



PLANNING COMMISSION MEETING AGENDA

July 17, 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, July 17, 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. Annual Online Open Meetings Act Training Discussion

1.3. A Presentation on the Open Space Master Plan Survey

1.4. 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-19-005)** - A public hearing on a request by Stephen Selu (Kimley-Horn) for conditional use and site plan approval to construct and operate a 7-Eleven convenience store and gas station on the property located at 7269 S. Union Park Ave.

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

4.0 Consent Agenda

4.1. Approval of Planning Commission Minutes – May 1, 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. 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, July 12, 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 and the State Public Meeting Notice website at <http://pmn.utah.gov>.

DATED THIS 12th Day of July, 2019

Paula Melgar, City Recorder

Matthew Taylor

From: Shane Topham <WTopham@joneswaldo.com>
Sent: Thursday, June 6, 2019 7:32 AM
To: Matthew Taylor
Cc: Michael Johnson
Subject: [EXT:]Annual Open Meetings Act Training--Please Forward to PC
Attachments: WST-Cottonwood Heights-Planning Commission-Open and Public Meetings Presentation (2019).pdf;
WST-Open Meetings Act (2019).pdf

Planning Commissioners—

UTAH CODE ANN. 52-4-104(1) requires “[t]he presiding officer of the public body shall ensure that the members of the public body are provided with annual training on the requirements of [the Open and Public Meetings Act, UTAH CODE ANN. 52-4-101 et seq.]”

To fulfill this statutory requirement, attached are copies of an overview explaining the requirements of the open meetings act, and a copy of the current open meetings act. As authorized by UTAH CODE ANN. 63G-22-103, this training is being provided to you in web-based format so that you can review it at your convenience.

Please email Matt Taylor that you’ve completed the training once you’ve done so. If you have questions concerning the Act, there will be a time reserved for questions and answers at the next planning commission meeting.

Best regards—

Shane Topham
Cottonwood Heights Attorney



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EXTERNAL ATTACHMENT: Only Open if you trust this sender.

OPEN AND PUBLIC MEETINGS

Wm. Shane Topham
Cottonwood Heights City Attorney

1. **Overview.** The key to effective local government action is the participation by the governed. Government in the United States exists only by the consent of the governed. Meaningful citizen participation is essential to a democratic institution.

2. **The Open and Public Meetings Act.** The requirement that meetings of public bodies at which public policy is deliberated be announced publicly in advance and conducted openly was first formalized by the Utah Legislature in 1977 through its adoption of the “Open and Public Meetings Act,” UTAH CODE ANN. §§52-4-101 *et seq.* The public policy behind the Open Meetings Act is stated in its preamble:

The Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people’s business. It is the intent of the Legislature that the state, its agencies, and its political subdivisions: take their actions openly, and conduct their deliberations openly.

That statement of policy makes it clear that, with very limited exceptions, all meetings of official governmental bodies are to be open to the public; that the deliberations of such bodies are to be conducted openly; and that the public be given advance notice of the time and place of the meeting, and of the items that will be discussed.

(a) **Noticing; Agendas.** To assure the opportunity for public participation, the Open Meetings Act specifies the minimum notice for a public meeting.

(i) **Annual Notice.** Regular meetings required by law are to be scheduled in advance over the course of a year. Each year, an annual meeting schedule is publicly adopted giving the date, time and place of the public body’s meetings for the year. The city’s city council has and will continue to adopt the annual meeting notices for the city’s planning commission.

(ii) **Meeting-Specific Notice.** In addition to the annual notice of regular meetings, each meeting needs its own notice given at least 24 hours before the meeting. Meeting-specific notices must include the agenda and the date, time and place of the meeting.

These public notices must be posted at the principal office of the public body or at the building where the meeting is to be held, posted on the Utah Public Notices website, posted on the public body’s website, and given to at least one newspaper of general circulation within the jurisdiction of the public body or to a local media correspondent.

The agenda must provide reasonable specificity to notify the public of the items that will be considered at the meeting. A topic not listed on the open meeting agenda that is raised by the public during an open meeting may be discussed, but no final action may be taken by the

public body during that meeting.

(iii) Emergencies. When there are unforeseen circumstances and it is necessary to hold an emergency meeting, the notice requirements can be disregarded, so long as the best notice practical is given.

(b) Open Meetings. The Open Meetings Act states that every meeting of a public body is open to the public unless it's properly closed. There are some key definitions in the Open Meetings Act. The Act defines a “*meeting*” as being a “convening” of a “public body” when a “quorum” is present. “*Convening*” means any meeting called by a person for the purpose of either discussing or acting on a subject matter. A “*public body*” means, with limited exceptions, any administrative, advisory, executive or legislative body (a) that is created by statute, rule, ordinance or resolution, (b) which consists of two or more persons, (c) expends, disburses or is supported in whole or in part by tax revenue, and (d) is vested with authority to make decisions regarding the public’s business. A “*quorum*” means a simple majority of the members of a public body.

(i) Non-Meetings. There are a few narrow exceptions to what constitutes a public meeting. They include a chance meeting, a social meeting, a staff meeting and a department head meeting.

(ii) Public Body. The Open Meetings Act applies to more than just a governmental entity’s governing body such as the city council. As long as a group consists of two or more persons, has the power to expend or disburse tax revenue, or is supported in whole or part by tax revenue, and has authority to do the public’s business, it is governed by the Act.

(iii) Disruption. The Act doesn’t prohibit removal of any person from the meeting if the person willfully disrupts the meeting to the extent that orderly conduct is seriously compromised. Removal of a disruptive person requires the prior affirmative vote of at least 2/3rds of the public body in attendance.

(c) Closed Meetings. All meetings are to be open to the public with some very limited exceptions such as (a) discussion of the character, professional competence or physical or mental health of an individual, (b) strategy sessions to discuss imminent or pending litigation, or (c) strategy sessions to discuss the purchase, sale, exchange or lease of real property. It’s unlikely that the planning commission will ever need to go into closed session. If that occurs, counsel will be available to guide the commissioners through the process.

Basically, however, before a meeting may be closed for one of these valid reasons, the public body must be called together in an open meeting. At least two-thirds of the members of the public body present must vote to close the meeting before it can be closed. No closed meeting

is allowed except for the reasons mentioned above, nor may any other items be discussed in the meeting. The reasons for holding the closed meeting and the vote either for or against the proposition to hold the closed meeting are to be publicly announced and entered into the minutes of the public portion of the meeting.

(d) Minutes and Recordings. The Open Meetings Act requires that written minutes and recordings be kept. The written minutes must be available to the public within a reasonable time after the meeting. Written minutes made available to the public before approval by the public body must be clearly identified as “awaiting formal approval” or “unapproved.”

(i) Minutes and Recordings of Open Meetings. Written minutes and a digital or tape recording must be kept of all open meetings. The minutes and recording shall include (1) the date, time and place of the meeting; (2) the names of the members present and absent; (3) the substance of all matters proposed, discussed or decided; (4) a record of votes taken; (5) the name of each person who provided testimony and the substance of such testimony; and (6) any other information that any member requests be entered in the minutes or the recording.

The recording must be a complete and unedited record of all open portions of the meeting, and shall be available within a reasonable time after the meeting. Both written minutes and recordings of open meetings are public records under GRAMA, but written minutes are the official record of action taken at the meeting.

(ii) Minutes and Recordings of Closed Meetings. With limited exceptions, the Open Meetings Act requires that a closed meeting be recorded. Detailed written minutes of a closed meeting are permissible but not mandatory. The recording and any written minutes of a closed meeting are subject to the same general requirements applicable to open meetings, but only to the extent that disclosure would infringe on the confidentiality necessary to fulfill the permitted purpose of the closed meeting. Minutes and recordings of closed meetings are protected records under GRAMA, which are subject to disclosure only pursuant to court order.

There is one exception to the requirement of minutes and recordings of closed meetings. Closed meetings to discuss the character, professional competence, or physical or mental health of an individual or discussions regarding deployment of security personnel, devices or systems don't need to be recorded nor minutes taken. Instead, the presiding officer signs a sworn statement affirming that the sole reason for the closed meeting was one or both of those purposes.

(e) Enforcement and Penalties. The attorney general and the county attorneys of the state are charged with enforcing the Open Meetings Act. Private individuals, however, can enforce the Act by bringing suit to enjoin or force compliance.

Certain final actions in violation of the Act are voidable by a court, if the lawsuit is commenced within 90 days after the date of the action. If a private individual prevails, the court may award reasonable attorneys fees and court costs to the successful plaintiff.

A member of a public body who knowingly or intentionally violates, or who knowingly and intentionally abets or advises a violation of any of the closed meeting provisions of the Act, is guilty of a class B misdemeanor.

4. **Conduct of Meetings.** Watch out for the following in public meetings, any of which may result in a decision that is arbitrary or capricious:

(a) *Public Clamor.* While most public meetings may be friendly and courteous, there are occasions when issues arouse primate instincts and uncontrolled emotions. Be aware of the potential for such behavior, and resist the potential of becoming unduly influenced by persuasive, but often irrational, comments or actions. Decisions of public bodies have been rejected by courts when it was apparent from the record that the body was influenced more by vocal participants at the meeting than by their responsibility to represent the public.

(b) *The Straw Vote.* Often, when a group at a meeting perceives that they out-number those with the opposing point of view, they will call for a “straw vote” to convince the public body that they represent the majority. The public body should resist such requests—it must be made clear that such a vote would not represent an honest test of community public opinion.

(c) *Petitions.* Petitions, signed by an impressive number of persons, also are frequently presented as evidence of the correctness of the petitioners’ position. The public body can accept a petition and thank the bearers for their efforts, and can agree to include the petition in the body’s deliberations. It should be made clear, however, that a petition again may not be an honest representation of the community.

Chapter 4 Open and Public Meetings Act

Part 1 General Provisions

52-4-101 Title.

This chapter is known as the "Open and Public Meetings Act."

Enacted by Chapter 14, 2006 General Session

52-4-102 Declaration of public policy.

- (1) The Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business.
- (2) It is the intent of the Legislature that the state, its agencies, and its political subdivisions:
 - (a) take their actions openly; and
 - (b) conduct their deliberations openly.

Renumbered and Amended by Chapter 14, 2006 General Session

52-4-103 Definitions.

As used in this chapter:

- (1) "Anchor location" means the physical location from which:
 - (a) an electronic meeting originates; or
 - (b) the participants are connected.
- (2) "Capitol hill complex" means the grounds and buildings within the area bounded by 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake City.
- (3)
 - (a) "Convening" means the calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.
 - (b) "Convening" does not include the initiation of a routine conversation between members of a board of trustees of a large public transit district if the members involved in the conversation do not, during the conversation, take a tentative or final vote on the matter that is the subject of the conversation.
- (4) "Electronic meeting" means a public meeting convened or conducted by means of a conference using electronic communications.
- (5) "Electronic message" means a communication transmitted electronically, including:
 - (a) electronic mail;
 - (b) instant messaging;
 - (c) electronic chat;
 - (d) text messaging, as that term is defined in Section 76-4-401; or
 - (e) any other method that conveys a message or facilitates communication electronically.
- (6)
 - (a) "Meeting" means the convening of a public body or a specified body, with a quorum present, including a workshop or an executive session, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or

acting upon a matter over which the public body or specific body has jurisdiction or advisory power.

- (b) "Meeting" does not mean:
 - (i) a chance gathering or social gathering;
 - (ii) a convening of the State Tax Commission to consider a confidential tax matter in accordance with Section 59-1-405; or
 - (iii) a convening of a three-member board of trustees of a large public transit district as defined in Section 17B-2a-802 if:
 - (A) the board members do not, during the conversation, take a tentative or final vote on the matter that is the subject of the conversation; or
 - (B) the conversation pertains only to day-to-day management and operation of the public transit district.
- (c) "Meeting" does not mean the convening of a public body that has both legislative and executive responsibilities if:
 - (i) no public funds are appropriated for expenditure during the time the public body is convened; and
 - (ii) the public body is convened solely for the discussion or implementation of administrative or operational matters:
 - (A) for which no formal action by the public body is required; or
 - (B) that would not come before the public body for discussion or action.
- (7) "Monitor" means to hear or observe, live, by audio or video equipment, all of the public statements of each member of the public body who is participating in a meeting.
- (8) "Participate" means the ability to communicate with all of the members of a public body, either verbally or electronically, so that each member of the public body can hear or observe the communication.
- (9)
 - (a) "Public body" means:
 - (i) any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:
 - (A) is created by the Utah Constitution, statute, rule, ordinance, or resolution;
 - (B) consists of two or more persons;
 - (C) expends, disburses, or is supported in whole or in part by tax revenue; and
 - (D) is vested with the authority to make decisions regarding the public's business; or
 - (ii) any administrative, advisory, executive, or policymaking body of an association, as that term is defined in Section 53G-7-1101, that:
 - (A) consists of two or more persons;
 - (B) expends, disburses, or is supported in whole or in part by dues paid by a public school or whose employees participate in a benefit or program described in Title 49, Utah State Retirement and Insurance Benefit Act; and
 - (C) is vested with authority to make decisions regarding the participation of a public school or student in an interscholastic activity, as that term is defined in Section 53G-7-1101.
 - (b) "Public body" includes:
 - (i) an interlocal entity or joint or cooperative undertaking, as those terms are defined in Section 11-13-103; and
 - (ii) a governmental nonprofit corporation as that term is defined in Section 11-13a-102.
 - (c) "Public body" does not include:
 - (i) a political party, a political group, or a political caucus;
 - (ii) a conference committee, a rules committee, or a sifting committee of the Legislature;

- (iii) a school community council or charter trust land council, as that term is defined in Section 53G-7-1203;
- (iv) the Economic Development Legislative Liaison Committee created in Section 36-30-201;
- (v) a taxed interlocal entity, as that term is defined in Section 11-13-602; or
- (vi) the following Legislative Management subcommittees, which are established in Section 36-12-8, when meeting for the purpose of selecting or evaluating a candidate to recommend for employment, except that the meeting in which a subcommittee votes to recommend that a candidate be employed shall be subject to the provisions of this act:
 - (A) the Research and General Counsel Subcommittee;
 - (B) the Budget Subcommittee; and
 - (C) the Audit Subcommittee.
- (10) "Public statement" means a statement made in the ordinary course of business of the public body with the intent that all other members of the public body receive it.
- (11)
 - (a) "Quorum" means a simple majority of the membership of a public body, unless otherwise defined by applicable law.
 - (b) "Quorum" does not include a meeting of two elected officials by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have advisory power.
- (12) "Recording" means an audio, or an audio and video, record of the proceedings of a meeting that can be used to review the proceedings of the meeting.
- (13) "Specified body":
 - (a) means an administrative, advisory, executive, or legislative body that:
 - (i) is not a public body;
 - (ii) consists of three or more members; and
 - (iii) includes at least one member who is:
 - (A) a legislator; and
 - (B) officially appointed to the body by the president of the Senate, speaker of the House of Representatives, or governor; and
 - (b) does not include a body listed in Subsection (9)(c)(ii) or (9)(c)(vi).
- (14) "Transmit" means to send, convey, or communicate an electronic message by electronic means.

Amended by Chapter 315, 2018 General Session
Amended by Chapter 356, 2018 General Session
Amended by Chapter 415, 2018 General Session
Amended by Chapter 424, 2018 General Session

52-4-104 Training.

- (1) The presiding officer of the public body shall ensure that the members of the public body are provided with annual training on the requirements of this chapter.
- (2) The presiding officer shall ensure that any training described in Subsection (1) complies with Title 63G, Chapter 22, State Training and Certification Requirements.

Amended by Chapter 200, 2018 General Session

Part 2 Meetings

52-4-201 Meetings open to the public -- Exceptions.

- (1) A meeting is open to the public unless closed under Sections 52-4-204, 52-4-205, and 52-4-206.
- (2)
 - (a) A meeting that is open to the public includes a workshop or an executive session of a public body in which a quorum is present, unless closed in accordance with this chapter.
 - (b) A workshop or an executive session of a public body in which a quorum is present that is held on the same day as a regularly scheduled public meeting of the public body may only be held at the location where the public body is holding the regularly scheduled public meeting unless:
 - (i) the workshop or executive session is held at the location where the public body holds its regularly scheduled public meetings but, for that day, the regularly scheduled public meeting is being held at different location;
 - (ii) any of the meetings held on the same day is a site visit or a traveling tour and, in accordance with this chapter, public notice is given;
 - (iii) the workshop or executive session is an electronic meeting conducted according to the requirements of Section 52-4-207; or
 - (iv) it is not practicable to conduct the workshop or executive session at the regular location of the public body's open meetings due to an emergency or extraordinary circumstances.

Renumbered and Amended by Chapter 14, 2006 General Session
Amended by Chapter 263, 2006 General Session

52-4-202 Public notice of meetings -- Emergency meetings.

- (1)
 - (a)
 - (i) A public body shall give not less than 24 hours' public notice of each meeting.
 - (ii) A specified body shall give not less than 24 hours' public notice of each meeting that the specified body holds on the capitol hill complex.
 - (b) The public notice required under Subsection (1)(a) shall include the meeting:
 - (i) agenda;
 - (ii) date;
 - (iii) time; and
 - (iv) place.
- (2)
 - (a) In addition to the requirements under Subsection (1), a public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule as provided in this section.
 - (b) The public notice under Subsection (2)(a) shall specify the date, time, and place of the scheduled meetings.
- (3)
 - (a) A public body or specified body satisfies a requirement for public notice by:
 - (i) posting written notice:
 - (A) at the principal office of the public body or specified body, or if no principal office exists, at the building where the meeting is to be held; and

- (B) on the Utah Public Notice Website created under Section 63F-1-701; and
- (ii) providing notice to:
 - (A) at least one newspaper of general circulation within the geographic jurisdiction of the public body; or
 - (B) a local media correspondent.
- (b) A public body or specified body is in compliance with the provisions of Subsection (3)(a)(ii) by providing notice to a newspaper or local media correspondent under the provisions of Subsection 63F-1-701(4)(d).
- (c) A public body whose limited resources make compliance with Subsection (3)(a)(i)(B) difficult may request the Division of Archives and Records Service, created in Section 63A-12-101, to provide technical assistance to help the public body in its effort to comply.
- (4) A public body and a specified body are encouraged to develop and use additional electronic means to provide notice of their meetings under Subsection (3).
- (5)
 - (a) The notice requirement of Subsection (1) may be disregarded if:
 - (i) because of unforeseen circumstances it is necessary for a public body or specified body to hold an emergency meeting to consider matters of an emergency or urgent nature; and
 - (ii) the public body or specified body gives the best notice practicable of:
 - (A) the time and place of the emergency meeting; and
 - (B) the topics to be considered at the emergency meeting.
 - (b) An emergency meeting of a public body may not be held unless:
 - (i) an attempt has been made to notify all the members of the public body; and
 - (ii) a majority of the members of the public body approve the meeting.
- (6)
 - (a) A public notice that is required to include an agenda under Subsection (1) shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic shall be listed under an agenda item on the meeting agenda.
 - (b) Subject to the provisions of Subsection (6)(c), and at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting.
 - (c) Except as provided in Subsection (5), relating to emergency meetings, a public body may not take final action on a topic in an open meeting unless the topic is:
 - (i) listed under an agenda item as required by Subsection (6)(a); and
 - (ii) included with the advance public notice required by this section.
- (7) Except as provided in this section, this chapter does not apply to a specified body.

Amended by Chapter 77, 2016 General Session

52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.

