

PLANNING COMMISSION STAFF REPORT

HOGLE UTILITY REPLACEMENT Conditional Use Petition PLNPCM2009-01196 Approximately 2870 Millicent Drive November 18, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant:

Rocky Mountain Power, Alene
Bentley Representative

Staff:

Ray Milliner (801)534-7645
ray.milliner@slcgov.com

Current Zone:

R-1-12,000 (Single Family
Residential District)

Master Plan:

East Bench – Very Low Density 2-4
units per acre

Council District:

District 6 – JT Martin

Lot size:

N/A

Use:

Residential

Notification

- Mailed: November 3, 2009
- Sign posted: November 4, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites November 4, 2009

Applicable Land Use Regulations:

- Chapter 21A.24.050 R-1-12,000
- Chapter 21A.54 Conditional Uses
- Chapter 21A.40.160 Accessory Uses

Exhibits:

- A. Site Plan
- B. Photos of similar structures
- C. Comments from Community Council

REQUEST

The applicant, Rocky Mountain Power, represented by Alene Bentley is requesting approval of a conditional use for 18 utility box structures located between Crestview and Vista View Drives, and along Oakhurst and Millicent Drives (see attached map) just south of Donner Park. The purpose of the structures is to replace the existing underground electrical lines and transformers.

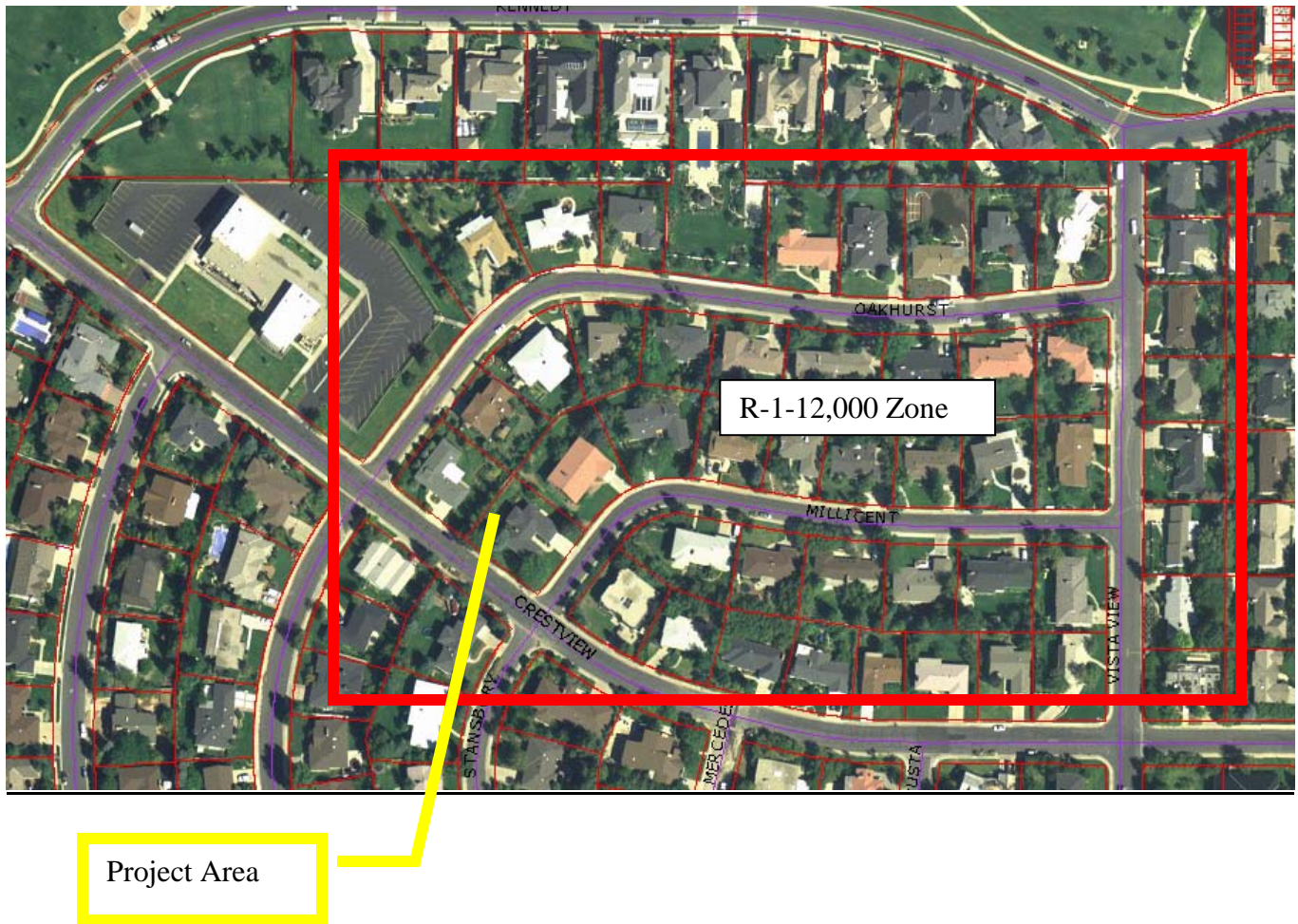
STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the proposed utility boxes, conduct a public hearing and approve the application per the findings, analysis and conditions of approval in this report.

Conditions of Approval

1. All necessary building permits for these structures shall be obtained from the building department prior to installation of the structures.
2. The applicant shall mark the boxes with a telephone number that residents can call to have graffiti removed from them.

