UTAH  
 SCHEMATIC DESIGN

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**C1** NORTH ELEVATION B UNIT  
 SCALE: 1/8" = 1'-0"

**B1** WEST ELEVATION A UNITS AND B UNITS  
 SCALE: 1/8" = 1'-0"

**A1** EAST ELEVATION A UNITS AND B UNITS  
 SCALE: 1/8" = 1'-0"

- ROOF GRADE
- HARD COAT PAINTER COLOR TYP.
- PE WOOD FINISH TYP.
- GLAZING TYP.
- FRENCH RAILING TYP.
- BLACK BRICK TYP.
- GARAGE DOOR TYP.

- PE WOOD FENCE 3' TALL
- LINE WORK SPRINGS LOCATION TYP. 16' ON 16'
- ENTRY DOOR



FLOOR PLAN - E

Axis Job # 1901  
 Owner # 8072019  
 Date Drawn  
 Checked

Revision # Date

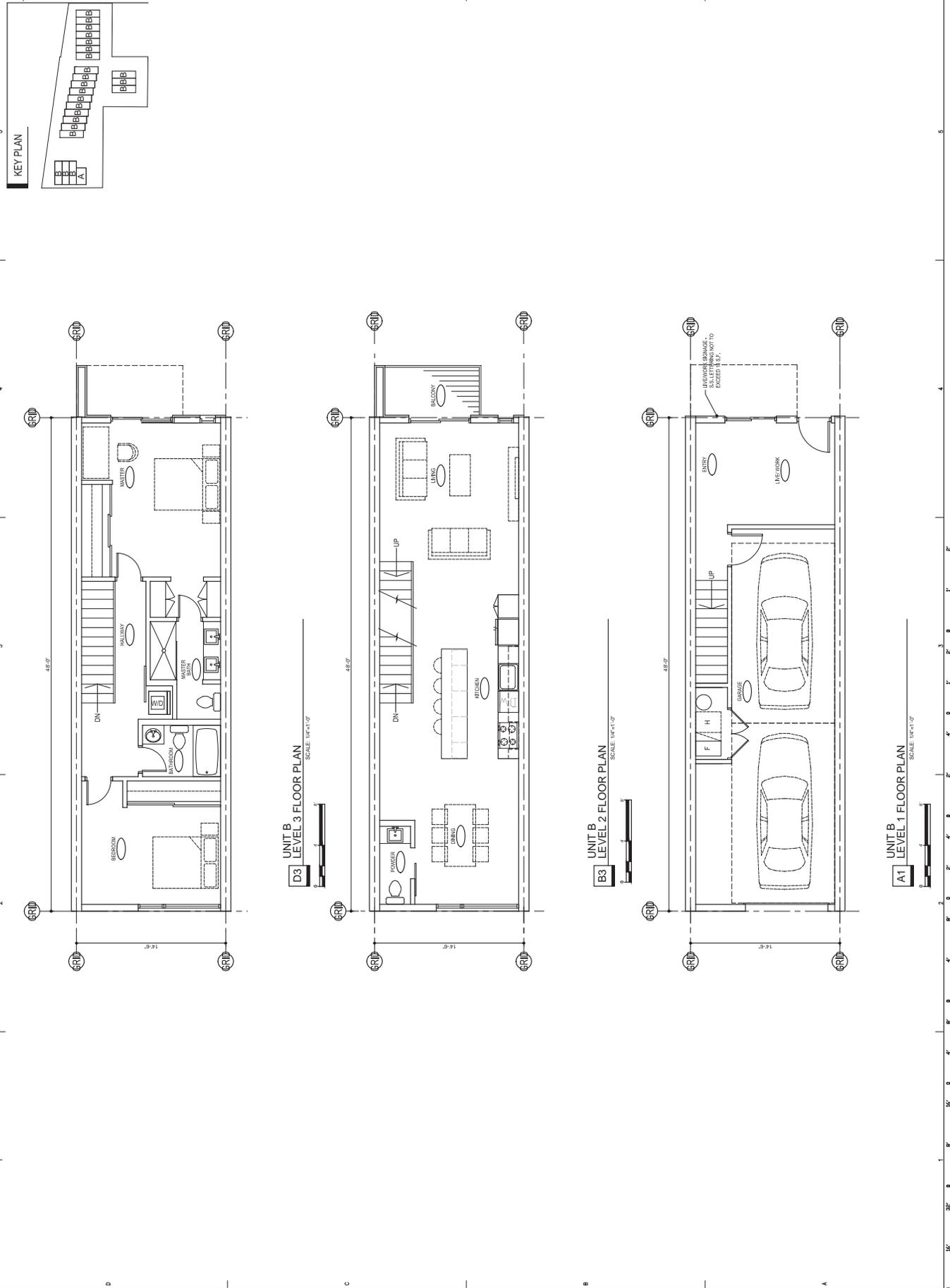
FORT UNION TOWNHOMES  
 6958 S. 1700 E  
 COTTONWOOD HEIGHTS, UTAH  
 SCHEMATIC DESIGN

NOT FOR CONSTRUCTION

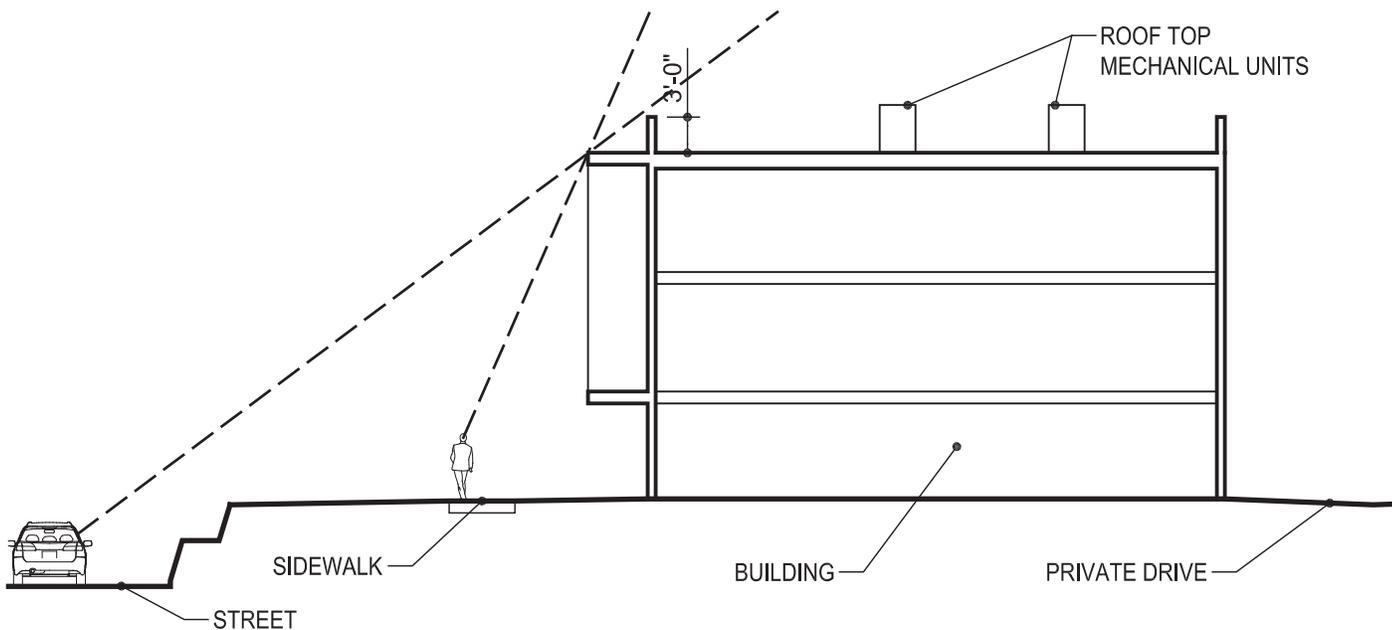
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272 SOUTH STATE STREET SALT LAKE CITY UTAH 84111 P 365-3003

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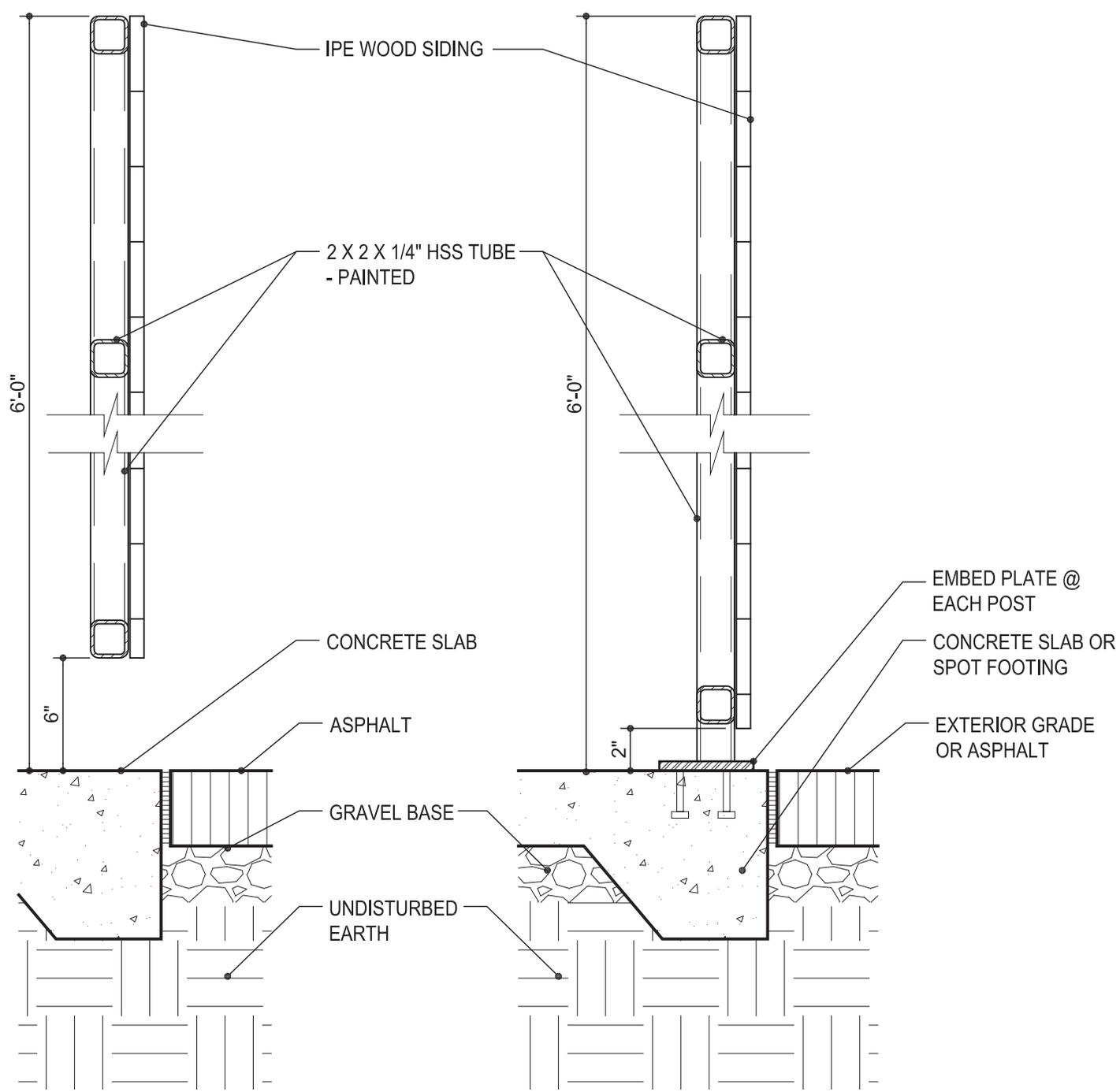




DET. NAME: **SCREENING ROOF TOP MECHANICAL UNITS** DET NUMBER:

SCALE: 1/16" = 1'-0"  
ISSUED: 05.14.2019 REVISION:  
PROJECT: FORT UNION TOWNHOMES

**ST-01**



# WOOD FENCE & DUMPSTER GATE

DET. NAME:

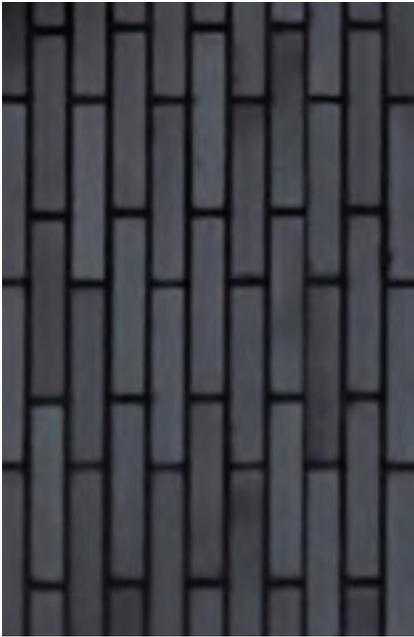
DET NUMBER:

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

ISSUED: 07.10.2019 REVISION:

PROJECT: FORT UNION TOWNHOMES

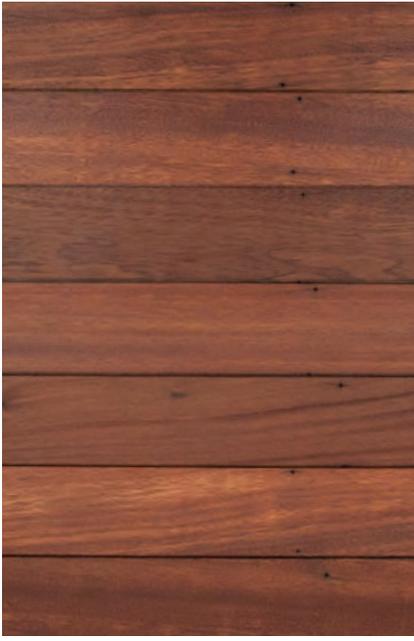
# ST-01



BLACK BRICK



GLASS



IPE WOOD SIDING



STUCCO  
WHITE AND GRAY



**NOTE DATA TABLE**

PARCEL 1 AREA ..... 48,811 SF (1.11 ACRES)

BUILDING TOTAL SQFT ..... 16,200 SF (Sixk Lot Coverage)

Fort Union Boulevard

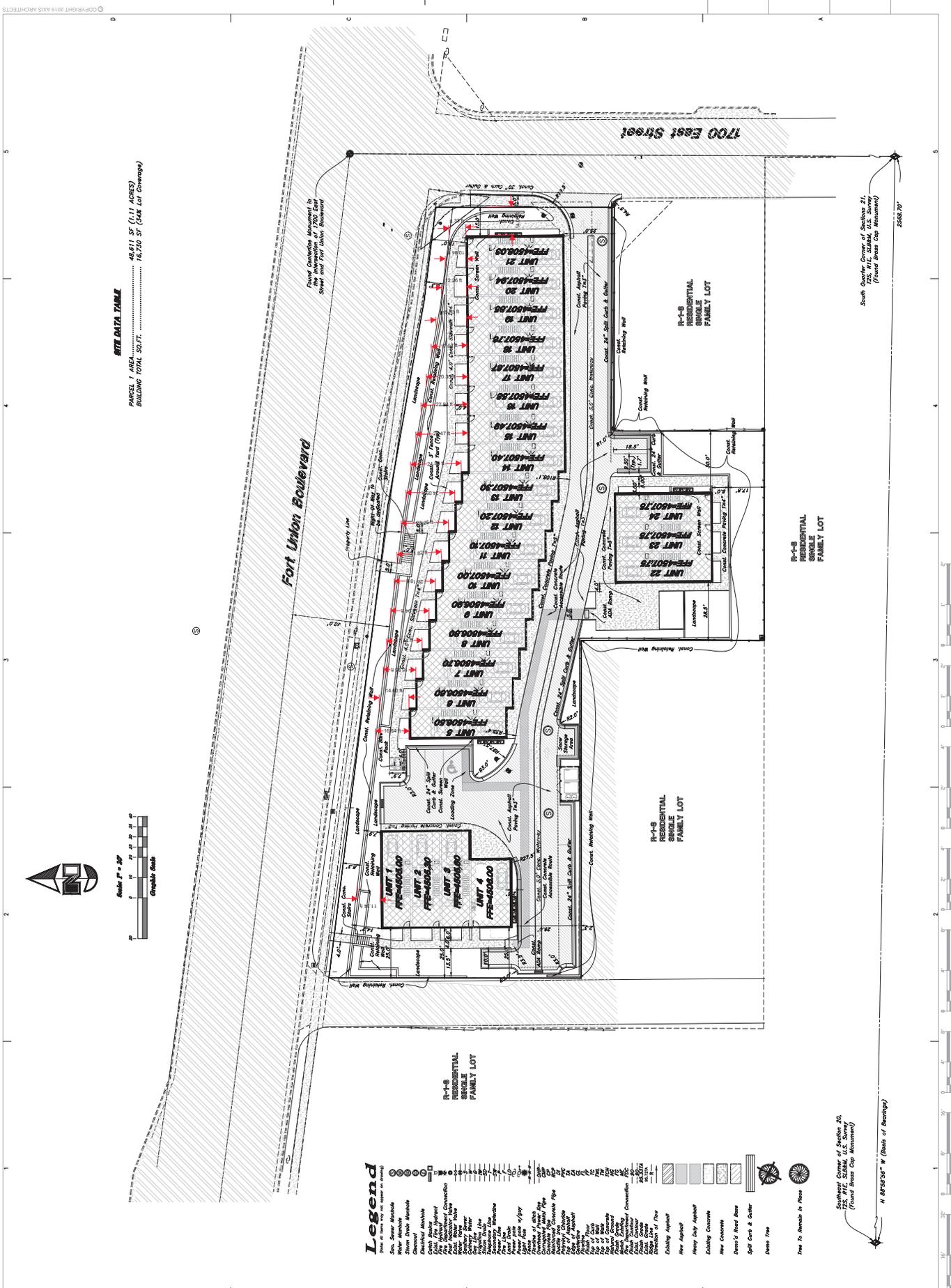
1700 East Street

**Legend**

- 1. Sixk Slope Arthritis
- 2. Sixk Slope Arthritis
- 3. Sixk Slope Arthritis
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- 95. Sixk Slope Arthritis
- 96. Sixk Slope Arthritis
- 97. Sixk Slope Arthritis
- 98. Sixk Slope Arthritis
- 99. Sixk Slope Arthritis
- 100. Sixk Slope Arthritis

Southwest Corner of Section 20,  
T2S, R1E, S34M, U.S. Survey  
(Found Brass Cap Monument)

N 82°52'55" W (Basis of Bearings)



NOT FOR CONSTRUCTION

FORT UNION TOWNHOMES  
6958 S. 1700 E  
COTTONWOOD HEIGHTS, UTAH  
SCHEMATIC DESIGN

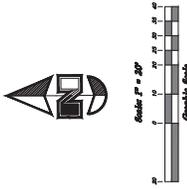
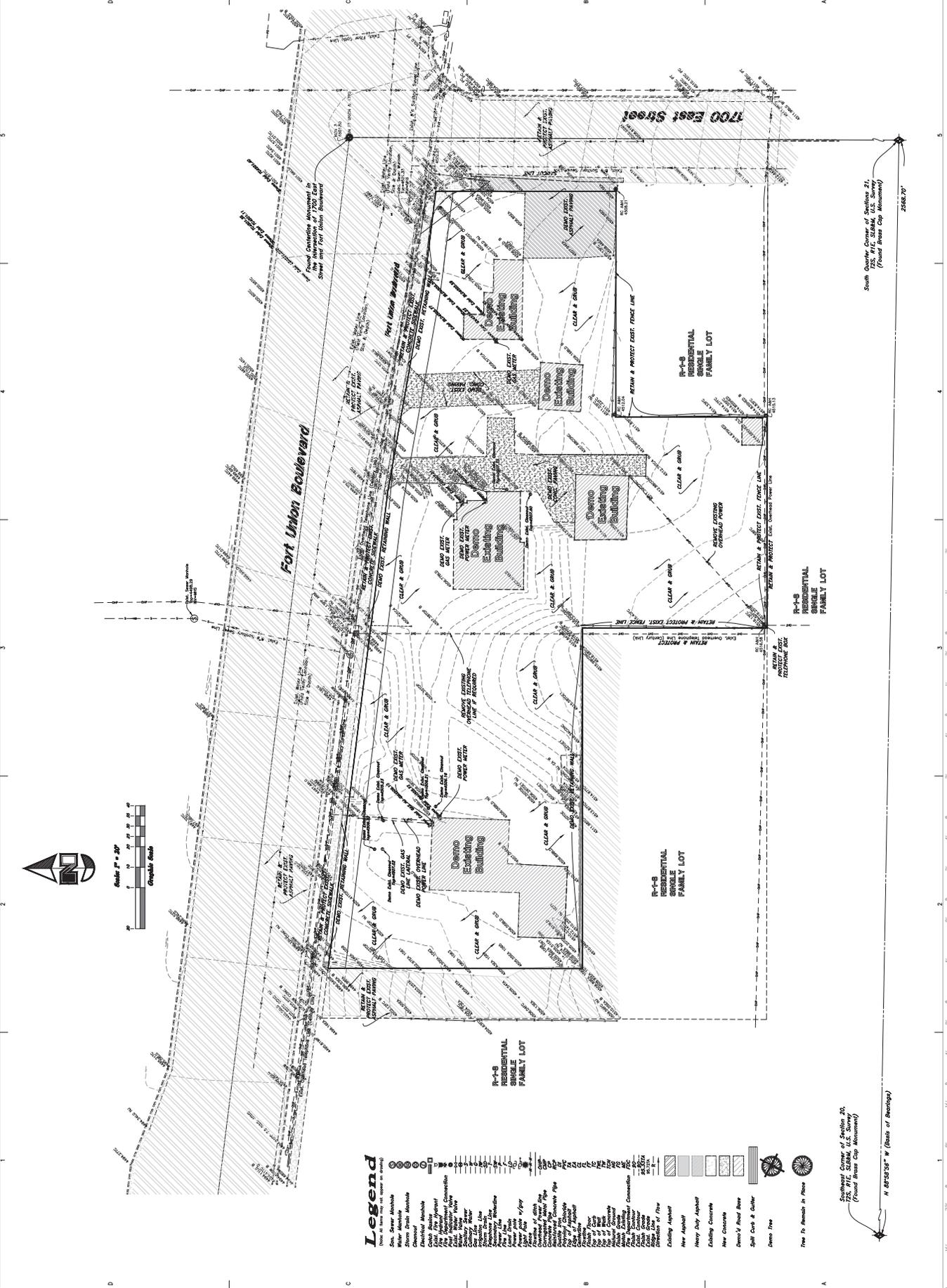
Revision # Date

Axis Job # 1901  
Owner # 7982019  
Date  
Drawn  
Checked  
ACM

BRUNDTMAN  
SCHEEF

CD101

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Legend

- 1. New Building Footprint
- 2. Existing Building Footprint
- 3. New Asphalt
- 4. New Asphalt
- 5. Heavy Duty Asphalt
- 6. Existing Concrete
- 7. New Concrete
- 8. Demo'd Road Base
- 9. Split Curb & Gutter
- 10. Demo Tree
- 11. Tree To Remain in Place
- 12. New Tree
- 13. New Tree
- 14. New Tree
- 15. New Tree
- 16. New Tree
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- 99. New Tree
- 100. New Tree

Southwest Corner of Section 20,  
T2S, R1E, S34M, U.S. Survey  
(Found Brass Cap Monument)

N. 82°52'55" W (Basis of Bearings)

2582.70'

W:\WOOD - FOR UTM\Townhomes\DWG\19003-54.dwg, 7/19/2019 4:16:07 PM, Rbruce@C, 1:1

















Statistics	Symbol	Avg	Min	Max	Min/Max	Avg/Min
Footcandle	+	2.2 f.c.	0.1 f.c.	8.4 f.c.	0.3 f.c.	80.0 f.c.
Footcandle	+	0.1 f.c.	0.0 f.c.	0.2 f.c.	0.0 f.c.	7.7 f.c.