- (1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.
- (2)
 - (a) Written minutes of an open meeting shall include:
 - (i) the date, time, and place of the meeting;
 - (ii) the names of members present and absent;
 - (iii) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;

- (iv) a record, by individual member, of each vote taken by the public body;
 - (v) the name of each person who:
 - (A) is not a member of the public body; and
 - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
 - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
 - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.
- (b) A public body may satisfy the requirement under Subsection (2)(a)(iii) or (vi) that minutes include the substance of matters proposed, discussed, or decided or the substance of testimony or comments by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided.
- (3) A recording of an open meeting shall:
- (a) be a complete and unedited record of all open portions of the meeting from the commencement of the meeting through adjournment of the meeting; and
 - (b) be properly labeled or identified with the date, time, and place of the meeting.
- (4)
- (a) As used in this Subsection (4):
 - (i) "Approved minutes" means written minutes:
 - (A) of an open meeting; and
 - (B) that have been approved by the public body that held the open meeting.
 - (ii) "Electronic information" means information presented or provided in an electronic format.
 - (iii) "Pending minutes" means written minutes:
 - (A) of an open meeting; and
 - (B) that have been prepared in draft form and are subject to change before being approved by the public body that held the open meeting.
 - (iv) "Specified local public body" means a legislative body of a county, city, town, or metro township.
 - (v) "State public body" means a public body that is an administrative, advisory, executive, or legislative body of the state.
 - (vi) "State website" means the Utah Public Notice Website created under Section 63F-1-701.
 - (b) Pending minutes, approved minutes, and a recording of a public meeting are public records under Title 63G, Chapter 2, Government Records Access and Management Act.
 - (c) Pending minutes shall contain a clear indication that the public body has not yet approved the minutes or that the minutes are subject to change until the public body approves them.
 - (d) A state public body and a specified local public body shall require an individual who, at an open meeting of the public body, publicly presents or provides electronic information, relating to an item on the public body's meeting agenda, to provide the public body, at the time of the meeting, an electronic or hard copy of the electronic information for inclusion in the public record.
 - (e) A state public body shall:
 - (i) make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes;
 - (ii) within three business days after approving written minutes of an open meeting:
 - (A) post to the state website a copy of the approved minutes and any public materials distributed at the meeting;

- (B) make the approved minutes and public materials available to the public at the public body's primary office; and
 - (C) if the public body provides online minutes under Subsection (2)(b), post approved minutes that comply with Subsection (2)(b) and the public materials on the public body's website; and
 - (iii) within three business days after holding an open meeting, post on the state website an audio recording of the open meeting, or a link to the recording.
- (f) A specified local public body shall:
- (i) make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes;
 - (ii) within three business days after approving written minutes of an open meeting, post and make available a copy of the approved minutes and any public materials distributed at the meeting, as provided in Subsection (4)(e)(ii); and
 - (iii) within three business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.
- (g) A public body that is not a state public body or a specified local public body shall:
- (i) make pending minutes available to the public within a reasonable time after holding the open meeting that is the subject of the pending minutes;
 - (ii) within three business days after approving written minutes, make the approved minutes available to the public; and
 - (iii) within three business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.
- (h) A public body shall establish and implement procedures for the public body's approval of the written minutes of each meeting.
- (i) Approved minutes of an open meeting are the official record of the meeting.
- (5) All or any part of an open meeting may be independently recorded by any person in attendance if the recording does not interfere with the conduct of the meeting.
- (6) The written minutes or recording of an open meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
- (7) Notwithstanding Subsection (1), a recording is not required to be kept of:
- (a) an open meeting that is a site visit or a traveling tour, if no vote or action is taken by the public body; or
 - (b) an open meeting of a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, if the district's annual budgeted expenditures for all funds, excluding capital expenditures and debt service, are \$50,000 or less.

Amended by Chapter 425, 2018 General Session

52-4-204 Closed meeting held upon vote of members -- Business -- Reasons for meeting recorded.

- (1) A closed meeting may be held if:
- (a)
 - (i) a quorum is present;
 - (ii) the meeting is an open meeting for which notice has been given under Section 52-4-202; and
 - (iii)

- (A) two-thirds of the members of the public body present at the open meeting vote to approve closing the meeting;
 - (B) for a meeting that is required to be closed under Section 52-4-205, if a majority of the members of the public body present at an open meeting vote to approve closing the meeting;
 - (C) for an ethics committee of the Legislature that is conducting an open meeting for the purpose of reviewing an ethics complaint, a majority of the members present vote to approve closing the meeting for the purpose of seeking or obtaining legal advice on legal, evidentiary, or procedural matters, or for conducting deliberations to reach a decision on the complaint; or
 - (D) for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201 that is conducting an open meeting for the purpose of reviewing an ethics complaint in accordance with Section 63A-15-701, a majority of the members present vote to approve closing the meeting for the purpose of seeking or obtaining legal advice on legal, evidentiary, or procedural matters, or for conducting deliberations to reach a decision on the complaint; or
- (b)
- (i) for the Independent Legislative Ethics Commission, the closed meeting is convened for the purpose of conducting business relating to the receipt or review of an ethics complaint, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to the receipt or review of ethics complaints";
 - (ii) for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201, the closed meeting is convened for the purpose of conducting business relating to the preliminary review of an ethics complaint in accordance with Section 63A-15-602, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to the review of ethics complaints"; or
 - (iii) for the Independent Executive Branch Ethics Commission created in Section 63A-14-202, the closed meeting is convened for the purpose of conducting business relating to an ethics complaint, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to an ethics complaint."
- (2) A closed meeting is not allowed unless each matter discussed in the closed meeting is permitted under Section 52-4-205.
 - (3) An ordinance, resolution, rule, regulation, contract, or appointment may not be approved at a closed meeting.
 - (4) The following information shall be publicly announced and entered on the minutes of the open meeting at which the closed meeting was approved:
 - (a) the reason or reasons for holding the closed meeting;
 - (b) the location where the closed meeting will be held; and
 - (c) the vote by name, of each member of the public body, either for or against the motion to hold the closed meeting.
 - (5) Except as provided in Subsection 52-4-205(2), nothing in this chapter shall be construed to require any meeting to be closed to the public.

Amended by Chapter 461, 2018 General Session

52-4-205 Purposes of closed meetings -- Certain issues prohibited in closed meetings.

- (1) A closed meeting described under Section 52-4-204 may only be held for:
 - (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual;
 - (b) strategy sessions to discuss collective bargaining;
 - (c) strategy sessions to discuss pending or reasonably imminent litigation;
 - (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
 - (i) disclose the appraisal or estimated value of the property under consideration; or
 - (ii) prevent the public body from completing the transaction on the best possible terms;
 - (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
 - (i) public discussion of the transaction would:
 - (A) disclose the appraisal or estimated value of the property under consideration; or
 - (B) prevent the public body from completing the transaction on the best possible terms;
 - (ii) the public body previously gave public notice that the property would be offered for sale; and
 - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
 - (f) discussion regarding deployment of security personnel, devices, or systems;
 - (g) investigative proceedings regarding allegations of criminal misconduct;
 - (h) as relates to the Independent Legislative Ethics Commission, conducting business relating to the receipt or review of ethics complaints;
 - (i) as relates to an ethics committee of the Legislature, a purpose permitted under Subsection 52-4-204(1)(a)(iii)(C);
 - (j) as relates to the Independent Executive Branch Ethics Commission created in Section 63A-14-202, conducting business relating to an ethics complaint;
 - (k) as relates to a county legislative body, discussing commercial information as defined in Section 59-1-404;
 - (l) as relates to the Utah Higher Education Assistance Authority and its appointed board of directors, discussing fiduciary or commercial information as defined in Section 53B-12-102;
 - (m) deliberations, not including any information gathering activities, of a public body acting in the capacity of:
 - (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code, during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;
 - (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or
 - (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17, Procurement Appeals Board;
 - (n) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary in order to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;
 - (o) the purpose of discussing information provided to the public body during the procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of the meeting:
 - (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be disclosed to a member of the public or to a participant in the procurement process; and
 - (ii) the public body needs to review or discuss the information in order to properly fulfill its role and responsibilities in the procurement process; or
 - (p) a purpose for which a meeting is required to be closed under Subsection (2).

- (2) The following meetings shall be closed:
 - (a) a meeting of the Health and Human Services Interim Committee to review a fatality review report described in Subsection 62A-16-301(1)(a), and the responses to the report described in Subsections 62A-16-301(2) and (4);
 - (b) a meeting of the Child Welfare Legislative Oversight Panel to:
 - (i) review a fatality review report described in Subsection 62A-16-301(1)(a), and the responses to the report described in Subsections 62A-16-301(2) and (4); or
 - (ii) review and discuss an individual case, as described in Subsection 62A-4a-207(5); and
 - (c) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose of advising the Natural Resource Conservation Service of the United States Department of Agriculture on a farm improvement project if the discussed information is protected information under federal law.
- (3) In a closed meeting, a public body may not:
 - (a) interview a person applying to fill an elected position;
 - (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or
 - (c) discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

Amended by Chapter 196, 2014 General Session

52-4-206 Record of closed meetings.

- (1) Except as provided under Subsection (6), if a public body closes a meeting under Subsection 52-4-205(1), the public body:
 - (a) shall make a recording of the closed portion of the meeting; and
 - (b) may keep detailed written minutes that disclose the content of the closed portion of the meeting.
- (2) A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment of the closed meeting.
- (3) The recording and any minutes of a closed meeting shall include:
 - (a) the date, time, and place of the meeting;
 - (b) the names of members present and absent; and
 - (c) the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.
- (4) Minutes or recordings of a closed meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
- (5) A recording, transcript, report, and written minutes of a closed meeting are protected records under Title 63G, Chapter 2, Government Records Access and Management Act, except that the records may be disclosed under a court order only as provided under Section 52-4-304.
- (6) If a public body closes a meeting exclusively for the purposes described under Subsection 52-4-205(1)(a), (1)(f), or (2):
 - (a) the person presiding shall sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss the purposes described under Subsection 52-4-205(1)(a),(1)(f), or (2); and
 - (b) the provisions of Subsection (1) of this section do not apply.

Amended by Chapter 425, 2018 General Session

52-4-207 Electronic meetings -- Authorization -- Requirements.

- (1) Except as otherwise provided for a charter school in Section 52-4-209, a public body may convene and conduct an electronic meeting in accordance with this section.
- (2)
 - (a) A public body may not hold an electronic meeting unless the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings.
 - (b) The resolution, rule, or ordinance may:
 - (i) prohibit or limit electronic meetings based on budget, public policy, or logistical considerations;
 - (ii) require a quorum of the public body to:
 - (A) be present at a single anchor location for the meeting; and
 - (B) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection;
 - (iii) require a request for an electronic meeting to be made by a member of a public body up to three days prior to the meeting to allow for arrangements to be made for the electronic meeting;
 - (iv) restrict the number of separate connections for members of the public body that are allowed for an electronic meeting based on available equipment capability; or
 - (v) establish other procedures, limitations, or conditions governing electronic meetings not in conflict with this section.
- (3) A public body that convenes or conducts an electronic meeting shall:
 - (a) give public notice of the meeting:
 - (i) in accordance with Section 52-4-202; and
 - (ii) post written notice at the anchor location;
 - (b) in addition to giving public notice required by Subsection (3)(a), provide:
 - (i) notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
 - (ii) a description of how the members will be connected to the electronic meeting;
 - (c) establish one or more anchor locations for the public meeting, at least one of which is in the building and political subdivision where the public body would normally meet if they were not holding an electronic meeting;
 - (d) provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting; and
 - (e) if comments from the public will be accepted during the electronic meeting, provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (4) Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Amended by Chapter 31, 2011 General Session

52-4-208 Chance or social meetings.

- (1) This chapter does not apply to any chance meeting or a social meeting.

- (2) A chance meeting or social meeting may not be used to circumvent the provisions of this chapter.

Enacted by Chapter 14, 2006 General Session

52-4-209 Electronic meetings for charter school board.

- (1) Notwithstanding the definitions provided in Section 52-4-103 for this chapter, as used in this section:
- (a) "Anchor location" means a physical location where:
 - (i) the charter school board would normally meet if the charter school board were not holding an electronic meeting; and
 - (ii) space, a facility, and technology are provided to the public to monitor and, if public comment is allowed, to participate in an electronic meeting during regular business hours.
 - (b) "Charter school board" means the governing board of a school created under Title 53G, Chapter 5, Charter Schools.
 - (c) "Meeting" means the convening of a charter school board:
 - (i) with a quorum who:
 - (A) monitors a website at least once during the electronic meeting; and
 - (B) casts a vote on a website, if a vote is taken; and
 - (ii) for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the charter school board has jurisdiction or advisory power.
 - (d) "Monitor" means to:
 - (i) read all the content added to a website by the public or a charter school board member; and
 - (ii) view a vote cast by a charter school board member on a website.
 - (e) "Participate" means to add content to a website.
- (2)
- (a) A charter school board may convene and conduct an electronic meeting in accordance with Section 52-4-207.
 - (b) A charter school board may convene and conduct an electronic meeting in accordance with this section that is in writing on a website if:
 - (i) the chair verifies that a quorum monitors the website;
 - (ii) the content of the website is available to the public;
 - (iii) the chair controls the times in which a charter school board member or the public participates; and
 - (iv) the chair requires a person to identify himself or herself if the person:
 - (A) participates; or
 - (B) casts a vote as a charter school board member.
- (3) A charter school that conducts an electronic meeting under this section shall:
- (a) give public notice of the electronic meeting:
 - (i) in accordance with Section 52-4-202; and
 - (ii) by posting written notice at the anchor location as required under Section 52-4-207;
 - (b) in addition to giving public notice required by Subsection (3)(a), provide:
 - (i) notice of the electronic meeting to the members of the charter school board at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present;
 - (ii) a description of how the members and the public may be connected to the electronic meeting;
 - (iii) a start and end time for the meeting, which shall be no longer than 5 days; and

- (iv) a start and end time for when a vote will be taken in an electronic meeting, which shall be no longer than four hours; and
- (c) provide an anchor location.
- (4) The chair shall:
 - (a) not allow anyone to participate from the time the notice described in Subsection (3)(b)(iv) is given until the end time for when a vote will be taken; and
 - (b) allow a charter school board member to change a vote until the end time for when a vote will be taken.
- (5) During the time in which a vote may be taken, a charter school board member may not communicate in any way with any person regarding an issue over which the charter school board has jurisdiction.
- (6) A charter school conducting an electronic meeting under this section may not close a meeting as otherwise allowed under this part.
- (7)
 - (a) Written minutes shall be kept of an electronic meeting conducted as required in Section 52-4-203.
 - (b)
 - (i) Notwithstanding Section 52-4-203, a recording is not required of an electronic meeting described in Subsection (2)(b).
 - (ii) All of the content of the website shall be kept for an electronic meeting conducted under this section.
 - (c) Written minutes are the official record of action taken at an electronic meeting as required in Section 52-4-203.
- (8)
 - (a) A charter school board shall ensure that the website used to conduct an electronic meeting:
 - (i) is secure; and
 - (ii) provides with reasonably certainty the identity of a charter school board member who logs on, adds content, or casts a vote on the website.
 - (b) A person is guilty of a class B misdemeanor if the person falsely identifies himself or herself as required by Subsection (2)(b)(iv).
- (9) Compliance with the provisions of this section by a charter school constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Amended by Chapter 415, 2018 General Session

52-4-210 Electronic message transmissions.

Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.

Enacted by Chapter 25, 2011 General Session

**Part 3
Enforcement**

52-4-301 Disruption of meetings.

This chapter does not prohibit the removal of any person from a meeting, if the person willfully disrupts the meeting to the extent that orderly conduct is seriously compromised.

Enacted by Chapter 14, 2006 General Session

52-4-302 Suit to void final action -- Limitation -- Exceptions.

- (1)
 - (a) Any final action taken in violation of Section 52-4-201, 52-4-202, 52-4-207, or 52-4-209 is voidable by a court of competent jurisdiction.
 - (b) A court may not void a final action taken by a public body for failure to comply with the posting written notice requirements under Subsection 52-4-202(3)(a)(i)(B) if:
 - (i) the posting is made for a meeting that is held before April 1, 2009; or
 - (ii)
 - (A) the public body otherwise complies with the provisions of Section 52-4-202; and
 - (B) the failure was a result of unforeseen Internet hosting or communication technology failure.
- (2) Except as provided under Subsection (3), a suit to void final action shall be commenced within 90 days after the date of the action.
- (3) A suit to void final action concerning the issuance of bonds, notes, or other evidences of indebtedness shall be commenced within 30 days after the date of the action.

Amended by Chapter 403, 2012 General Session

52-4-303 Enforcement of chapter -- Suit to compel compliance.

- (1) The attorney general and county attorneys of the state shall enforce this chapter.
- (2) The attorney general shall, on at least a yearly basis, provide notice to all public bodies that are subject to this chapter of any material changes to the requirements for the conduct of meetings under this chapter.
- (3) A person denied any right under this chapter may commence suit in a court of competent jurisdiction to:
 - (a) compel compliance with or enjoin violations of this chapter; or
 - (b) determine the chapter's applicability to discussions or decisions of a public body.
- (4) The court may award reasonable attorney fees and court costs to a successful plaintiff.

Renumbered and Amended by Chapter 14, 2006 General Session

Amended by Chapter 263, 2006 General Session

52-4-304 Action challenging closed meeting.

- (1) Notwithstanding the procedure established under Subsection 63G-2-202(7), in any action brought under the authority of this chapter to challenge the legality of a closed meeting held by a public body, the court shall:
 - (a) review the recording or written minutes of the closed meeting in camera; and
 - (b) decide the legality of the closed meeting.
- (2)
 - (a) If the judge determines that the public body did not violate Section 52-4-204, 52-4-205, or 52-4-206 regarding closed meetings, the judge shall dismiss the case without disclosing or revealing any information from the recording or minutes of the closed meeting.

- (b) If the judge determines that the public body violated Section 52-4-204, 52-4-205, or 52-4-206 regarding closed meetings, the judge shall publicly disclose or reveal from the recording or minutes of the closed meeting all information about the portion of the meeting that was illegally closed.
- (3) Nothing in this section may be construed to affect the ability of a public body to reclassify a record, as defined in Section 63G-2-103, as provided in Section 63G-2-307.

Amended by Chapter 425, 2018 General Session

52-4-305 Criminal penalty for closed meeting violation.

In addition to any other penalty under this chapter, a member of a public body who knowingly or intentionally violates or who knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of this chapter is guilty of a class B misdemeanor.

Enacted by Chapter 263, 2006 General Session



MEMORANDUM

To: Architectural Review Commission (ARC)
From: Andy Hulka, Associate Planner
Date: June 27, 2019
Subject: CUP-19-005, 7-Eleven Convenience Store and Gas Station, 7269 S. Union Park Ave.

INTRODUCTION

An application has been made for architectural review and approval of a Certificate of Design Compliance for a new 7-Eleven convenience store and gas station at 7269 S. Union Park Ave. ARC review of this project is required because the property is located in the city's Gateway Overlay District.

C. Certificate of design compliance. *A certificate of design compliance issued by the ARC shall be required before proceeding with any new development or changes to existing development in a Gateway Overlay District. No alteration of the existing condition of land, structures, signs, landscaping or lighting, including, without limitation, demolition of any structure, application of new exterior siding material, creation of a new window or dormer, creation of a driveway or parking facility, construction of a fence or garage, or enclosure of a porch shall be permitted within the Gateway Overlay District except as provided in this chapter.*

CONTEXT



PROPOSAL

This proposal is for a new convenience store and gas station on a 0.68-acre parcel. The current zoning designation on the property is Regional Commercial (CR). The applicant has submitted a site plan, landscaping plan, lighting plan, building elevations, and a narrative. Included in this memo are copies of each relevant plan.

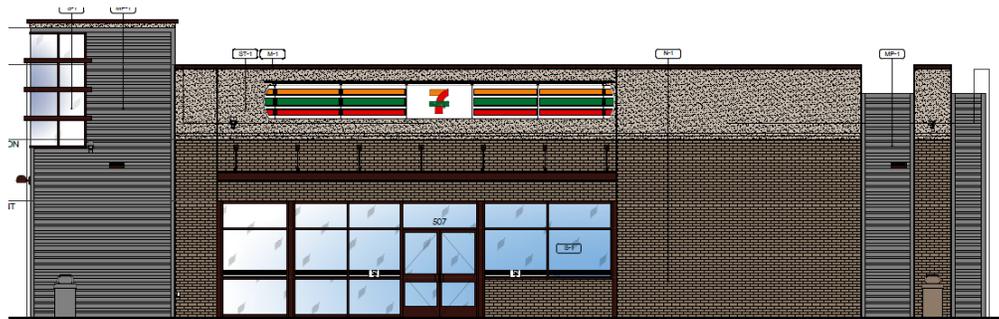
DESIGN GUIDELINES REVIEW

Staff has completed a preliminary review of the plans for compliance with the city's design guidelines. The following list of items for ARC consideration includes suggestions based on the design guidelines and concerns from neighboring residents.

Entrances

- "Entrance areas should have a high quality of finish and level of detail." (p. 1, #2)
- "To make entrances stand out, implement at least two articulation techniques, such as: clerestories, oversized doors, windows flanking doors, ornamental lighting, decorative stone/masonry, a pedestrian area with seating, public art, or landscaping." (p. 1, #6)

Staff Analysis: Although the entrance features lights, an awning, and windows flanking doors, the entry area does not feature any additional elements or details beyond what is typical for most 7-Eleven stores. Staff recommends adding additional landscaping, ornamental lighting, or other features to improve the entrance design.



Main Entrance Elevation

Windows

- "The majority of windows on a given floor should be relatively equal in size." (p. 2, #5)

Staff Analysis: The windows at the entrance are not symmetrical. The windows to the left of the entrance extend to the ground, but the windows to the right of the door do not. Staff recommends redesigning the windows around the entrance to be more symmetrical.



Street-facing Elevation

Awnings & Canopies

- “In developments with multiple storefronts, awnings should be complementary in size, color, and material.” (p. 3, #2)

Staff Analysis: The front awning appears to be slightly higher than the side awning. Staff recommends revising plans so awnings are at the same level.

National Franchise/Big-Box Stores

- “Prototypical signage and architecture of big-box stores is discouraged.” (p. 5, #1)

Staff Analysis: Staff recommends close review of the design to ensure compliance with this provision.

Roofs

- “All parapets should feature cornice treatments.” (p. 8, #2)

Staff Analysis: Staff recommends adding a cornice treatment to the proposed parapets.

Building-Mounted & Canopy Lighting

- “Building-mounted lights should be designed to complement the architecture of the building.” (p. 9, #8)

Staff Analysis: Staff recommends modifying the building-mounted lights to match the architecture of the building (e.g. different color or material for fixtures).

Evolve™ LED Area Light

Scalable Wall Pack (EWS3)



Proposed wall-mounted lights

Site Lighting

- “Limit parking lot light poles to a maximum of eighteen (18) feet to maintain a human scale and adhere to the CWH ordinance.” (p. 26, #2)

Staff Analysis: The proposed parking lot lights are 20 feet high. Revise the lighting plans to bring the lights into compliance with the zoning ordinance.

Building Materials

- “Openings (doors or windows) in a brick or stone façade should have a lintel, arch, or soldier course.” (p. 12, #5)
- “Horizontal change from brick or stone to another material must be done using a stone cap or brick sill that protrudes from the face of the building.” (p. 12, #7)

Staff Analysis: Staff recommends adding a lintel above the entryway and windows and adding a brick sill at the transition from the brick to EIFS.

Landscape & Streetscape

- “Use vegetation that fits in naturally with the area and the surrounding developments.” (p. 17, #4)
- “Include trees along all pedestrian walkways where possible.” (p. 17, #6)

Staff Analysis: Effort should be made to preserve the existing vegetation along Little Cottonwood Creek and to replace any removed trees with new trees. Only two trees are proposed on the landscape plan. Staff recommends adding additional trees along the street frontage where possible.

Signs

- “One monument sign per project street frontage is allowed, and must be consistent in design with the architecture of the building and adhere to appropriate design guidelines.” (p. 23, #13)

Staff Analysis: The zoning ordinance prohibits pole signs. The existing Wingers pole sign must be removed with the new development. A conforming monument sign is allowed but must receive ARC approval. Staff recommends submittal of a monument sign design and gas canopy signs as part of this application.

STAFF RECOMMENDATION

Staff recommends approval of a Certificate of Design Compliance subject to the following conditions:

1. Revise the entryway design so the windows on both sides of the door are symmetrical;
2. All awnings must be mounted at the same level;
3. Modify the building-mounted light fixtures to match the color of the building;
4. Revise the lighting plan so that the parking lot lights are not more than 18 feet in height;
5. Add a lintel above the entryway and windows;
6. Add a brick sill at the transition from the brick to EIFS material;
7. Add a cornice treatment to the proposed parapets;
8. Preserve the existing vegetation along Little Cottonwood Creek to the greatest extent possible;
9. Add additional trees along the street frontage;
10. Additional signage not shown in this submittal requires approval by the ARC.

APPROVAL PROCESS

Prior to the issuance of any permit for building and/or site work, staff will review final plan submittals for compliance with applicable city ordinances pertaining to setbacks, building height, landscaping, parking, etc. Issuance of a Certificate of Design Compliance will ensure that the applicant has complied with pertinent city ordinances regarding architecture and site design. The Planning Commission must approval a conditional use permit to operate a gasoline stations in the Regional Commercial zone.

APPLICANT INFORMATION

- Stephen Selu, Kimley-Horn
 - 385-212-3178

MODEL MOTIONS**Approval**

I move to issue a Certificate of Design Compliance for project CUP-19-005 subject to all recommended conditions of approval outlined in the staff report dated June 27, 2019.

- Add any additional conditions of approval...

Denial

I move to deny a Certificate of Design for project CUP-19-005 based on the following findings:

- List reasons for denial...

ATTACHMENTS

1. Applicant's Narrative
2. Plan Submittal (site plan, landscape plan, building elevations, etc.)



March 21, 2019

Cottonwood Heights City
Community Development Department
2277 E. Bengal Blvd.
Cottonwood Heights, UT 84121
T: (801) 944-7000

RE: 7-Eleven Cottonwood Heights
Project Narrative

Dear Mike Johnson:

This letter is presented on behalf of Fort Union Shopping Center LLC (the "Owner"), the property owner of Parcel 22-29-279-002-0000 located at 7269 South Fort Union Park Avenue (the "Site") in Cottonwood Heights (the "City"), Utah. It is the Owner's intent to develop a 7-Eleven convenience store and gas station on the subject parcel. The Site is approximately 0.68 acres and located within the Regional Commercial (CR) Zone in which the proposed use is considered a Conditional Use.

The purpose of this letter is to display how the proposed development conforms to the development standards applicable to the Regional Commercial Zone as written in Chapter 19.40 of Cottonwood Heights Code of Ordinance. The purpose of the CR zone is to establish areas for larger scaled commercial uses to support and serve the community, region, and traveling public. Development within the CR zone should be designed to encourage pedestrian and transit access, be compatible with neighboring residential neighborhoods, and be consistent with road and utility capacities.

The proposed use is a retail business that is well suited to support and serve the surrounding community. 7-Eleven is located adjacent to residential, office, and other commercial developments and provides a more convenient and faster alternative to the larger scale stores. With 7-Eleven focused on the sell of every day goods they are made to make life easier for customers. The location provides ease of access for neighboring residents, traveling pedestrians, and vehicular traffic. Their 24-hour service is also a benefit to the surrounding community as their doors are always open to serve customers in need.

The building architecture will comply with the City's architectural standards related to the Gateway Overlay Zone and blend in with the surrounding environment. Due to the small building footprint

According to Section 19.40.150 Subsection F a seven-foot-high masonry wall shall be constructed and maintained along any property line shared between a development within the CR Zone and residential uses. The east property line shared with the multi-family residential development lies within the Cahoon and Maxfield Ditch. The commercial site sits approximately five to ten feet higher than the residential development with the bottom of the ditch being lower than the residential development. The Ditch provides a natural buffer between the commercial and residential uses with the existing vegetation providing natural screening from lights and noise. Also, the residential parking lot serves as an additional buffer decreasing the potential of noise and light from impacting the residents.

In closing, since the Owner acquired the parcel nearly two years ago, the Owner has actively and diligently sought tenants for the Parcel. Many have expressed interest and with each prospect the same concerns were raised. The existing building is undesirable. The site geometry and the encroachment of the ditch further constrains the site. Given the unique constraints, imposing additional contextual constraints of the current Zoning Ordinance would inhibit the Owner's ability to redevelop this Parcel.



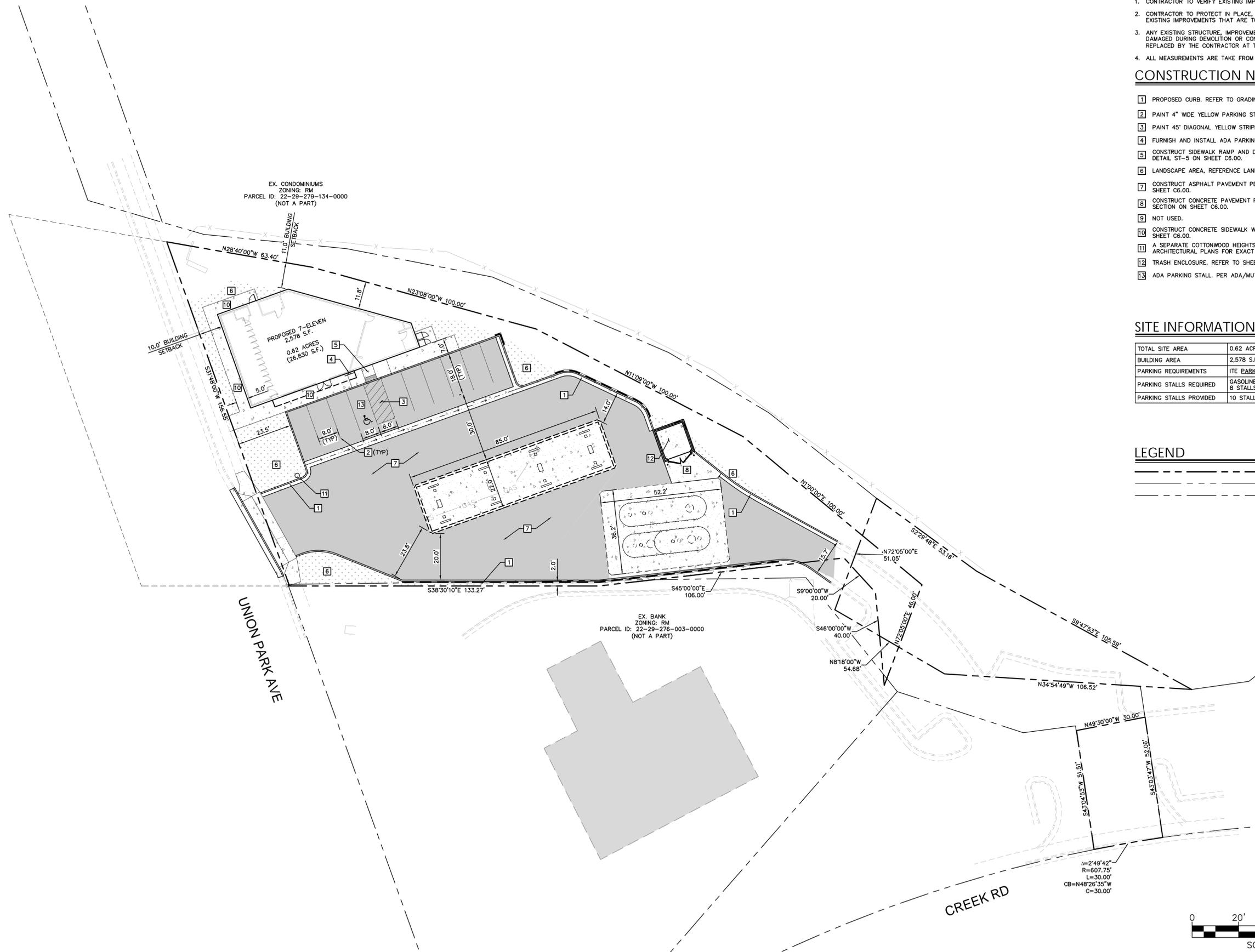
We appreciate your efforts in the review of the proposed development of Advance Auto Parts. Please contact me should you have any question at stephen.selu@kimley-horn.com or (385) 212-3178.

Sincerely,

A handwritten signature in black ink that reads "Stephen Selu". The signature is written in a cursive style with a large initial "S".

KIMLEY-HORN AND ASSOCIATES, INC.
Stephen A. Selu, P.E.
Project Manager

Date: June 7, 2019 11:44 AM
 User: BROWNING, MATT
 Path: K:\S\C_Civil\09240001_7-ELEVEN_COTTONWOOD HEIGHTS - FORT UNION-CADDIS PLAN SHEETS\09240001_MC.DWG
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GENERAL NOTES

1. CONTRACTOR TO VERIFY EXISTING IMPROVEMENTS SHOWN ON THE PLAN.
2. CONTRACTOR TO PROTECT IN PLACE, DURING DEMOLITION AND CONSTRUCTION, ALL EXISTING IMPROVEMENTS THAT ARE TO REMAIN AS NOTED ON THE PLAN.
3. ANY EXISTING STRUCTURE, IMPROVEMENT OR APPURTENANCE TO REMAIN THAT IS DAMAGED DURING DEMOLITION OR CONSTRUCTION SHALL BE IMMEDIATELY REPAIRED OR REPLACED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
4. ALL MEASUREMENTS ARE TAKE FROM FACE OF CURB UNLESS NOTED OTHERWISE.

CONSTRUCTION NOTES

- 1 PROPOSED CURB. REFER TO GRADING PLAN FOR DETAILS.
- 2 PAINT 4" WIDE YELLOW PARKING STRIPING.
- 3 PAINT 45° DIAGONAL YELLOW STRIPING.
- 4 FURNISH AND INSTALL ADA PARKING SIGN AND POST.
- 5 CONSTRUCT SIDEWALK RAMP AND DETECTABLE WARNING SYSTEM PER COTTONWOOD HEIGHTS DETAIL ST-5 ON SHEET C6.00.
- 6 LANDSCAPE AREA, REFERENCE LANDSCAPE PLANS.
- 7 CONSTRUCT ASPHALT PAVEMENT PER TYPICAL ASPHALT CONCRETE PAVEMENT SECTION ON SHEET C6.00.
- 8 CONSTRUCT CONCRETE PAVEMENT PER TYPICAL PORTLAND CEMENT CONCRETE PAVEMENT SECTION ON SHEET C6.00.
- 9 NOT USED.
- 10 CONSTRUCT CONCRETE SIDEWALK WIDTH PER PLAN PER COTTONWOOD HEIGHTS DETAIL ST-1 ON SHEET C6.00.
- 11 A SEPARATE COTTONWOOD HEIGHTS CITY PERMIT IS REQUIRED FOR SIGNAGE. REFERENCE ARCHITECTURAL PLANS FOR EXACT SIGNAGE LOCATION.
- 12 TRASH ENCLOSURE. REFER TO SHEET C6.10 FOR DETAILS.
- 13 ADA PARKING STALL. PER ADA/MUTCD STANDARDS.

SITE INFORMATION

TOTAL SITE AREA	0.62 ACRES (26,830 S.F.)
BUILDING AREA	2,578 S.F.
PARKING REQUIREMENTS	ITE PARKING GENERATION, 4TH EDITION
PARKING STALLS REQUIRED	GASOLINE STATION WITH CONVENIENCE MARKET, 85% PEAK DEMAND: 8 STALLS
PARKING STALLS PROVIDED	10 STALLS

LEGEND

- PROPERTY LINE
- - - RIGHT-OF-WAY LINE
- - - ADJACENT PROPERTY LINE

DATE	DESCRIPTION

SITE PLAN

7-ELEVEN



7269 S UNION PARK AVENUE
 COTTONWOOD HEIGHTS, UTAH

DRAWN BY:	MJB	6/07/2019
DESIGNED BY:	SAS	6/07/2019
CHECKED BY:	SAS	6/07/2019
PROJECT NO.:	093600001	SCALE: AS SHOWN



PREPARED UNDER THE DIRECTION AND SUPERVISION OF STEPHEN A. SELU, P.E., UTAH REGISTRATION NO. 9717624-2202 FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

SHEET
C3.10

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 1-800-662-4111
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811
 Know what's BELOW.
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CAUTION: NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

IRRIGATION NOTES

1. CONTRACTOR SHALL REVIEW AND FIELD VERIFY LAYOUT OF ALL IRRIGATION SYSTEM COMPONENTS AND HAVE THE LAYOUT APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO STARTING INSTALLATION.
2. SYSTEM DESIGN REQUIRES A STATIC PRESSURE OF 60 TO 75 PSI. CONTRACTOR SHALL FIELD VERIFY PRESSURE PRIOR TO ORDERING MATERIAL OR STARTING IRRIGATION INSTALLATION AND NOTIFY CONSULTANT AND OWNER'S REPRESENTATIVE OF ANY DIFFERENCE FROM PRESSURE INDICATED. IF CONTRACTOR FAILS TO NOTIFY CONSULTANT AND OWNER'S REPRESENTATIVE, HE ASSUMES FULL RESPONSIBILITY FOR ANY SYSTEM ALTERATIONS.
3. ALL PIPING AND WIRING PLACED UNDER PAVED AREAS SHALL BE PER PLAN DETAILS. SLEEVE INSTALLATIONS SHALL BE COMPLETED PRIOR TO THE START OF ANY PAVING OPERATIONS (SEE ENGINEERING PAVING PLANS). WHERE NECESSARY, VERIFY EXISTING SLEEVE LOCATIONS AND DETERMINE CONDITION AND COMPATIBILITY WITH DESIGN PRIOR TO THE START OF ANY OTHER WORK. SLEEVING BENEATH EXISTING PAVEMENTS SHALL BE INSTALLED BY BORING UNLESS OTHERWISE APPROVED BY THE OWNER'S REPRESENTATIVE.
4. THE IRRIGATION SYSTEM LAYOUT SHOWN ON THE DRAWINGS IS GENERALLY SCHEMATIC. ALL VALVES, COMPONENTS, PIPING, FITTINGS AND EQUIPMENT SHALL BE LOCATED WITHIN LANDSCAPE AREAS UNLESS SLEEVED OR OTHERWISE SHOWN OR APPROVED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND INSTALLING NEW IRRIGATION SYSTEM COMPONENTS AND POINT OF CONNECTION WHICH WILL PROVIDE FULL AUTOMATIC OPERATION AND 100% COMPLETE COVERAGE TO ALL PLANTS AS INDICATED ON THE PLANS WITHOUT RUN-OFF OR OVERTHROW ONTO ANY PAVED SURFACES.
5. REFER TO DETAILS FOR INSTALLATION PROCEDURES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL PIPING NECESSARY TO PROVIDE A COMPLETE AND FULLY OPERATIONAL IRRIGATION SYSTEM INCLUDING ALL SUB-LATERAL PIPING, FITTINGS, AND RISERS TO EACH PLANT EMITTER AS SPECIFIED AND AS DETAILED, WHETHER OR NOT PIPING IS SHOWN ON THE PLANS.
7. ANY SUBSTITUTIONS OR OMISSIONS OF IRRIGATION COMPONENTS AND EQUIPMENT MUST BE APPROVED IN WRITING BY OWNER'S REPRESENTATIVE PRIOR TO STARTING INSTALLATION.

IRRIGATION LEGEND

SYMBOL	MANUFACTURER / DESCRIPTION	QTY
A	Rainbird ESP 12-LXMEF with Flow Smart Module and LXMM Metal Wall Mount Enclosure; Provide Electrical per Manufacturer's Specifications. Coordinate Final Location with Owner.	1
W	Irrigation Meter, See Utility Plan	-
CO	1-1/2" Backflow Preventer - FEBCO 825Y	1
MV	Rainbird 150 EFB-CP 1.5" Master Valve, Normally Closed, with Rainbird PRS-D Pressure Regulating Module	1
FS	Rainbird FS150B 1.5" Brass Flow Sensor	1
CV	Rainbird X CZ-100-PRB-COM Drip Control Valve Kit with 1" Ball Valve and Pressure Regulating Basket Filter	2
RV	Rainbird 150-PESB-PRS-D, 1-1/2" Electric Remote Control Spray Valve with Pressure Regulating Module	2
FC	Flush End Cap	2
NOZ	Rainbird HE-VAN-8 (8' radius) Spray Nozzle on RD06-S-P30-F, 6" pop-up Spray Body, (Avoid Overspray, Provide Head to Head Coverage)	24
NOT SHOWN	SHRUBS: Rain Bird XBT-10-6 / XBT-05-6 (1 per Shrub, 5 Ports Open Max) TREES: Rain Bird XBT-20-6 (1 per Tree, 6 Ports Open)	AS REQD

SLEEVES

SYMBOL	SIZE / DESCRIPTION	QTY
2	2" SCH 40 / Spears or equal - for drip and spray laterals	115 LF
1	4" SCH 40 / Spears or equal - for mainline	8 LF

Note: All irrigation pipe and control wire beneath paved surfaces shall be sleeved in independent sleeves, min. 2x the diameter of the pipe.

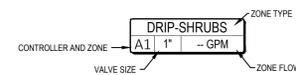
PIPE SCHEDULE

SYMBOL	SIZE / DESCRIPTION	QTY
---	1" SCH 40 PVC Mainline	45 LF
T	SCH 40 PVC - Drip Tree Lateral - 3/4"	465 LF
S	SCH 40 PVC - Drip Shrub Lateral - 3/4"	635 LF
---	SCH 40 PVC - Spray Lateral - 3/4"	180 LF

PROVIDE AND INSTALL ALL LENGTHS, FITTINGS, AND RISERS AS NECESSARY FROM LATERAL PIPE TO EMITTER INSTALLATION AT EACH PLANT (SEE DETAILS).