**SITE LIGHTING LAYOUT**  
SCALE: 1/8" = 1'-0"

Axis Job # 1901  
Project # 5142019  
Date SKK  
Drawn SKK  
Checked JFO

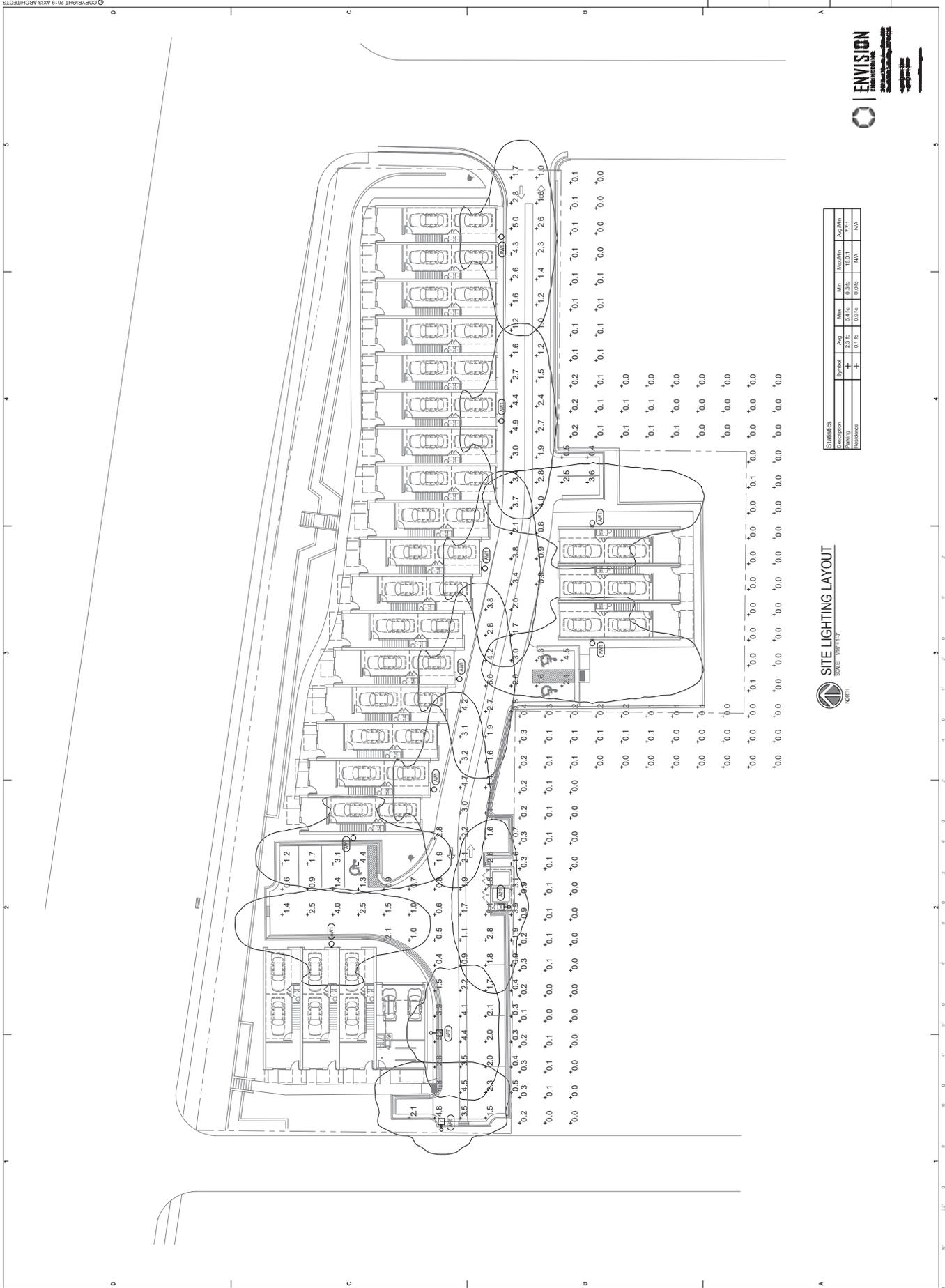
Revision # Date

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6958 S. 1700 E  
COTTONWOOD HEIGHTS, UTAH  
SCHEMATIC DESIGN

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# D-Series Size 0 LED Area Luminaire



Catalog Number
Notes
Type

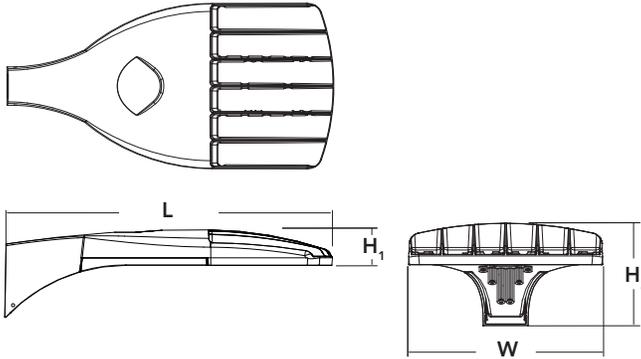
Hit the Tab key or mouse over the page to see all interactive elements.

## Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 400W metal halide with typical energy savings of 70% and expected service life of over 100,000 hours.

## Specifications

EPA:	0.95 ft <sup>2</sup> (.09 m <sup>2</sup> )
Length:	26" (66.0 cm)
Width:	13" (33.0 cm)
Height <sub>1</sub> :	3" (7.62 cm)
Height <sub>2</sub> :	7" (17.8 cm)
Weight (max):	16 lbs (7.25 kg)



A+ Capable options indicated by this color background.

## Ordering Information

**EXAMPLE:** DSX0 LED P6 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

Series	LEDs	Color temperature	Distribution	Voltage	Mounting
DSX0 LED					
DSX0 LED	<b>Forward optics</b> P1 P4 P7 P2 P5 P3 P6 <b>Rotated optics</b> P10 <sup>1</sup> P12 <sup>1</sup> P11 <sup>1</sup> P13 <sup>1</sup>	30K 3000 K 40K 4000 K 50K 5000 K	T1S Type I short T2S Type II short T2M Type II medium T3S Type III short T3M Type III medium T4M Type IV medium TFTM Forward throw medium T5VS Type V very short T5S Type V short T5M Type V medium T5W Type V wide BLC Backlight control <sup>2</sup> LCCO Left corner cutoff <sup>2</sup> RCCO Right corner cutoff <sup>2</sup>	MVOLT <sup>3,4</sup> 120 <sup>4</sup> 208 <sup>4</sup> 240 <sup>4</sup> 277 <sup>4</sup> 347 <sup>4,5</sup> 480 <sup>4,5</sup>	<b>Shipped included</b> SPA Square pole mounting RPA Round pole mounting WBA Wall bracket SPUMBA Square pole universal mounting adaptor <sup>6</sup> RPUMBA Round pole universal mounting adaptor <sup>6</sup> <b>Shipped separately</b> KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) <sup>7</sup>

Control options	Other options	Finish (required)
<b>Shipped installed</b> NLTAIR2 nLight AIR generation 2 enabled <sup>8,9</sup> PIRHN Network, high/low motion/ambient sensor <sup>10</sup> PER NEMA twist-lock receptacle only (control ordered separate) <sup>11</sup> PER5 Five-pin receptacle only (control ordered separate) <sup>11,12</sup> PER7 Seven-pin receptacle only (leads exit fixture) (control ordered separate) <sup>11,12</sup> DMG 0-10V dimming extend out back of housing for external control (control ordered separate)	PIR High/low, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 5fc <sup>13,14</sup> PIRH High/low, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 5fc <sup>13,14</sup> PIR1FC3V High/low, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc <sup>13,14</sup> PIRH1FC3V High/low, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc <sup>13,14</sup> FAO Field adjustable output <sup>15</sup>	<b>Shipped installed</b> HS House-side shield <sup>16</sup> SF Single fuse (120, 277, 347V) <sup>4</sup> DF Double fuse (208, 240, 480V) <sup>4</sup> L90 Left rotated optics <sup>1</sup> R90 Right rotated optics <sup>1</sup> DDL Diffused drop lens <sup>16</sup> <b>Shipped separately</b> BS Bird spikes <sup>17</sup> EGS External glare shield <sup>17</sup>
		DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white



## Ordering Information

### Accessories

Ordered and shipped separately.

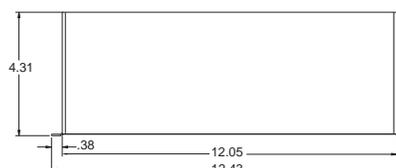
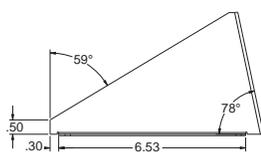
DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) <sup>18</sup>
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V) <sup>18</sup>
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) <sup>18</sup>
DSHORT SBK U	Shorting cap <sup>18</sup>
DSX0HS 20C U	House-side shield for P1,P2,P3 and P4 <sup>15</sup>
DSX0HS 30C U	House-side shield for P10,P11,P12 and P13 <sup>16</sup>
DSX0HS 40C U	House-side shield for P5,P6 AND P7 <sup>16</sup>
DSX0DDL U	Diffused drop lens (polycarbonate) <sup>15</sup>
PUMBA DDBXD U*	Square and round pole universal mounting bracket adaptor (specify finish) <sup>19</sup>
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish) <sup>19</sup>

For more control options, visit [DTL](#) and [ROAM](#) online. Link to [nLight Air 2](#)

### NOTES

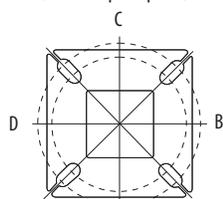
- 1 P10, P11, P12 and P13 and rotated options (L90 or R90) only available together.
- 2 Not available with HS or DDL.
- 3 MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- 4 Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- 5 Not available in P4, P7 or P13. Not available with BL30, BL50 or PNMT options.
- 6 Universal mounting brackets intended for retrofit on existing pre-drilled poles only. 1.5 G vibration load rating per ANCI C136.31.
- 7 Must order fixture with SPA mounting. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" mast arm (not included).
- 8 Must be ordered with PIRHN.
- 9 Sensor cover available only in dark bronze, black, white and natural aluminum colors.
- 10 Must be ordered with NLTAIR2. For more information on nLight Air 2 visit [this link](#).
- 11 Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Shorting Cap included.
- 12 If ROAM<sup>®</sup> node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Shorting Cap included.
- 13 Reference Motion Sensor table on page 3.
- 14 Reference PER Table on page 3 to see functionality.
- 15 Not available with other dimming controls options.
- 16 Not available with BLC, LCCO and RCCO distribution.
- 17 Must be ordered with fixture for factory pre-drilling.
- 18 Requires luminaire to be specified with PER, PER5 or PER7 option. See PER Table on page 3.
- 19 For retrofit use only.

## EGS – External Glare Shield

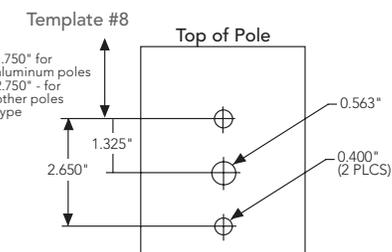


## Drilling

### HANDHOLE ORIENTATION (from top of pole)



A  
Handhole



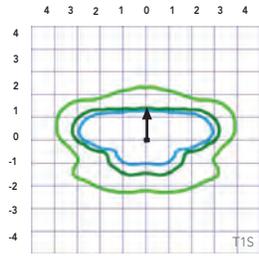
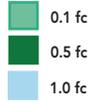
### Tenon Mounting Slipfitter

Tenon O.D.	Single Unit	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2-3/8"	AST20-190	AST20-280	AST20-290	AST20-320	AST20-390	AST20-490
2-7/8"	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
4"	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

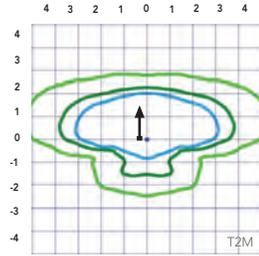
Mounting Option	Drilling Template	Single	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
Head Location		Side B	Side B & D	Side B & C	Side B, C & D	Round Pole Only	Side A, B, C & D
Drill Nomenclature	#8	DM19AS	DM28AS	DM29AS	DM39AS	DM32AS	DM49AS
<b>Minimum Acceptable Outside Pole Dimension</b>							
SPA	#8	2-7/8"	2-7/8"	3.5"	3.5"		3.5"
RPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
SPUMBA	#5	2-7/8"	3"	4"	4"		4"
RPUMBA	#5	2-7/8"	3.5"	5"	5"	3.5"	5"

Isofootcandle plots for the DSX0 LED 40C 1000 40K. Distances are in units of mounting height (20').

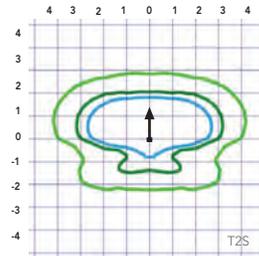
**LEGEND**



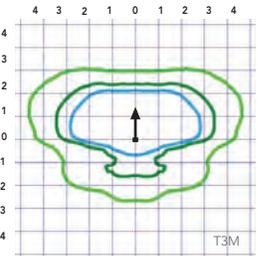
Test No.



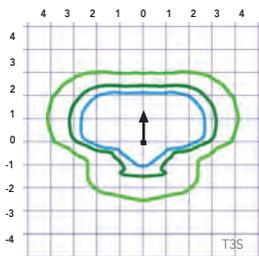
Test No.



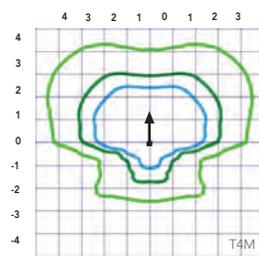
Test No. LTL23457P25 tested in accordance with IESNA LM-79-08.



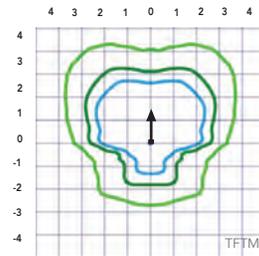
Test No. LTL23457P25 tested in accordance with IESNA LM-79-08.



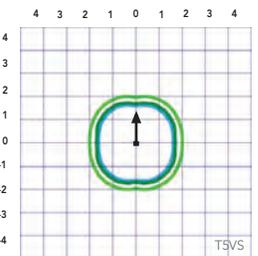
Test No. LTL23457P25 tested in accordance with IESNA LM-79-08.



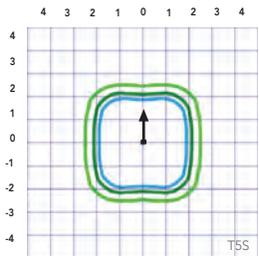
Test No.



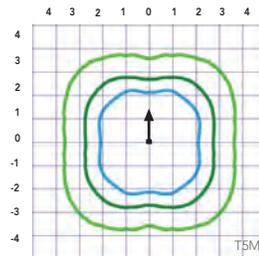
Test No.



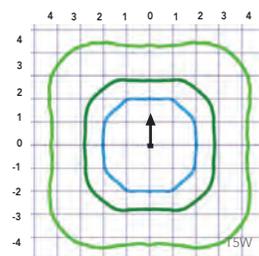
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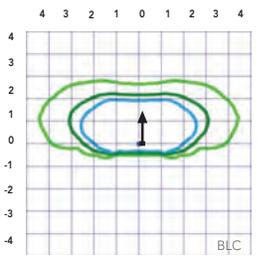
Test No.



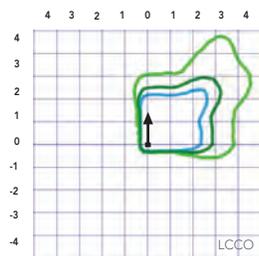
Test No.



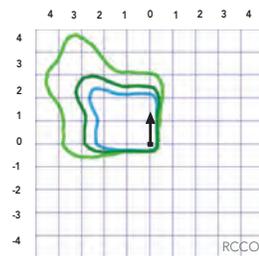
Test No. LTL23451P25 tested in accordance with IESNA LM-79-08.



Test No.



Test No.



Test No.

## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.04
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
<b>25°C</b>	<b>77°C</b>	<b>1.00</b>
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	Lumen Maintenance Factor
25,000	0.96
50,000	0.92
100,000	0.85

#### Motion Sensor Default Settings

Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
*PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

\*for use with separate Dusk to Dawn or timer.

### Electrical Load

					Current (A)					
	Performance Package	LED Count	Drive Current	Wattage	120	208	240	277	347	480
Forward Optics (Non-Rotated)	P1	20	530	38	0.32	0.18	0.15	0.15	0.10	0.08
	P2	20	700	49	0.41	0.23	0.20	0.19	0.14	0.11
	P3	20	1050	71	0.60	0.37	0.32	0.27	0.21	0.15
	P4	20	1400	92	0.77	0.45	0.39	0.35	0.28	0.20
	P5	40	700	89	0.74	0.43	0.38	0.34	0.26	0.20
	P6	40	1050	134	1.13	0.65	0.55	0.48	0.39	0.29
	P7	40	1300	166	1.38	0.80	0.69	0.60	0.50	0.37
Rotated Optics (Requires L90 or R90)	P10	30	530	53	0.45	0.26	0.23	0.21	0.16	0.12
	P11	30	700	72	0.60	0.35	0.30	0.27	0.20	0.16
	P12	30	1050	104	0.88	0.50	0.44	0.39	0.31	0.23
	P13	30	1300	128	1.08	0.62	0.54	0.48	0.37	0.27

### Controls Options

Nomenclature	Description	Functionality	Primary control device	Notes
FAO	Field adjustable output device installed inside the luminaire; wired to the driver dimming leads.	Allows the luminaire to be manually dimmed, effectively trimming the light output.	FAO device	Cannot be used with other controls options that need the 0-10V leads
DS	Drivers wired independently for 50/50 luminaire operation	The luminaire is wired to two separate circuits, allowing for 50/50 operation.	Independently wired drivers	Requires two separately switched circuits. Consider nLight AIR as a more cost effective alternative.
PERS or PER7	Twist-lock photocell receptacle	Compatible with standard twist-lock photocells for dusk to dawn operation, or advanced control nodes that provide 0-10V dimming signals.	Twist-lock photocells such as DLL Elite or advanced control nodes such as ROAM.	Pins 4 & 5 to dimming leads on driver, Pins 6 & 7 are capped inside luminaire
PIR or PIRH	Motion sensors with integral photocell. PIR for 8-15' mounting; PIRH for 15-30' mounting	Luminaires dim when no occupancy is detected.	Acuity Controls SBOR	Also available with PIRH1FC3V when the sensor photocell is used for dusk-to-dawn operation.
NLTAIR2 PIRHN	nLight AIR enabled luminaire for motion sensing, photocell and wireless communication.	Motion and ambient light sensing with group response. Scheduled dimming with motion sensor over-ride when wirelessly connected to the nLight Eclipse.	nLight Air rSDGR	nLight AIR sensors can be programmed and commissioned from the ground using the CIAIRity Pro app.

# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics																							
Power Package	LED Count	Drive Current	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)								
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW				
P1	20	530	38W	T1S	4,369	1	0	1	115	4,706	1	0	1	124	4,766	1	0	1	125				
				T2S	4,364	1	0	1	115	4,701	1	0	1	124	4,761	1	0	1	125				
				T2M	4,387	1	0	1	115	4,726	1	0	1	124	4,785	1	0	1	126				
				T3S	4,248	1	0	1	112	4,577	1	0	1	120	4,634	1	0	1	122				
				T3M	4,376	1	0	1	115	4,714	1	0	1	124	4,774	1	0	1	126				
				T4M	4,281	1	0	1	113	4,612	1	0	2	121	4,670	1	0	2	123				
				TFTM	4,373	1	0	1	115	4,711	1	0	2	124	4,771	1	0	2	126				
				TSVS	4,548	2	0	0	120	4,900	2	0	0	129	4,962	2	0	0	131				
				TSS	4,552	2	0	0	120	4,904	2	0	0	129	4,966	2	0	0	131				
				TSM	4,541	3	0	1	120	4,891	3	0	1	129	4,953	3	0	1	130				
				TSW	4,576	3	0	2	120	4,929	3	0	2	130	4,992	3	0	2	131				
				BLC	3,586	1	0	1	94	3,863	1	0	1	102	3,912	1	0	1	103				
				LCCO	2,668	1	0	1	70	2,874	1	0	2	76	2,911	1	0	2	77				
				RCCO	2,668	1	0	1	70	2,874	1	0	2	76	2,911	1	0	2	77				
				P2	20	700	49W	T1S	5,570	1	0	1	114	6,001	1	0	1	122	6,077	2	0	2	124
								T2S	5,564	1	0	2	114	5,994	1	0	2	122	6,070	2	0	2	124
T2M	5,593	1	0					1	114	6,025	1	0	1	123	6,102	1	0	1	125				
T3S	5,417	1	0					2	111	5,835	1	0	2	119	5,909	2	0	2	121				
T3M	5,580	1	0					2	114	6,011	1	0	2	123	6,087	1	0	2	124				
T4M	5,458	1	0					2	111	5,880	1	0	2	120	5,955	1	0	2	122				
TFTM	5,576	1	0					2	114	6,007	1	0	2	123	6,083	1	0	2	124				
TSVS	5,799	2	0					0	118	6,247	2	0	0	127	6,327	2	0	0	129				
TSS	5,804	2	0					0	118	6,252	2	0	0	128	6,332	2	0	1	129				
TSM	5,789	3	0					1	118	6,237	3	0	1	127	6,316	3	0	1	129				
TSW	5,834	3	0					2	119	6,285	3	0	2	128	6,364	3	0	2	130				
BLC	4,572	1	0					1	93	4,925	1	0	1	101	4,987	1	0	1	102				
LCCO	3,402	1	0					2	69	3,665	1	0	2	75	3,711	1	0	2	76				
RCCO	3,402	1	0					2	69	3,665	1	0	2	75	3,711	1	0	2	76				
P3	20	1050	71W					T1S	7,833	2	0	2	110	8,438	2	0	2	119	8,545	2	0	2	120
								T2S	7,825	2	0	2	110	8,429	2	0	2	119	8,536	2	0	2	120
				T2M	7,865	2	0	2	111	8,473	2	0	2	119	8,580	2	0	2	121				
				T3S	7,617	2	0	2	107	8,205	2	0	2	116	8,309	2	0	2	117				
				T3M	7,846	2	0	2	111	8,452	2	0	2	119	8,559	2	0	2	121				
				T4M	7,675	2	0	2	108	8,269	2	0	2	116	8,373	2	0	2	118				
				TFTM	7,841	2	0	2	110	8,447	2	0	2	119	8,554	2	0	2	120				
				TSVS	8,155	3	0	0	115	8,785	3	0	0	124	8,896	3	0	0	125				
				TSS	8,162	3	0	1	115	8,792	3	0	1	124	8,904	3	0	1	125				
				TSM	8,141	3	0	2	115	8,770	3	0	2	124	8,881	3	0	2	125				
				TSW	8,204	3	0	2	116	8,838	4	0	2	124	8,950	4	0	2	126				
				BLC	6,429	1	0	2	91	6,926	1	0	2	98	7,013	1	0	2	99				
				LCCO	4,784	1	0	2	67	5,153	1	0	2	73	5,218	1	0	2	73				
				RCCO	4,784	1	0	2	67	5,153	1	0	2	73	5,218	1	0	2	73				
				P4	20	1400	92W	T1S	9,791	2	0	2	106	10,547	2	0	2	115	10,681	2	0	2	116
								T2S	9,780	2	0	2	106	10,536	2	0	2	115	10,669	2	0	2	116
T2M	9,831	2	0					2	107	10,590	2	0	2	115	10,724	2	0	2	117				
T3S	9,521	2	0					2	103	10,256	2	0	2	111	10,386	2	0	2	113				
T3M	9,807	2	0					2	107	10,565	2	0	2	115	10,698	2	0	2	116				
T4M	9,594	2	0					2	104	10,335	2	0	3	112	10,466	2	0	3	114				
TFTM	9,801	2	0					2	107	10,558	2	0	2	115	10,692	2	0	2	116				
TSVS	10,193	3	0					1	111	10,981	3	0	1	119	11,120	3	0	1	121				
TSS	10,201	3	0					1	111	10,990	3	0	1	119	11,129	3	0	1	121				
TSM	10,176	4	0					2	111	10,962	4	0	2	119	11,101	4	0	2	121				
TSW	10,254	4	0					3	111	11,047	4	0	3	120	11,186	4	0	3	122				
BLC	8,036	1	0					2	87	8,656	1	0	2	94	8,766	1	0	2	95				
LCCO	5,979	1	0					2	65	6,441	1	0	2	70	6,523	1	0	3	71				
	5,979	1	0					2	65	6,441	1	0	2	70	6,523	1	0	3	71				

# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics																			
Power Package	LED Count	Drive Current	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
P5	40	700	89W	T1S	10,831	2	0	2	122	11,668	2	0	2	131	11,816	2	0	2	133
				T2S	10,820	2	0	2	122	11,656	2	0	2	131	11,803	2	0	2	133
				T2M	10,876	2	0	2	122	11,716	2	0	2	132	11,864	2	0	2	133
				T3S	10,532	2	0	2	118	11,346	2	0	2	127	11,490	2	0	2	129
				T3M	10,849	2	0	2	122	11,687	2	0	2	131	11,835	2	0	2	133
				T4M	10,613	2	0	3	119	11,434	2	0	3	128	11,578	2	0	3	130
				TFTM	10,842	2	0	2	122	11,680	2	0	2	131	11,828	2	0	2	133
				TSVS	11,276	3	0	1	127	12,148	3	0	1	136	12,302	3	0	1	138
				T5S	11,286	3	0	1	127	12,158	3	0	1	137	12,312	3	0	1	138
				T5M	11,257	4	0	2	126	12,127	4	0	2	136	12,280	4	0	2	138
				T5W	11,344	4	0	3	127	12,221	4	0	3	137	12,375	4	0	3	139
				BLC	8,890	1	0	2	100	9,576	1	0	2	108	9,698	1	0	2	109
				LCCO	6,615	1	0	3	74	7,126	1	0	3	80	7,216	1	0	3	81
				RCCO	6,615	1	0	3	74	7,126	1	0	3	80	7,216	1	0	3	81
P6	40	1050	134W	T1S	14,805	3	0	3	110	15,949	3	0	3	119	16,151	3	0	3	121
				T2S	14,789	3	0	3	110	15,932	3	0	3	119	16,134	3	0	3	120
				T2M	14,865	3	0	3	111	16,014	3	0	3	120	16,217	3	0	3	121
				T3S	14,396	3	0	3	107	15,509	3	0	3	116	15,705	3	0	3	117
				T3M	14,829	2	0	3	111	15,975	3	0	3	119	16,177	3	0	3	121
				T4M	14,507	2	0	3	108	15,628	3	0	3	117	15,826	3	0	3	118
				TFTM	14,820	2	0	3	111	15,965	3	0	3	119	16,167	3	0	3	121
				TSVS	15,413	4	0	1	115	16,604	4	0	1	124	16,815	4	0	1	125
				T5S	15,426	3	0	1	115	16,618	4	0	1	124	16,828	4	0	1	126
				T5M	15,387	4	0	2	115	16,576	4	0	2	124	16,786	4	0	2	125
				T5W	15,506	4	0	3	116	16,704	4	0	3	125	16,915	4	0	3	126
				BLC	12,151	1	0	2	91	13,090	1	0	2	98	13,255	1	0	2	99
				LCCO	9,041	1	0	3	67	9,740	1	0	3	73	9,863	1	0	3	74
				RCCO	9,041	1	0	3	67	9,740	1	0	3	73	9,863	1	0	3	74
P7	40	1300	166W	T1S	17,023	3	0	3	103	18,338	3	0	3	110	18,570	3	0	3	112
				T2S	17,005	3	0	3	102	18,319	3	0	3	110	18,551	3	0	3	112
				T2M	17,092	3	0	3	103	18,413	3	0	3	111	18,646	3	0	3	112
				T3S	16,553	3	0	3	100	17,832	3	0	3	107	18,058	3	0	3	109
				T3M	17,051	3	0	3	103	18,369	3	0	3	111	18,601	3	0	3	112
				T4M	16,681	3	0	3	100	17,969	3	0	3	108	18,197	3	0	3	110
				TFTM	17,040	3	0	3	103	18,357	3	0	4	111	18,590	3	0	4	112
				TSVS	17,723	4	0	1	107	19,092	4	0	1	115	19,334	4	0	1	116
				T5S	17,737	4	0	2	107	19,108	4	0	2	115	19,349	4	0	2	117
				T5M	17,692	4	0	2	107	19,059	4	0	2	115	19,301	4	0	2	116
				T5W	17,829	5	0	3	107	19,207	5	0	3	116	19,450	5	0	3	117
				BLC	13,971	2	0	2	84	15,051	2	0	2	91	15,241	2	0	2	92
				LCCO	10,396	1	0	3	63	11,199	1	0	3	67	11,341	1	0	3	68
					10,396	1	0	3	63	11,199	1	0	3	67	11,341	1	0	3	68

# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Rotated Optics																			
Power Package	LED Count	Drive Current	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
P10	30	530	53W	T1S	6,727	2	0	2	127	7,247	3	0	3	137	7,339	3	0	3	138
				T2S	6,689	3	0	3	126	7,205	3	0	3	136	7,297	3	0	3	138
				T2M	6,809	3	0	3	128	7,336	3	0	3	138	7,428	3	0	3	140
				T3S	6,585	3	0	3	124	7,094	3	0	3	134	7,183	3	0	3	136
				T3M	6,805	3	0	3	128	7,331	3	0	3	138	7,424	3	0	3	140
				T4M	6,677	3	0	3	126	7,193	3	0	3	136	7,284	3	0	3	137
				TFTM	6,850	3	0	3	129	7,379	3	0	3	139	7,472	3	0	3	141
				TSVS	6,898	3	0	0	130	7,431	3	0	0	140	7,525	3	0	0	142
				T5S	6,840	2	0	1	129	7,368	2	0	1	139	7,461	2	0	1	141
				TSM	6,838	3	0	1	129	7,366	3	0	2	139	7,460	3	0	2	141
				TSW	6,777	3	0	2	128	7,300	3	0	2	138	7,393	3	0	2	139
				BLC	5,626	2	0	2	106	6,060	2	0	2	114	6,137	2	0	2	116
				LCCO	4,018	1	0	2	76	4,328	1	0	2	82	4,383	1	0	2	83
				RCCO	4,013	3	0	3	76	4,323	3	0	3	82	4,377	3	0	3	83
P11	30	700	72W	T1S	8,594	3	0	3	119	9,258	3	0	3	129	9,376	3	0	3	130
				T2S	8,545	3	0	3	119	9,205	3	0	3	128	9,322	3	0	3	129
				T2M	8,699	3	0	3	121	9,371	3	0	3	130	9,490	3	0	3	132
				T3S	8,412	3	0	3	117	9,062	3	0	3	126	9,177	3	0	3	127
				T3M	8,694	3	0	3	121	9,366	3	0	3	130	9,484	3	0	3	132
				T4M	8,530	3	0	3	118	9,189	3	0	3	128	9,305	3	0	3	129
				TFTM	8,750	3	0	3	122	9,427	3	0	3	131	9,546	3	0	3	133
				TSVS	8,812	3	0	0	122	9,493	3	0	0	132	9,613	3	0	0	134
				T5S	8,738	3	0	1	121	9,413	3	0	1	131	9,532	3	0	1	132
				TSM	8,736	3	0	2	121	9,411	3	0	2	131	9,530	3	0	2	132
				TSW	8,657	4	0	2	120	9,326	4	0	2	130	9,444	4	0	2	131
				BLC	7,187	3	0	3	100	7,742	3	0	3	108	7,840	3	0	3	109
				LCCO	5,133	1	0	2	71	5,529	1	0	2	77	5,599	1	0	2	78
				RCCO	5,126	3	0	3	71	5,522	3	0	3	77	5,592	3	0	3	78
P12	30	1050	104W	T1S	12,149	3	0	3	117	13,088	3	0	3	126	13,253	3	0	3	127
				T2S	12,079	4	0	4	116	13,012	4	0	4	125	13,177	4	0	4	127
				T2M	12,297	3	0	3	118	13,247	3	0	3	127	13,415	3	0	3	129
				T3S	11,891	4	0	4	114	12,810	4	0	4	123	12,972	4	0	4	125
				T3M	12,290	3	0	3	118	13,239	4	0	4	127	13,407	4	0	4	129
				T4M	12,058	4	0	4	116	12,990	4	0	4	125	13,154	4	0	4	126
				TFTM	12,369	4	0	4	119	13,325	4	0	4	128	13,494	4	0	4	130
				TSVS	12,456	3	0	1	120	13,419	3	0	1	129	13,589	4	0	1	131
				T5S	12,351	3	0	1	119	13,306	3	0	1	128	13,474	3	0	1	130
				TSM	12,349	4	0	2	119	13,303	4	0	2	128	13,471	4	0	2	130
				TSW	12,238	4	0	3	118	13,183	4	0	3	127	13,350	4	0	3	128
				BLC	10,159	3	0	3	98	10,944	3	0	3	105	11,083	3	0	3	107
				LCCO	7,256	1	0	3	70	7,816	1	0	3	75	7,915	1	0	3	76
				RCCO	7,246	3	0	3	70	7,806	4	0	4	75	7,905	4	0	4	76
P13	30	1300	128W	T1S	14,438	3	0	3	113	15,554	3	0	3	122	15,751	3	0	3	123
				T2S	14,355	4	0	4	112	15,465	4	0	4	121	15,660	4	0	4	122
				T2M	14,614	3	0	3	114	15,744	4	0	4	123	15,943	4	0	4	125
				T3S	14,132	4	0	4	110	15,224	4	0	4	119	15,417	4	0	4	120
				T3M	14,606	4	0	4	114	15,735	4	0	4	123	15,934	4	0	4	124
				T4M	14,330	4	0	4	112	15,438	4	0	4	121	15,633	4	0	4	122
				TFTM	14,701	4	0	4	115	15,836	4	0	4	124	16,037	4	0	4	125
				TSVS	14,804	4	0	1	116	15,948	4	0	1	125	16,150	4	0	1	126
				T5S	14,679	3	0	1	115	15,814	3	0	1	124	16,014	3	0	1	125
				TSM	14,676	4	0	2	115	15,810	4	0	2	124	16,010	4	0	2	125
				TSW	14,544	4	0	3	114	15,668	4	0	3	122	15,866	4	0	3	124
				BLC	7919	3	0	3	62	8531	3	0	3	67	8639	3	0	3	67
				LCCO	5145	1	0	2	40	5543	1	0	2	43	5613	1	0	2	44
					5139	3	0	3	40	5536	3	0	3	43	5606	3	0	3	44

## Capable Luminaire

This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and system-level interoperability.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is A+ Certified when ordered with DTL® controls marked by a [shaded background](#). DTL DLL equipped luminaires meet the A+ specification for luminaire to photocontrol interoperability<sup>1</sup>
- This luminaire is part of an A+ Certified solution for ROAM® or XPoint™ Wireless control networks, providing out-of-the-box control compatibility with simple commissioning, when ordered with drivers and control options marked by a [shaded background](#)<sup>1</sup>

To learn more about A+, visit [www.acuitybrands.com/aplus](http://www.acuitybrands.com/aplus).

1. See ordering tree for details.
2. A+ Certified Solutions for ROAM require the order of one ROAM node per luminaire.  
Sold Separately: [Link to Roam](#); [Link to DTL DLL](#)

## FEATURES & SPECIFICATIONS

### INTENDED USE

The sleek design of the D-Series Size 0 reflects the embedded high performance LED technology. It is ideal for many commercial and municipal applications, such as parking lots, plazas, campuses, and pedestrian areas.

### CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance and future light engine upgrades. The LED driver is mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (0.95 ft<sup>2</sup>) for optimized pole wind loading.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

### OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in 3000 K, 4000 K or 5000 K (70 CRI) configurations. The D-Series Size 0 has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

### ELECTRICAL

Light engine(s) configurations consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to L85/100,000 hours at 25°C). Class 1 electronic drivers are designed to have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

### STANDARD CONTROLS

The DSX0 LED area luminaire has a number of control options. Dusk to dawn controls can be utilized via optional NEMA twist-lock photocell receptacles. Integrated motion sensors with on-board photocells feature field-adjustable programming and are suitable for mounting heights up to 30 feet.

### nLIGHT AIR CONTROLS

The DSX0 LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing and photocontrol functionality and is suitable for mounting heights up to 40 feet. Once commissioned using a smartphone and the easy-to-use CLAIRITY app, nLight AIR equipped luminaires can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor over-ride can be achieved when used with the nLight Eclipse. Additional information about nLight Air can be found [here](#).

### INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 0 to withstand up to a 3.0 G vibration load rating per ANSI C136.31. The D-Series Size 0 utilizes the AERIS™ series pole drilling pattern (template #8). Optional terminal block and NEMA photocell receptacle are also available.

### LISTINGS

UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D672,492 S. International patent pending.

DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only.

### WARRANTY

5-year limited warranty. Complete warranty terms located at: [www.acuitybrands.com/resources/terms-and-conditions](http://www.acuitybrands.com/resources/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.



# D-Series Size 1 LED Wall Luminaire



d#series

Catalog Number
Notes
Type

Hit the Tab key or mouse over the page to see all interactive elements.

## Introduction

The D-Series Wall luminaire is a stylish, fully integrated LED solution for building-mount applications. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

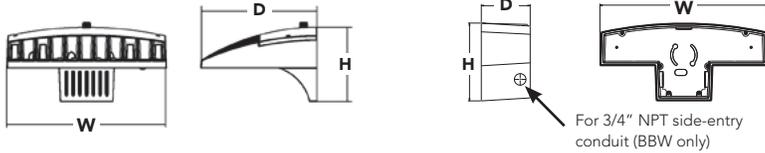
With an expected service life of over 20 years of nighttime use and up to 74% in energy savings over comparable 250W metal halide luminaires, the D-Series Wall is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

## Specifications Luminaire

<b>Width:</b>	13-3/4" (34.9 cm)	<b>Weight:</b>	12 lbs (5.4 kg)
<b>Depth:</b>	10" (25.4 cm)		
<b>Height:</b>	6-3/8" (16.2 cm)		

## Back Box (BBW, ELCW)

<b>Width:</b>	13-3/4" (34.9 cm)	<b>BBW Weight:</b>	5 lbs (2.3 kg)
<b>Depth:</b>	4" (10.2 cm)	<b>ELCW Weight:</b>	10 lbs (4.5 kg)
<b>Height:</b>	6-3/8" (16.2 cm)		



## Ordering Information

**EXAMPLE: DSXW1 LED 20C 1000 40K T3M MVOLT DBBTD**

Series	LEDs	Drive Current	Color temperature	Distribution	Voltage	Mounting	Control Options
DSXW1 LED	10C 10 LEDs (one engine) 20C 20 LEDs (two engines) <sup>1</sup>	350 350 mA 530 530 mA 700 700 mA 1000 1000 mA (1 A) <sup>1</sup>	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted	T2S Type II Short T2M Type II Medium T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium ASYDF Asymmetric diffuse	MVOLT <sup>2</sup> 120 <sup>3</sup> 208 <sup>3</sup> 240 <sup>3</sup> 277 <sup>3</sup> 347 <sup>3,4</sup> 480 <sup>3,4</sup>	<b>Shipped included</b> (blank) Surface mounting bracket <b>BBW</b> Surface-mounted back box (for conduit entry) <sup>5</sup>	<b>Shipped installed</b> PE Photoelectric cell, button type <sup>6</sup> DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) PIR 180° motion/ambient light sensor, <15' mtg ht <sup>1,7</sup> PIRH 180° motion/ambient light sensor, 15-30' mtg ht <sup>1,7</sup> PIR1FC3V Motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc <sup>1,7</sup> PIRH1FC3V Motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc <sup>1,7</sup> ELCW Emergency battery backup (includes external component enclosure), CA Title 20 Noncompliant <sup>8,9</sup>

Other Options	Finish (required)
<b>Shipped installed</b> SF Single fuse (120, 277 or 347V) <sup>3,10</sup> DF Double fuse (208, 240 or 480V) <sup>3,10</sup> HS House-side shield <sup>11</sup> SPD Separate surge protection <sup>12</sup> <b>Shipped separately<sup>11</sup></b> BSF Bird-deterrent spikes WG Wire guard VG Vandal guard DDL Diffused drop lens DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DSSXD Sandstone DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white DSSTXD Textured sandstone	

## Accessories

Ordered and shipped separately.

DSXWHS U	House-side shield (one per light engine)
DSXWBSW U	Bird-deterrent spikes
DSXW1WG U	Wire guard accessory
DSXW1VG U	Vandal guard accessory

## NOTES

- 20C 1000 is not available with PIR, PIRH, PIR1FC3V or PIRH1FC3V.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
- Only available with 20C, 700mA or 1000mA. Not available with PIR or PIRH.
- Back box ships installed on fixture. Cannot be field installed. Cannot be ordered as an accessory.
- Photocontrol (PE) requires 120, 208, 240, 277 or 347 voltage option. Not available with motion/ambient light sensors (PIR or PIRH).
- Reference Motion Sensor table on page 3.
- Cold weather (-20C) rated. Not compatible with conduit entry applications. Not available with BBW mounting option. Not available with fusing. Not available with 347 or 480 voltage options. Emergency components located in back box housing. Emergency mode IES files located on product page at [www.lithonia.com](http://www.lithonia.com)
- Not available with SPD.
- Not available with ELCW.
- Also available as a separate accessory; see Accessories information.
- Not available with ELCW.



# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

LEDs	Drive Current (mA)	System Watts	Dist. Type	30K (3000 K, 70CRI)					40K (4000 K, 70CRI)					50K (5000 K, 70CRI)					AMBPC (Amber Phosphor Converted)				
				Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
(10 LEDs)	350mA	13W	T2S	1,415	0	0	1	109	1,520	0	0	1	117	1,530	0	0	1	118	894	0	0	1	69
			T2M	1,349	0	0	1	104	1,448	0	0	1	111	1,458	0	0	1	112	852	0	0	1	66
			T3S	1,399	0	0	1	108	1,503	0	0	1	116	1,512	0	0	1	116	884	0	0	1	68
			T3M	1,385	0	0	1	107	1,488	0	0	1	114	1,497	0	0	1	115	876	0	0	1	67
			T4M	1,357	0	0	1	104	1,458	0	0	1	112	1,467	0	0	1	113	858	0	0	1	66
			TFTM	1,411	0	0	1	109	1,515	0	0	1	117	1,525	0	0	1	117	892	0	0	1	69
	530 mA	19W	ASYDF	1,262	1	0	1	97	1,354	1	0	1	104	1,363	1	0	1	105	797	0	0	1	61
			T2S	2,053	1	0	1	108	2,205	1	0	1	116	2,220	1	0	1	117	1,264	0	0	1	67
			T2M	1,957	1	0	1	103	2,102	1	0	1	111	2,115	1	0	1	111	1,205	0	0	1	63
			T3S	2,031	1	0	1	107	2,181	1	0	1	115	2,194	1	0	1	115	1,250	0	0	1	66
			T3M	2,010	1	0	1	106	2,159	1	0	1	114	2,172	1	0	1	114	1,237	0	0	1	65
			T4M	1,970	1	0	1	104	2,115	1	0	1	111	2,129	1	0	1	112	1,212	0	0	1	64
	700 mA	26W	TFTM	2,047	0	0	1	108	2,198	1	0	1	116	2,212	1	0	1	116	1,260	0	0	1	66
			ASYDF	1,831	1	0	1	96	1,966	1	0	1	103	1,978	1	0	1	104	1,127	0	0	1	59
			T2S	2,623	1	0	1	101	2,816	1	0	1	108	2,834	1	0	1	109	1,544	0	0	1	59
			T2M	2,499	1	0	1	96	2,684	1	0	1	103	2,701	1	0	1	104	1,472	0	0	1	57
			T3S	2,593	1	0	1	100	2,785	1	0	1	107	2,802	1	0	1	108	1,527	0	0	1	59
			T3M	2,567	1	0	1	99	2,757	1	0	1	106	2,774	1	0	1	107	1,512	0	0	1	58
	1000 mA	39W	T4M	2,515	1	0	1	97	2,701	1	0	1	104	2,718	1	0	1	105	1,481	0	0	1	57
			TFTM	2,614	1	0	1	101	2,808	1	0	1	108	2,825	1	0	1	109	1,539	0	0	1	59
			ASYDF	2,337	1	0	1	90	2,510	1	0	1	97	2,525	1	0	1	97	1,376	1	0	1	53
			T2S	3,685	1	0	1	94	3,957	1	0	1	101	3,982	1	0	1	102	2,235	1	0	1	57
			T2M	3,512	1	0	1	90	3,771	1	0	1	97	3,794	1	0	1	97	2,130	1	0	1	55
			T3S	3,644	1	0	1	93	3,913	1	0	1	100	3,938	1	0	1	101	2,210	1	0	1	57
(20 LEDs)	350mA	23W	T3M	3,607	1	0	1	92	3,873	1	0	1	99	3,898	1	0	1	100	2,187	1	0	1	56
			T4M	3,534	1	0	2	91	3,796	1	0	2	97	3,819	1	0	2	98	2,143	1	0	1	55
			TFTM	3,673	1	0	1	94	3,945	1	0	1	101	3,969	1	0	1	102	2,228	1	0	1	57
			ASYDF	3,284	1	0	2	84	3,527	1	0	2	90	3,549	1	0	2	91	1,992	1	0	1	51
			T2S	2,820	1	0	1	123	3,028	1	0	1	132	3,047	1	0	1	132	1,777	1	0	1	77
			T2M	2,688	1	0	1	117	2,886	1	0	1	125	2,904	1	0	1	126	1,693	1	0	1	74
	530 mA	35W	T3S	2,789	1	0	1	121	2,994	1	0	1	130	3,014	1	0	1	131	1,757	0	0	1	76
			T3M	2,760	1	0	1	120	2,965	1	0	1	129	2,983	1	0	1	130	1,739	1	0	1	76
			T4M	2,704	1	0	1	118	2,905	1	0	1	126	2,922	1	0	1	127	1,704	1	0	1	74
			TFTM	2,811	1	0	1	122	3,019	1	0	1	131	3,038	1	0	1	132	1,771	0	0	1	77
			ASYDF	2,514	1	0	1	109	2,699	1	0	1	117	2,716	1	0	1	118	1,584	1	0	1	69
			T2S	4,079	1	0	1	117	4,380	1	0	1	125	4,407	1	0	1	126	2,504	1	0	1	72
	700 mA	46W	T2M	3,887	1	0	1	111	4,174	1	0	1	119	4,201	1	0	1	120	2,387	1	0	1	68
			T3S	4,033	1	0	1	115	4,331	1	0	1	124	4,359	1	0	1	125	2,477	1	0	1	71
			T3M	3,993	1	0	2	114	4,288	1	0	2	123	4,315	1	0	2	123	2,451	1	0	1	70
			T4M	3,912	1	0	2	112	4,201	1	0	2	120	4,227	1	0	2	121	2,402	1	0	1	69
			TFTM	4,066	1	0	2	116	4,366	1	0	2	125	4,394	1	0	2	126	2,496	1	0	1	71
			ASYDF	3,636	1	0	2	104	3,904	1	0	2	112	3,928	1	0	2	112	2,232	1	0	1	64
	1000 mA	73W	T2S	5,188	1	0	1	113	5,572	1	0	1	121	5,607	1	0	1	122	3,065	1	0	1	67
			T2M	4,945	1	0	2	108	5,309	1	0	2	115	5,343	1	0	2	116	2,921	1	0	1	64
			T3S	5,131	1	0	2	112	5,510	1	0	2	120	5,544	1	0	2	121	3,031	1	0	1	66
			T3M	5,078	1	0	2	110	5,454	1	0	2	119	5,487	1	0	2	119	3,000	1	0	1	65
			T4M	4,975	1	0	2	108	5,343	1	0	2	116	5,376	1	0	2	117	2,939	1	0	1	64
			TFTM	5,172	1	0	2	112	5,554	1	0	2	121	5,589	1	0	2	122	3,055	1	0	1	66
1000 mA	73W	ASYDF	4,624	1	0	2	101	4,965	1	0	2	108	4,996	1	0	2	109	2,732	1	0	1	59	
		T2S	7,204	1	0	2	99	7,736	2	0	2	106	7,784	2	0	2	107	4,429	1	0	1	61	
		T2M	6,865	1	0	2	94	7,373	2	0	2	101	7,419	2	0	2	102	4,221	1	0	1	58	
		T3S	7,125	1	0	2	98	7,651	1	0	2	105	7,698	1	0	2	105	4,380	1	0	1	60	
		T3M	7,052	1	0	2	97	7,573	2	0	2	104	7,620	2	0	2	104	4,335	1	0	2	59	
		T4M	6,909	1	0	2	95	7,420	1	0	2	102	7,466	1	0	2	102	4,248	1	0	2	58	
TFTM	7,182	1	0	2	98	7,712	1	0	2	106	7,761	1	0	2	106	4,415	1	0	2	60			
ASYDF	6,421	2	0	2	88	6,896	2	0	3	94	6,938	2	0	3	95	3,947	1	0	2	54			

## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.02
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	1.00
40°C	104°F	0.98

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the DSXW1 LED 20C 1000 platform in a 25°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.0	0.95	0.93	0.88

### Electrical Load

LEDs	Drive Current (mA)	System Watts	Current (A)					
			120V	208V	240V	277V	347V	480V
10C	350	14 W	0.13	0.07	0.06	0.06	-	-
	530	20 W	0.19	0.11	0.09	0.08	-	-
	700	27 W	0.25	0.14	0.13	0.11	-	-
	1000	40 W	0.37	0.21	0.19	0.16	-	-
20C	350	24 W	0.23	0.13	0.12	0.10	-	-
	530	36 W	0.33	0.19	0.17	0.14	-	-
	700	47 W	0.44	0.25	0.22	0.19	0.15	0.11
	1000	74 W	0.69	0.40	0.35	0.30	0.23	0.17

### Motion Sensor Default Settings

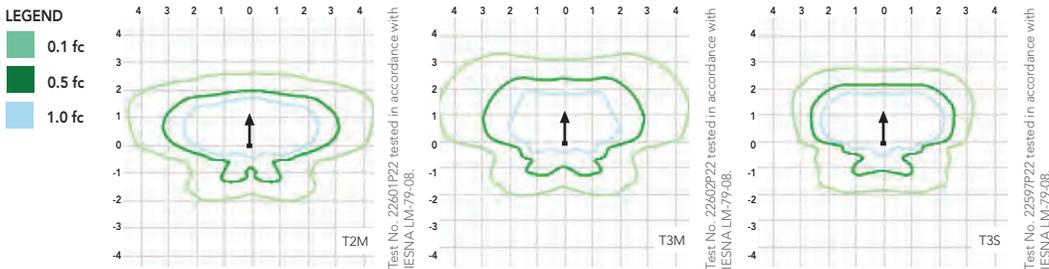
Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
*PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

\*for use with Inline Dusk to Dawn or timer

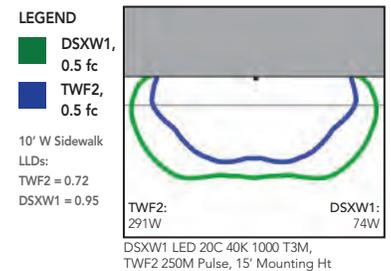
## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [D-Series Wall Size 1 homepage](#).

Isfootcandle plots for the DSXW1 LED 20C 1000 40K. Distances are in units of mounting height (15').



Distribution overlay comparison to 250W metal halide.



## Options and Accessories



T3M (left), ASYDF (right) lenses



HS - House-side shields



BSW - Bird-deterrent spikes



WG - Wire guard



VG - Vandal guard



DDL - Diffused drop lens

## FEATURES & SPECIFICATIONS

### INTENDED USE

The energy savings, long life and easy-to-install design of the D-Series Wall Size 1 make it the smart choice for building-mounted doorway and pathway illumination for nearly any facility.

### CONSTRUCTION

Two-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance. The LED driver is mounted to the door to thermally isolate it from the light engines for low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65).

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in textured and non-textured finishes.

### OPTICS

Precision-molded proprietary acrylic lenses provide multiple photometric distributions tailored specifically to building mounted applications. Light engines are available in 3000 K (70 min. CRI), 4000 K (70 min. CRI) or 5000 K (70 min. CRI) configurations.

### ELECTRICAL

Light engine(s) consist of 10 high-efficacy LEDs mounted to a metal-core circuit board to maximize heat dissipation and promote long life (L88/100,000 hrs at 25°C). Class 1 electronic drivers have a power factor >90%, THD <20%, and a minimum 2.5KV surge rating. When ordering the SPD option, a separate surge protection device is installed within the luminaire which meets a minimum Category C Low (per ANSI/IEEE C62.41.2).

### INSTALLATION

Included universal mounting bracket attaches securely to any 4" round or square outlet box for quick and easy installation. Luminaire has a slotted gasket wireway and attaches to the mounting bracket via corrosion-resistant screws.

### LISTINGS

CSA certified to U.S. and Canadian standards. Rated for -40°C minimum ambient.

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

### WARRANTY

Five-year limited warranty. Complete warranty terms located at: [www.acuitybrands.com/resources/terms-and-conditions](http://www.acuitybrands.com/resources/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.





### Proposed Plat Note Revision (Note 4 of recorded plat. Changes shown in red)

*“Notice for lots 101-102, 201-209, 211-213, 314-320, 326-328 and 411-416. A slope stability assessment has been done by the developer that has determined that settlement from seismic deformation of up to four inches (4.0”) may occur. Cottonwood Heights city code chapter 19.72, Appendix C, Section 12.3 provides that “calculated seismic displacements shall be 15 cm or less, or mitigation measures shall be proposed to limit calculated displacements to 15 cm or less.” Cottonwood Heights city requires that a structural engineer who is experienced in the design of structures to withstand the anticipated seismic deformation anticipated at this location in the case of a seismic event shall be used to perform structural calculations and develop a design to mitigate the anticipated deformation before construction may commence. Experts have determined that an earthquake seismic event could trigger slope movement and/or potential landslide resulting in up to 4 inches of deformation below proposed structures on these lots. After such occurrence, the owner of this property at its sole cost may have to perform mitigation to restore the slope and structure to bring it into compliance with city code if practicable or else may not occupy the remaining structure on this property. The city requires all structures to be designed and built to protect life and safety during a seismic event. If the structure and slope cannot be restored to acceptable design standards following such an event the city may require the structure to be abandoned. All structural designs shall specifically account for the anticipated deformation and be stamped by a licensed structural engineer in the state of Utah and who has specific expertise in seismic deformation values that are expected for this slope, such as those represented in the slope stability geotechnical reports by Applied Geotechnical Engineering Consultants ~~(AGEC)~~. (See the Applied Geotechnical Engineering Consultants–GEC report for specific recommendations for the foundation wall depths and setback requirements) Or for lots 204, 205, 207-209, and 315-319 engineering reports prepared by other licensed structural engineers in the state of Utah with specific expertise in seismic deformation values which reports conform to Cottonwood Heights city code chapter 19.72 as applied by the Cottonwood Heights Development Review in consultation with the city engineer. An individual stamped site plan (that meets city requirements) shall be submitted for each lot and address the geotechnical recommendations, utility mitigation and stormwater drainage. No stormwater shall be discharged onto the slope. All roof surface drainage shall be directed toward the street. The site plan shall include a plan to prevent utility breaks, hoses or landscape irrigation from impacting the hillside. The slope shall be maintained to prevent erosion, including stabilization and revegetation after brush fires.”*

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### Context

The current recorded subdivision plat includes a specific note for lots located in proximity to steep hillsides/ridges and subject to special engineering requirements to mitigate slope stability and deformation hazards. The existing plat note requires this mitigation through a very specific method of engineering (i.e. building homes with deeper foundations to increase stability). There are other engineering techniques that may be available to mitigate the hazards to an acceptable quality. Therefore, the applicant is requesting to amend the existing plat note to allow other engineering standards to be considered, reviewed, and approved by the city to mitigate these hazards.

## Analysis

### Subdivision Regulations

Title 12 of the Cottonwood Heights Municipal Code dictates the Planning Commission's role in subdivision plat approval when full or partial amendments and vacations of existing subdivisions are involved. Chapter 12.26.010 defines the approval process:

**12.26.010 Plat vacation process.**

*The planning commission may, with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.*

***Analysis: No alteration of parcel lines, street layout, density, etc. is proposed. However, the proposal to modify a note on the recorded plat constitutes an amendment to an existing subdivision. Therefore, a public hearing before the Planning Commission is required.***

### City Engineer Review

This proposed amendment is technical in nature and the original plat note was recorded after extensive engineering analysis of the hillside lots and their associated hazards was completed. Prior to scheduling this item for Planning Commission consideration, the city's Development Review Committee (DRC), in conjunction with the city engineer, reviewed an alternate engineering proposal submitted by the applicant. After review, the alternative engineering proposal was found to mitigate the slope stability and deformation hazards equally to the method established by the recorded plat note. Additionally, chapter 19.72 (Sensitive Lands Evaluation and Development Standards) provides comprehensive detail about slope stability, geologic, and other hazards and requirements for studying and mitigating them. Inclusion of a reference to chapter 19.72 and the requisite city review process in the proposed plat note modification ensures that the city will review all proposed engineering methods in strict accordance with city ordinance.

***Analysis: The DRC and City Engineer have reviewed proposed alternative engineering methods submitted by the applicant and found them to sufficiently comply with city ordinance. The City Engineer has also reviewed the proposed plat note modification and recommends approval.***

### Recordation Process

Approval of the proposed plat amendment would constitute preliminary plat approval. Following such a vote, the applicant would be required to work with staff to meet all technical requirements and record the revised note. Such technical requirements may include preparing a document for recordation acceptable to the Salt Lake County Recorder, signatures by owners of affected parcels, recording revised notices against each property, etc.

### Notification

Notices were posted in all required places and were mailed to property owners within 400 feet of the lots affected by the proposed plat note modification.

## Recommendation

Staff recommends **APPROVAL** as outlined below:

---

## Conclusions - Findings for Approval

- The proposed subdivision meets the applicable provisions of the Cottonwood Heights subdivision ordinance;
  - Proper notice was given in accordance with local and state requirements;
  - A public hearing was held in accordance with local and state requirements.
- 

## Model Motions

### Approval

I move that we approve project SUB-19-007 based upon the findings for approval outlined in the staff report:

- List additional conditions...
- List findings for additional conditions...

### Denial

I move that we deny project SUB-19-007, based on the following findings:

- List findings for denial...
- 

## Attachments

- Applicant's narrative
- Lots affected by plat note modification

APPLICATION TO AMEND  
GIVERNY PLAT  
NOTE 4

Proposed Language to be Amended

Note 4 on the First Page of the Giverny Plat shall be amended to read as follows:

NOTICE FOR LOTS 101 – 102, 201 – 209, 211 – 213, 314 – 320, 326 – 328 AND 411 – 416. A SLOPE STABILITY ASSESSMENT HAS BEEN DONE BY THE DEVELOPER THAT HAS DETERMINED THAT SETTLEMENT FROM SEISMIC DEFORMATION OF UP TO FOUR INCHES (4.0”) MAY OCCUR. COTTONWOOD HEIGHTS CITY CODE CHAPTER 19.72, APPENDIX C, SECTION 12.3 PROVIDES THAT “CALCULATED SEISMIC DISPLACEMENTS SHALL BE 15 CM OR LESS, OR MITIGATION MEASURES SHALL BE PROPOSED TO LIMIT CALCULATED DISPLACEMENTS TO 15 CM OR LESS.” COTTONWOOD HEIGHTS CITY REQUIRES THAT A STRUCTURAL ENGINEER WHO IS EXPERIENCED IN THE DESIGN OF STRUCTURES TO WITHSTAND THE ANTICIPATED SEISMIC DEFORMATION ANTICIPATED AT THIS LOCATION IN THE CASE OF A SEISMIC EVENT SHALL BE USED TO PERFORM STRUCTURAL CALCUALTIONS AND DEVELOP A DESIGN TO MITIGATE THE ANTICIPATED DEFORMATION BEFORE CONSTRUCTION MAY COMMENCE. EXPERTS HAVE DETERMINED THAT AN EARTHQUAKE SEISMIC EVENT COULD TRIGGER SLOPE MOVEMENT AND/OR POTENTIAL LANDSLIDE RESULTING IN UP TO 4 INCHES OF DEFORMATION BELOW PROPOSED STRUCTURES ON THESE LOTS. AFTER SUCH OCCURRENCE, THE OWNER OF THIS PROPERTY AT ITS SOLE COST MAY HAVE TO PERFORM MITIGATION TO RESTORE THE SLOPE AND STRUCTURE TO BRING IT INTO COMPLIANCE WITH CITY CODE IF PRACTICALBE OR ELSE MAY NOT OCCUPY THE REMAINING STRUCTURE ON THIS PROPERTY. THE CITY REQUIRES ALL STRUCTURES TO BE DESIGNED AND BUILT TO PROTECT LIFE AND SAFETY DURING A SEISMIC EVENT. IF THE STRUCTURE AND SLOPE CANNOT BE RESTORED TO ACCEPTABLE DSIGN STANDARDS FOLLOWING SUCH AN EVENT THE CITY MAY REQUIRE THE STRUCTURE TO BE ABANDONED. ALL STRUCTURAL DESIGNS SHALL SPECIFICALLY ACCOUNT FOR THE ANTICIPATED DEFORMATION AND BE STAMPED BY A LICENSED STRUCTURAL ENGINEER IN THE STATE OF UTAH AND WHO HAS SPECIFIC EXPERTISE IN SEISMIC DEFORMATION VALUES THAT ARE EXPECTED FOR THIS SLOPE, **SUCH AS THOSE** RESPRESENTED IN THE SLOPE STABILITY GEOTECHNICAL REPORTS BY APPLIED GEOTECHNICAL ENGINEERING CONSTULTANTS ~~(AGEC)~~. **(SEE THE APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS GEC REPORT FOR SPECIFIC RECOMMENDATIONS FOR THE FOUNDATION WALL DEPTHS AND SETBACK REQUIREMENTS) OR -FOR LOTS NOS. 204, 205, 207 – 209, AND 315 – 319 ENGINEERING REPORTS PREPARED BY OTHER LICENSED STRUCTURAL ENGINEERS IN THE STATE OF UTAH WITH SPECIFIC EXPERTISE IN SEISMIC DEFORMATION VALUES WHICH REPORTS CONFORM TO COTTONWOOD HEIGHTS CITY CODE CHAPTER 19.72 AS APPLIED BY THE COTTONWOOD HEIGHTS DEVELOPMENT REVIEW COMMITTEE IN CONSULTATION WITH THE CITY ENGINEER.** AN INDIVIDUAL STAMPED SITE PLAN (THAT MEETS CITY REQUIREMENTS) SHALL BE SUBMITTED FOR EACH LOT AND ADDRESS THE GEOTECHNICAL RECOMMENDATIONS, UTILITY MITIGATION AND STOMRAWATER DRAINAGE. NO

**STORMWATER SHALL BE DISCHARGED ONTO THE SLOPE. ALL ROOF SURFACE DRAINAGE SHALL BE DIRECTED TOWARD THE STREET. THE STIE PLAN SHALL INCLUDE A PLAN TO PREVENT UTILITY BREAKS, HOSES OR LANDSCAPE IRRIGATION FROM IMPACTING THE HILLSIDE. THE SLOPE SHALL BE MAINTAINED TO PREVENT REOSION, INCLUDING STABILIZATION AND REVEGETATION AFTER BRUSH FIRES.**

### **Reason for the Proposed Giverny Subdivision Plat Amendment**

When the Giverny Subdivision Plat was first recorded on January 11, 2017, it included a reference to an engineering report by Applied Geotechnical Engineering Consultants (“AGEC”) describing one method of how to build home foundations for homes sited along Giverny’s west ridge. At the time, the Applicant believed that this was just an example of one method of structural foundation construction approved by the City that it could use for Giverny’s west ridge lots. However, the City has expressed the possibility that the language in Note 4 may be unintentionally more mandatory than exemplary. Hence, in an abundance of caution, the Applicant has filed this Plat Amendment to clarify the language in Note 4 to allow the Applicant to build the foundations of its homes along Giverny’s west ridge in any manner that complies with Cottonwood Heights City Code Chapter 19.72 and is approved by the City. The Applicant desires to do this not just to clarify the language in Note 4, but also to take advantage of better construction techniques accepted in the industry and by Cottonwood Heights City instead of arbitrarily limiting itself to just one method of construction.

By allowing this change to occur, the Applicant will be able to take advantage of the construction expertise it has gained since January 2017 while building the Giverny west ridge lots. This ridge lot construction over the last 2.8 years has been a tremendous opportunity for the Applicant to learn and improve upon the building process for these lots. In addition, over the last 2.8 years the Applicant has engaged other excellent seismic and structural engineering firms to find better, alternative ways in which the Giverny west ridge lots should be designed and built that so that they are more effective and safe. Moreover, design and structural engineering methods have adapted and become better since January 2017. As a result of these experiences, work and advancements, in many situations the Applicant has found that it would be more effective, efficient and safer to develop the lots and homes on the Giverny west ridge using different engineering and construction practices that comply with Cottonwood Heights City Code Chapter 19.72 instead of being confined to using just the one method described in AGECE’s reports. The applicant desires to use the geogrid foundation construction method and other present and future methods of construction that comply with the City’s code and review processes.

For these reasons, the Applicant respectfully requests the Cottonwood Heights Planning Commission to approve the Giverny Subdivision Plat Amendment to make this minor, clarifying modification to Note 4 on the first page of the Plat.

# GIVERNY AMENDED, A PLANNED UNIT DEVELOPMENT

AMENDING GIVERNY, A PLANNED UNIT DEVELOPMENT  
LOCATED IN THE SOUTHEAST QUARTER SECTION 2 & SOUTHWEST QUARTER SECTION 1,  
TOWNSHIP 3 SOUTH, RANGE 1 EAST  
SALT LAKE BASE AND MERIDIAN

COTTONWOOD HEIGHTS, SALT LAKE COUNTY, UTAH  
S89°44'10"W 2635.59' (RECORD)

PLAT REVISION NOTES:  
CHANGES TO THE ORIGINAL PLAT, GIVERNY, A PLANNED UNIT DEVELOPMENT, RECORDED JANUARY 11, 2017 AS ENTRY NO. 12452177 IN BOOK 2017P AT PAGE 6, WAS THE ADDITION OF PARCEL R, AS WELL AS SOME MINOR ADJUSTMENTS TO LOT LINES. THE FOLLOWING LOTS OR PARCELS WERE MODIFIED FROM THE ORIGINAL PLAT: LOTS 103, 136-139, 140-147, 149-152, 221, 222, 224, 235, 320-324, 326-333, 335, 336, 338, 341-347 AND PARCELS I AND G.  
PARCELS A-G AND R ARE COMMON AREA PARCELS.