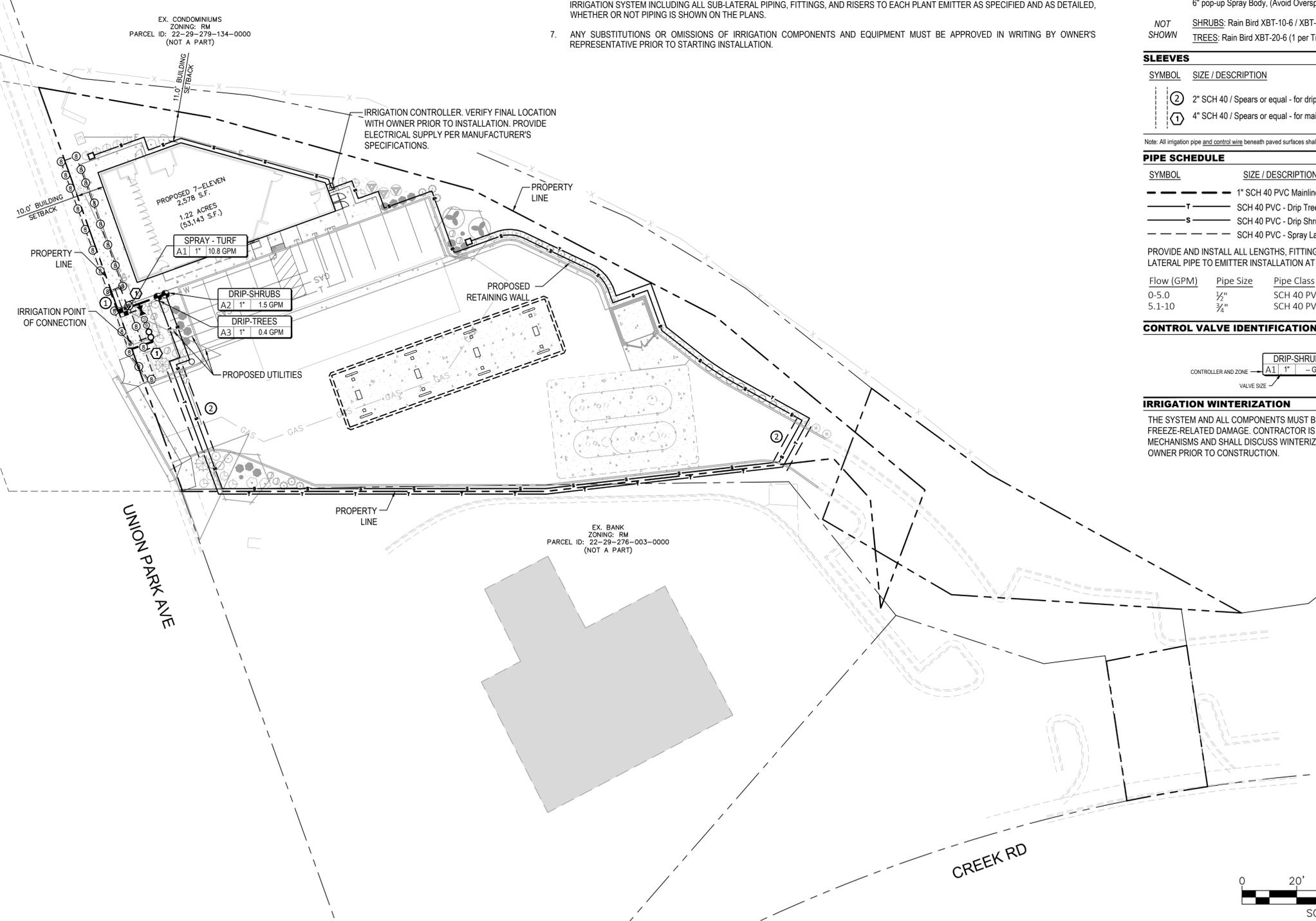
Flow (GPM)	Pipe Size	Pipe Class
0-5.0	1/2"	SCH 40 PVC
5.1-10	3/4"	SCH 40 PVC

CONTROL VALVE IDENTIFICATION



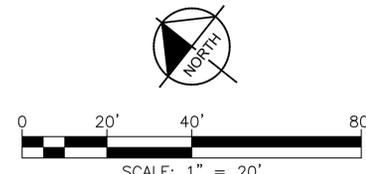
IRRIGATION WINTERIZATION

THE SYSTEM AND ALL COMPONENTS MUST BE PROPERLY WINTERIZED TO PREVENT FREEZE-RELATED DAMAGE. CONTRACTOR IS RESPONSIBLE FOR WINTERIZATION MECHANISMS AND SHALL DISCUSS WINTERIZATION PROCEDURES AND EQUIPMENT WITH OWNER PRIOR TO CONSTRUCTION.



EX. BANK ZONING: RM
PARCEL ID: 22-29-276-003-0000
(NOT A PART)

EX. CONDOMINIUMS ZONING: RM
PARCEL ID: 22-29-279-134-0000
(NOT A PART)



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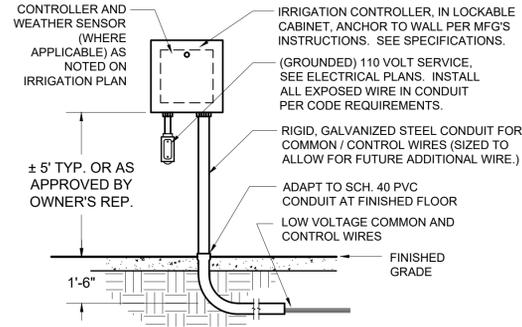
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Date: June 5, 2019 4:18 PM User: SCHWARZER, RYAN
 Path: S:\03600001 7-ELEVEN COTTONWOOD HEIGHTS - FORT UNION/CADD/PLAN SHEETS\03600001_IR.DWG

DESCRIPTION	DATE	DRAWN BY: RAS 6/07/2019	DESIGNED BY: RAS 6/07/2019	CHECKED BY: ASD 6/07/2019	PROJECT No.: 093600001	SCALE: AS SHOWN
IRRIGATION PLAN		7-ELEVEN		7269 S UNION PARK AVENUE COTTONWOOD HEIGHTS, UTAH		
SHEET L2.10						

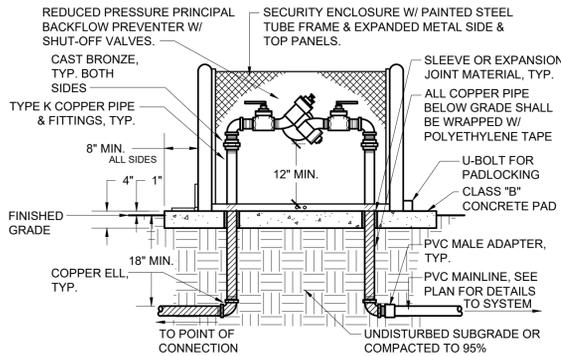
NOTES:

- COORDINATE INSTALLATION OF IRRIGATION CONTROLLER WITH OWNER'S REPRESENTATIVE. BEFORE INSTALLATION, OBTAIN APPROVAL FOR CONTROLLER LOCATION, WIRE ROUTING, AND PROPOSED CONNECTION TO ELECTRICAL SERVICE.
- SECURE CABINET TO WALL PER MANUFACTURER'S WRITTEN INSTRUCTIONS OR PER APPROVED SHOP DRAWINGS.



1 IRRIGATION CONTROLLER IN LOCKING CABINET

SCALE: N.T.S.

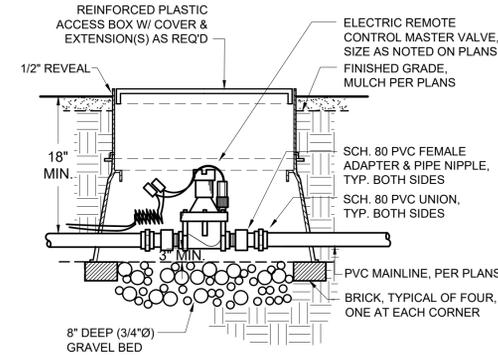


2 BACKFLOW PREVENTER IN SECURITY ENCLOSURE

SCALE: N.T.S.

NOTES:

- ALL WIRES TO BE INSTALLED PER LOCAL CODE. TAPE AND BUNDLE WIRES EVERY 7'. PROVIDE EXPANSION COIL AT EACH WIRE CONNECTION IN VALVE BOX (WRAP AROUND 1/2" Ø PIPE 15 TIMES).
- COMPACT SOIL AROUND VALVE BOX TO SAME DENSITY AS ADJACENT UNDISTURBED SOIL.
- ALL THREADED PVC JOINTS SHALL BE WRAPPED WITH TEFLON TAPE.

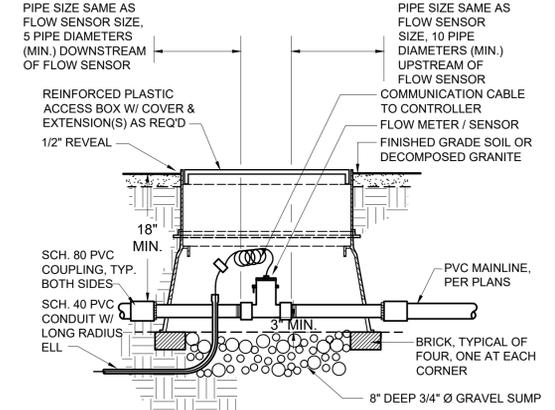


3 MASTER VALVE ASSEMBLY

SCALE: N.T.S.

NOTE:

PROVIDE PULSE DECODER, PULSE TRANSMITTER, PULSE TRANSMITTER POWER SUPPLY, AND SURGE PROTECTOR IN ACCORDANCE WITH FLOW SENSOR / CONTROL SYSTEM MANUFACTURER'S RECOMMENDATIONS.

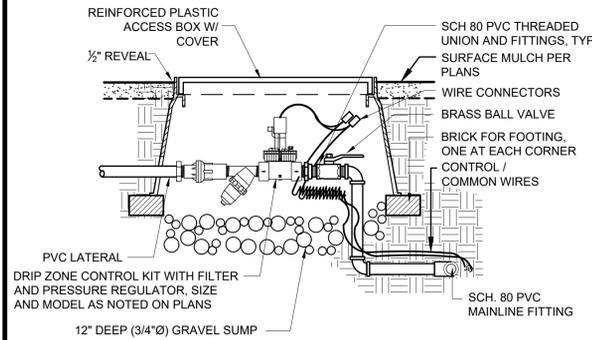


4 FLOW SENSOR ASSEMBLY

SCALE: N.T.S.

NOTES:

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- COMPACT SOIL AROUND VALVE BOX TO SAME DENSITY AS ADJACENT UNDISTURBED SOIL.
- ALL THREADED PVC JOINTS SHALL BE WRAPPED WITH TEFLON TAPE.

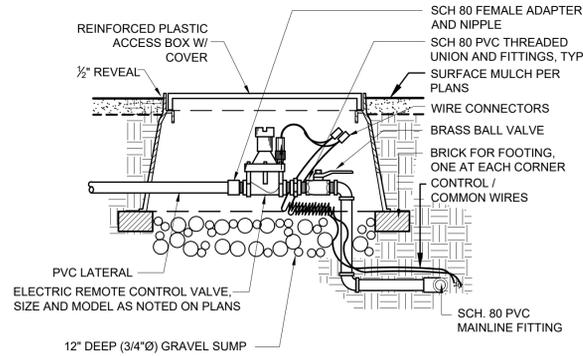


5 DRIP ZONE CONTROL KIT

SCALE: N.T.S.

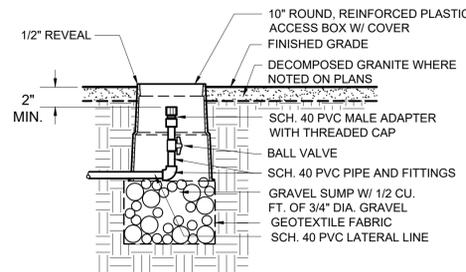
NOTES:

- ALL WIRES TO BE INSTALLED PER LOCAL CODE. TAPE AND BUNDLE WIRES EVERY 7'. PROVIDE EXPANSION COIL AT EACH WIRE CONNECTION IN VALVE BOX (WRAP AROUND 1/2" Ø PIPE 15 TIMES).
- COMPACT SOIL AROUND VALVE BOX TO SAME DENSITY AS ADJACENT UNDISTURBED SOIL.
- ALL THREADED PVC JOINTS SHALL BE WRAPPED WITH TEFLON TAPE.



6 ELECTRIC REMOTE CONTROL VALVE

SCALE: N.T.S.



7 LATERAL FLUSHING END CAP

SCALE: N.T.S.

DATE	DESCRIPTION

IRRIGATION DETAILS

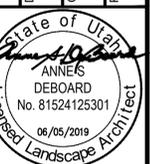
7-ELEVEN

7269 S UNION PARK AVENUE
COTTONWOOD HEIGHTS, UTAH

215 South State Street
Salt Lake City, UT 84111
Tel. No. (888) 212-3176

Kimley»Horn

DRAWN BY: RAS	6/07/2019
DESIGNED BY: RAS	6/07/2019
CHECKED BY: ASD	6/07/2019
PROJECT No.: 093600001	SCALE: AS SHOWN



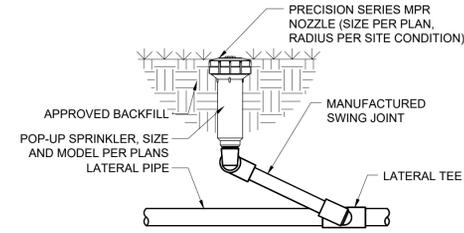
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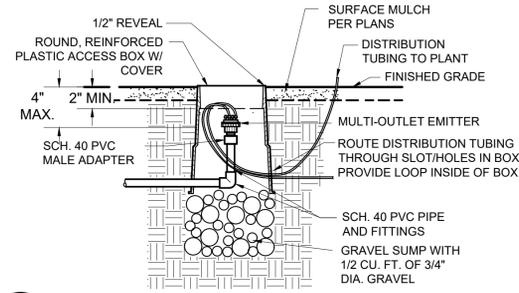
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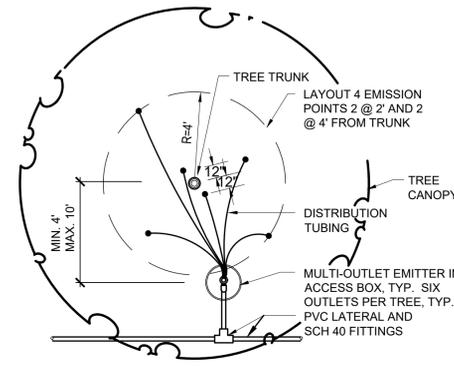
- NOTES:
1. INSTALL SPRINKLER AT FINISH GRADE.
 2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 3. DO NOT SCALE DETAILS.

8 SPRAY HEAD
SCALE: N.T.S.



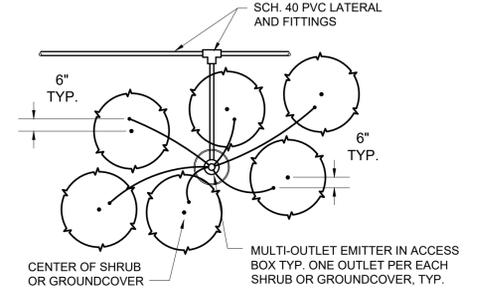
9 MULTI-OUTLET EMITTER
SCALE: N.T.S.

- NOTE:
1. LENGTH OF DISTRIBUTION TUBING SHALL NOT EXCEED 12'-0". REFER TO LOCAL JURISDICTIONAL REQUIREMENTS; MAXIMUM ALLOWABLE LENGTH MAY BE LESS.
 2. LAYOUT DISTRIBUTION TUBING AS SHOWN AND LOCATE DISCHARGE POINT 2" ABOVE FINISHED GRADE.

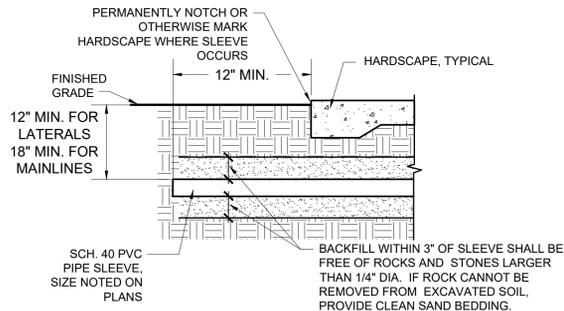


10 EMITTER DISTRIBUTION TUBING LAYOUT - TREES
SCALE: N.T.S.

- NOTES:
1. LENGTH OF DISTRIBUTION TUBING SHALL NOT EXCEED 12'-0". REFER TO LOCAL JURISDICTIONAL REQUIREMENTS; MAXIMUM ALLOWABLE LENGTH MAY BE LESS.
 2. LAYOUT DISTRIBUTION TUBING AS SHOWN AND LOCATE DISCHARGE POINT 2" ABOVE FINISHED GRADE.

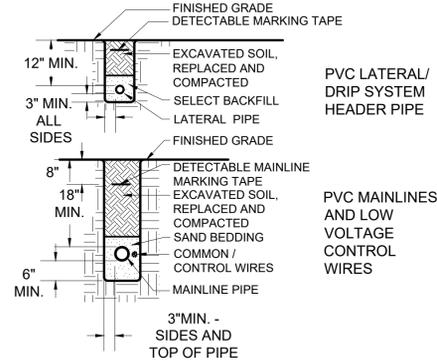


11 EMITTER DISTRIBUTION TUBING LAYOUT - SHRUBS
SCALE: N.T.S.

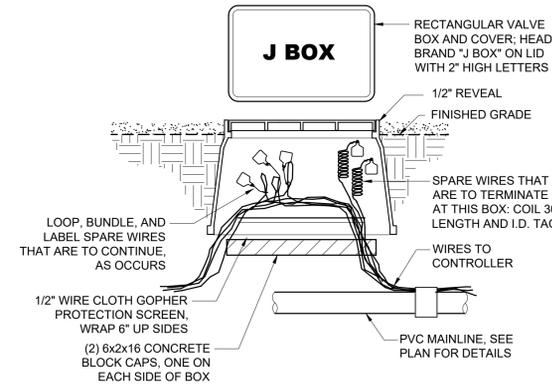


12 MAINLINE AND LATERAL PIPE SLEEVING
SCALE: N.T.S.

- NOTES:
1. SELECT BACKFILL SHALL BE SAND OR SOIL FREE OF ROCKS AND STONES LARGER THAN 1/4" DIA.
 2. BACKFILL MATERIAL SHALL BE WATERED IN AND COMPACTED TO DENSITY OF ADJACENT UNDISTURBED SOIL.

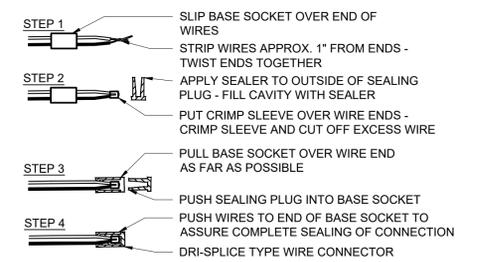


13 PIPE TRENCHING AND BACKFILL - MAINLINE, LATERALS, AND MARKING TAPE
SCALE: N.T.S.



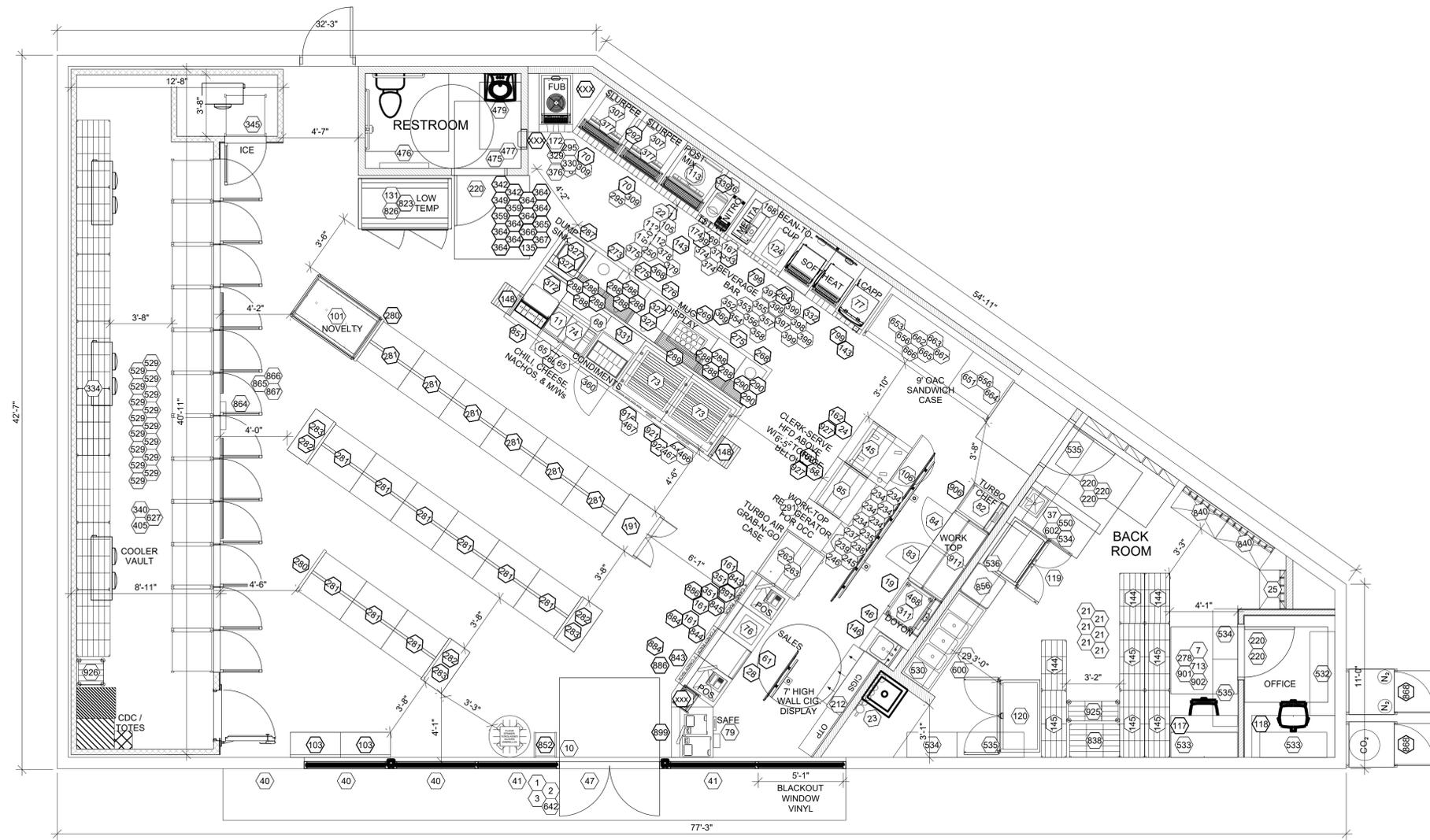
14 IRRIGATION WIRING JUNCTION BOX
SCALE: N.T.S.