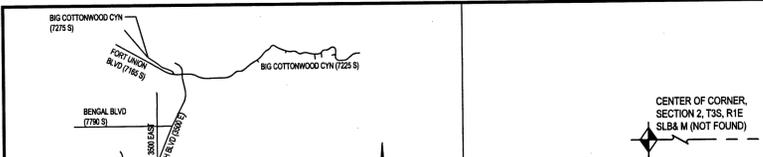
## SURVEYOR'S CERTIFICATE

I, **PATRICK M. HARRIS**, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. **286882**, as prescribed under 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 described below, and have subdivided said tract of land into lots and streets, hereinafter to be known as **GIVERNY AMENDED, A PLANNED UNIT DEVELOPMENT**, and that the same has been correctly surveyed and the plat attached to the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

## BOUNDARY DESCRIPTION

Beginning at a point on the west line of Wasatch Boulevard and being the point of beginning of Giverny, A Planned Unit Development recorded January 11, 2017 as Entry No. 12452177 in Book 2017P at Page 6, said point being North 0°08'13" East 496.74 feet along the section line and West 103.83 feet from the Southeast Corner of Section 2, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running:

thence West 1122.76 feet to the centerline of Little Cottonwood Creek;  
thence North 23°12'33" West 56.34 feet along the centerline of Little Cottonwood Creek;  
thence North 32°27'01" West 62.22 feet along the centerline of Little Cottonwood Creek;  
thence North 22°02'42" East 72.17 feet along the centerline of Little Cottonwood Creek;  
thence North 1°20'00" East 60.50 feet along the centerline of Little Cottonwood Creek;  
thence North 25°15'04" West 63.30 feet along the centerline of Little Cottonwood Creek;  
thence North 25°15'24" West 105.11 feet along the centerline of Little Cottonwood Creek to the 40 acre line, also being the east line of property owned by Sandy City Corporation;  
thence North 1°19'43" East 455.00 feet along the 40 acre line and the east line of the Sandy City Corporation property to the south line of the property owned by Salt Lake City Corporation;  
thence East 207.40 feet along the south line to the Southeast Corner of property owned by Salt Lake City Corporation; and to and along the north line of the 40 acre line to the Southeast Corner of property owned by Murray City Corporation, said point being South 50°47'51" West (South 50°30' West by Deed) 1435.39 feet from the East Quarter Corner of said Section 2;  
thence West 56.35 feet along the north line of property owned by Murray City Corporation to the east line of the Salt Lake City Condominium recorded July 13, 1991 in Book 95 of Liens and Leases at Page 278 of the records of Salt Lake County;  
thence North 22°20'00" East 47.44 feet along the east line of said Salt Lake City Condominium in Book 95 of Liens and Leases at page 278;  
thence North 54°51'00" East 148.00 feet along the east line of said Salt Lake City Condominium in Book 95 of Liens and Leases at page 278;  
thence North 64°20'00" East 198.16 feet along the east line of said Salt Lake City Condominium in Book 95 of Liens and Leases at page 278;  
thence North 41°17'00" East 285.54 feet to the Southwest Corner of Golden Hills No. 12 Subdivision;  
thence North 58°00'00" East 207.46 feet along a south line to an interior corner of Golden Hills No. 12 Subdivision;  
thence South 32°00'00" West 198.16 feet along a south line to a Southwest Corner of Golden Hills No. 12 Subdivision;  
thence South 58°00'00" East 50.00 feet along a south line to a Southwest Corner of Golden Hills No. 12 Subdivision to a Boundary Agreement and Quit Claim Deed recorded as Entry No. 1257532, in Book 10277, at Page 229 in the Office of the Salt Lake County Recorder;  
thence South 57°00'00" West 7.94 feet along said Boundary Agreement;  
thence South 55°24'23" East 55.81 feet along said Boundary Agreement;  
thence South 65°41'22" East 50.65 feet along said Boundary Agreement;  
thence South 65°31'22" East 111 feet along said Boundary Agreement;  
thence North 4°09'47" East 2.73 feet along said Boundary Agreement to an east line of Golden Hills No. 12 Subdivision;  
thence North 32°00'00" East 39.24 feet along an east line to an interior corner of Golden Hills No. 12 Subdivision;  
thence North 58°00'00" East 162.72 feet along a south line to a Southwest Corner of Golden Hills No. 12 Subdivision;  
thence North 53°00'00" East 122.57 feet along a south line to a Southwest Corner of Golden Hills No. 12 Subdivision;  
thence North 41°17'00" East 38.20 feet along the arc of a 414.83 foot radius curve to the left (the center bears North 58°00'00" West and the long chord bears North 23°00'00" East 39.19 feet, through a central angle of 0°07'14");  
thence South 53°00'00" East 122.57 feet along a south line to a Southwest Corner of Golden Hills No. 12 Subdivision;  
thence South 13°00'00" West 29.64 feet along a west line to a Southwest Corner of Golden Hills No. 16 Subdivision;  
thence South 77°00'00" East 200.05 feet along a south line to a Southwest Corner of Golden Hills No. 16 Subdivision;  
thence South 13°00'00" West 29.64 feet along a west line to a Southwest Corner of Golden Hills No. 16 Subdivision;  
thence South 77°00'00" East 200.05 feet, (199.82 feet deeded), along a south line of Golden Hills No. 16 Subdivision to the west line of Wasatch Boulevard;  
thence South 58°00'00" East 508.49 feet along the arc of a 589.58-foot radius curve to the right (the center bears North 81°13'02" West and the long chord bears South 11°02'00" West 508.32 feet, through a central angle of 0°07'14");  
thence South 58°00'00" East 508.32 feet, through a central angle of 0°07'14", along said Wasatch Boulevard;  
thence South 58°00'00" East 508.32 feet along the arc of a 589.58-foot radius curve to the right (the center bears North 70°05'48" West and the long chord bears South 16°27'00" West 85.37 feet, through a central angle of 0°05'48");  
thence South 16°27'00" West 85.37 feet, through a central angle of 0°05'48", along said Wasatch Boulevard;  
thence South 19°00'00" West 39.39 feet along said Wasatch Boulevard to the Northeast Corner of Lot 1, Big Rock Estates Subdivision;  
thence North 64°20'00" East 198.16 feet along a north line to an interior corner of Lot 1, Big Rock Estates Subdivision;  
thence North 42°35'00" East 28.60 feet along an east line to a Northeast Corner of Lot 1, Big Rock Estates Subdivision;  
thence North 65°00'00" West 90.32 feet along a north line to a Northwest Corner of Lot 1, Big Rock Estates Subdivision;  
thence North 42°35'00" East 28.60 feet along a north line to an interior corner of Lot 3, Big Rock Estates Subdivision;  
thence North 81°34'00" West 84.50 feet along a north line to an interior corner of Lot 3, Big Rock Estates Subdivision;  
thence North 04°23'49" East 28.60 feet along a north line to an interior corner of Lot 3, Big Rock Estates Subdivision;  
thence North 85°18'41" West 108.21 feet along a north line to an interior corner of Lot 3, Big Rock Estates Subdivision;  
thence South 9°00'00" West 19.00 feet along the west line of Lot 3, Big Rock Estates Subdivision;  
thence North 81°34'00" West 11.00 feet along the west line of Lot 3, Big Rock Estates Subdivision;  
thence South 11°02'00" West 11.00 feet along the west line of Lot 3, Big Rock Estates Subdivision;  
thence South 19°00'00" West 57.32 feet with a central angle of 13°09'57";  
thence South 36°00'00" West 14.00 feet;  
thence South 54°00'00" East 278.01 feet to and along the south line of Lot 3, Big Rock Estates Subdivision to and along to an interior corner of Lot 2, Big Rock Estates Subdivision;  
thence North 0°10'10" East 42.46 feet along the west line to an angle point in the said west line of Lot 2, Big Rock Estates Subdivision;  
thence South 36°00'00" West 25.27 feet along the west line to a Southwest Corner of Lot 2, Big Rock Estates Subdivision;  
thence South 54°00'00" East 161.35 feet along the south line to the Southeast Corner of Lot 2, Big Rock Estates Subdivision, said point being on the west line of Wasatch Boulevard;  
thence South 32°00'00" West 220.27 feet along the west line of Wasatch Boulevard to the section line;  
thence North 0°10'10" East 42.46 feet along the west line of Wasatch Boulevard and the section line;  
thence South 36°00'00" West 159.12 feet along the arc of a 1185.46-foot radius curve to the left (the center bears South 60°13'17" East and the long chord bears South 25°56'00" West 159.00 feet, through a central angle of 7°14'29");  
thence South 25°56'00" West 159.00 feet, through a central angle of 7°14'29", along the west line of Wasatch Boulevard;  
thence North 67°54'43" East 20.00 feet along the west line of Wasatch Boulevard;  
thence South 25°56'00" West 20.00 feet along the arc of a 1205.92-foot radius curve to the left (the center bears South 67°54'43" East and the long chord bears South 21°27'24" West 20.00 feet, through a central angle of 1°10'00");  
thence South 21°27'24" West 20.00 feet, through a central angle of 1°10'00", along the west line of Wasatch Boulevard;  
thence South 20°51'17" West 22.38 feet along the west line of Wasatch Boulevard to the point of beginning.



### CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
PC1	1185.46'	159.12'	7°41'29"	S25°56'00"W	159.00'
PC2	280.00'	57.45'	13°09'57"	S29°58'19"W	57.32'
PC3	1205.92'	26.31'	1°15'00"	S21°27'47"W	26.31'

### LINE TABLE

LINE	BEARING	LENGTH
PL1	S57°03'06"W	17.52'
PL2	S55°24'23"E	55.81'
PL3	S65°41'22"E	90.65'
PL4	S86°31'20"E	1.11'
PL5	N4°09'47"E	2.73'
PL6	N65°00'00"W	90.32'
PL7	S4°23'55"W	28.60'
PL8	N55°00'00"W	50.43'
PL9	N81°34'00"W	84.50'
PL10	N4°23'49"E	28.00'
PL11	N65°18'41"W	106.21'
PL12	S9°00'00"W	18.00'
PL13	S38°00'00"W	14.00'
PL14	N0°10'10"E	42.46'
PL15	N67°54'43"W	20.00'
PL16	S20°50'17"W	22.38'
PL17	N81°34'00"W	17.00'

**NOTES**  
1. ALL STREETS WITHIN SUBDIVISION ARE PRIVATE. NO CITY MAINTENANCE IS PROVIDED. A 10 FOOT EXCLUSIVE EASEMENT HAS BEEN GRANTED TO SALT LAKE CITY PUBLIC UTILITIES WITH THE RECORDING OF THIS PLAT. REMAINDER OF ROAD RIGHT-OF-WAYS ARE NON-EXCLUSIVE EASEMENTS FOR ALL UTILITIES.  
2. PRIVATE DEVELOPMENT MUST PROVIDE AND MAINTAIN CONTINUOUS PUBLIC ACCESS THROUGH DEVELOPMENT FOR 3450 EAST TREASURE WAY, AND DESPAIN WAY TO WASATCH BOULEVARD. THIS INCLUDES ONGOING MAINTENANCE AND SNOW PLOWING ON THE SAME STANDARD AND SCHEDULE AS A TYPICAL RESIDENTIAL PUBLIC STREET. THE REPAIR PERIOD FOR ANY FAILING GATE MECHANISMS SHALL NOT IMPED TRAFFIC FLOW FOR MORE THAN 24 HOUR PERIOD.  
3. LOTS 101 - 102, 201 - 209, 314 - 320, 326 - 328 AND 411 - 416. A SLOPE STABILITY ASSESSMENT HAS BEEN COMPLETED BY THE DEVELOPER THAT HAS DETERMINED THAT SETTLEMENT FROM SEISMIC DEFORMATION OF UP TO FOUR INCHES (4") MAY OCCUR. COTTONWOOD HEIGHTS CITY CODE CHAPTER 19.12, APPENDIX C, SECTION 12.2 PROVIDES THAT CALCULATED SEISMIC DISPLACEMENTS SHALL BE 15 CM OR LESS. COTTONWOOD HEIGHTS CITY CODE REQUIRES THAT A STRUCTURAL ENGINEER WHO IS EXPERIENCED IN THE DESIGN OF STRUCTURES TO WITHSTAND THE ANTICIPATED SEISMIC DEFORMATION AND DEVELOP A DESIGN TO MITIGATE THE ANTICIPATED DEFORMATION BEFORE CONSTRUCTION MAY COMMENCE. EXPERTS HAVE DETERMINED THAT AN EARTHQUAKE SEISMIC EVENT COULD TRIGGER SLOPE MOVEMENT AND/OR POTENTIAL LANDSLIDE RESULTING IN UP TO 4 INCHES OF DEFORMATION BELOW PROPOSED STRUCTURES THAT ARE EXPECTED FOR THIS SLOPE. THE CITY OF COTTONWOOD HEIGHTS HAS A SEISMIC EVENT SHALL BE USED TO PERFORM STRUCTURAL CALCULATIONS AND STRUCTURE TO BRING IT INTO COMPLIANCE WITH CITY CODE IF PRACTICABLE OR ELSE MAY NOT OCCUPY THE REMAINING STRUCTURE ON THIS PROPERTY. THE CITY REQUIRES ALL STRUCTURES TO BE DESIGNED AND BUILT TO PROTECT LIFE AND SAFETY DURING A SEISMIC EVENT. IF THE STRUCTURE AND SLOPE CANNOT BE RESTORED TO ACCEPTABLE DESIGN STANDARDS FOLLOWING SUCH AN EVENT THE CITY MAY REQUIRE THE STRUCTURE TO BE ABANDONED. ALL STRUCTURAL DESIGNS SHALL SPECIFICALLY ACCOUNT FOR THE ANTICIPATED DEFORMATION AND BE STAMPED BY A LICENSED STRUCTURAL ENGINEER IN THE STATE OF UTAH AND WHO HAS SPECIFIC EXPERTISE IN SEISMIC DEFORMATION VALUES THAT ARE EXPECTED FOR THIS SLOPE. AS REPRESENTED IN THE SLOPE STABILITY GEOTECHNICAL REPORTS BY APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS (AGEC). SEE THE AGEC REPORT FOR SPECIFIC RECOMMENDATIONS FOR THE FOUNDATION WALL DEPTHS AND SETBACK REQUIREMENTS. AN INDIVIDUAL STAMPED SITE PLAN THAT MEETS CITY REQUIREMENTS SHALL BE SUBMITTED FOR EACH LOT AND ADDRESS THE GEOTECHNICAL RECOMMENDATIONS, UTILITY MITIGATION AND STORMWATER DRAINAGE. NO STORMWATER SHALL BE DISCHARGED ONTO THE SLOPE. ALL ROOF SURFACE DRAINAGE SHALL BE DIRECTED TOWARD THE STREET. THE SITE PLAN SHALL INCLUDE A PLAN TO PREVENT UTILITY BREAKS, HOSES OR LANDSCAPE IRRIGATION FROM IMPACTING THE HILLSIDE. THE SLOPE SHALL BE MAINTAINED TO PREVENT EROSION, INCLUDING STABILIZATION AND VEGETATION AFTER BRUSH FIRES.  
5. ALL LOTS WILL BE REQUIRED TO DISCHARGE ROOF WATER TOWARD STREET. STORM WATER THAT IS NOT POSSIBLE TO DISCHARGE TO STREET SHALL BE RETAINED ON PROPERTY.  
6. OPEN SPACE PARCELS M, D AND E SHALL HAVE AN EASEMENT AGAINST THEM TO ALLOW PUBLIC USE FOR PEDESTRIAN ACCESS FOR USE OF THE TRAILS AND SIDEWALKS TO BE INSTALLED UPON THEM BY THE DEVELOPER AND HOMEOWNERS ASSOCIATION THAT MAKE UP THE PROJECT'S TRAIL SYSTEM. NATIVE VEGETATION OPEN SPACE AREAS THE TRAIL SYSTEMS SHALL UTILIZE THE EXISTING TRAIL WAY LOCATIONS. PUBLIC ACCESS IS ALSO GRANTED ON THE SIDEWALKS AND ROADWAY CROSSING ALONG GIVERNY PARKWAY, GALETTE LANE AND RENIOR LANE. NO LOITERING, PICNICKING, SKATEBOARDING, DOGS OFF LEASH, LITTERING OR OTHER ACTIVITIES BY NON-GIVERNY OWNERS CONSTITUTING A NUISANCE WILL BE PERMITTED. LICENSED, NO RIGHTS OF ACCESS OR USE TO THE OTHER AREAS OR PRIVATE PROPERTIES OF THE PROJECT ARE GRANTED TO NON-GIVERNY OWNERS. TRAIL TO BE INSTALLED PER APPROVED CROSS SECTION ON CONSTRUCTION DRAWINGS.  
7. A PERPETUAL EASEMENT FOR SNOW FLOWS AND CROSS TRAFFIC ACCESS MITIGATION FOR THE ROADS THAT CONNECT TO DESPAIN WAY, TREASURE WAY AND 3450 EAST. THIS EASEMENT IS THE WIDTH OF THE PRIVATE ROADS.  
8. BASED ON COTTONWOOD HEIGHTS SENSITIVE LANDS ORDINANCE. ALL LOTS COVERED BY AT LEAST 50% OF THE SENSITIVE LANDS OVERLAY ZONE SHALL HAVE A HEIGHT LIMITATION OF THIRTY (30) FEET.  
9. BY EXECUTION OF THIS PLAT, A PERMANENT EASEMENT AND RIGHT OF WAY IS GRANTED AND CONVEYED TO THE CITY AND OTHER PUBLIC UTILITY COMPANIES, IN AND TO THOSE AREAS REFLECTED ON THE MAP AND DEFINED AS PARCELS AND PRIVATE STREETS FOR CONSTRUCTION AND MAINTENANCE OF APPROVED PUBLIC UTILITIES AND APPURTENANCES TOGETHER WITH RIGHT OF ACCESS THERETO.  
10. ALL STORM DRAIN INFRASTRUCTURE IS PRIVATE AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR DESIGNATED HOA. THE CITY IS NOT RESPONSIBLE FOR STORM DRAIN MAINTENANCE. HOMEOWNERS SHALL MAINTAIN REAR / SIDE LOT DRAINAGE FACILITIES AND PERMIT ACCESS TO HOA FOR CONSTRUCTION AND MAINTENANCE PURPOSES.

**LEGEND**

**ROCKY MOUNTAIN POWER NOTE:**  
UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED 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 AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. OR EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

**DOMINION ENERGY NOTE:**  
DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE A WAIVER OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY RIGHT-OF-WAY DEPARTMENT AT 1-800-368-6832.

**COMMUNITY DEVELOPMENT**  
APPROVED THIS 2<sup>ND</sup> DAY OF JULY A.D. 2018

**CITY ENGINEER**  
APPROVED THIS 18<sup>TH</sup> DAY OF JUNE A.D. 2018

**BOARD OF HEALTH**  
APPROVED THIS 20<sup>TH</sup> DAY OF JUNE A.D. 2018

**PLANNING COMMISSION**  
APPROVED THIS 5<sup>TH</sup> DAY OF JULY A.D. 2018

**CITY ATTORNEY**  
APPROVAL AS TO FORM THIS 18<sup>TH</sup> DAY OF JUNE A.D. 2018

**CITY COUNCIL**  
PRESENTED TO THE COTTONWOOD HEIGHTS CITY COUNCIL THIS 19<sup>TH</sup> DAY OF JUNE A.D. 2018

**STATE OF UTAH, COUNTY OF SALT LAKE**  
RECORDED # 2870572

**REQUIREMENTS**  
DATE: 06/18/2018 TIME: 2:42 PM BOOK: 2018P PAGE: 356  
B331-00 SALES TAX SALES TAX DEPUTY

**DEVELOPER**  
GIVERNY, LLC  
6415 S. 3000 E, SUITE #230  
HOLLADAY, UTAH 84121-6956  
801.232.1898

**TOOELE**  
189 North Main Street Unit 1  
Tooele, Utah 84074  
Phone: 435.843.3590  
Fax: 435.578.0108  
WWW.ENSIGNENG.COM

**SALT LAKE CITY**  
Phone: 801.261.0529  
LAYTON  
Phone: 801.947.1100  
CEDAR CITY  
Phone: 435.961.1403  
RICHFIELD  
Phone: 435.898.2963

**RECORDED # 2870572**  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
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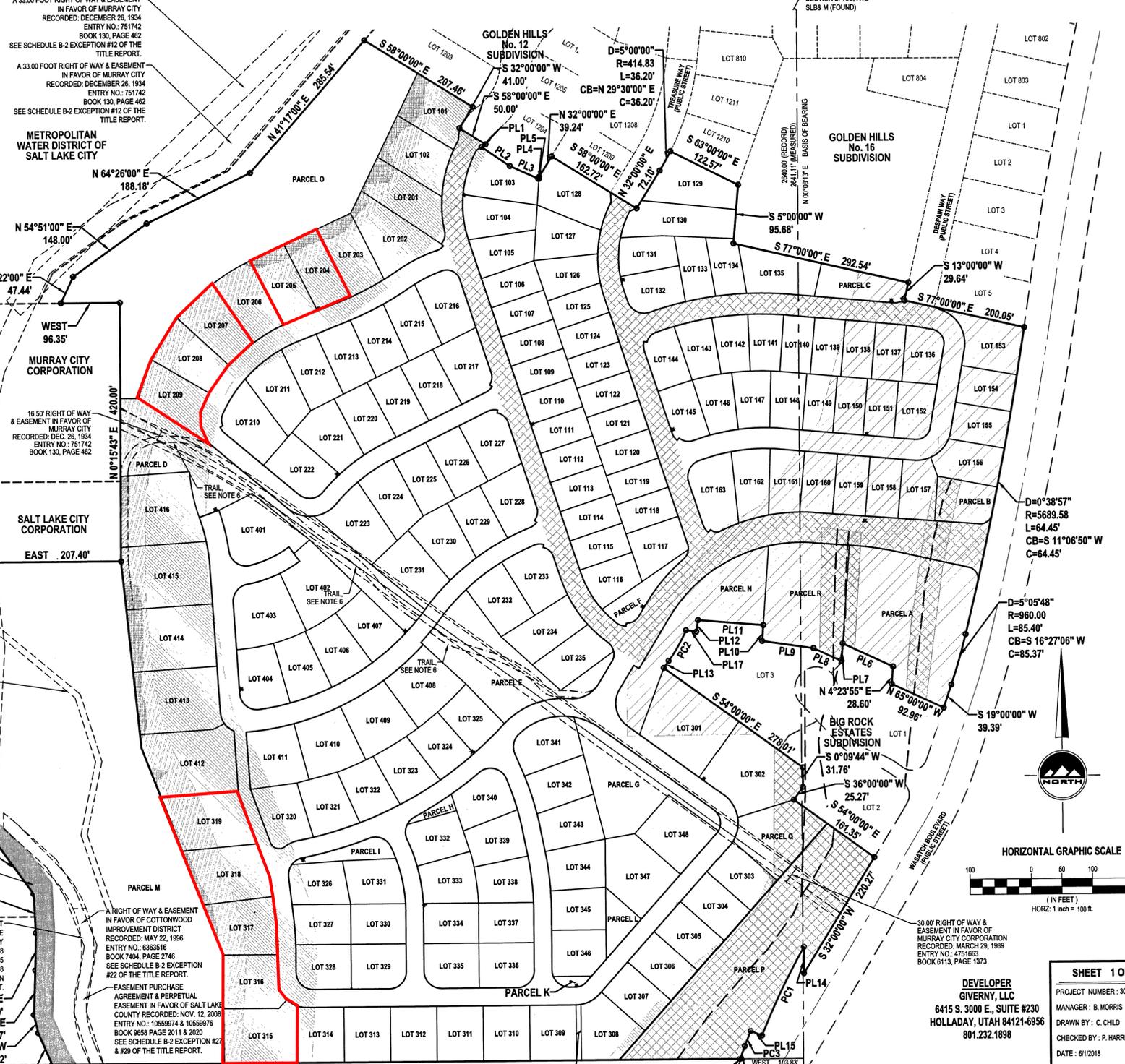
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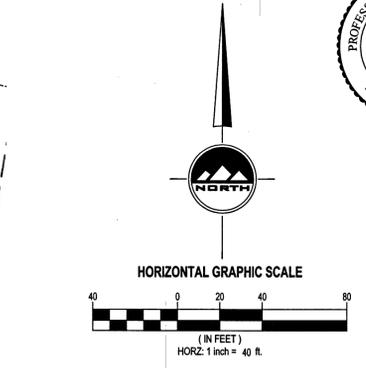
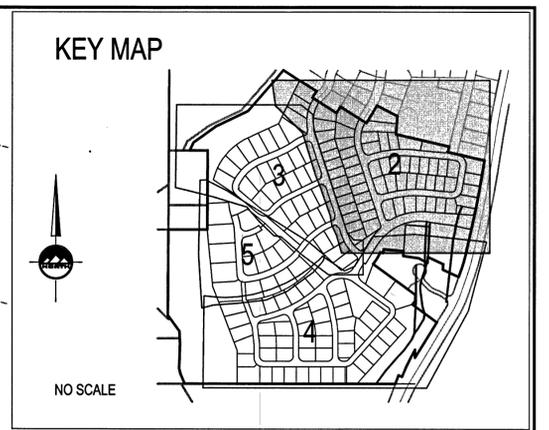
**OWNER'S DEDICATION**  
I, the undersigned owner (s) of the described tract of land, have caused the same to be subdivided into lots and streets to hereafter known as:  
**GIVERNY AMENDED, A PLANNED UNIT DEVELOPMENT**  
do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, and warrant, defend, and save the City harmless against any easements or other encumbrance on the dedicated street which will interfere with the City's use, operation, and maintenance of the streets and do further dedicate the easements as shown for the use by all suppliers of utility or other necessary services.  
In witness whereof I have hereunto set aside our hand (s) this 19<sup>th</sup> day of June A.D. 2018.  
David P. Rose  
Giverny, LLC  
Name: David P. Rose  
Title: Manager  
**LIMITED COMPANY ACKNOWLEDGMENT**  
STATE OF UTAH, COUNTY OF SALT LAKE, J.S.S.  
On the 19<sup>th</sup> day of June A.D. 2018, David P. Rose, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake, in the State of Utah, who after being duly sworn, acknowledged to me that he/she is the manager of Giverny, LLC, a Limited Company and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Company for the purposes therein mentioned and acknowledged to me that said Limited Company executed the same.  
MY COMMISSION EXPIRES: 3-25-22  
Checked by: P. HARRIS  
Notary Public #699543 RESIDING IN Salt Lake