- NOTES:
1. FOR WIRE SIZES NO. 14, 12, AND 10, ALL CONNECTIONS IN VALVE BOXES ONLY.
 2. INSTALL SPEARS DS-100 DRI-SPLICE CONNECTORS WITH DS-300 SEALANT.



15 IRRIGATION WIRE CONNECTION
SCALE: N.T.S.

DESCRIPTION	DATE
IRRIGATION PLAN	
7-ELEVEN	
215 South State Street Salt Lake City, UT 84111 Tel. No. (888) 212-3176	
Kimley»Horn	
7269 S UNION PARK AVENUE COTTONWOOD HEIGHTS, UTAH	
DRAWN BY: RAS	6/07/2019
DESIGNED BY: RAS	6/07/2019
CHECKED BY: ASD	6/07/2019
PROJECT No.: 093600001	SCALE: AS SHOWN
SHEET L2.30	



OCCUPANCY CALCULATION			
MERCHANDISE	1365 SF	/ 30	= 46 PEOPLE
KITCHEN / SALES	278 SF	/ 200	= 2 PEOPLE
STORAGE/ BACK ROOM	784 SF	/ 300	= 3 PEOPLE
OFFICE	62 SF	/ 100	= 1 PERSON
RESTROOM	91 SF	/ N/A	= 0 PEOPLE
TOTAL			= 52 PEOPLE

LAYOUT INFORMATION

ROLLER GRILLS	2 (SELF-SERVE)
SANDWICH CASE	9'
VAULT DOORS	12
LOW TEMP DOORS	2
ICE MERCH. DOORS	1
NOVELTY CASE	1 (SM)
BAKERY CASE	1 (LG)
SLURPEE BARRELS	8
GONDOLA UNITS (60"H)	30
END CAPS (60"H)	03
POWER WINGS	(00) - NOT IN TOTAL
LOW WALLS (36"H)	02
HIGH WALLS (72"H)	00
TOTAL	35
TOTAL SQ FT	= 2,580 SF
SALES FLOOR AREA	= 1,643 SF

GAS: YES LIQUOR: NO
 BEER: YES WINE: YES

OCCUPANCY LOAD (>49) = 52
 TRAVEL DISTANCE (<200) = 68'
 COMMON PATH OF TRAVEL (<75) = 68'
 RESTROOMS REQUIRED = 1
 EXITS REQUIRED = 2

OVERHEAD SHELVES = 40 FT
 FLOOR SHELVES = 37 FT

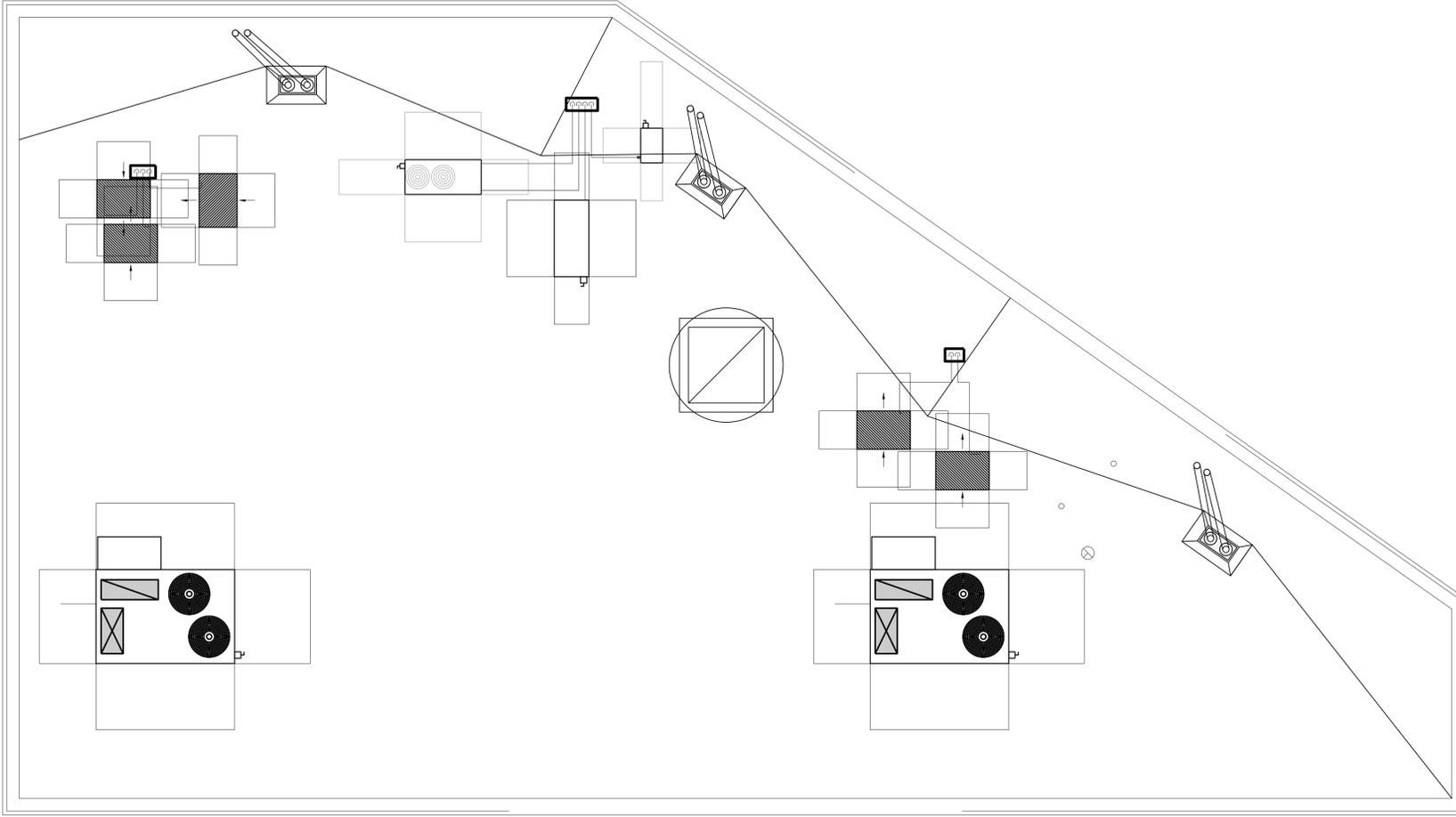
WALL TYPE LEGEND

EXTERIOR WALL	
COLUMN	
INTERIOR WALL	
PARTIAL HEIGHT WALL	
COOLER WALL	

01 PROPOSED FLOOR PLAN
 1/4" = 1'-0"



Job#:	C9-056	Scale:	AS NOTED	Date:	06.05.2019	Drawn By:	AG
Checked By:	TK	Documents prepared by The Dimension Group are to be used only for the project and site specific use as indicated and intended. Any extension of use to other projects, by owner or any other party, without the written consent of The Dimension Group is done at the user's own risk. If used in a way other than that intended by The Dimension Group, the user assumes all liability from all claims and losses.					
THE DIMENSION GROUP ARCHITECTURE-CIVIL-ENGINEERING-MEP-ENGINEERING TEL: 214-343-3400 FAX: 214-343-3200		7-ELEVEN, INC. 3200 HACKBERRY ROAD, IRVING, TEXAS 75063 7-ELEVEN #38848 UNION PARK AVE @ S CREEK RD COTTONWOOD HEIGHTS, UT PROPOSED FLOOR PLAN					
SHEET: A2.0		06.04.2019 NON-PROTO					



01 PROPOSED ROOF PLAN
 1/4" = 1'-0"

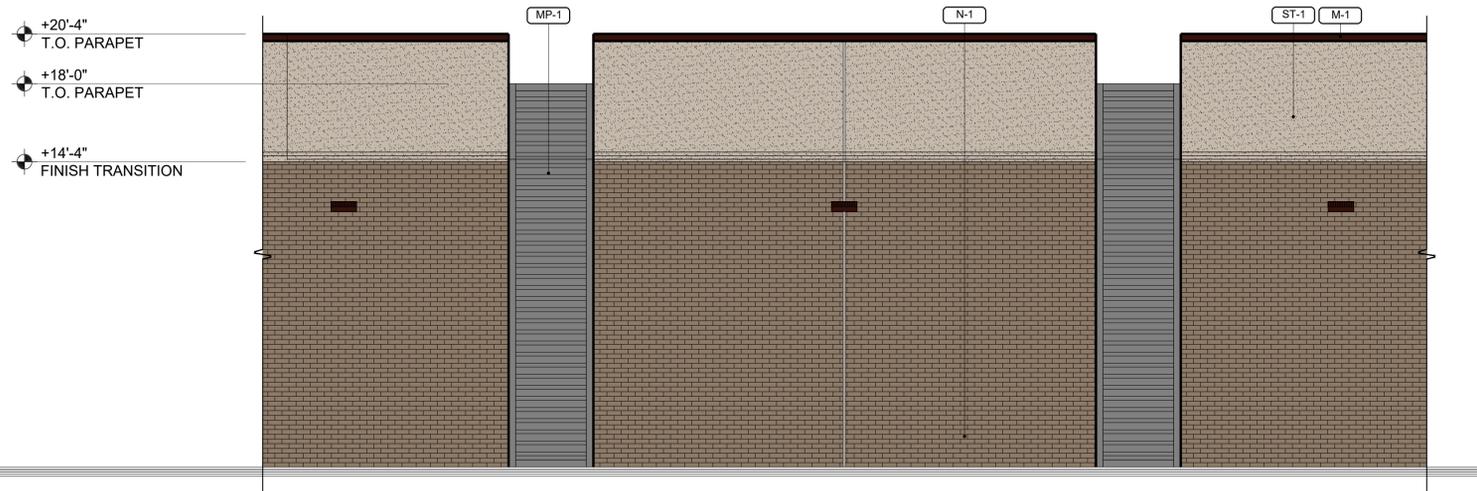


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	<p>PROPOSED ROOF PLAN</p>											

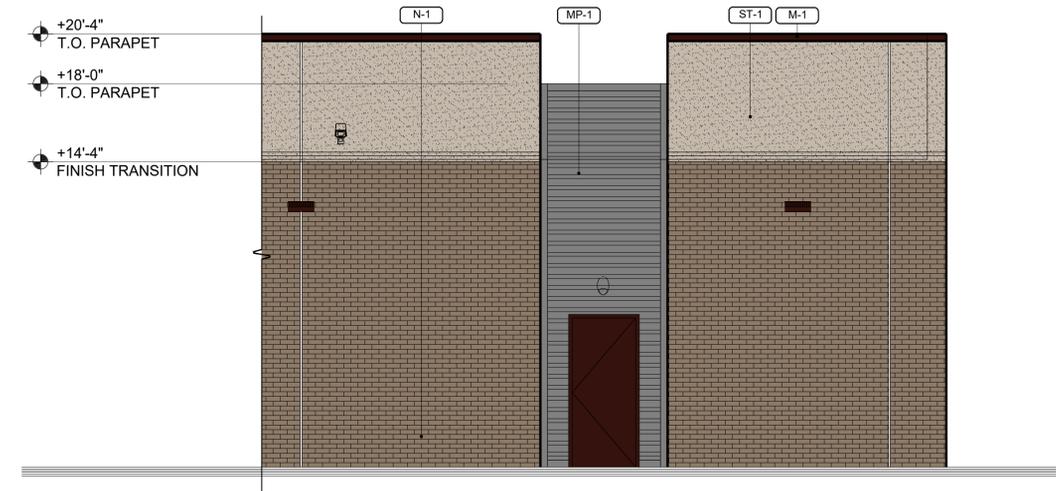


05 FRONT ELEVATION
1/4" = 1'-0"

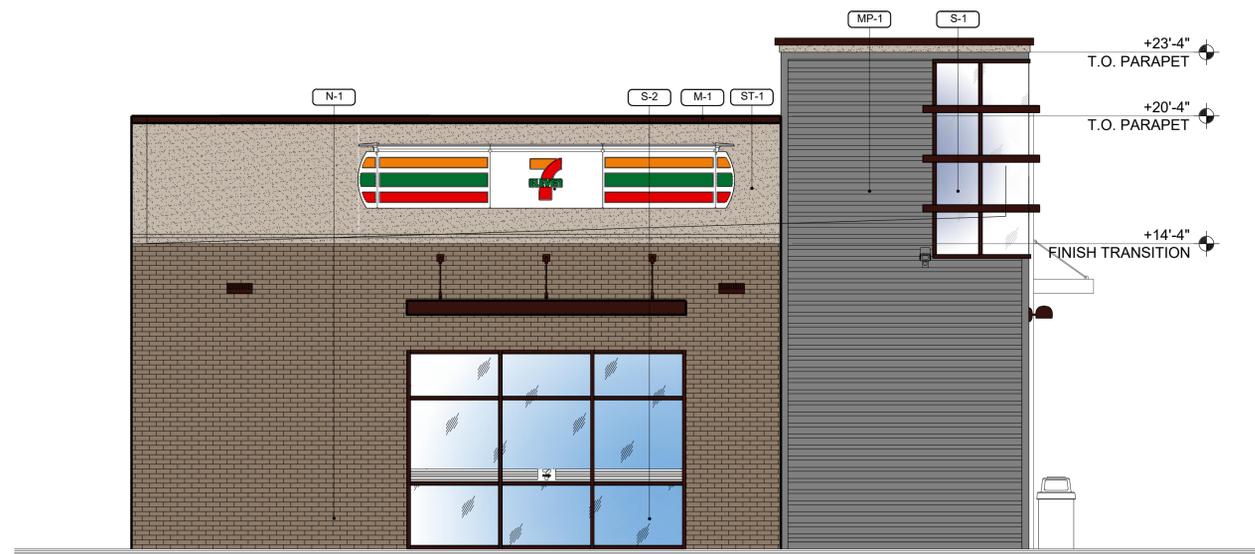
04 SIDE ELEVATION
1/4" = 1'-0"



03 REAR ELEVATION
1/4" = 1'-0"



02 REAR ELEVATION
1/4" = 1'-0"



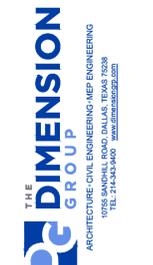
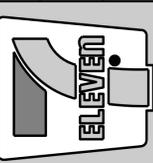
01 SIDE ELEVATION
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EXTERIOR FINISH SCHEDULE		
NOTE: SEALANT COLORS: MATCH COLOR OF ADJACENT MATERIAL BEING SEALED - WHEN 2 OR MORE COLORS ARE ADJACENT, MATCH LIGHTER-COLORED MATERIAL.		
FINISH	MATERIAL	PATTERN
M-1	24 GAUGE GALV. SHEET METAL COPING CAP, SLOPE 1/2" PER FOOT, PRE-FINISHED TO MATCH CANOPIES AND OTHER METAL WORKS (SW 7048 "URBANE BRONZE") - OR SIMILAR	
P-1	PRE-FINISHED SHEET METAL DOWNSPOUT SYSTEM AND PRE-FABRICATED AWNINGS TO MATCH CANOPIES AND OTHER METAL WORKS (SW 7048 "URBANE BRONZE") - OR SIMILAR	
N-1	ACME (OR EQUAL) - MODULAR BRICK - "MUSHROOM BROWN" - OR SIMILAR	
N-2	SPLIT-FACE CMU BLOCK WAINSCOT - LIGHT TAN	
ST-1	DRYVIT (OR EQUAL) - EIFS - "SW 9173 SHIITAKE"	
S-1/S-2	S-1: KAWNEER, "DARK BRONZE" ALUMINUM STOREFRONT FRAME - 1" INSULATED CLEAR GLAZING BY OLDCASTLE OR EQUAL - OR SIMILAR. S-2: FAUX STOREFRONT TO MATCH S-1.	
MP-1	BERRIDGE - HR-16 METAL WALL PANELS - "BUCKSKIN"	

Rev. #	Date	Description

PROTO 02.28.2019

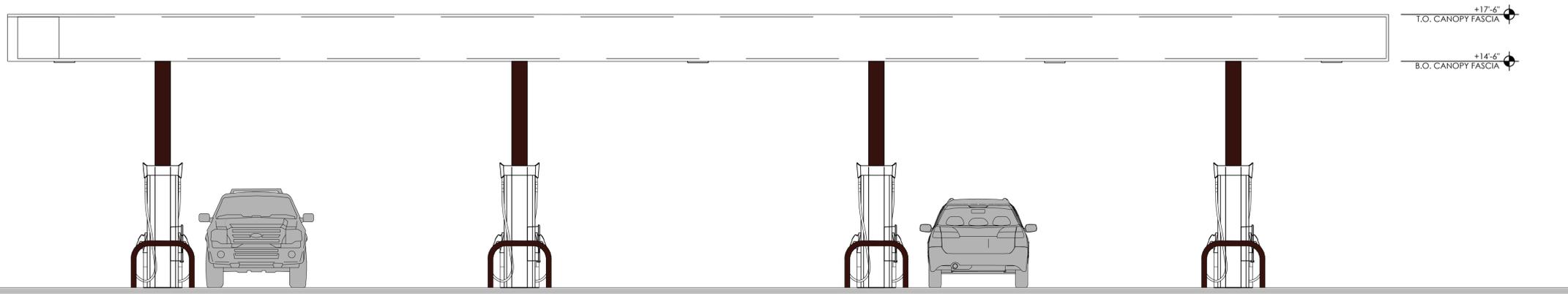
7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063
7-ELEVEN #38848
UNION PARK AVE @ S CREEK RD
COTTONWOOD HEIGHTS, UT
EXTERIOR ELEVATIONS



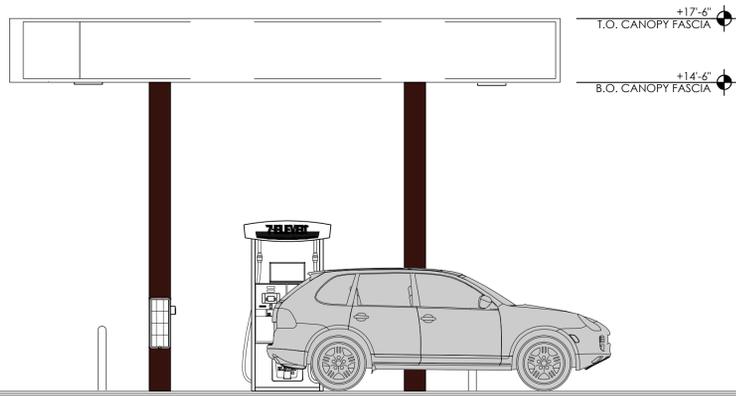
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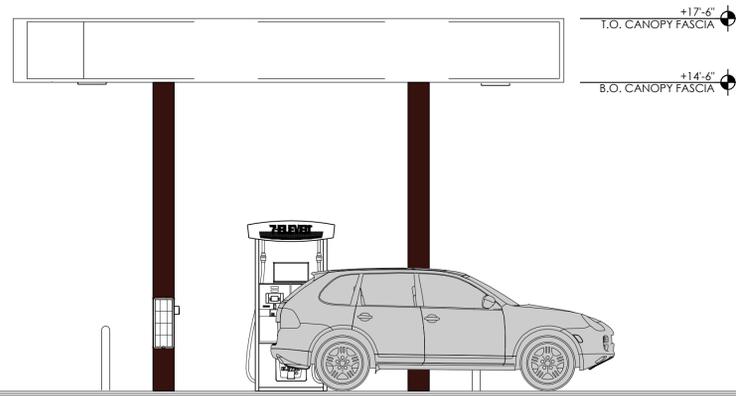
06.04.2019
SHEET: **A3.0**
NON-PROTO



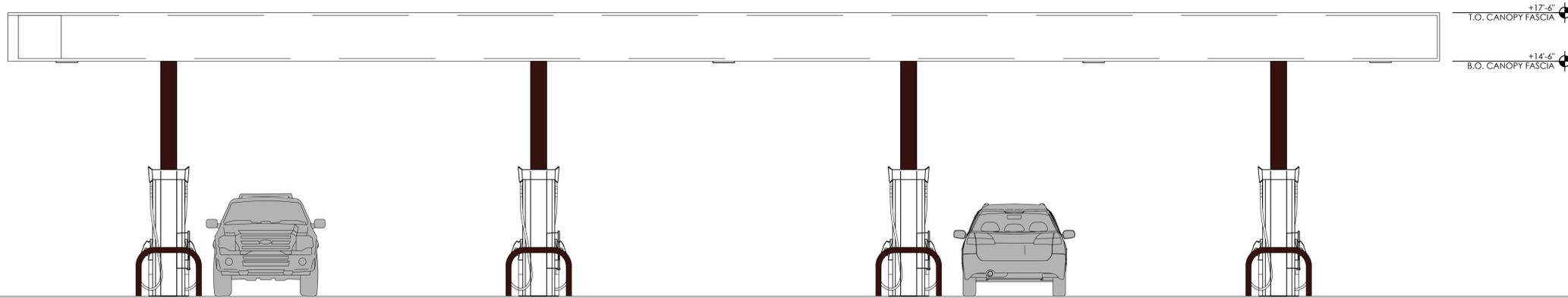
04 CANOPY ELEVATION
1/4" = 1'-0"



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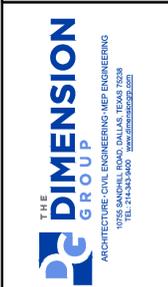
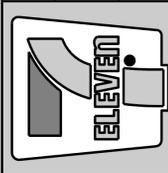
Rev. #	Date	Description

PROTO 02.28.2019

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #38848
UNION PARK AVE @ S CREEK RD
COTTONWOOD HEIGHTS, UT

EXTERIOR ELEVATIONS



Job#: C9-056
Scale: AS NOTED
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06.04.2019

SHEET: **A3.1**

NON-PROTO

Planning Commission Staff Report



MEETING DATE: July 17, 2019
PROJECT NAME: ZMA-19-004
LOCATION: 7683 Bengal Bend Cove
 (2227480056)
REQUEST: General Plan Map Amendment, Zone Map Amendment
APPLICANT: Eric Corbin, for the Eric Corbin Trust, and Frank Mylar

SUMMARY

Request

The applicant is requesting a General Plan Land Use Map amendment and Zone Map amendment for one lot totaling 0.21 acre (outlined in red below) located at 7683 S Bengal Bend Cove. This property was subdivided in April from the law office property immediately north of the site.



	Existing	Proposed
General Plan Land Use	Neighborhood Commercial	Residential Low Density
Zoning	RO (Residential Office)	R-1-8 (Residential Single Family)

Recommendation

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the General Plan Land Use Map and Zone Map as requested.

CONTEXT & ANALYSIS

Existing Conditions

Subject Property (Red)

- General Plan: Neighborhood Commercial
- Zone: RO – Residential Office
- Use: Vacant Subdivision Lot

West (Yellow)

- General Plan: Residential Low Density
- Zoned R-2-8 (Residential Multi-Family – 8,000 sq. ft. min.)
- Use: Residences

South

- General Plan: Residential Low Density
- Zone: R-1-8 (Residential Single Family – 8,000 sq. ft. min.)
- Use: Residences

East

- General Plan: Residential Medium Density
- Zone: R-1-8 (Residential Single Family – 8,000 sq. ft. min.)
- Use: Residences

North

- General Plan: Neighborhood Commercial
- Zoned: RO – Residential Office
- Use: Law Office

Aerial Photo of Existing Conditions



General Plan Land Use Policy



Existing Zoning Map



GENERAL PLAN LAND USE MAP AMENDMENT

One of the objectives of this goal is to “adopt a future land use map that reflects the needs of the community and guides future growth/development, including support of thriving development within existing zoning categories.” It further states that the city should “promote a stable economy through a coordinated public land use strategy.”

Current Land Use Policy

The land use map designates the current land use of the subject properties as “Neighborhood Commercial.” The General Plan states:

“Neighborhood Commercial – The neighborhood commercial classification includes small commercial areas within primarily residential areas. The designation can contain a mix of land uses, however, the businesses are primarily smaller in scale than those found in a mixed-use or commercial area.”

Requested Land Use Policy

The applicant is requesting that the “Neighborhood Commercial” land use policy be amended to designate this area as “Residential – Low Density.” The General plan describe this land use as follows:

“Residential – Low Density districts are residential areas that contain between 2.5 and five (5) dwelling units per acre. Properties that are assigned the Residential – Low Density classification are generally (but not necessarily limited to) neighborhoods consisting of single-family dwellings.”

Conclusion: The overall impact will slightly decrease the City’s capacity for additional office space within residential areas. However, considering the lot’s location, this may not be an ideal location for such a use. Allowing the development of the property to maximize its ability for residential use will likely create the least impacts to the neighborhood and further the overall well-being of the city and the tax base.

ZONING MAP AMENDMENT

Previous Zoning History

The property has been zoned RO – Residential Office since before 2008.

Zoning Ordinance Goals for the R-1-8 Zone

R-1-8 is the most common residential density and zone within Cottonwood Heights. The R-1-8 zone purpose statement reads that its purpose is to:

“The purpose of the R-1-8 zone is to allow for the establishment of single-family homes organized in low-density residential neighborhoods characteristic of traditional suburban residential developments.”

Staff Analysis

- The intent of the applicant is to construct a single-family dwelling, which is permitted in the RO zone but is constrained by additional setback requirements.
 - The current RO zone requires new buildings to have side yards of 25 feet and rear yards of 30 feet when they abut residential zones.
 - This severely limits the type of structure built on the lot. Any home would be limited to approximately 25 to 33 feet wide. Although narrow home designs exist, the potential purchasers would rather build a home that could utilize standard setbacks.
- A reduction in office space potential will result from this amendment. However, this lot was recently created, so a net decrease will not practically result.
- No reduction in potential residential density will result from this amendment.

The purpose of the zoning ordinance is to promote the “health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city.” If the Planning Commission recommends the change to the General Plan Land Use Map, as discussed above, the R-1-8 zone’s purposes are will be in line with the General goals.

STAFF ANALYSIS

The request to amend the zone map from RO (Residential Office) to R-1-8 (Residential Single Family) is consistent with the goals of the Zoning Ordinance. The request has been noticed as required by 19.90.020, and the applicant will be required to meet all relevant portions of chapter 19.90 of the zoning ordinance (Amendments and Rezoning).

RECOMMENDATION

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the land use map and zoning map as requested.

FINDINGS FOR RECOMMENDATION

Staff’s recommendation of approval of the proposed zone map amendment is based on the following findings:

1. The proposed General Plan Land Use and Zoning Map amendment, and the purposes of the R-1-8 zone, are consistent with the principles, goals, and objectives of the General Plan;
2. The proposed amendment fits in context with the land use and zoning in the area;
3. The proposed zoning map amendment will be completed in accordance with the procedure as outlined in 19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code;
4. Proper notice was given in accordance with all local and state noticing requirements.
5. Future development impacts of the proposed zone will be appropriately mitigated through requisite site plan and permit review, including sensitive lands ordinance provisions;
6. The zone map amendment is done in accordance with the procedure outlined in 19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code;
7. Proper notice was given in accordance with all local and state noticing requirements.

Attachments:

1. Model Motions
2. Applicant Statement

MODEL MOTIONS

- Approval – “I move that we forward a recommendation of approval to the City Council for Project ZMA-19-004 based on the findings listed in the staff report dated July 17, 2019...”
 - List any additional findings...

- Denial – “I move that we forward a recommendation of denial to the City Council for Project ZMA-19-004.”
 - List findings for negative recommendation...

ERIC CORBIN

7683 BENGAL BEND COVE
COTTONWOOD HEIGHTS
UTAH 84121

(602) 369 - 4828

General Plan & Zone Map Amendment

A request from Eric Corbin to amend the zoning of lot 2 of the Mylar subdivision. The subject property is located at 7683 Bengal Bend Cove (parcel no. 22-27-480-054-0000)

- 1. The proposed amendment is designed to preserve the residential nature of the community, public health, and welfare thereby grounded in the principals of the general plan
- 2. The land in question is primarily surrounded by residence zoned R-1-8. This is particularly true for most assets that are not directly on Bengal Boulevard. There are two businesses in close proximity to the land in question. The property directly north of the land and positioned on Bengal Boulevard is zoned Residential Office (RO). The asset on this land is an attorney’s office. The second business on Bengal Boulevard, west of the attorney’s office is a mortuary zoned R-2-8. Since the land in question is not directly on Bengal Boulevard, the new zoning (R-1-8) would be consistent with the other primary residence in the community.

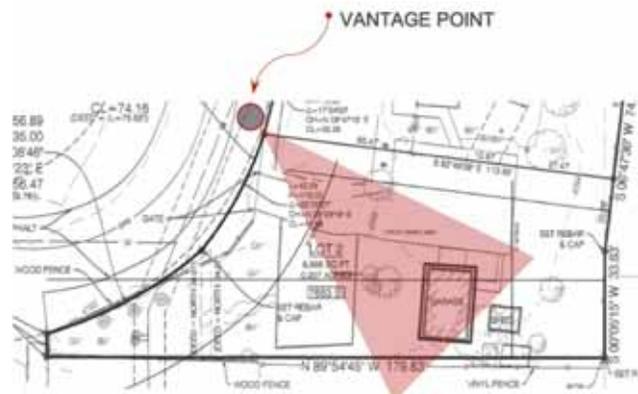


- 3. If the amendment is approved, the intent of the new owner is to build a primary residence. Since this is consistent with the surrounding neighbors, there will be no more or less impact than the existing residence in the immediate area. With the construction of one house unit, negative impacts such as use of utilities, burden on school resources, and emergency services among other things will be mitigated because the new home is designed for a single-family nucleus.

4. The nature of the current zoning promotes traffic into the “Cove” of the community. Increased traffic can negatively impact public health and safety. If approved the new zoning will maintain the general welfare of the neighborhood.
5. Current Zoning – RO permits single-family dwelling plus conditional uses such as the follow:
 - a. *Medical, optical, dental offices and clinics for health professionals,*
 - b. *Administrative, general or professional offices*
 - c. *Home occupations*
 - d. *Mixed residential housing*
 - e. *Planned unit development*
 - f. *Church*
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 - h. *Retail sales secondary to office uses with no exterior or storefront displays*
 - i. *Studios for an artist, designer, writer, photographer, sculptor or musician*
 - j. *Child or adult day care facilities, with no overnight or after-hours care*
 - k. *Residential facilities for elderly persons*
 - l. *Medical clinics, provided that no after-hour or overnight care shall be permitted*
 - m. *Reception center*
 - n. *Planned unit development*
 - o. *Twin homes*
 - p. *Bed and breakfast*

The proposed use (primary residence) will require lower parking ratios, emit less light for extended periods of the day thereby using less energy, produce less trash and pollution, and improve public perception as it relates to land use among other things that differentiate a residence from a business.

6. The land in question was part of the parcel directly north of the property. It was recently subdivided, so that lot 2 could be sold as a separate parcel. The RO zoning carried over from Lot 1 to the new parcel but created a situation that is limiting for most buildings regardless of the type of asset. The RO zoning has restrictive setbacks that create a buildable envelop of approximately 1,979 SF (22% of the total land).





7. In the short term, new construction of a primary residence will be somewhat disruptive of the neighbors. This will be mitigated by electing to construct during hours permitted by the city. Once the work is complete, the new residence will have increased the value of the land directly and consequently the land of the immediate neighbors.
8. The amendment to the zoning will preserve and further the concepts outlined from, 'lessening congestion in the streets to protecting the tax base. Adjusting the zoning will enable the "highest and best use" of the land and in turn will increase prosperity of the immediate area.
9. The subdivision of the land was the catalyst for a renewed use of Lot 2. In order to maximize the use of the land, I am proposing a rezone that offers the least obtrusive setbacks yet stays compliant with standards and the primary surroundings.



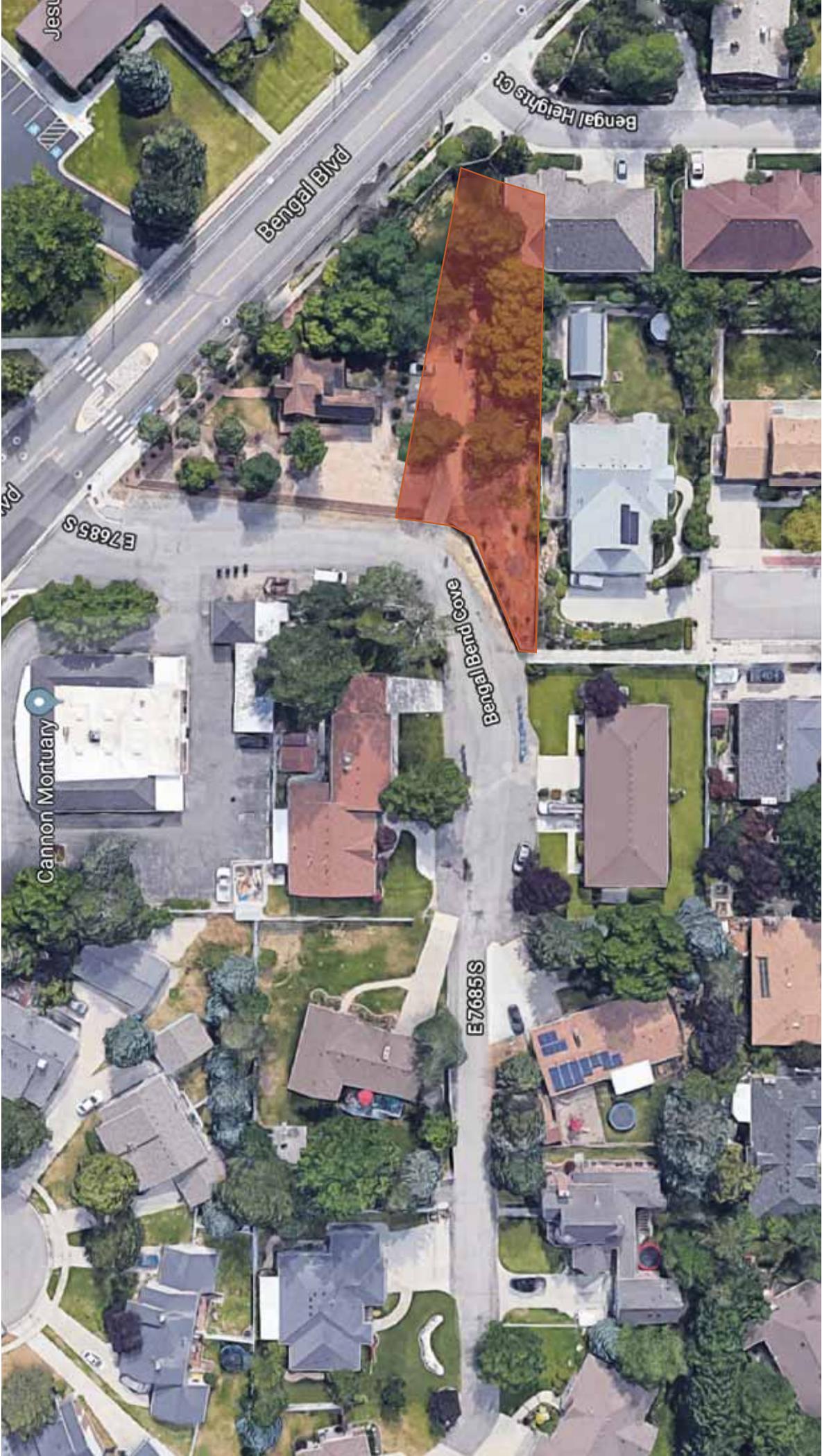
GENERAL PLAN & ZONE MAP AMENDMENT

ERIC CORBIN
UNDER CONTRACT WITH
FRANK D MYLAR
7683 BENGAL BEND COVE
COTTONWOOD HEIGHTS,
UTAH 84121
(602) 369 - 4828



NEIGHBORS TO THE NORTH & SOUTH OF PROPERTY





Cannon Mortuary

Bengal Blvd

Bengal Blvd Court

E7685S

E7685S

Bengal Heights Ct



Sabal Ave

Bengal Bend Cove

Bengal Blvd

E7685S

Bengal Blvd

Cannon Mortuary

Planning Commission Staff Report



MEETING DATE: July 17, 2019
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Zoning	RO (Residential Office)	R-1-8 (Residential Single Family)

Recommendation

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North

- General Plan: Neighborhood Commercial
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Aerial Photo of Existing Conditions



General Plan Land Use Policy



Existing Zoning Map



GENERAL PLAN LAND USE MAP AMENDMENT

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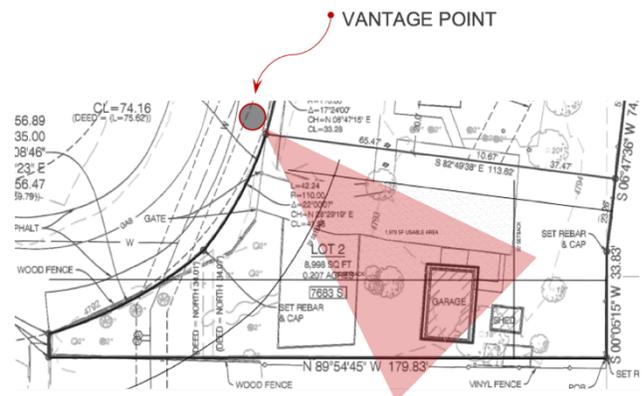


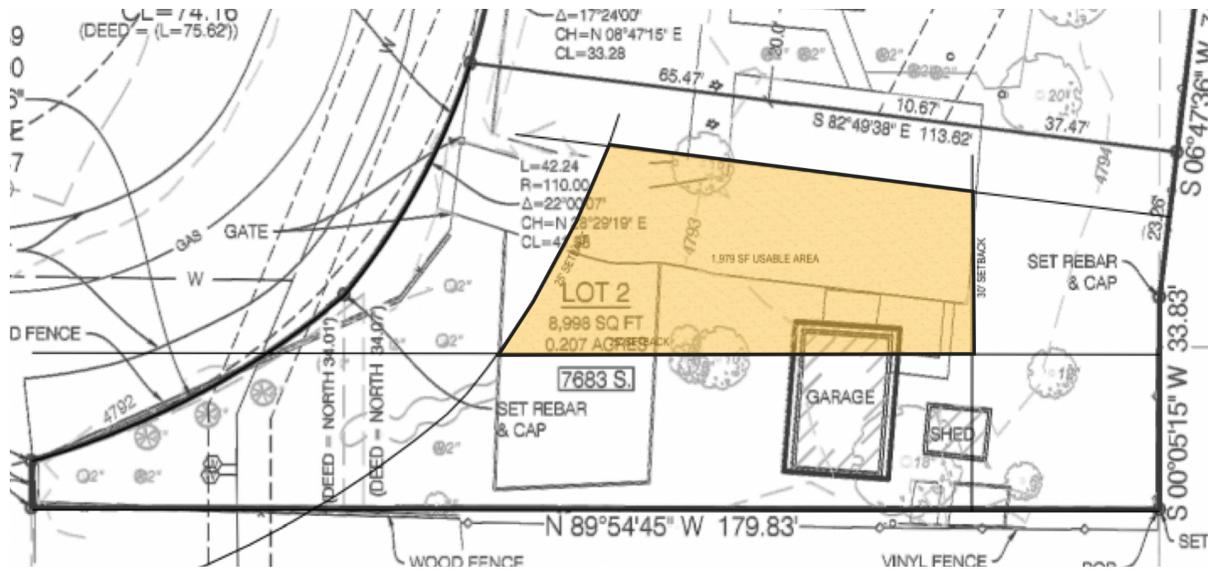
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 - o. *Twin homes*
 - p. *Bed and breakfast*

The proposed use (primary residence) will require lower parking ratios, emit less light for extended periods of the day thereby using less energy, produce less trash and pollution, and improve public perception as it relates to land use among other things that differentiate a residence from a business.

6. The land in question was part of the parcel directly north of the property. It was recently subdivided, so that lot 2 could be sold as a separate parcel. The RO zoning carried over from Lot 1 to the new parcel but created a situation that is limiting for most buildings regardless of the type of asset. The RO zoning has restrictive setbacks that create a buildable envelop of approximately 1,979 SF (22% of the total land).





7. In the short term, new construction of a primary residence will be somewhat disruptive of the neighbors. This will be mitigated by electing to construct during hours permitted by the city. Once the work is complete, the new residence will have increased the value of the land directly and consequently the land of the immediate neighbors.
8. The amendment to the zoning will preserve and further the concepts outlined from, 'lessening congestion in the streets to protecting the tax base. Adjusting the zoning will enable the "highest and best use" of the land and in turn will increase prosperity of the immediate area.
9. The subdivision of the land was the catalyst for a renewed use of Lot 2. In order to maximize the use of the land, I am proposing a rezone that offers the least obtrusive setbacks yet stays compliant with standards and the primary surroundings.



GENERAL PLAN & ZONE MAP AMENDMENT

ERIC CORBIN
UNDER CONTRACT WITH
FRANK D MYLAR
7683 BENGAL BEND COVE
COTTONWOOD HEIGHTS,
UTAH 84121
(602) 369 - 4828



NEIGHBORS TO THE NORTH & SOUTH OF PROPERTY



Cannon Mortuary

Bengal Bend Cove

E7685 S

E7685 S

Bengal Blvd

Bengal Heights Ct

Jesu





Bengal Heights Ct

Bengal Blvd

E7685 S

Bengal Bend Cove

Sabal Ave

Bengal Blvd

Cannon Mortuary

1 **DRAFT**

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

5
6 **Wednesday, May 1, 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, Dan Mills, Doug Rhodes, Chris Coutts,
15 Sue Ryser, Alternate Bob Wilde

16
17 **Staff Present:** City Manager Tim Tingey, Community and Economic Development
18 Director Mike Johnson, Senior Planner Matt Taylor, Associate Planner
19 Andrew Hulka, Public Relations Specialist Dan Metcalf, Records Culture
20 and Human Resource Director Paula Melgar, City Attorney Shane Topham

21
22 **Excused:** Jesse Allen

23
24 **WORK SESSION**

25
26 Chair Graig Griffin called the meeting to order at 5:08 p.m. and welcomed those in attendance

27
28 **1.0 Planning Commission Business**

29
30 **1.1 Review Business Meeting Agenda**

31
32 Chair Griffin reviewed the Business Meeting agenda.