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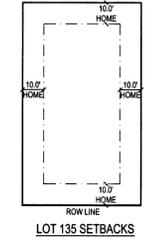
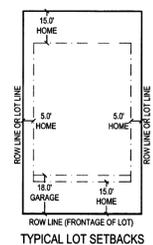
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MY COMMISSION EXPIRES: 3-25-22  
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**OWNER'S DEDICATION**  
I, the undersigned owner (s) of the described tract of land, have caused the same to be subdivided into



- LEGEND**
- PROPOSED STREET MONUMENT
  - SECTION CORNER
  - SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."
  - PROPOSED FIRE HYDRANT
  - PROPOSED STREET LIGHT
  - BOUNDARY LINE
  - SECTION LINE
  - CENTER LINE
  - EASEMENT LINE
  - ACTIVE FAULT LINES
  - FAULT SETBACK AREA
  - SENSITIVE LANDS OVERLAY ZONE
  - GROUND SLOPE EXCEEDS 30% SLOPE, NO BUILDING OR MODIFICATIONS ALLOWED
  - IF ANY PORTION OF THE DEVELOPMENT FALLS WITHIN THIS HATCHED AREA, THE BUILDING FOOTING DEPTH IN SUCH AREA SHALL BE INCREASED AS REQUIRED TO A MAXIMUM OF 10', SEE NOTE #3.
  - IF ANY PORTION OF THE DEVELOPMENT FALLS WITHIN THIS HATCHED AREA, THE BUILDING FOOTING DEPTH IN SUCH AREA SHALL BE INCREASED AS REQUIRED TO A MAXIMUM OF 20' OR SO, SEE NOTE #3.
  - ACCESS EASEMENT, SEE NOTE 7



**SHEET 2 OF 5**  
 PROJECT NUMBER: 301888  
 MANAGER: B. MORRIS  
 DRAWN BY: C. CHILD  
 CHECKED BY: P. HARRIS  
 DATE: 9/29/2018

**ENSGN**

**TOOLE**  
 169 North Main Street Unit 1  
 Tooele, Utah 84074  
 Phone: 435.843.3590  
 Fax: 435.578.0108  
 WWW.ENSGN.COM

**SALT LAKE CITY**  
 Phone: 801.255.5297  
**LAYTON**  
 Phone: 801.547.1500  
**CEDAR CITY**  
 Phone: 435.863.1453  
**RICHFIELD**  
 Phone: 435.898.2963

**GIVERNY AMENDED, A PLANNED UNIT DEVELOPMENT**  
 AMENDING GIVERNY, A PLANNED UNIT DEVELOPMENT  
 LOCATED IN THE SOUTHEAST QUARTER SECTION 2 & SOUTHWEST  
 QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST,  
 SALT LAKE BASE AND MERIDIAN  
 COTTONWOOD HEIGHTS, SALT LAKE COUNTY, UTAH

RECORDED # 12870572

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
 REQUEST OF: DAVID P. ROSE  
 DATE: 01/18/2018 TIME: 2:42 PM BOOK: 2018 P PAGE: 356  
5331 DEPUTY  
 FEES SALT LAKE COUNTY RECORDER

MATCHLINE SEE SHEET 4



KEY MAP

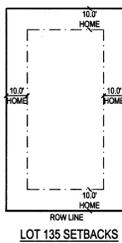
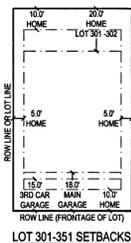
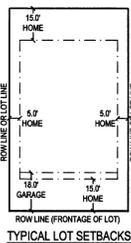


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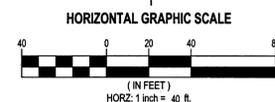
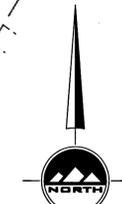
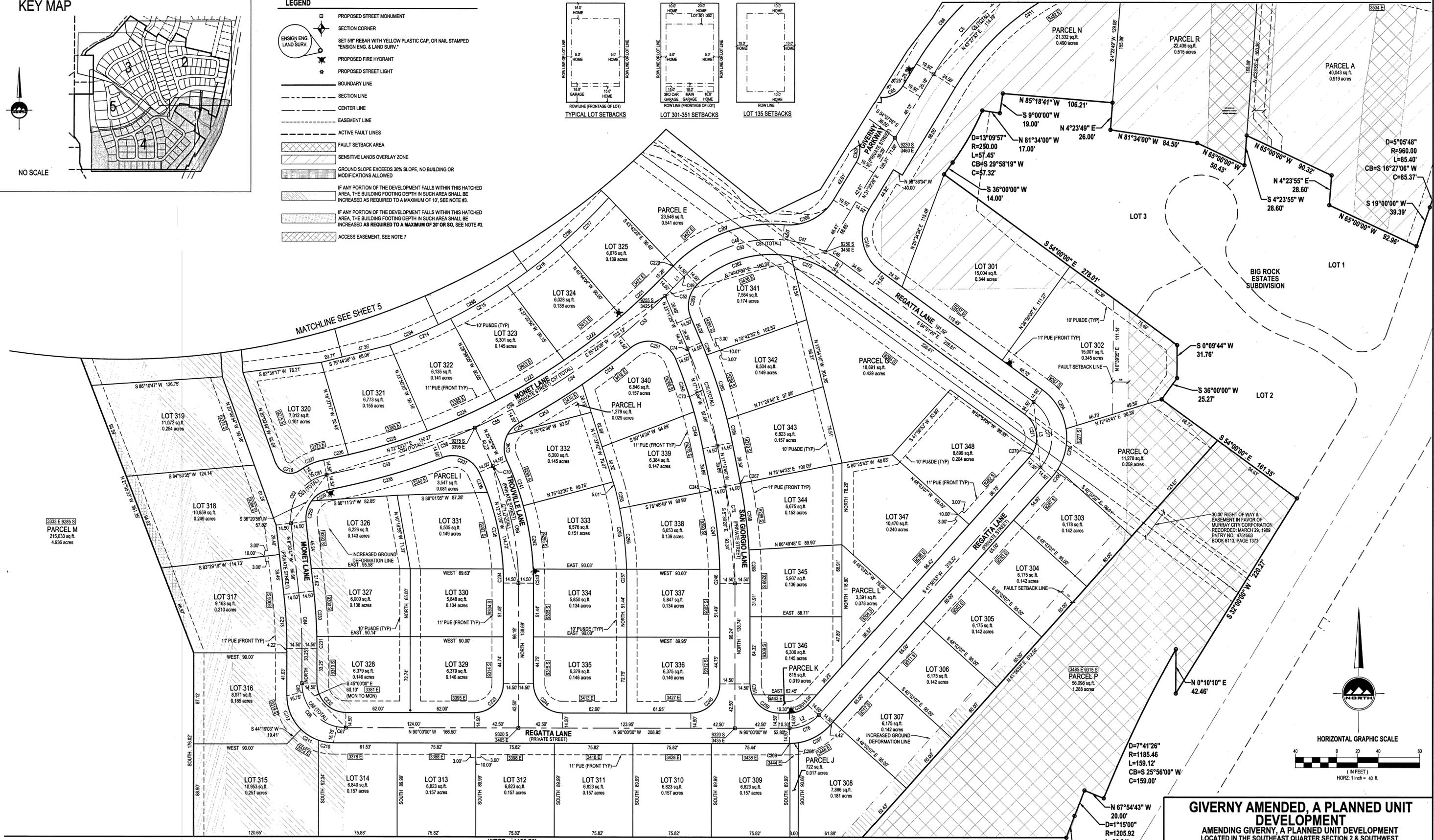
LEGEND

- PROPOSED STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- PROPOSED FIRE HYDRANT
- PROPOSED STREET LIGHT
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- ACTIVE FAULT LINES
- FAULT SETBACK AREA
- SENSITIVE LANDS OVERLAY ZONE
- GROUND SLOPE EXCEEDS 30% SLOPE, NO BUILDING OR MODIFICATIONS ALLOWED
- IF ANY PORTION OF THE DEVELOPMENT FALLS WITHIN THIS HATCHED AREA, THE BUILDING FOOTING DEPTH IN SUCH AREA SHALL BE INCREASED AS REQUIRED TO A MAXIMUM OF 10', SEE NOTE #3.
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- ACCESS EASEMENT, SEE NOTE 7



MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 5



**GIVERNY AMENDED, A PLANNED UNIT DEVELOPMENT**  
 AMENDING GIVERNY, A PLANNED UNIT DEVELOPMENT  
 LOCATED IN THE SOUTHEAST QUARTER SECTION 2 & SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
 COTTONWOOD HEIGHTS, SALT LAKE COUNTY, UTAH

SHEET 4 OF 5  
 PROJECT NUMBER: 30188B  
 MANAGER: B. MORRIS  
 DRAWN BY: C. CHILD  
 CHECKED BY: P. HARRIS  
 DATE: 5/12/2018

**ENSIGN**  
 TOOLEE  
 169 North Main Street Unit 1  
 Tooele, Utah 84074  
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RECORDED # 12870572  
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: David P. Bess  
 DATE: 10/18/18 TIME: 2:42 am BOOK: 2019 P PAGE: 356  
 FEES \$331  
 SALT LAKE COUNTY RECORDER



CURVE TABLE					CURVE TABLE					CURVE TABLE					CURVE TABLE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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C1	274.50	146.65	30°36'39"	S79°05'36"W	144.92	C81	180.50	74.70	23°42'44"	S67°20'50"W	74.17	C161	57.00	74.47	74°51'28"	N12°32'53"W	69.29	C242	279.00	61.33	12°39'39"	S9°04'55"E	61.20	C1	274.50	146.65	30°36'39"	S79°05'36"W	144.92	C82	173.61	68.73	22°41'00"	S29°32'45"E	68.28	C162	335.00	66.65	11°23'56"	S19°50'11"W	66.54	C243	279.00	13.56	2°47'06"	S1°23'33"E	13.56	C2	274.50	39.57	8°15'36"	S59°39'28"W	39.54	C83	173.61	31.83	10°30'11"	S46°08'21"E	31.78	C163	335.00	78.38	13°34'33"	S32°19'26"W	78.19	C244	28.00	43.98	90°00'00"	S45°00'00"E	39.60	C3 (TOTAL)	274.50	186.23	38°52'15"	S74°57'46"W	182.68	C84	28.00	17.72	36°16'09"	S69°31'31"E	17.43	C164	335.00	81.27	13°53'59"	S46°03'41"W	81.07	C245	28.00	43.98	90°00'00"	N45°00'00"E	39.60	C4	274.50	28.06	5°51'28"	S52°35'56"W	28.05	C85	23.00	24.47	80°56'59"	N61°51'55"E	23.33	C165	335.00	71.77	12°16'28"	S59°08'55"W	71.63	C246	460.48	13.51	1°40'52"	N0°50'28"W	13.51	C5	274.50	87.58	18°16'46"	S40°31'49"W	87.20	C86	294.00	93.80	18°16'46"	N40°31'49"E	93.40	C166	335.00	299.06	51°08'56"	S39°42'41"W	289.23	C247	460.48	76.06	9°27'52"	N6°24'48"W	75.98	C6 (TOTAL)	274.50	115.64	24°08'14"	S43°27'33"W	114.79	C87	23.00	17.89	44°33'20"	N27°23'32"E	17.44	C167	28.00	12.48	25°32'38"	S37°12'18"E	12.38	C248	460.48	1.06	0°07'56"	N11°12'42"W	1.06	C7	178.50	154.22	49°30'11"	N6°32'50"E	149.47	C88	23.00	9.36	23°19'07"	N6°32'42"W	9.30	C168	23.00	19.80	49°18'50"	S0°12'26"W	19.19	C249	456.00	38.25	4°33'15"	N13°33'17"W	38.24	C8	178.50	11.08	3°33'22"	S29°31'14"W	11.08	C89	198.00	23.70	6°51'28"	N14°46'33"W	23.68	C169	231.00	67.87	16°50'05"	S33°17'54"W	67.83	C250	456.00	53.49	6°43'17"	N19°11'34"W	53.46	C9 (TOTAL)	178.50	143.14	45°56'48"	S4°46'08"W	139.34	C90	198.00	47.17	13°39'00"	N4°31'19"W	47.06	C170	231.00	31.72	7°52'08"	S64°38'13"W	31.70	C251	28.00	52.30	107°01'26"	N76°03'55"W	45.02	C10	42.50	63.28	85°16'55"	N52°37'17"E	57.58	C91	198.00	38.88	11°14'58"	N7°55'40"E	38.81	C171	231.00	76.55	18°59'13"	S51°12'33"W	76.20	C252	645.50	58.24	5°10'09"	S53°00'27"W	58.22	C11	310.00	126.87	23°28'00"	S83°31'45"W	126.08	C92	198.00	49.04	14°11'28"	N20°38'52"E	48.91	C172	519.00	3.82	0°25'18"	S68°21'38"W	3.82	C253	645.50	71.04	6°18'19"	S58°44'41"W	71.00	C12	42.50	60.95	82°10'28"	N31°06'24"W	55.86	C93	164.00	45.43	15°52'19"	S19°48'22"W	45.29	C173	519.00	60.03	6°37'36"	S64°50'11"W	59.99	C254	28.00	16.55	33°51'47"	S44°57'57"W	16.31	C13	42.50	4.14	5°34'39"	N74°58'57"W	4.14	C94	164.00	63.42	22°09'23"	S0°47'30"W	63.03	C174	519.00	51.71	5°42'33"	S58°40'06"W	51.69	C255	369.00	21.32	3°18'39"	N12°50'40"W	21.32	C14 (TOTAL)	42.50	65.09	87°45'07"	S33°53'44"E	59.91	C95	164.00	22.66	7°55'04"	S14°14'43"E	22.65	C175	216.00	8.81	2°20'15"	S56°58'57"W	8.81	C256	369.00	58.50	9°05'00"	N6°38'51"W	58.44	C15	519.50	63.18	6°17'59"	N81°19'16"W	63.12	C96	28.00	43.98	90°00'00"	S63°12'15"E	39.60	C176	216.00	49.86	13°10'21"	S84°44'15"W	49.55	C257	369.00	13.56	2°06'19"	N10°03'11"W	13.56	C16	533.50	218.50	23°28'00"	S83°31'45"W	216.98	C97	548.00	53.98	5°38'38"	N74°37'04"E	53.96	C177	23.00	36.32	90°28'19"	N63°26'25"W	32.66	C258	369.00	78.82	12°23'39"	N8°18'10"W	79.67	C17	188.11	8.95	2°43'39"	N52°45'16"W	8.95	C98	548.00	50.02	5°13'46"	N80°03'16"E	50.00	C178	23.00	20.93	52°08'19"	N7°51'54"E	20.22	C259	28.00	33.21	67°57'11"	S56°10'24"E	31.30	C18	188.11	108.95	33°11'11"	N34°47'51"W	107.44	C99	548.00	50.22	5°15'04"	N86°17'41"E	50.21	C179	28.00	14.69	30°03'19"	N48°57'43"E	14.52	C260	23.50	19.71	48°03'07"	N65°59'27"E	19.14	C19 (TOTAL)	188.11	117.91	35°54'50"	S36°09'40"E	115.99	C100	548.00	70.22	7°20'32"	S88°24'31"E	70.18	C180	314.50	38.90	7°05'13"	N50°28'46"E	38.88	C261	28.00	10.77	22°02'49"	S11°01'24"E	10.71	C20	195.00	163.02	47°53'57"	N5°44'43"E	158.31	C101	28.00	15.87	32°28'49"	N79°01'20"E	15.68	C181	314.50	50.11	9°07'42"	N52°20'19"E	50.05	C262	103.50	98.39	54°28'05"	S73°19'45"W	94.73	C21	195.00	163.02	47°53'57"	N5°44'43"E	158.31	C102	23.00	11.24	28°00'21"	N44°04'08"E	11.13	C182	314.50	40.68	7°24'40"	N44°04'08"E	40.65	C263	28.00	33.86	69°17'11"	S11°27'07"W	31.83	C22 (TOTAL)	195.00	139.75	41°03'41"	S9°05'24"W	136.78	C103	28.00	15.89	32°31'11"	S1°56'39"E	15.68	C183	28.00	43.82	89°39'35"	N85°11'35"E	39.48	C264	485.00	13.02	1°32'17"	S22°25'21"E	13.02	C23	380.00	210.84	31°47'22"	S52°39'46"W	208.14	C104	23.00	23.07	57°28'49"	S43°03'21"W	22.12	C184	57.00	43.51	43°43'54"	S62°13'45"W	42.46	C265	485.00	64.79	7°39'15"	S17°49'35"E	64.74	C24	380.00	210.84	31°47'22"	S52°39'46"W	208.14	C105	514.00	23.33	2°36'02"	S73°05'46"W	23.33	C185	285.50	49.37	9°54'27"	S45°19'01"W	49.31	C266	485.00	23.04	2°43'17"	S12°38'19"E	23.03	C25	380.00	210.84	31°47'22"	S52°39'46"W	208.14	C106	514.00	63.07	7°01'51"	S77°54'42"W	63.03	C186	285.50	68.36	13°43'08"	S57°07'49"W	68.20	C267	484.09	0.01	0°00'04"	S11°16'38"E	0.01	C26	425.50	46.37	6°14'39"	S39°53'25"E	46.35	C107	514.00	58.54	6°31'32"	S84°41'24"W	58.51	C187	28.00	17.80	36°25'12"	S82°11'59"W	17.50	C268	489.48	64.29	7°31'30"	S7°30'51"E	64.24	C27	425.50	289.47	38°58'45"	S62°30'07"W	283.92	C108	514.00	58.72	6°32'43"	N88°48'29"W	58.69	C188	23.00	24.64	61°23'10"	N48°53'50"W	23.48	C269	489.48	32.05	3°45'06"	S1°52'33"E	32.05	C28 (TOTAL)	425.50	335.85	45°13'24"	N59°22'47"E	327.20	C109	514.00	6.86	0°45'52"	N85°07'11"W	6.86	C189	23.00	22.90	57°03'31"	N10°19'31"W	21.97	C270	28.00	7.37	15°05'11"	N34°24'17"E	7.35	C29	42.50	70.05	94°25'55"	S50°47'33"E	62.38	C110	500.00	17.19	1°58'11"	N83°45'10"W	17.19	C190	28.00	14.52	29°42'11"	N53°42'22"E	14.35	C271	28.00	39.53	80°53'11"	N13°34'54"W	36.33	C30	314.50	22.68	4°07'54"	N5°38'33"W	22.67	C111	500.00	43.60	4°59'48"	N80°16'11"W	43.59	C191	394.50	39.63	5°45'22"	N65°40'46"E	39.62	C272	103.50	45.90	25°24'43"	N66°43'51"W	45.53	C31	314.50	65.40	11°54'50"	N13°39'54"W	65.28	C112	23.00	35.23	87°45'07"	N33°53'44"W	31.88	C192	394.50	60.21	8°44'39"	N58°25'46"E	60.15	C273	329.00	68.41	11°54'50"	S13°39'54"E	68.29	C32 (TOTAL)	314.50	88.07	16°02'43"	N11°35'57"W	87.79	C113	23.00	34.23	85°16'55"	N52°37'17"E	31.16	C193	394.50	56.39	8°11'22"	N49°57'46"E	56.34	C274	28.00	47.07	96°19'32"	S55°52'15"E	41.72	C33	195.50	37.44	10°58'26"	N84°59'06"E	37.39	C114	329.50	20.18	3°30'33"	S86°29'32"E	20.18	C194	394.50	62.66	9°06'00"	N41°19'05"E	62.59	C275	181.00	70.29	22°14'59"	N84°50'29"E	69.85	C34	195.50	87.97	25°46'54"	N68°36'26"E	87.23	C115	329.50	51.29	8°55'08"	N87°13'38"E	51.24	C195	411.00	0.64	0°05'23"	N36°48'47"E	0.64	C276	210.00	37.89	10°20'21"	S58°53'10"W	37.84	C35	195.50	49.50	14°30'21"	N83°13'09"E	49.36	C116	329.50	46.66	8°06'51"	N78°46'38"E	46.62	C196	365.50	73.54	11°31'42"	S52°50'03"W	73.42	C277	210.00	56.60	15°26'33"	S71°46'36"W	56.43	C36	195.50	75.92	22°14'59"	N64°50'29"E	75.44	C117	329.50	16.82	2°55'28"	N73°15'29"E	16.82	C197	365.50	58.63	9°11'28"	S63°11'37"W	58.57	C278	28.00	40.60	83°04'29"	S27°57'39"W	37.13	C37 (TOTAL)	195.50	125.41	36°45'20"	N72°05'39"E	123.27	C118	23.00	23.73	59°08'21"	S78°39'05"E	22.69	C198	28.00	17.04	34°52'04"	S85°13'23"W	16.78	C279	28.00	46.15	10°46'42"	N59°17'17"E	46.11	C38	300.00	123.71	23°37'35"	S52°10'36"W	122.83	C119	28.00	15.18	31°04'00"	S33°44'15"E	15.00	C199	23.00	23.74	59°08'20"	N47°46'25"W	22.70	C280	411.00	51.26	7°08'47"	N78°25'06"E	51.23	C39	42.50	66.51	89°39'35"	N85°11'35"E	59.93	C120	422.00	23.41	3°10'44"	N73°23'07"E	23.41	C200	207.61	26.20	7°13'49"	N21°49'09"W	26.18	C281	411.00	72.94	10°10'04"	N69°45'40"E	72.84	C40	42.50	55.53	74°51'28"	S12°32'53"E	51.66	C121	422.00	47.53	6°27'09"	N78°12'03"E	47.50	C201	207.61	59.43	16°24'03"	N33°38'05"W	59.23	C282	411.00	77.32	10°46'42"	N59°17'17"E	77.20	C41	250.50	191.02	43°41'28"	S46°43'34"W	186.42	C122	422.00	48.06	6°31'32"	N48°41'24"E	48.04	C202	207.61	44.51	12°16'58"	N47°58'36"W	44.42	C283	411.00	73.36	10°13'34"	N48°47'09"E	73.26	C42	498.50	111.22	12°45'27"	N62°11'34"E	110.99	C123	422.00	48.21	6°32'43"	S88°46'29"E	48.18	C203	23.00	17.06	42°28'41"	N32°52'14"W	16.67	C284	310.00	112.58	20°48'24"	N53°49'07"E	111.96	C43	235.50	63.75	15°30'36"	N63°34'08"E	63.56	C124	422.00	5.63	0°45'52"	S85°07'11"E	5.63	C204	57.00	44.85	45°10'52"	S31°26'03"E	43.79	C285	310.00	112.58	20°48'24"	N53°49'07"E	111.96	C44	235.50	1.94	0°28'19"	N71°33'35"E	1.94	C125	422.00	20.19	2°44'30"	N86°06'30"W	20.19	C205	57.00	40.38	40°35'17"	S11°27'01"W	39.54	C286	310.00	118.53	21°54'27"	N75°10'32"E	117.81	C45 (TOTAL)	235.50	65.69	15°58'55"	S63°48'17"W	65.48	C126	422.00	64.15	8°42'34"	N88°09'58"E	64.09	C206	57.00	10.15	10°12'14"	S36°50'46"W	10.



## PLANNING COMMISSION STAFF REPORT

Amending Chapter 19.80 – Parking Standards

Meeting Date: September 4, 2019

Staff Contact: Matt Taylor, Senior Planner

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### Summary

**Applicant:** City-Initiated

**Subject Properties:**

City-wide Impact

**Action Requested:**

1. Recommendation of approval to the Municipal Council

**Recommendation**

Recommend Approval

**Project #:** ZTA-19-004



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### Request - Proposed Ordinance Amendment

The following is the text of the proposed ordinance:

**19.80.060 Dimensions for parking stalls.**

The dimensions of parking stalls and aisles contained within the parking areas shall be dependent upon the orientation of stalls. The table titled “Dimensions for Parking Stalls and Aisles” under section ~~19.80.120~~ [19.80.130](#) details these standards, and any deviation to these standards must be recommended by the city engineer and approved by the planning commission.