33
34 **1.2 Additional Discussion Items**

35
36 Associate Planner, Andrew Hulka, reviewed Project Lot-19-001 involving a public hearing on a
37 request from Douglas C. Terry to amend Lots 1, 2, and 3 of the Cottonwood Cove Subdivision by
38 consolidating three lots into two amended lots. Mr. Hulka explained that amended Lot 1 will
39 consist of the backyard space and Lot 2 will be a one-acre lot. The applicant made the request to
40 provide irrigation and water rights to the entire property as Lot 3 is outside of the boundary. Staff
41 recommended approval of the request with the assurance that the property is in compliance with
42 nuisance and parking standards and other conditions listed in the report.

43
44 Senior Planner, Matt Taylor introduced Project ZTA-18-002, a public hearing on a request from
45 Cottonwood Heights City for a proposed ordinance adopting Chapter 19.77 – “Outdoor Lighting,”
46 and amending various other provisions in Title 19. Lumen issues were described at length.

1 **3.0 BUSINESS ITEMS**

2
3 **3.1 Project Lot-19-001 A Public Hearing on a Request from Douglas C. Terry to Amend**
4 **Lots 1, 2, and 3 of the Cottonwood Cove Subdivision by Consolidating Three Lots**
5 **into Two Amended Lots. The Subject Properties are located at 2248, 2256, and 2260**
6 **East Cottonwood Cove Lane (Parcel Nos. 22-34-128-007, 22-34-128-008, and 22-34-**
7 **128-009).**
8

9 Associate Planner, Andrew Hulka presented the staff report and stated that the request from
10 Douglas C. Terry is to amend Lots 1, 2, and 3 of the Cottonwood Cove Subdivision by
11 consolidating three lots into two amended lots. The property is located at the end of Cottonwood
12 Cove Lane. A detailed map was displayed. Staff recommended approval with the conditions set
13 forth in the staff report. Mr. Hulka confirmed that all of the lots are owned by the applicant.
14

15 The applicant, Douglas Terry, reported that he met with 20 of the neighbors and has planted over
16 100 Spruce trees. He planned to continue the privacy barrier around the property.
17

18 Commissioner Coutts asked the applicant about his intent to change the lot lines. Mr. Terry
19 explained that the intent of the request is to allow him to water the property with his irrigation
20 water.
21

22 Chair Griffin opened the public hearing. There were no public comments. The public hearing was
23 closed.
24

25 ***Commissioner Rhodes moved to approve Project Lot-19-001 subject to the following:***

26
27 ***Conditions:***
28

- 29 ***1. The applicant shall work with staff to ensure that the property is in compliance***
30 ***with Sections 9.05.030 (Nuisance) and 11.20.060 (Parking of Agricultural***
31 ***Vehicles, Commercial Vehicles, Recreational Vehicles, Trailers and Trucks) of***
32 ***the Municipal Code.***
33
34 ***2. The applicant shall work with staff to address all technical corrections on the plat***
35 ***amendment, in compliance with all applicable City ordinance regulations.***
36

37 ***Findings:***
38

- 39 ***1. The proposed subdivision amendment meets the applicable provisions of the***
40 ***Cottonwood Heights subdivision ordinance and the Cottonwood Heights zoning***
41 ***ordinance.***
42
43 ***2. Proper notice was given in accordance with local and state requirements.***
44
45 ***3. A public hearing was held in accordance with local and State requirements.***
46

1 *Commissioner Wilde seconded the motion. Vote on motion: Commissioner Mills-Aye,*
2 *Commissioner Coutts-Aye, Commissioner Ryser-Aye, Commissioner Bevan-Aye, Commissioner*
3 *Wilde-Aye, Commissioner Rhodes-Aye, Chair Griffin-Aye. The motion passed unanimously.*
4

5 **3.2 Project ZTA-18-002 A Public Hearing on a Request from Cottonwood Heights City**
6 **for a Proposed Ordinance Adopting Chapter 19.77 – “Outdoor Lighting,” and**
7 **Amending Various Other Provisions in Title 19 – “Zoning” and Section 12.24.190 –**
8 **“Street Lighting” Relative to Outdoor Lighting Standards.**
9

10 Senior Planner, Matt Taylor presented the staff report and asked the Commissioners if staff should
11 continue to refine the residential component with proposed caveats or pull back and not regulate
12 it at all.
13

14 Commissioner Mills stated that a full lighting proposal would be burdensome. He preferred that
15 standards be applied to a boundary rather than impose residential/commercial regulations.
16

17 Commissioner Coutts remarked that because so much of the land mass is residential, she would
18 like to see the refinements continue. She commented that they are not intended to be highly
19 regulatory.
20

21 Commissioner Ryser commented that perhaps they are searching for a solution to a problem that
22 does not exist.
23

24 Commissioner Bevan stated that the proposal would place an additional burden on residential
25 property owners. He did, however, believe there needs to be some direction for commercial.
26

27 Commissioner Wilde noted that there would be a benefit to regulating commercial and concurred
28 with Commissioner Bevan.
29

30 Commissioner Rhodes commented that the new buildings will impact residential. He was in favor
31 of commercial regulations and was of the opinion that the residential component creates too much
32 regulation.
33

34 Chair Griffin believed that what constitutes security for one does not apply to all. Simplicity is
35 important and he hoped to provide more education and reduce the lighting slightly.
36

37 Community and Economic Development Director, Michael Johnson stated that generally
38 legislative items are regulated through a Planning Commission recommendation and City Council.
39 Mr. Taylor explained that as written, the requirements will only take effect if a 25% increase in
40 building size is proposed. Mr. Johnson added that the regulations will apply if there is a 25%
41 increase in the building footprint or a substantial remodel that requires a building permit and
42 constitutes 50% or greater of the floor area. He noted that they can make adjustments to substance
43 but the residential standards will remain unchanged as a full ordinance was in the process of being
44 drafted. Feedback was appreciated. Mr. Johnson reported that many hours have been spent
45 researching and drafting the residential standards. Staff felt that the numbers, applicability, and

1 ease of applying and regulating the standards was where the focus should be in the event they
2 adopt residential regulations.

3
4 ***Commissioner Wilde moved to recommend approval to the City Council for Project ZTA-18-002***
5 ***with the inclusion of the commercial regulations. Residential was not recommended that***
6 ***includes the issue of overregulation. The motion was seconded by Commissioner Mills.***

7
8 Chair Griffin preferred that the residential standards remain and suggested the Commission wait
9 and see what action is taken by the City Council.

10
11 ***Vote on motion: Commissioner Mills-Nay, Commissioner Coutts-Nay, Commissioner Ryser-***
12 ***Nay, Commissioner Bevan-Aye, Commissioner Wilde-Aye, Commissioner Rhodes-Aye, Chair***
13 ***Griffin-Nay. The motion failed 3-to-4.***

14
15 ***Commissioner Griffin moved to recommend approval to the City Council of Project ZTA-18-***
16 ***002 with the recommendation that they review the residential portion and ensure that it is not***
17 ***onerous, is easy to understand and implement, and not characterized as overregulation.***

18
19 The motion died for lack of a second.

20
21 ***Commissioner Coutts moved to recommend approval to the City Council of Project ZTA-18-002***
22 ***with the residential portion being a recommendation rather than a requirement in the Single-***
23 ***Family Residential Zone.***

24
25 The motion died for lack of a second.

26
27 ***Commissioner Coutts moved to recommend approval to the City Council of Project ZTA-18-002,***
28 ***as written, and that commercial lighting regulations and any Single-Family Residential zone***
29 ***referred to in the ordinance be considered a recommendation rather than a requirement. The***
30 ***motion was seconded by Commissioner Rhodes. Vote on motion: Commissioner Mills-Aye,***
31 ***Commissioner Coutts-Aye, Commissioner Ryser-Aye, Commissioner Bevan-Aye, Commissioner***
32 ***Wilde-Aye, Commissioner Rhodes-Aye, Chair Griffin-Aye. The motion passed unanimously.***

33
34 **5.0 ADJOURNMENT**

35
36 ***Commissioner Rhodes moved to adjourn. The motion was seconded by Commissioner Coutts.***
37 ***The motion passed with the unanimous consent of the Commission.***

38
39 The Planning Commission Meeting adjourned at 6:33 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, May 1, 2019.*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____



MEMORANDUM

To: CH Architectural Review Commission (ARC)
From: Matt Taylor, Senior Planner
Meeting Date: July 18, 2019
Subject: Block 17 – 24 Townhomes - Project SPL-19-007

REQUEST

An application has been made by John Prince for consideration of a Certificate of Design Compliance for site plan approval for a 24-unit townhome development at approximately 1700 E Fort Union Blvd within the MU (Mixed-Use) zone. The units are proposed to be live-work units.



The applicant has submitted proposed building elevations, landscaping plan, and building material samples (see attachments).

APPROVAL PROCESS

Staff has completed the first review of this project for zoning compliance and has delivered a list of outstanding issues to the applicant (see attachments). Many of these review comments will affect the final layout and design of the project. Additionally, there are many design guideline criteria that warrant ARC consideration and possible modification. The ARC initially addressed this item and provide general guidance and feedback at the June 27, 2019 ARC meeting. This report is modified based upon that feedback.

Gateway Overlay District

The project is within the Gateway Overlay District and requires the ARC to issue a certificate of design compliance (see 19.49.080 CH City Code). In considering approval of the certificate, the ARC should consider the general review criteria:

D. General review criteria. The ARC must determine that the following general review criteria are met before issuing a certificate of design compliance for a project:

- 1) *The proposed work must comply with the applicable design guidelines for that overlay district;*
- ...
- 4) *The overall character of the Gateway Overlay District is protected.*

CITY DESIGN GUIDELINES

All applicable design guidelines are found in the attachments. The proposed project is in substantial compliance with many of the guidelines.

FOUR-SIDED DESIGN

Design Guideline 4.4: Buildings Should Not Have Any Blank, Flat Walls.

Commentary: The first floor side elevations of each façade is largely blank (particularly the bottom level): *“All buildings shall have a minimum of 15% transparency on all floors, which shall consist of windows that provide visibility from the public right-of-way or adjacent property” (19.36.150 CH Code).*

The applicant has sought to hide these wall expanses with landscaping. The ARC should consider whether this is sufficient. However, 15% of the main floor side walls are required to have transparency per code. This will need to be modified prior to Planning Commission approval.

Recommendation: In addition to meeting the minimum transparency standards above, Staff recommends that the ARC require a design that “adequately establish a prominent, pedestrian-oriented streetscape” and “to support an urban village.” (19.36 CH Code)

LANDSCAPING AND STREETScape, ELEMENTS AND ARTICULATION

Design Guideline 7.2: Every Forty (40) Feet Of Horizontal Façade Should Be Broken Up By Building Articulation.

Design Guideline 17.1: Plazas, Courtyards, Pocket Parks, Outdoor Cafes, Etc. Should Be Designed in an Inviting Manner That Encourages Pedestrian Use Through the Incorporation of Elements Such as Trellises, Fountains, Art, Seating, and Shade Trees.

Commentary: At the last ARC meeting, the ARC recommended suggested that the building articulation be broken up with additional landscaping or courtyard separating the east building into two buildings, with the courtyard anchoring the development as a

center of the community.

Recommendation: Staff does not have specific recommendations on how this space is developed, but ask the ARC to pay careful attention the design of this area. As for the lack of trees, perhaps some columnar trees close to the building and out of the setback provisions of the adjacent power lines could be considered.

SIGN PLAN

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. See 19.87.060.C.11

Commentary: Design Review Guidelines 22 – Signs outline the goals for signage in the Gateway Overlay District. Signage should be planned for the live/work units. Staff has asked the applicant to provide a typical signage plan for a live/work business that includes a wall sign not exceeding ten percent of the bottom floor wall area. The sign plan could include a plan how to face the door window or balcony edge with signage. The outcome should be that these live work units are viable business opportunities in order to qualify as a mixed-use residential development.

Recommendation: Staff Recommends that a typical signage plan is approved by the ARC for all live-work units. That signage following the approved signage plan will not be required to return to the ARC for approval, but that only a building permit is obtained.

FORT UNION BOULEVARD CORRIDOR PLAN

The city has adopted a Fort Union Boulevard Corridor Plan. It may be helpful to understand relevant goals of the project as they relate to this project. These have been included in Appendix “A”.

RECOMMENDATION: Approval, with Conditions as the ARC sees appropriate.

The landscaping and building articulation seem to be design elements that the ARC considered and recommended modifications on that have not clearly been addressed in the latest plan revisions. If the proposal is found to be satisfactory, or can be approved with conditions, staff recommends that the ARC issue a Certificate of Design Compliance.

Recommended Conditions of Approval

- That the final signage plan be adopted as part of the community’s CC&Rs and that the details be recorded as notes on any subdivision or condominium plats.

MODEL MOTIONS

Approval

I move to issue a Certificate of Design Compliance for Project SPL-19-007

- Add any conditions of approval

Denial

I move to deny a Certificate of Design Compliance for Project SPL-19-007.

ATTACHMENTS

- Ft Union Corridor Plan Excerpts
- Project Narrative
- Plan Submittal (site plan, landscape plan, building elevations, etc.)
- Project Materials
- Staff Zoning Requirements Review
- Design Guideline Reviews (concerns in highlighted yellow).

Fort Union Blvd. Corridor Master Plan

Applicable Policies

Please review pages 66-75 of the Fort Union Master Plan as they relate the design of this project: [http://www.cottonwoodheights.utah.gov/UserFiles/Servers/Server_109694/File/268%20\(Adopting%20a%20Fort%20Union%20Area%20Master%20Plan%20Element%20of%20the%20City's%20General%20Plan\).pdf](http://www.cottonwoodheights.utah.gov/UserFiles/Servers/Server_109694/File/268%20(Adopting%20a%20Fort%20Union%20Area%20Master%20Plan%20Element%20of%20the%20City's%20General%20Plan).pdf)

Particular mention is provided to these objectives and policies:

2. Goal: Increase the Economic Viability of the Fort Union Corridor Area: A primary objective of the Fort Union Area Plan is to provide support for new investment and reinvestment in the area and to demonstrate viable economic opportunities. An aggressive reinvestment strategy is needed for the Fort Union area to make it a healthy community that can retain and attract residents and businesses. If the area declines, it is likely to suffer from economic stagnation, deferred maintenance, limited access to new capital and a shortage of shopping, recreational and work opportunities, thus negatively affecting the City's tax base.

2.3 Objective: Promote businesses that offer goods and services to current and future City residents and the traveling public;

3. Goal: Create a Balanced Mixture of Land Uses in the Area: The Fort Union Corridor should develop as a unique mixed-use, retail, service, cultural, civic and residential hub to serve the citizens of the City and region, and should encourage a variety of mixed land uses which will be aesthetically pleasing and add long-term economic benefit to the community. The long-term health of the Plan area will require a well-balanced mixture of land uses consisting of a full range of housing types, recreational and open space opportunities, services, shopping, entertainment and places of work. These will be designed and organized around a mixed-use, pedestrian-oriented center that serves as the "City center" for the Fort Union Corridor and Cottonwood Heights.

3.1 Objective: Encourage a mixture of land uses throughout the Plan area, including mixed uses, retail, office, residential, and open space;

3.1.1 Policy: Permit the flexibility of office and/or residential uses for opportunity areas.

3.1.4 Policy: Retail Uses- • Develop standards for retail storefronts and signage. • Encourage opportunities for live-work and comparable ground floor uses. • Encourage neighborhood-serving retail uses, including the potential provision of a grocery store within neighborhoods.

5. Goal: Improve Aesthetic Quality: Maintain Cottonwood Heights' high quality of life by providing for the protection of open space throughout the community and proactively protecting and enhancing the community's natural assets and environmental features. The appearance of properties impacts the area's desirability. The Plan should ensure that Cottonwood Heights' community charm, heritage and scenic landscapes are preserved for future generations, and should improve the aesthetic quality of the Plan Area's built environment, including commercial properties, office parks, multifamily properties, and single family neighborhoods. 5.1 Objective: Focus on corridor aesthetics and experiences; 5.2 Objective: Preserve and enhance the City's existing sense of place and community; 5.3 Objective: Potential site

design review for non-residential buildings, unless clear and objective design standards are adopted as part of the detailed master Plan for a particular Sub-area.

5.1.1 Policy: Urban Design – • Require the street hierarchy to define space and differentiate the character of streets and neighborhoods. • **Require streets to emphasize the pedestrian and bicycles.** • **Integrate small and large-scale public art** which considers the history of the area, as well as thematic, artistic, and cultural ideas into new development and the public realm, including the following areas: trails, transit infrastructure, open spaces, buildings, site furnishings, lighting, gateways, and wayfinding • Allow for internal pedestrian connections. • Improve and enhance the Fort Union frontage with streetscape improvements, buildings, and landscaping.

5.1.2 Policy: Gateways – • Require variety in building massing, design, and height. • Use heights and variety in heights, building materials, orientation, and dimensions to create distinctive building tops for multi-story buildings. • Provide distinctive building forms and architecture at the designated gateway locations • Balance the aesthetic and functional criteria of sustainable design. • Adopt future design guidelines to implement the public art and history 2016 Fort Union Local Area Plan 72 • The final design and configuration of the streets, buildings, and open space with the PDD zoning will be determined through the development review process. The final configuration of the streets, buildings, and open space shall be subject to the following: • The shape of the buildings in Plan and form within the corridor shall create distinct and memorable three dimensional forms. • **Buildings on Fort Union shall be required to provide a primary entrance facing Fort Union.** • Area buildings shall be subject to the minimum height and density provisions and other applicable zoning provisions, design guidelines, and the Fort Union Area Plan. • The streets shall be configured to accommodate current and future transit and transit stations. • Buildings should be designed to integrate transit stops.

9. Goal: Create a ‘Main Street’ Character: The Fort Union Main Area Plan seeks to actively follow the City’s previously approved General Plan Design Guidelines by creating a City center-style character of streets, sidewalks, buildings, landscaping, public art, medians and open spaces. Buildings will face the street and provide a continuous ‘edge’ with on-street parking in front (in certain areas) and surface or deck parking in the rear (i.e., away from view of the public right-of-way). **Furthermore, buildings are designed for smaller retail tenants (rather than large national chains) to enhance the ‘storefront’ character typical of traditional main streets. Street trees and character enhancing landscaping will be planted in specific areas to complement the design and functionality of new development.**

9.1 Objective: Help the area become a model of what a “Town Center” district could be;

9.1.1 Policy: Encourage pedestrian-oriented, mixed-use development to foster the creation of a true “main street” environment.

9.1.2 Policy: Ensure that design proposals are high quality and conform to form-based design guidelines to create a sense of place and a unique character for Fort Union Main Street.

9.1.3 Policy: Ensure that development in Fort Union Main Street does not adversely impact the character of existing residential neighborhoods.

Written Narrative

Block 17

1. Conditional Use:
 - a. 24 Townhomes, 3 Stories
2. Architect and Engineer Information
 - a. Pierre Languet, 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 Languet 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.