A. Tandem parking stalls are defined as the placement of parking spaces one behind the other, so that the space nearest the driveway or street access serves as the only means of access to the other space. Tandem parking spaces are allowed but the space furthest from the driveway or street access shall not count toward meeting the minimum parking ration described in 19.80.120, unless the tandem stall is behind a 20 foot deep driveway and within an a garage or carport attached or detached to a single-family or two-family dwelling.

**19.80.070 Handicapped accessible parking.**

A. Handicapped parking stalls shall be provided in off-street parking areas and shall count towards fulfilling the minimum requirements for automobile parking.

B. Handicapped parking stalls shall be located as near as practical to a primary building entrance with access ramps negotiable for equipment used in assisting handicapped persons. A permanently affixed reflective sign and/or surface identification painting depicting the standard symbol for handicapped parking shall identify each parking stall.

C. The number of handicapped parking stalls shall conform to the minimum requirements of the Americans with Disabilities Act (ADA) and the table detailed in section ~~19.80.120~~ [19.80.130](#).

D. The dimensions of handicapped parking stalls shall be thirteen (13) feet by twenty (20) feet or such standard as may be required by the ADA.

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## Background

Tandem parking stalls are currently not defined, nor specifically prohibited with Cottonwood City code. Therefore, at this moment, the city cannot prohibit them, should they choose.

### Issues with tandem parking stalls.

Person who park vehicles typically follow the path of least resistance. It is an inconvenience to play the parking shuffle each morning. The parking shuffle is the morning ritual where whoever came home first and parked first, typically leaves first. Another parker who leaves later then parks behind them and blocks them in at the end of the day. Because of this situation the first departed/first parker must ask the other parker to move their vehicle in order to exit.

If there is any other convenient parking, such as adjacent visitor parking, business parking, off-street parking, or even parking on another property, many people will take advantage of parking there before engaging in the parking shuffle. This typically results in complaints from residents adjacent to the site. Few signage or other mechanisms can effectively overcome people's desire not to engage in the parking shuffle.

This behavior can become an issue in a suburban location with any availability of adjacent parking. The only situation where the inconvenience of the parking shuffle is overcome is typically in dense urban areas where on-street parking is rarely available, or restricted through signage, permits, and/or fees. In this situation, those inconveniences may encourage parkers to engage in the parking shuffle with fewer complaints.

Cottonwood Heights city planning staff does not feel that any location in the city is ready for unlimited tandem parking as a matter of right. We anticipate that broadly allowing tandem parking in the current situation will solicit problems and issues. We anticipate it may be at 10 to 20 years before certain areas have enough on-street parking limitations that people will utilize and appreciate tandem parking stalls over other options.

**Additional research on identified issues with tandem parking stalls will be provided prior to the meeting.**

### Cleanup

Staff has also included a correction to two incorrect code references.

---

## Analysis

### Planning Commission Authority

**19.05.110 Powers and duties.**

*The planning commission shall have the duty to: ...*

*B. Recommend land use ordinances and a zoning map, and amendments thereto, to the city council;*

## Recommendation

Staff recommends that the Planning Commission recommend approval of the proposed ordinance amendment to the City Council.

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## Model Motions

### Approval

I move to approve project ZTA-19-004, based upon the findings outlined in this staff report:

- List any other findings or conditions of approval...

### Denial

I move to deny project ZTA-19-004, based on the following findings:

- List findings for denial...

1 **DRAFT**

2  
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
4 **PLANNING COMMISSION MEETING**

5  
6 **Wednesday, June 5, 2019**  
7 **5:00 p.m.**  
8 **Cottonwood Heights City Council Room**  
9 **2277 East Bengal Boulevard**  
10 **Cottonwood Heights, Utah**

11  
12 ***ATTENDANCE***

13  
14 **Members Present:** Chair Graig Griffin, Craig Bevan, Jesse Allen, Doug Rhodes, Christine  
15 Coutts, Dan Mills, Alternate Bob Wilde

16  
17 **Staff Present:** Senior City Planner Matt Taylor, Associate City Planner Andrew Hulka,  
18 Deputy City Recorder Heather Sundquist, Youth City Council  
19 Representative Nick Johnson

20  
21 **WORK MEETING**

22  
23 Chair Graig Griffin called the Work Meeting to order at 5:05 p.m.

24  
25 **1.0 Planning Commission Business.**

26  
27 **1.1 Review Business Meeting Agenda.**

28  
29 The agenda items were reviewed and discussed. Associate City Planner, Andrew Hulka reported  
30 that the first agenda item is a public hearing for a lot consolidation. The property currently consists  
31 of two parcels located at 7985 and 7987 South Deer Creek Road. A map of the property was  
32 displayed. The request was to combine the two existing lots into one. The property was originally  
33 subdivided two years ago and the owner originally planned to build on the back lot. The new  
34 owner, however, has different plans and would like to combine the two lots. The request has been  
35 through preliminary staff review with no major issues identified. Staff recommended approval.  
36 Notice was provided as required and staff received no comments. The applicant and his daughter  
37 were present. The daughter and her family will be living in the home and were happy to be moving  
38 to Cottonwood Heights.

39  
40 **1.2 Annual Online Open Meetings Act Training Discussion.**

41  
42 The Annual Open and Public Meetings Act Training was conducted. Information was provided to  
43 the Commission online in order for the training to be completed at their leisure. If Commission  
44 Members have questions they can be addressed at a future meeting.

1           **1.3 A Presentation on the Open Space Master Plan Process, Survey of Existing**  
2           **Conditions, and Establishment of Plan Objectives.**  
3

4 Senior City Planner, Matt Taylor reported that last fall staff was asked to begin the Open Space  
5 Master Plan process. The Parks and Recreation Department has a Master Plan for Recreation that  
6 addresses the details of parks, amenities, and recreational programs. The Open Space Master Plan  
7 is different and pertains more to open space as a land use, as a general need for the community,  
8 and a way to connect those open spaces together.  
9

10 With respect to urban forestry, Mr. Taylor stated that many cities have an Urban Forester on staff  
11 and programs in place to encourage tree preservation and enhancement. A Commission Member  
12 commented that cities that are designated as a Tree City USA can be under tight controls if they  
13 wish to cut down a tree. Concern was expressed with infringing on personal property rights. It  
14 was suggested that the City encourage the planting of trees.  
15

16 Mr. Taylor explained that the Open Space Master Plan will be a guiding document. A draft of the  
17 document will be provided to the Commission for review and input. Various types of open spaces  
18 were identified. Options for inventorying and ranking open spaces were discussed.  
19

20 The Commission Members participated in an exercise where they reviewed and made comments  
21 on the proposed draft.  
22

23           **1.4 Additional Discussion Items.**  
24

25 Youth City Council (“YCC”) Member, Nick Johnson was welcomed and introduced. He serves  
26 as the YCC Planning Representative and his job is to report back to the Youth City Council on  
27 what takes place at Planning Commission Meetings. Mr. Johnson stated that he has lived in  
28 Cottonwood Heights for about one year and will be a Senior this next year at Brighton High School.  
29 He expressed his interest in all things government.  
30

31 **BUSINESS MEETING**  
32

33 **1.0 WELCOME/ACKNOWLEDGEMENTS**  
34

35 Chair Graig Griffin called the Business Meeting to order at 6:05 p.m. and welcomed those in  
36 attendance.  
37

38 **2.0 General Public Comment.**  
39

40 Walter Goodwin gave his address as 7935 South Hunters Meadow Circle and stated that his home  
41 backs the new Challenger School on Highland Drive. He met with staff about zoning issues  
42 associated with the school. The air conditioning units are mounted on the roof and Code calls for  
43 them to be shielded or screened. In addition, there is a blower that is very loud. For future  
44 consideration, he asked that high-efficiency heat exchangers be installed that do not make  
45 excessive noise. Landscaping was also to be placed along the boundary but there are no trees in

1 the section behind Mr. Goodwin’s property. Staff would be consulted on the issue and provide  
2 direction. Mr. Goodwin wanted to explore what options he has as a neighbor.

3  
4 There were no further public comments. The public comment period was closed.

5  
6 **3.0 BUSINESS ITEMS**

7  
8 **3.1 (Project Lot-19-002) A Public Hearing on a Request from Greg Diven to**  
9 **Amend Lots 101 and 102 of the Gullickson Subdivision by Consolidating Two**  
10 **Lots into One Lot. The Subject Properties are Located at 7985 and 7987 South**  
11 **Deer Creek Road (Parcel Nos. 22-35-205-609 and 22-35-205-070).**  
12

13 Associate City Planner, Andrew Hulka presented the staff report and stated that the request is to  
14 combine two lots into one. The matter requires review by the Planning Commission because the  
15 property is part of the existing Gullickson Subdivision, which as approved in 2017. The property  
16 has come under new ownership and the new owners wish to combine into one single lot. A site  
17 map of the property was displayed. The intent was to revert back to the original state of the  
18 property. Staff conducted a preliminary review and found that the request meets all requirements  
19 of the zoning ordinance for lot width and size. Technical review of the plat was underway. The  
20 plat will need to be recorded if the request is approved tonight. In response to a question raised, it  
21 was noted that the Gullickson Subdivision consists only of the two lots.

22  
23 Chair Griffin opened the public hearing.

24  
25 The applicant, Greg Divan reported that his daughter is purchasing the property. He visits the  
26 property on occasion and lives full-time in St. George. When they purchased the property, his  
27 recollection was that the original owner wanted it split so that he could make increase his profit.  
28 Mr. Divan’s desire was for it to be one parcel and never intended to sell the second lot.

29  
30 Tracy Gorham, the applicant’s daughter, was pleased to be in Cottonwood Heights and loves the  
31 neighborhood. She moved from the Avenues and this will be their forever home. She stated that  
32 they have no intention of subdividing the property again in the future.

33  
34 Rob Gillespie gave his address as 3281 East Deer Creek Cove and reported that he has lived in  
35 Cottonwood Heights for 36 years and knew Jeff Gullickson very well. When the Gullickson’s  
36 purchased the property there was an existing home on it that had fallen into disrepair. They tore  
37 it down and built a beautiful new home. Mr. Gillespie was opposed at the time to the property  
38 being subdivided. He supported Mr. Divan’s proposal and was pleased to see the two lots  
39 combined.

40  
41 Rebecca Thompson gave her address as 7972 South Oakledge Road on the back side of the  
42 property. She wished a meeting had been held when the property was split originally because she  
43 was never in favor of it. She expressed her support for combining the two lots.

44  
45 There were no further public comments. The public hearing was closed.  
46

1 A Commission Member indicated that he had an interaction with a neighbor earlier in the day who  
2 was very much in support of what is proposed for the reasons stated previously.

3  
4 **Commissioner [REDACTED] moved to approve Amending Lots 101 and 102 of the Gullickson**  
5 **Subdivision by consolidating the two lots into one lot subject to the following:**

6  
7 **Findings:**

- 8  
9 **1. The proposed subdivision amendment meets the applicable provisions of the Cottonwood**  
10 **Heights Subdivision Ordinance and the Cottonwood Heights Zoning Ordinance.**  
11  
12 **2. Proper notice was given in accordance with local and state requirements.**  
13  
14 **3. A public hearing was held in accordance with local and state requirements.**

15  
16 **Condition:**

- 17  
18 **1. The applicant shall work with staff to address all technical corrections on the plat**  
19 **amendment in compliance with all applicable City ordinance regulations.**

20  
21 **The motion was seconded by Commissioner [REDACTED]. Vote on motion: Jesse Allen-Aye,**  
22 **Christine Coutts-Aye, Dan Mills-Aye, Bob Wilde-Aye, Craig Bevan-Aye, Doug Rhodes-Aye,**  
23 **Chair Graig Griffin-Aye. The motion passed unanimously.**

24  
25 **4.0 CONSENT AGENDA**

26  
27 **4.1 Approval of Planning Commission Meeting Minutes.**

28  
29 **4.1.1 March 6, 2019**

30  
31 The minutes were reviewed and modified.

32  
33 **Commissioner Coutts moved to approve the minutes of March 6, 2019, as amended. The motion**  
34 **was seconded by Commissioner Wilde. The motion passed with the unanimous consent of the**  
35 **Commission.**

36  
37 **4.1.2 April 3, 2019**

38  
39 The minutes were reviewed and amended.

40  
41 **Commissioner Wilde moved to approve the minutes of April 3, 2019, as amended. The motion**  
42 **was seconded by Commissioner Coutts. The motion passed with the unanimous consent of the**  
43 **Commission.**

1                   **4.1.3 April 17, 2019.**

2  
3 The minutes of April 17, 2019 were reviewed and amended.

4  
5 *Commissioner Wilde moved to approve the minutes of April 17, 2019, as amended. The motion*  
6 *was seconded by Commissioner [REDACTED]. The motion passed with the unanimous consent of*  
7 *the Commission.*

8  
9 **5.0 ADJOURNMENT**

10  
11 *Commissioner Mills moved to adjourn. The motion was seconded by Commissioner Bevan. The*  
12 *motion passed with the unanimous consent of the Commission.*

13  
14 The Planning Commission Meeting adjourned at 6:23 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*  
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, June 5, 2019.*

3

4

5 Teri Forbes

6 Teri Forbes

7 T Forbes Group

8 Minutes Secretary

9

10 Minutes Approved: \_\_\_\_\_

1 **DRAFT**

2  
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
4 **PLANNING COMMISSION WORK MEETING**

5  
6 **Wednesday, July 17, 2019**

7 **5:00 p.m.**

8 **Cottonwood Heights City Council Room**  
9 **2277 East Bengal Boulevard**  
10 **Cottonwood Heights, Utah**

11  
12 ***ATTENDANCE***

13  
14 **Members Present:** Vice Chair Chris Coutts, Craig Bevan, Doug Rhodes, Sue Ryser, Bob Wilde

15  
16 **Staff Present:** Deputy Recorder Heather Sundquist, Community and Economic  
17 Development Director Michael Johnson, Senior City Planner Matt Taylor,  
18 Associate City Planner Andrew Hulka, City Attorney Shane Topham

19  
20 **Others Present:** Youth City Council Representative Nicholas Johnson

21  
22 **WORK SESSION**

23  
24 In the absence of Chair Graig Griffin, Vice Chair Chris Coutts called the meeting to order at  
25 5:06 p.m. and welcomed those in attendance.

26  
27 **1.0 Planning Commission Business.**

28  
29 **1.1 Review Business Meeting Agenda.**

30  
31 Vice Chair Coutts reviewed the Business Meeting agenda.

32  
33 **1.2 Additional Discussion Items.**

34  
35 Associate City Planner, Andy Hulka, reviewed Project CUP-19-005, a request for conditional use  
36 and site plan approval to construct and operate a 7-Eleven convenience store and gas station at  
37 7269 South Union Park Avenue. Access issues were discussed. Mr. Hulka reported that a variance  
38 was approved in April followed by a design review with the Architectural Review Committee  
39 (ARC). The applicant is proposing eight fueling stations with 10 parking stalls. Images of the  
40 proposed building were displayed. The lighting plan includes canopy lights above the gas pumps  
41 and wall lights around the building. Staff recommended approval with the landscaping screen.

42  
43 Project ZMA-19-004 was next reviewed. Mr. Hulka described the request from Eric Corbin for a  
44 General Plan Land Use Map Amendment from Neighborhood Commercial to Residential Low  
45 Density and a Zone Map Amendment from RO (Residential Office) to R-1-8 (Residential Single-  
46 Family) located at 7683 Bengal Bend Cove. A subdivision was recorded in April 2019. Mr. Hulka

1 reported that the RO Zone allows for a lot to be created because it permits residential as a primary  
2 use. The zoning, however, requires new buildings to have a side yard setback of 25 feet or a rear  
3 yard setback of 30 feet when abutting residential. Setback issues were discussed.  
4

5 Community and Economic Development Director, Mike Johnson reported that the impetus behind  
6 the request was property being zoned Residential Office (RO). The owner split the property and  
7 the potential buyer desired to rezone to RO to construct a single-family dwelling. With such  
8 restrictive setbacks, they are proposing to rezone the entire parcel Residential to get more favorable  
9 setbacks. Surrounding properties were discussed. Staff recommended approval.  
10

11 Mr. Hulka reported that staff launched a preliminary survey that was introduced to the Parks Trails  
12 and Open Space Committee. 70 responses were received.  
13

14 Mr. Johnson explained they performed a Google form survey along with a survey conducted by  
15 Y2 Analytics, which is a paid service that collects a random sample of what is representative of  
16 the population. Public open houses will be held as part of the public input process.  
17

18 The benefits of urban forests and trees was discussed.  
19

20 The Commission Members reviewed Business Meeting procedures.  
21

### 22 **1.3 Adjournment.**

23

24 ***Commissioner Rhodes moved to adjourn the Work Session. Commissioner Bevan seconded the***  
25 ***motion. The motion passed with the unanimous consent of the Commission.***  
26

27 The Work Session adjourned at 5:44 p.m.  
28

1 **DRAFT**

2  
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
4 **PLANNING COMMISSION MEETING**

5  
6 **Wednesday, July 17, 2019**

7 **6:00 p.m.**

8 **Cottonwood Heights City Council Room**  
9 **2277 East Bengal Boulevard**  
10 **Cottonwood Heights, Utah**

11  
12 ***ATTENDANCE***

13  
14 **Members Present:** Chris Coutts, Craig Bevan, Doug Rhodes, Bob Wilde, Sue Ryser

15  
16 **Staff Present:** Deputy Recorder Heather Sundquist, Community and Economic  
17 Development Director Michael Johnson, Senior City Planner Matt Taylor,  
18 Associate City Planner Andrew Hulka, City Attorney Shane Topham

19  
20 **Others Present:** Youth City Council Representative Nicholas Johnson

21  
22 **BUSINESS MEETING**

23  
24 **1.0 WELCOME/ACKNOWLEDGEMENTS**

25  
26 In the absence of Chair Graig Griffin, Vice Chair Chris Coutts called the Business Meeting to  
27 order at 6:00 p.m. and welcomed those in attendance.

28  
29 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

30  
31 Vice Chair Coutts reviewed the Business Meeting procedures.

32  
33 **2.0 Public Comment**

34  
35 Nancy Hardy commented that Rockworth held their second City meeting and presented their plan,  
36 which includes tall buildings and high density to the north of the gravel pit. She asked that the  
37 developer be provided with direction regarding height to avoid conflict later.

38  
39 **3.0 BUSINESS ITEMS**

40  
41 **3.1 (Project CUP-19-005) - A Public Hearing and Possible Action on a Request by**  
42 **Stephen Selu (Kimley-Horn) for Conditional Use and Site Plan Approval to**  
43 **Construct and Operate a 7-Eleven Convenience Store and Gas Station on**  
44 **Property located at 7269 South Union Park Avenue.**

45  
46 Associate City Planner, Andy Hulka presented the staff report and stated that the request is for

1 conditional use and site plan approval to construct and operate a 7-Eleven at 7269 South Union  
2 Park Avenue. The proposed property is currently vacant and within the Regional Commercial  
3 zone where gas stations are a conditional use. A variance for setbacks was proposed in April 2019.  
4

5 Mr. Hulka reported that six parking stalls are required and the applicant has provided 10. The  
6 maximum building height is 24 feet. Lighting issues was discussed. One of the requirements of  
7 the Regional Commercial zone is for commercial development adjacent to residential to build a  
8 seven-foot masonry wall or fence, however, the Planning Commission may approve a landscape  
9 screen in its place. The applicant has proposed to retain the existing landscape as a screen. Staff  
10 recommended the applicant preserve the existing vegetation along the ditch to the extent possible  
11 and any vegetation removed be replaced with the equivalent.  
12

13 The proposed lighting over the rear door shall be full cutoff and parking lot lighting must be moved  
14 or an easement obtained from the neighboring property owner. Mr. Hulka indicated that any  
15 technical corrections will be addressed. A Construction Mitigation Plan shall be submitted and all  
16 relevant portions of the City Code must be met. He confirmed that notice was sent to all property  
17 owners within 1,000 feet of the subject property.  
18

19 Commissioner Ryser asked for clarification regarding why and who approved the variances at the  
20 April meeting. Mr. Hulka explained that variances are heard by the Appeals Hearing Officer and  
21 the full text was provided in the packet.  
22

23 Vice Chair Coutts expressed concern with the proposed access and asked if the information is  
24 related to the single point of entry. Mr. Hulka reported that the access was analyzed based on the  
25 proposed use and plans.  
26

27 Project Engineer, Stephen Selu reported that the property owner has struggled for nearly two years  
28 to find a proper tenant due to the natural features of the site. Due to the property layout, 7-Eleven  
29 had to design an odd-shaped building. They also upgraded the elevations due to the proximity to  
30 the road. Mr. Selu confirmed that any vegetation removed from the ditch will be replaced with  
31 something adequate to provide screening. He explained that the traffic study analyzed both  
32 accesses and accounted for traffic from both Union Park Avenue and Creek Road.  
33

34 Commissioner Ryser expressed concern with the narrow access, the appropriateness of a gas  
35 station in the proposed location, and a store being open 24 hours a day that abuts residences.  
36

37 Vice Chair Coutts opened the public hearing.  
38

39 Robyn Taylor-Granda reported that she lives near the subject property and expressed opposition  
40 to a 7-Eleven being located so close to residential and being open 24 hours per day. She  
41 commented that gas stations that are open all night tend to attract undesirable people and generate  
42 high traffic. She emphasized that the current vegetation does not provide adequate screening. She  
43 asked if the applicant has the right to remove vegetation from the ditch. She believed the proposal  
44 was a disservice and will create negative impacts. Staff confirmed that the vegetation cannot be  
45 removed but if damaged during construction, it must be replaced.  
46

1 The property owner, Sue Jagodzinski clarified that any damaged vegetation will be replaced. She  
2 explained that it has been challenging to get someone to take on the site as it is very tight and  
3 narrow. 7-Eleven has made concessions to recreate the proposed building and make the site work.  
4 Ms. Jagodzinski believed the property will generate less traffic than the previous restaurant. She  
5 expressed her desire to be a good neighbor.  
6

7 Mr. Selu reviewed the proposed Landscaping Plan and noted that after the Architectural Review  
8 Commission expressed their desire to have disturbed vegetation replaced, the site was more fully  
9 surveyed and the vegetation on the applicant's side of the ditch was identified. Trip generation  
10 issues were discussed.  
11

12 Nancy Hardy asked if the Commission had walked the site. She suggested that be done prior to  
13 approval be granted.  
14

15 Jim Colross reported that he lived in the area when the proposed building was a Wingers. He  
16 estimated that fewer than 40 cars patronized the restaurant each day. He expressed concern with  
17 increased traffic and the safety of the downhill access. With all of the surrounding businesses, he  
18 believed the proposal will only exacerbate the existing traffic and safety issues.  
19

20 There were no further public comments. The public hearing was closed.  
21

22 Vice Chair Coutts commented that the surrounding vegetation that acts as a buffer needs further  
23 discussion. Commissioner Bevan stated that the existing landscape buffer is more acceptable than  
24 a seven-foot wall. He believed it was a reasonable solution and stated that the empty building is a  
25 blight on the neighborhood.  
26

27 Commissioner Wilde remarked that the issue pertains to what currently exists on the property  
28 compared to if the project is approved. He stated that a successful 7-Eleven is better than an  
29 unsuccessful Wingers Restaurant and point out that the subject property has been a commercial  
30 use for years.  
31