NOT FOR CONSTRUCTION

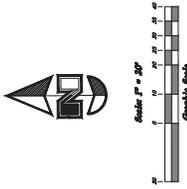
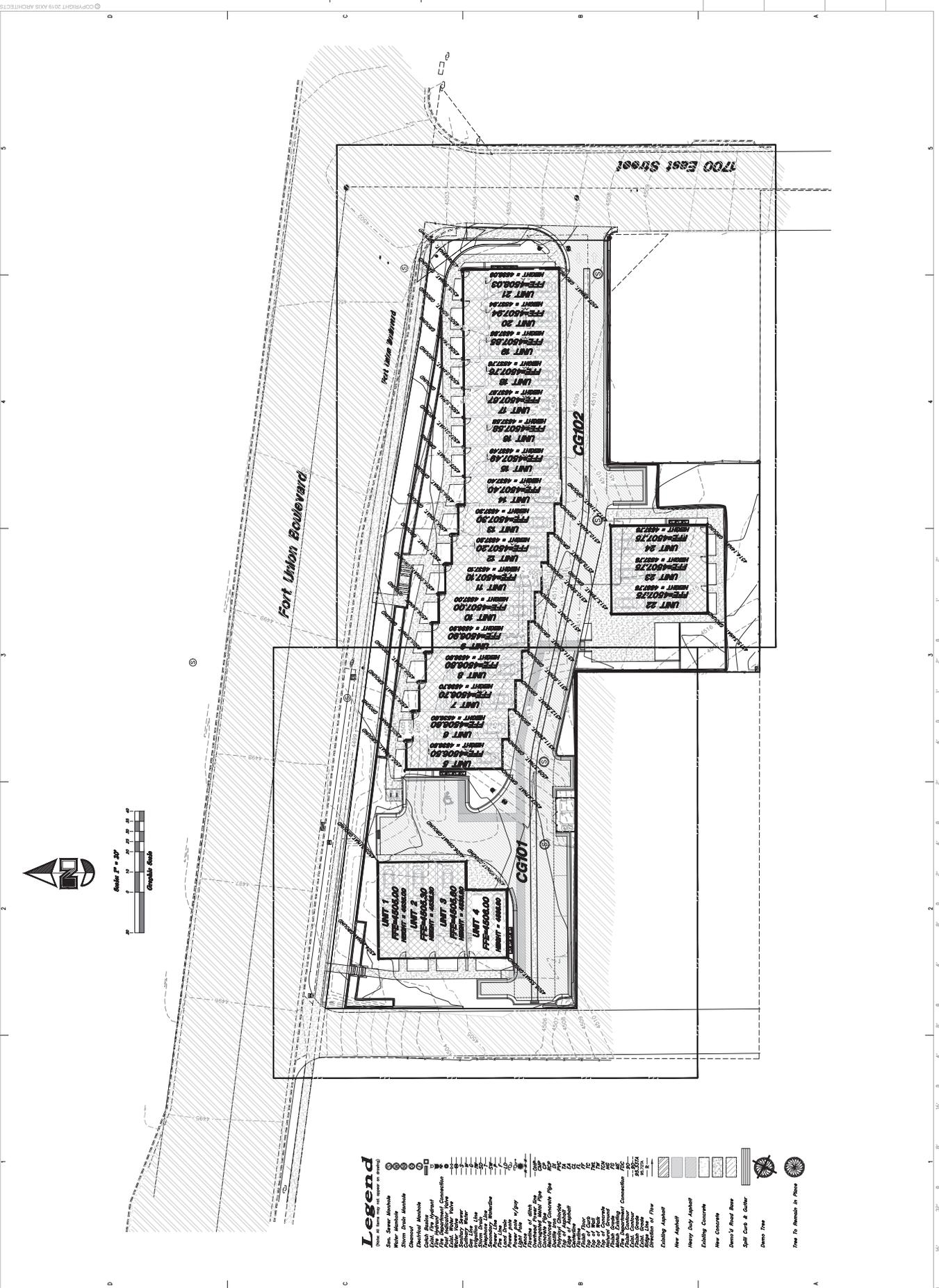
FORT UNION TOWNHOMES
 6958 S. 1700 E
 COTTONWOOD HEIGHTS, UTAH
 SCHEMATIC DESIGN

Revision # Date

Axis Job # 1901
 Owner # 7982019
 Date
 Drawn
 Checked
 ACMA

MUTUAL GRADE PLAN
 SCHEDULE

CG100



Legend

(Note all items not set upon in sketch)

	Site Survey Attribute
	Storm Drain Attribute
	Storm Drain Manhole
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	Storm Drain Valve

AE202

REVIEWS

Axis Job # 1901
Owner # 6222019
Date
Drawn
Checked

Revision # Date

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

Axis Architects

2727 SOUTH STATE STREET SALT LAKE CITY UTAH 84111 P 365-3003

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

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



ELEVATIONS

Axis Job # 1901
 Owner # 6222019
 Date
 Drawn
 Checked

Revision # Date

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

Axis Architects

2727 SOUTH STATE STREET SALT LAKE CITY UTAH 84111 P 365-3003

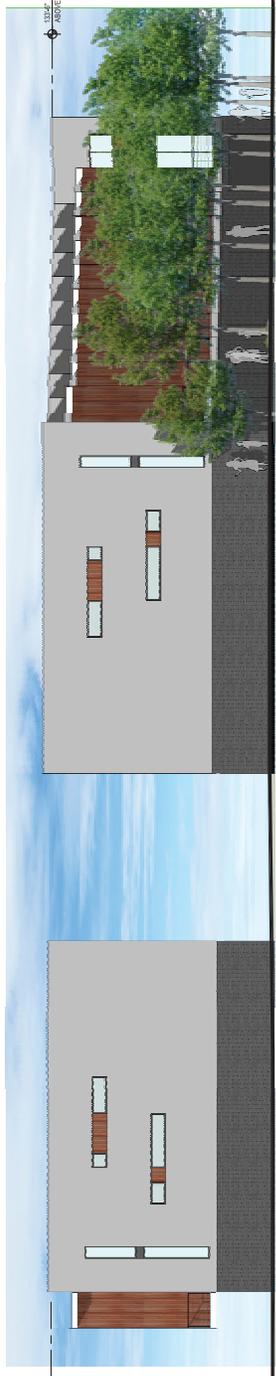
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C1 | NORTH ELEVATION UNIT A
 SCALE: 1/8" = 1'-0"

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

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

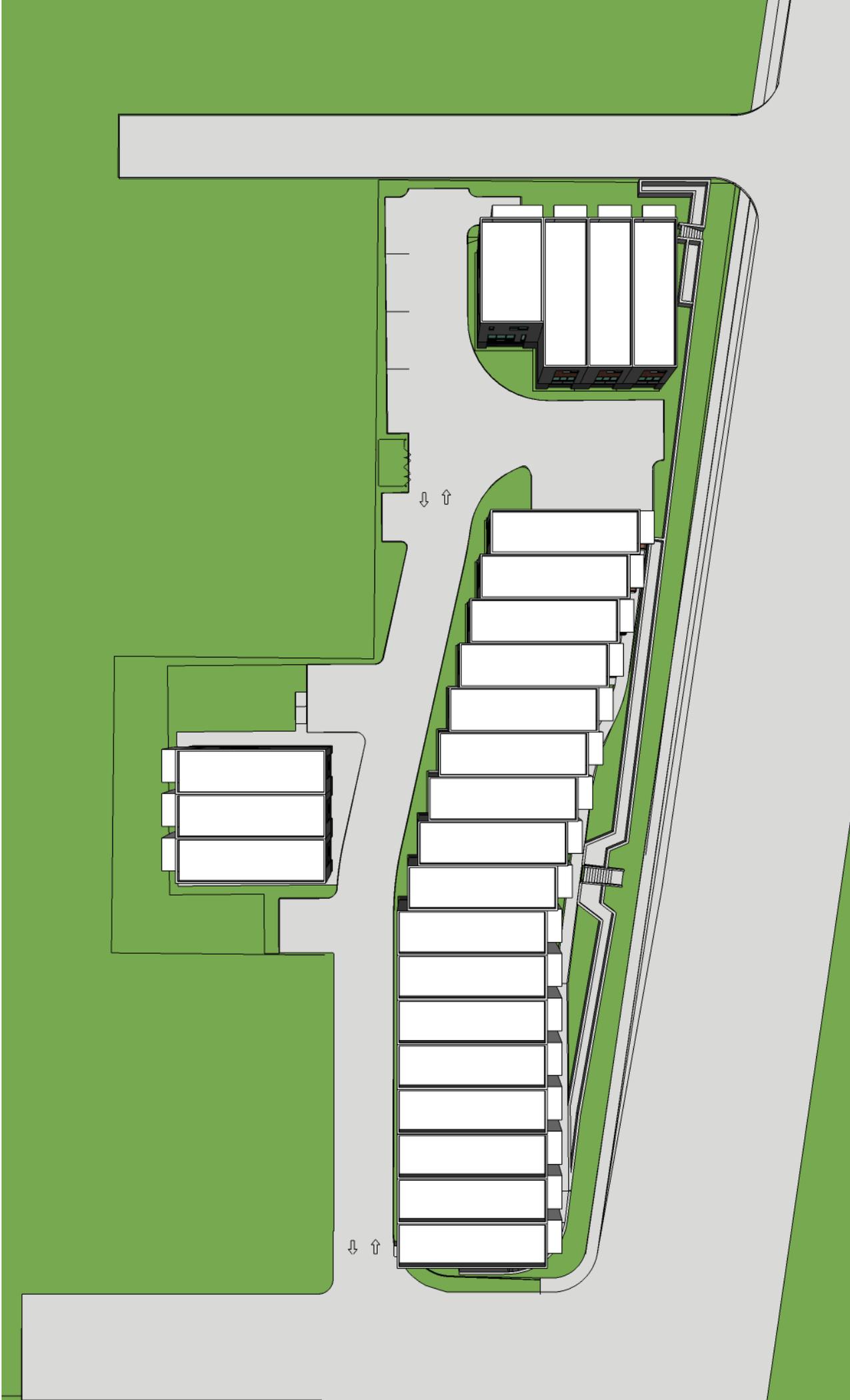




FORT UNION TOWNHOMES - 3D VIEWS

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FORT UNION TOWNHOMES - 3D VIEWS

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FORT UNION TOWNHOMES - 3D VIEWS



FORT UNION TOWNHOMES - 3D VIEWS

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FLOOR PLAN - UNIT C

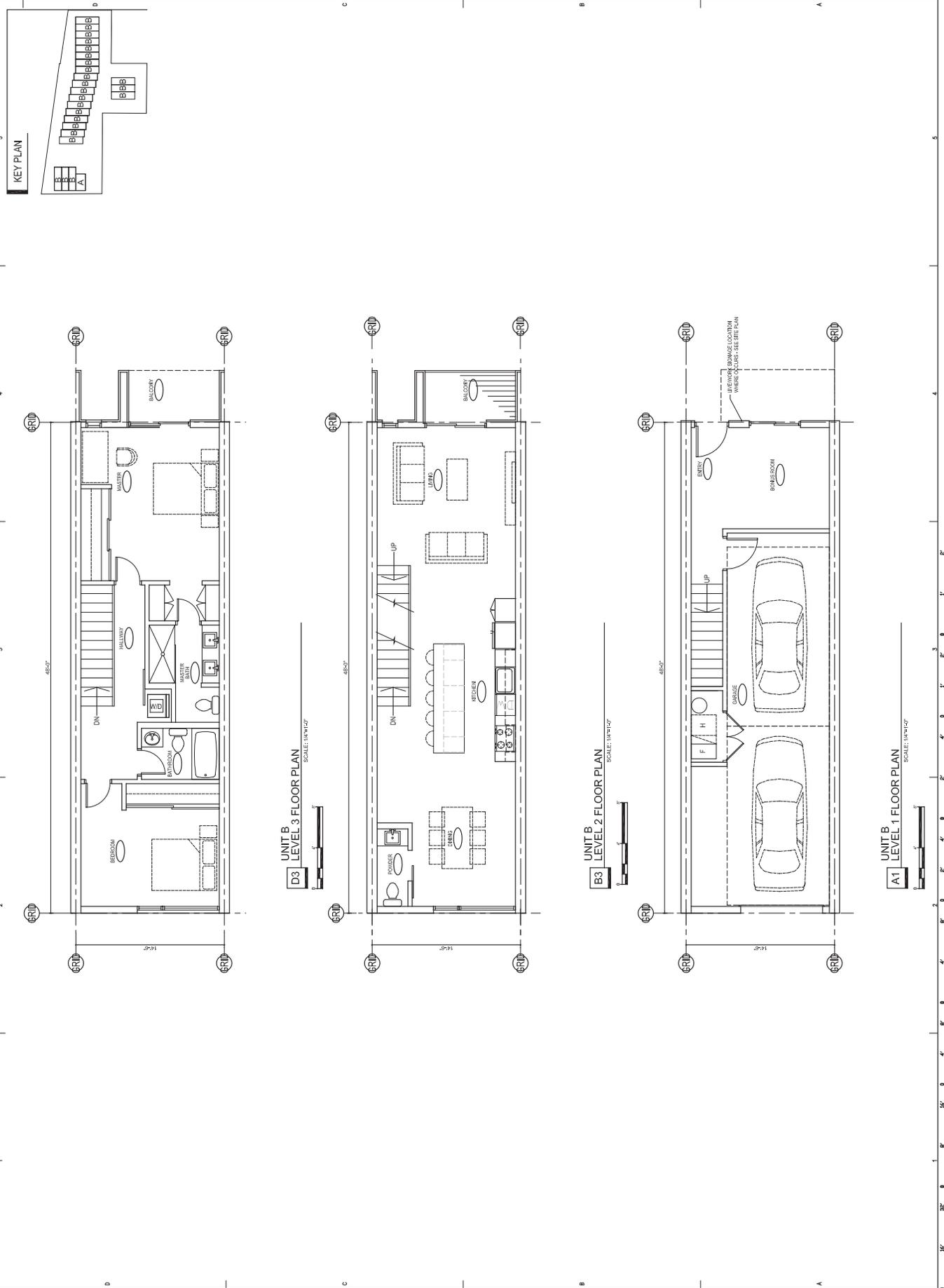
Axis Job # 1901
 Axis Order # 6182019
 Date Drawn
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Revision # Date

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

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Statistics	Symbol	Avg	Min	Max	Avg/Min
Footcandle	+	2.25fc	0.45fc	8.00fc	17.78
Footcandle	+	0.16fc	0.00fc	0.60fc	3.75

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

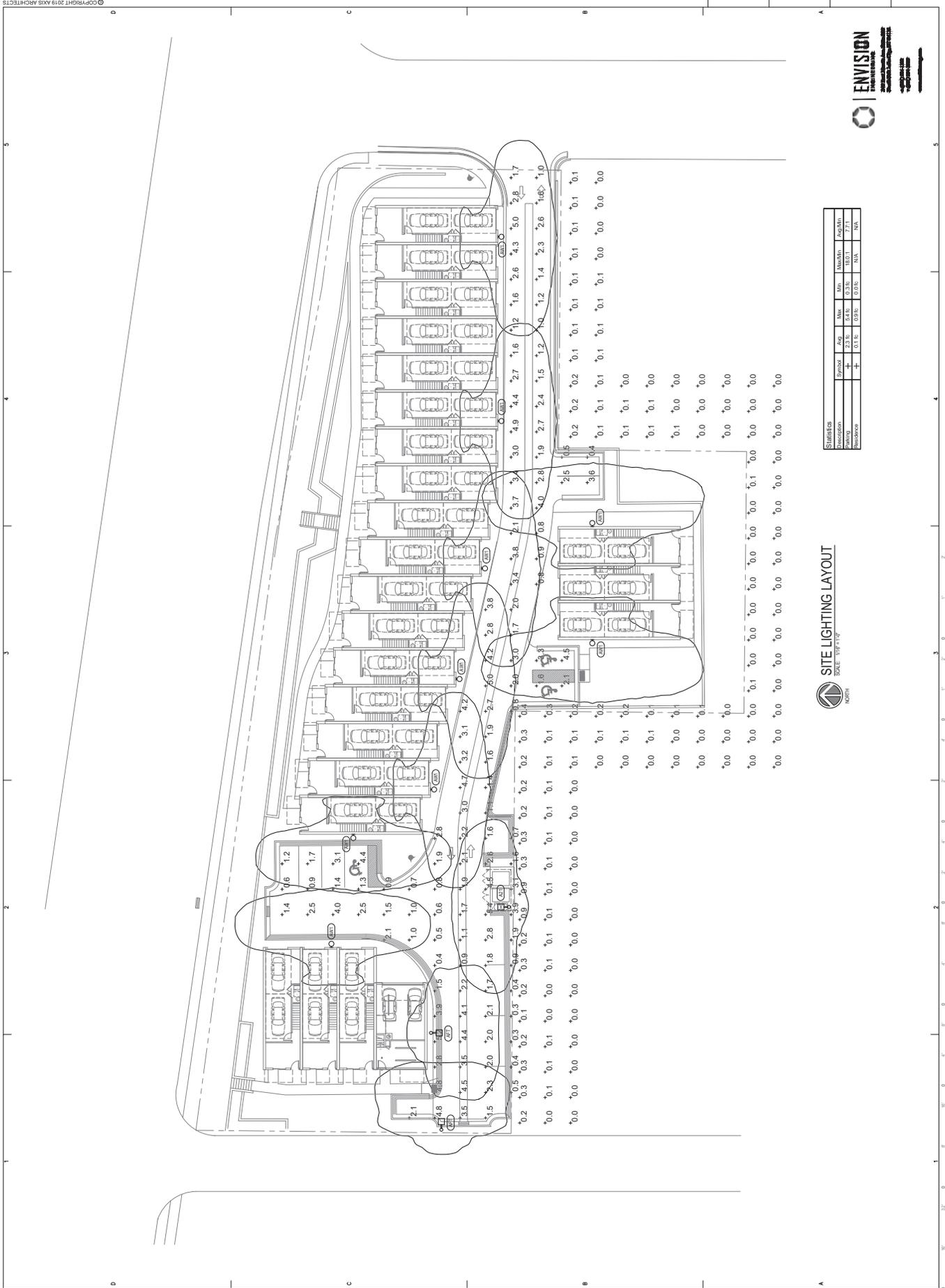
Axis Job # 1901
 Date: 5/14/2019
 Drawn: SKK
 Checked: JFO

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

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D-Series Size 0 LED Area Luminaire



Catalog Number
Notes
Type

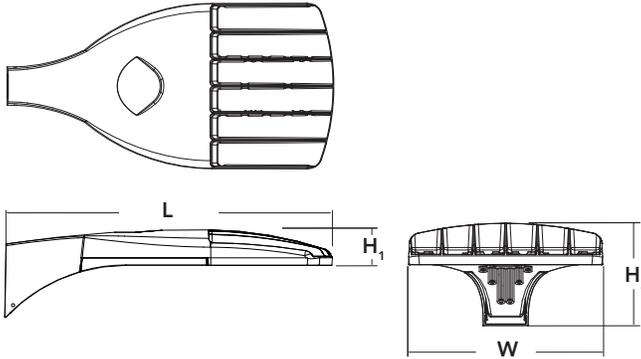
Hit the Tab key or mouse over the page to see all interactive elements.

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 ² (.09 m ²)
Length:	26" (66.0 cm)
Width:	13" (33.0 cm)
Height ₁ :	3" (7.62 cm)
Height ₂ :	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	Forward optics P1 P4 P7 P2 P5 P3 P6 Rotated optics P10 ¹ P12 ¹ P11 ¹ P13 ¹	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 ² LCCO Left corner cutoff ² RCCO Right corner cutoff ²	MVOLT ^{3,4} 120 ⁴ 208 ⁴ 240 ⁴ 277 ⁴ 347 ^{4,5} 480 ^{4,5}	Shipped included SPA Square pole mounting RPA Round pole mounting WBA Wall bracket SPUMBA Square pole universal mounting adaptor ⁶ RPUMBA Round pole universal mounting adaptor ⁶ Shipped separately KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) ⁷

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





D-Series Size 1 LED Wall Luminaire



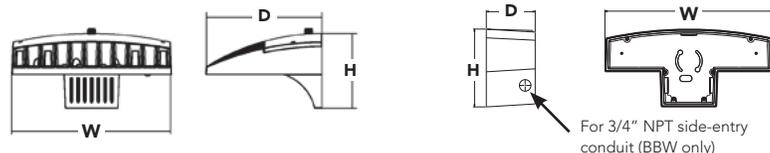
d#series

Specifications Luminaire

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

Back Box (BBW, ELCW)

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



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.

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) ¹	350 350 mA 530 530 mA 700 700 mA 1000 1000 mA (1 A) ¹	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 ² 120 ³ 208 ³ 240 ³ 277 ³ 347 ^{3,4} 480 ^{3,4}	Shipped included (blank) Surface mounting bracket BBW Surface-mounted back box (for conduit entry) ⁵	Shipped installed PE Photoelectric cell, button type ⁶ 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 ^{1,7} PIRH 180° motion/ambient light sensor, 15-30' mtg ht ^{1,7} PIR1FC3V Motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc ^{1,7} PIRH1FC3V Motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc ^{1,7} ELCW Emergency battery backup (includes external component enclosure), CA Title 20 Noncompliant ^{8,9}

Other Options	Finish (required)
Shipped installed SF Single fuse (120, 277 or 347V) ^{3,10} DF Double fuse (208, 240 or 480V) ^{3,10} HS House-side shield ¹¹ SPD Separate surge protection ¹² Shipped separately¹¹ 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
- Not available with SPD.
- Not available with ELCW.
- Also available as a separate accessory; see Accessories information.
- Not available with ELCW.



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

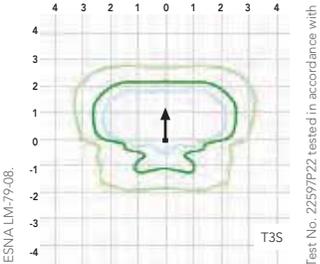
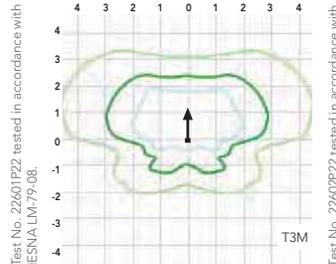
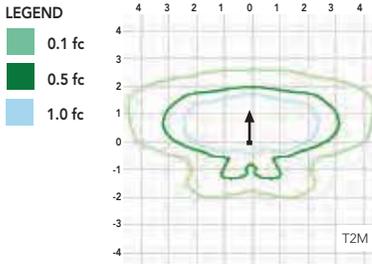
Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
*PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

*for use with Inline Dusk to Dawn or timer

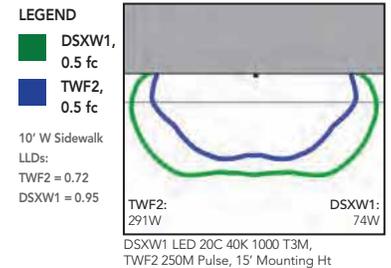
Photometric Diagrams

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

Isofootcandle 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 to confirm which versions are qualified.

WARRANTY

Five-year limited warranty. Complete warranty terms located at: 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.