32 City Attorney, Shane Topham reported that a gas station is a conditional use in the zone and the  
33 legal standard guides the decision set forth in Utah Law. The law states that a land use authority  
34 shall approve a conditional use if reasonable conditions are proposed or can be imposed to mitigate  
35 the reasonably anticipated detrimental effects of the proposed use in accordance with applicable  
36 standards. He emphasized that the determination has already been made that a gas station is  
37 appropriate in the zone unless there are detrimental impacts that cannot be mitigated through the  
38 imposition of conditions.  
39

40 Mr. Johnson emphasized that the request was originally noticed when the variance was completed  
41 and reviewed by the ARC, who suggested additional vegetation be planted in the rear of the site.  
42 Proper notice was provided to residents within 1,000 feet and the plans have been made available  
43 to the public. The Landscape Plan was reviewed and discussed.  
44

45 ***Commissioner Bevan moved to approve Project CUP-19-005 subject to the following:***  
46

1 **Conditions:**

- 2
- 3 1. *Preserve the existing vegetation along the Cahoon & Maxfield ditch to the*
- 4 *greatest extent possible.*
- 5
- 6 2. *Any vegetation to be removed in the landscape screen area shall be replaced with*
- 7 *equivalent vegetation.*
- 8
- 9 3. *Applicant shall verify that an access agreement or easement exists across the*
- 10 *portion of property to the south used for access from Creek Road (Parcel #22-29-*
- 11 *276-022).*
- 12
- 13 4. *The proposed light over the rear door shall be a full cut-off light fixture.*
- 14
- 15 5. *All parking lot lights must be located on the property or the applicant must obtain*
- 16 *an easement from the neighboring property owner.*
- 17
- 18 6. *The applicant shall work with City staff to address all technical corrections to the*
- 19 *proposed plans.*
- 20
- 21 7. *A Construction Mitigation Plan shall be submitted prior to construction*
- 22 *addressing construction hours, construction vehicle parking, deliveries,*
- 23 *stockpiling and staging, trash management and recycling of materials, dust and*
- 24 *mud control, noise, grading and excavation, temporary lighting, and*
- 25 *construction signage.*
- 26
- 27 8. *The applicant shall meet all relevant portions of Chapter 14 (Highways,*
- 28 *Sidewalks a Public Places), chapter 19.40 (Regional Commercial), chapter 19.87*
- 29 *(Site Plan Review Process), chapter 19.84 (Conditional Uses), chapter 19.80 (Off*
- 30 *Street Parking Requirements), and all other applicable laws, ordinances and*
- 31 *regulations pertaining to the proposed use.*
- 32

33 **Findings:**

- 34
- 35 1. *The proposed landscape screen provides an adequate buffer for the adjoining*
- 36 *residential use or zone.*
- 37
- 38 2. *The appearance of the landscape screen will not detract from the residential*
- 39 *and/or commercial use of the property.*
- 40
- 41 3. *The proposed landscape screen will shield the residential use or zone from noise,*
- 42 *storage, traffic, or any other characteristics of the commercial use that are not*
- 43 *compatible with residential uses.*
- 44
- 45 4. *The proposed project meets the applicable provisions of Chapter 19.40, “Regional*
- 46 *Commercial,” of the Cottonwood Heights zoning ordinance.*

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- 45
5. *The proposed project will continually meet the applicable provisions of Chapter 19.84, “Conditional Uses,” of the Cottonwood Heights zoning ordinance.*
6. *The proposed project meets the applicable provisions of Chapters 19.80 and 19.87, “Off-Street Parking Requirements” and “Site Plan Review Process,” respectively.*
7. *Proper notice of the public hearing was given.*
8. *The proposed use of the commercial retail building and pump station is a conditional use in the Regional Commercial (CR) zone.*
9. *The proposed building and pump station will not be detrimental to the health, safety, comfort, order, or general welfare of persons residing or working in the vicinity.*
10. *The proposed convenience store and gas station use will comply with the intent, spirit, and regulations of the City zoning ordinance and general plan.*
11. *The proposal will be harmonious with the neighboring uses in the CR and RM zones.*
12. *Nuisances related to traffic, parking, lighting, and noise will be abated by the conditions imposed.*
13. *The protection of property values, the environment, and the tax base for the City will be assured.*
14. *The use will comply with the City’s General Plan.*
15. *The applicant will be required to comply with all imposed conditions.*
16. *The proposed use preserves historical, architectural, and environmental features of the property.*
17. *Operating and delivery hours will be compatible with adjacent land uses.*

*Commissioner Wilde seconded the motion. Vote on motion: Commissioner Rhodes-Aye, Commissioner Wilde-Aye, Commissioner Bevan-Aye, Vice Chair Coutts-Nay, Commissioner Ryser-Nay. The motion failed 3-to-2.*

*Commissioner Ryser moved to continue Project CUP-19-005 to the next meeting and requested an updated plan and any consideration of the landscaping, as discussed. Vice Chair Coutts seconded the motion. Vote on motion: Commissioner Rhodes-Nay, Commissioner Wilde-Nay,*

1 **Commissioner Bevan-Nay, Commissioner Ryser-Aye, Vice Chair Coutts-Aye. The motion failed**  
2 **2-to-3.**

3  
4 Staff suggested a motion may be made recommending additional conditions.

5  
6 **Commissioner Bevan moved to approve Project CUP-19-005 subject to the following previous**  
7 **conditions and findings and the addition of a 9<sup>th</sup> condition as follows:**

8  
9 **Conditions:**

- 10  
11 1. ***Preserve the existing vegetation along the Cahoon & Maxfield ditch to the***  
12 ***greatest extent possible.***
- 13  
14 2. ***Any vegetation to be removed in the landscape screen area shall be replaced with***  
15 ***equivalent vegetation.***
- 16  
17 3. ***Applicant shall verify that an access agreement or easement exists across the***  
18 ***portion of property to the south used for access from Creek Road (Parcel #22-29-***  
19 ***276-022).***
- 20  
21 4. ***The proposed light over the rear door shall be a full cut-off light fixture.***
- 22  
23 5. ***All parking lot lights must be located on the property or the applicant must obtain***  
24 ***an easement from the neighboring property owner.***
- 25  
26 6. ***The applicant shall work with City staff to address all technical corrections to the***  
27 ***proposed plans.***
- 28  
29 7. ***A Construction Mitigation Plan shall be submitted prior to construction***  
30 ***addressing construction hours, construction vehicle parking, deliveries,***  
31 ***stockpiling and staging, trash management and recycling of materials, dust and***  
32 ***mud control, noise, grading and excavation, temporary lighting, and***  
33 ***construction signage.***
- 34  
35 8. ***The applicant shall meet all relevant portions of Chapter 14 (Highways,***  
36 ***Sidewalks a Public Places), chapter 19.40 (Regional Commercial), chapter 19.87***  
37 ***(Site Plan Review Process), chapter 19.84 (Conditional Uses), chapter 19.80 (Off***  
38 ***Street Parking Requirements), and all other applicable laws, ordinances and***  
39 ***regulations pertaining to the proposed use.***
- 40  
41 9. ***The applicant shall provide an updated Landscaping Plan that staff will approve***  
42 ***before construction.***
- 43

1 **Findings:**

- 2
- 3 1. *The proposed landscape screen provides an adequate buffer for the adjoining*
- 4 *residential use or zone.*
- 5
- 6 2. *The appearance of the landscape screen will not detract from the residential*
- 7 *and/or commercial use of the property.*
- 8
- 9 3. *The proposed landscape screen will shield the residential use or zone from noise,*
- 10 *storage, traffic, or any other characteristics of the commercial use that are not*
- 11 *compatible with residential uses.*
- 12
- 13 4. *The proposed project meets the applicable provisions of Chapter 19.40, “Regional*
- 14 *Commercial,” of the Cottonwood Heights zoning ordinance.*
- 15
- 16 5. *The proposed project will continually meet the applicable provisions of Chapter*
- 17 *19.84, “Conditional Uses,” of the Cottonwood Heights zoning ordinance.*
- 18
- 19 6. *The proposed project meets the applicable provisions of Chapters 19.80 and*
- 20 *19.87, “Off-Street Parking Requirements” and “Site Plan Review Process,”*
- 21 *respectively.*
- 22
- 23 7. *Proper notice of the public hearing was given.*
- 24
- 25 8. *The proposed use of the commercial retail building and pump station is a*
- 26 *conditional use in the Regional Commercial (CR) zone.*
- 27
- 28 9. *The proposed building and pump station will not be detrimental to the health,*
- 29 *safety, comfort, order, or general welfare of persons residing or working in the*
- 30 *vicinity.*
- 31
- 32 10. *The proposed convenience store and gas station use will comply with the intent,*
- 33 *spirit, and regulations of the City zoning ordinance and general plan.*
- 34
- 35 11. *The proposal will be harmonious with the neighboring uses in the CR and RM*
- 36 *zones.*
- 37
- 38 12. *Nuisances related to traffic, parking, lighting, and noise will be abated by the*
- 39 *conditions imposed.*
- 40
- 41 13. *The protection of property values, the environment, and the tax base for the City*
- 42 *will be assured.*
- 43
- 44 14. *The use will comply with the City’s General Plan.*
- 45
- 46 15. *The applicant will be required to comply with all imposed conditions.*

1  
2           16.     *The proposed use preserves historical, architectural, and environmental features*  
3                   *of the property.*

4  
5           17.     *Operating and delivery hours will be compatible with adjacent land uses.*

6  
7     *Commissioner Wilde seconded the motion. Vote on motion: Commissioner Rhodes-Aye,*  
8     *Commissioner Wilde-Aye, Commissioner Bevan-Aye, Commissioner Ryser-Nay, Vice Chair*  
9     *Coutts-Aye. The motion passed 4-to-1.*

10  
11           3.2     **(Project ZMA-19-004) – A public hearing and possible action on a request by**  
12                   **Eric Corbin for a General Plan Land Use Map amendment from**  
13                   **Neighborhood Commercial to Residential Low Density and a Zone Map**  
14                   **Amendment from RO (Residential Office) to R-1-8 (Residential Single Family)**  
15                   **located at 7683 Bengal Bend Cove.**

16  
17     Senior City Planner, Matt Taylor presented the staff report and displayed a map of the subject  
18     property. He reported that the RO zone has increased setbacks. He explained that the applicant  
19     was not satisfied with the impact of the increased setback as he intends to utilize the full side yard.  
20     The applicant requested a change to the General Plan to low-density residential in anticipation of  
21     a change to the zoning map. If approved, it would support a single-family zoning designation and  
22     allow the applicant to construct a home similar to those to the south. Staff recommended the  
23     Planning Commission provide a positive recommendation to the City Council as requested.

24  
25     The applicant, Eric Corbin, stated that the proposed RO zoned property is very restrictive for what  
26     he hopes to develop on the property. Changing the zoning to R-1-8 would allow the construction  
27     of a primary residence.

28  
29     Vice Chair Coutts opened the public hearing.

30  
31     Lynne Kraus stated she lives in the neighborhood and expressed support for the proposed change.

32  
33     There were no further comments. The public hearing was closed.

34  
35     Commissioner Bevan was opposed to changing the zoning of a single piece of property in the  
36     Master Plan but believed the request made sense. He expressed support for the proposed zone  
37     change.

38  
39     *Commissioner Rhodes moved to forward a recommendation of approval to the City Council for*  
40     *Project ZMA-19-004 based on the following:*

41  
42     ***Findings:***

43  
44           1.     *The proposed General Plan Land Use and Zoning Map amendment, and the*  
45                   *purposes of the R-1-8 zone, are consistent with the principles, goals, and*  
46                   *objectives of the General Plan.*

- 1
- 2       2.     *The proposed amendment fits in context with the land use and zoning in the area.*
- 3
- 4       3.     *The proposed zoning map amendment will be completed in accordance with the*
- 5           *procedure as outlined in 19.90.010 “Amendment Procedure” of the Cottonwood*
- 6           *Heights Municipal Code.*
- 7
- 8       4.     *Proper notice was given in accordance with all local and state noticing*
- 9           *requirements.*
- 10
- 11      5.     *Future development impacts of the proposed zone will be appropriately mitigated*
- 12           *through requisite site plan and permit review, including sensitive lands ordinance*
- 13           *provisions.*
- 14
- 15      6.     *The zone map amendment is done in accordance with the procedure outlined in*
- 16           *19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code.*
- 17
- 18      7.     *Proper notice was given in accordance with all local and state noticing*
- 19           *requirements.*
- 20

21 *Commissioner Bevan seconded the motion. Vote on motion: Commissioner Rhodes-Aye,*  
22 *Commissioner Wilde-Aye, Commissioner Bevan-Aye, Commissioner Ryser-Aye, Vice Chair*  
23 *Coutts-Aye. The motion passed unanimously.*

24

25 **4.0     CONSENT AGENDA**

26

27       **4.1     Approval of Planning Commission Minutes.**

28

29           **4.1.1   Approval of Minutes for May 1, 2019.**

30

31 *Commissioner Ryser moved to approve the minutes of May 1, 2019. Commissioner Bevan*  
32 *seconded the motion. The motion passed with the unanimous consent of the Commission.*

33

34 **5.0     ADJOURNMENT**

35

36 *Commissioner Bevan moved to adjourn. The motion was seconded by Vice Chair Coutts. The*  
37 *motion passed with the unanimous consent of the Commission.*

38

39 The Planning Commission Meeting adjourned at approximately 7:02 p.m.

40

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*  
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, July 17, 2019*

3  
4

5 Teri Forbes

6 Teri Forbes  
7 T Forbes Group  
8 Minutes Secretary

9  
10 Minutes Approved: \_\_\_\_\_



1 Union Boulevard in the CR Regional Commercial zone. The recommended findings were  
2 described. The proposal is for a day care use that is not intended to receive patrons throughout the  
3 day. Limited regular business hours were suggested.  
4

5 **1.3 Adjournment.**  
6

7 *Commissioner Bevan moved to adjourn the Work Session. Commissioner Rhodes seconded the*  
8 *motion. The motion passed with the unanimous consent of the Commission.*  
9

10 The Work Session adjourned at 6:00 p.m.

1 **DRAFT**

2  
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
4 **PLANNING COMMISSION MEETING**

5  
6 **Wednesday, August 7, 2019**

7 **6:00 p.m.**

8 **Cottonwood Heights City Council Room**

9 **2277 East Bengal Boulevard**

10 **Cottonwood Heights, Utah**

11  
12 ***ATTENDANCE***

13  
14 **Members Present:** Chair Graig Griffin, Commissioner Craig Bevan, Commissioner Jesse  
15 Allen, Commissioner Douglas Rhodes

16  
17 **Staff Present:** Community and Economic Development Director Michael Johnson, City  
18 Attorney W. Shane Topham, Deputy City Recorder/HR Manager Heather  
19 Sundquist, Senior Planner Matt Taylor, City Planner Andrew Hulka

20  
21 **Others Present:** Youth City Council Representative Nicholas Johnson,

22  
23 **BUSINESS MEETING**

24  
25 **1.0 WELCOME/ACKNOWLEDGEMENTS**

26  
27 Chair Graig Griffin called the Business Meeting to order at 6:06 p.m. and welcomed those in  
28 attendance.

29  
30 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

31  
32 Chair Griffin reviewed the Business Meeting procedures.

33  
34 **2.0 Public Comment**

35  
36 There were no public comments.

37  
38 **3.0 BUSINESS ITEMS**

39  
40 **3.1 (Project SUB-19-005) - A Public Hearing and Possible Action on a Request by**  
41 **Brighton Ridge Villa Condominiums HOA to Approve Brighton Ridge Villas**  
42 **Subdivision (Including a Vacation of Brighton Ridge Villas Condominiums)**  
43 **located Generally at 7343 South 1950 East in the R-2-8 – Multi-Family**  
44 **Residential Zone.**

45  
46 Senior Planner, Matt Taylor, presented the staff report and stated the request is from the Brighton

1 Ridge Villa Condominiums HOA for approval of Brighton Ridge Villas Subdivision located at  
2 7343 South 1950 East in the R-2-8 zone. The property consists of eight townhome units within  
3 four buildings on just less than one acre. The applicant applied for a change in ownership to a  
4 regular subdivision of property for lending purposes. Each new lot meets the minimum lot size of  
5 4,000 square feet for the zone when it is in a twin home arrangement. Staff recommended approval  
6 with an alternate selected for the final plat as the proposed is currently being used and technical  
7 corrections are made prior to recordation of the final plat.  
8

9 Angela Nielsen, Brighton Ridge Villas HOA Vice President, reported that each property has two  
10 parking stalls. Commissioner Allen expressed concern with one of the properties only having one  
11 parking stall. Commissioner Bevan suggested adjusting the property lines to ensure each unit has  
12 two parking stalls.  
13

14 Chair Griffin opened the public hearing. There were no public comments. The public hearing was  
15 closed.  
16

17 ***Commissioner Bevan moved to approve Project SUB-19-005 subject to the following:***  
18

19 ***Conditions:***  
20

- 21 ***1. Before the final plat is approved, an alternate subdivision name shall be approved***  
22 ***by the Salt Lake County Recorder's office.***  
23
- 24 ***2. The final plat shall meet the minimum lot size standards as required by section***  
25 ***19.76.020.C of the Cottonwood Heights Zoning Ordinance.***  
26
- 27 ***3. The applicant shall work with staff to address all technical corrections on the***  
28 ***preliminary plat, in compliance with all applicable city ordinance regulations.***  
29

30 ***Findings:***  
31

- 32 ***1. The proposed subdivision meets the applicable provisions of the Cottonwood***  
33 ***Heights subdivision ordinance and the Cottonwood Heights zoning ordinance***  
34 ***upon successful compliance with the conditions of approval above.***  
35
- 36 ***2. Proper notice was given in accordance with local and state requirements.***  
37
- 38 ***3. A public hearing was held in accordance with local and state requirements.***  
39
- 40 ***4. Adjust property line so garages are within each of the property owners' lots.***  
41

42 ***Commissioner Rhodes seconded the motion. Vote on motion: Commissioner Allen-Aye,***  
43 ***Commissioner Rhodes-Aye, Commissioner Bevan-Aye, Commissioner Griffin-Aye. The motion***  
44 ***passed unanimously.***  
45

1           **3.2    (Project SUB-19-003) A Public Hearing and Possible Action on a Request by**  
2           **Paul Ballstaedt to Approve Ballstaedt Estates Phase 2 Subdivision (Including**  
3           **the Vacation of Lots 2 and 3 of the Ballstaedt Estates Subdivision) Located**  
4           **Generally at 3055 East Sundrift Circle in the R-1-8 – Single-Family**  
5           **Residential Zone.**  
6

7 Mr. Taylor presented the staff report and stated that the request is from Paul Ballstaedt to approve  
8 Ballstaedt Estates Phase 2 Subdivision, which includes the vacation of Lots 2 and 3. The total  
9 property consists of 1.47 acres and has two owners. Lots 2 and 3 are the current legal lots and the  
10 proposal is to vacate and remove both and replat them as a new subdivision with three lots. Two  
11 will have existing single-family homes retained on them and the new lot will be vacant and  
12 available for a building permit for a new single-family home. Mr. Taylor suggested a condition  
13 of approval be to require rear lot lines to be adjusted to meet the required setbacks for accessory  
14 buildings.  
15

16 Chair Griffin opened the public hearing.  
17

18 Geri Essen asked for confirmation that the applicant has proposed just one additional single-family  
19 home.  
20

21 Rob Godfrey asked if the proposed property could be subdivided any further in the future.  
22

23 Mr. Taylor reported that cannot be subdivided further under the current zoning regulations.  
24

25 There were no further comments. The public hearing was closed.  
26

27 Mr. Taylor reported that he received a phone call expressing concern with junk and the storage of  
28 vehicles on the property. He suggested it may be appropriate to consider an additional condition  
29 of approval that any zoning violations be resolved prior to plat recordation.  
30

31 ***Commissioner Rhodes moved to approve Project SUB-19-003 subject to the following:***  
32

33 ***Conditions:***  
34

- 35           ***1. That the final plat show adjusted lot lines for Lot 202 that demonstrate***  
36           ***compliance with Section 19.76.030.B.3.b for all accessory structures.***  
37

38 ***Findings:***  
39

- 40           ***1. With the exception of accessory structure setback requirements, the proposed***  
41           ***subdivision is in compliance with all provisions of Title 12 – Subdivisions and***  
42           ***Title 19 – Zoning.***  
43  
44           ***2. Proper notice was given in accordance with local and state requirements.***  
45  
46           ***3. A public hearing was held in accordance with local and state requirements.***

1  
2           4.       *Any zoning violations are resolved prior to recording the plat.*  
3

4       *Commissioner Bevan seconded the motion. Vote on motion: Commissioner Allen-Aye,*  
5       *Commissioner Rhodes-Aye, Commissioner Bevan-Aye, Commissioner Griffin-Aye. The motion*  
6       *passed unanimously.*  
7

8           3.3       **(Project CUP-19-007) - A Public Hearing and Possible Action on a Request by**  
9                   **Jared Smart Bonneville Realty for Conditional Use Permit to Operate an**  
10                   **Animal Day Care on the Property located at 2315 East Fort Union Boulevard**  
11                   **in the CR – Regional Commercial Zone.**  
12

13       Mr. Taylor presented the staff report and stated that the above is a request by Jared Smart  
14       Bonneville Realty for a Conditional Use Permit to operate an animal daycare at 2315 East Fort  
15       Union Boulevard. An animal day care is a conditional use in the Regional Commercial zone. The  
16       Planning Commission is required to adopt findings of fact that support a number of questions and  
17       approve with conditions or deny the conditional use based on written findings of fact. Mr. Taylor  
18       recommended that when approving the request, findings of fact be modified that do not relate to a  
19       condition that is adopted. Signage requiring animals be restrained was recommended and because  
20       it is a day care use, operating hours should be limited to daytime use and be complied with prior  
21       to the issuance of the business license.  
22

23       The co-applicant, Chris Lamerl, identified herself as the co-owner of Healthy Pets Mountain  
24       West, which is located in the Hillside Plaza area. They are looking to move across the street.  
25       Ms. Lamerl indicated that the daycare will be minimal with a maximum of eight dogs. The  
26       majority of the day will be spent indoors with one hour of outdoor playtime. She confirmed that  
27       the yard will include fencing with canopies attached to the building.  
28

29       Commissioner Bevan expressed concern with the second listed finding of fact that specifies that  
30       the proposed use is to be fully contained in an existing building. He stated that there has not been  
31       any discussion of an outdoor play area.  
32

33       The exterior landscaping details were reviewed. Commissioner Allen emphasized the need for an  
34       exterior plan depicting specifics and ensure that it is in compliance.  
35

36       Chair Griffin opened the public hearing.  
37

38       Elaine Werner stated she lives near the subject property and asked how many dogs will be  
39       permitted. She expressed concern with the entrance to the property.  
40

41       There were no further public comments. The public hearing was closed.  
42

43       *Commissioner Bevan moved to continue Project CUP-19-007 to the following meeting and*  
44       *direct the applicant to provide documentation regarding play area improvements.*  
45       *Commissioner Allen seconded the motion. The motion passed with the unanimous consent of*  
46       *the Commission.*

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**4.0 CONSENT AGENDA**

**4.1 Approval of Planning Commission Minutes.**

**4.1.1 Approval of Minutes for June 5, 2019.**

Approval of the minutes of June 5, 2019 was continued.

**5.0 ADJOURNMENT**

*Commissioner Allen moved to adjourn. The motion was seconded by Commissioner Rhodes. The motion passed with the unanimous consent of the Commission.*

The Planning Commission Meeting adjourned at approximately 6:42 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*  
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, August 7, 2019*

3  
4

5 Teri Forbes

6 Teri Forbes  
7 T Forbes Group  
8 Minutes Secretary

9  
10 Minutes Approved: \_\_\_\_\_