Vicinity Map



BACKGROUND

The applicant, Rocky Mountain Power is requesting a conditional use for 18 utility boxes that will replace a failing electrical system in the neighborhood of Oakhurst Drive and Millicent Drive. The existing system was installed in the 1950's as one of the first underground service areas in the City. Lately, the system has shown its age, and has begun to fail (the technology of the time was not conducive to long term installations). The applicant is proposing to replace the old lines and boxes with new lines and boxes that will restore reliable electrical power for that residential neighborhood. The following three types of box are proposed to be installed:

- 4 High voltage junction equipment boxes 37 inches high, 66 inches wide and 22 inches deep
- 8 Single pad transformer boxes 25 inches high 46 inches wide and 30 inches deep
- 6 Single phase sectionizer boxes 37 inches high 37 inches wide and 22 inches deep

See photos attached as exhibit B.

Comments

Public Comments

Staff has received comments from members of the community both by telephone and email (email comments attached as exhibit D). Comments have ranged from inquiries as to what the proposal entails, to concerns about the impact of the project on property values and future health concerns.

Community Council Comments

The East Bench Community Council reviewed the project on October 21, 2009. There was no voiced opposition at the meeting. Comments from that meeting are attached as exhibit C.

City Department Comments:

Notice of the application was routed to each affected City department on requesting comments and input. Each department responded that they had no issues with the project.

Analysis

Section 21A.24.190 of the Salt Lake Zoning Ordinance establishes utility boxes as a conditional use in the R-1-12,000 zone, subject to the standards of approval for a conditional use as stated in Chapter 21A.54 of the Zoning Ordinance. Staff has applied these standards to the proposed use, and made the following findings (staff analysis is in italics):

Standards for Conditional Uses (21A.54.080)

A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. In order to identify and evaluate the detrimental effects and the need for and/or adequacy of mitigating conditions, the Planning Commission shall review and consider the following:

1. **Master Plan and Code Compliance:** The proposed development is supported by the general policies of the City Wide, Community, and Small Area Master plan text and the future land use map policies governing the site;
 - A. The proposed development is one of the conditional uses specifically listed in this title; and
 - B. The proposed development is supported by the general purposes and intent of the zoning ordinance including the purpose statement of the zoning district.

Analysis: The East Bench Master plan states that the goal for Public Utilities and Facilities is to, “Provide and maintain adequate and functional street, storm drainage, public utility, park and public safety systems.” The proposed project will replace a failing underground electrical system with a new operating system. This project should enable reliable service to local residents for the foreseeable future, thereby providing adequate electrical service per this goal.

The purpose of the R-1-12,000 (Residential, Single Family) is to provide for conventional single-family residential neighborhoods with lots 12,000 square feet or larger. This application is consistent with the purpose of the zone, as the proposed utility structures are designed to support existing single family homes in the immediate neighborhood. The use will not detract from the residential character of the zone, as electricity is an essential need to maintain quality of life.

Finding: Staff finds no evidence that the proposed utility structures will be contrary to the goals of the East Bench Master plan, or will be contrary to the purposes and intent of the R-1-12,000 zone.

2. **Use Compatibility:** The proposed use at the particular location is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing development. In determining compatibility, the Planning Commission may consider the following:

- a. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets;
- b. The type of use and its location does not create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use. In determining unusual patterns, the Planning Commission shall consider:
 - i. The orientation of driveways and if they direct traffic to the major streets or local streets, and, if directed to the local streets, the impacts to the safety, purpose, and character of the local streets;
 - ii. Parking locations and size, and if parking plans encourage street side parking to the proposed use which impacts the adjacent land uses;
 - iii. Hours of peak land use when traffic to the proposed use would be greatest and that such times and peaks would not impact the ability of the surrounding uses to enjoy the use of their properties; and
 - iv. The hours of operation of the proposed use when compared with the hours of activity/operation of the surrounding uses and the potential of such hours of operation do not create noise, height, or other nuisances not acceptable to the enjoyment of existing surrounding uses or common to the surrounding uses.
- c. The internal circulation system of the proposed development is properly designed for motorized, non-motorized and pedestrian traffic, and mitigates impacts on adjacent properties;
- d. Existing or proposed utility and public services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources; and
- e. Appropriate buffering such as landscaping, setbacks, and building location, is provided to protect adjacent land uses from light, noise and visual impacts.
- f. Detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed. The analysis is based on an inventory of uses within a quarter mile radius of the subject property.

Analysis: The structures will provide necessary improvements to the electrical service provided. Because of the relative small size of the structures (dimensions provided in exhibit B) and their location throughout the site (on both private and city property), they will have little visual effect on the surrounding uses. They will be located in an area that does not impede traffic, or pedestrian circulation, and will be painted in a muted earth tone, so as to limit the visual effect when viewed from the street and sidewalk.

Finding: Staff finds that the proposed utility structures are compatible with the character of the site, adjacent properties and the surrounding neighborhoods.

3.Design Compatibility: The proposed conditional use is compatible with:

- A. The character of the area with respect to: site design and location of parking lots, access ways, and delivery areas; impact on adjacent uses through loss of privacy, objectionable views of large parking or storage areas; or views and sounds of loading and unloading areas;
- B. Operating and delivery hours are compatible with adjacent land uses; and
- C. The proposed design is compatible with the intensity, size, and scale for the type of use, and with the surrounding uses.

Analysis: The structures will be centrally located away from traffic and pedestrian right-of-ways. The boxes will not eliminate any required parking. Access to the utility site is from the surrounding right-of-ways, and is adequate. Once the structures are installed, the only traffic generated will be from maintenance vehicles that visit the site for routine maintenance.

Finding: The proposed design is compatible with the intensity, size and scale for the type of use and with surrounding uses.

4. **Detriment to Persons or Property:** The proposed use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The applicant shall demonstrate that the proposed use:

- A. Does not lead to deterioration of the environment by emitting pollutants into the ground or air that cause detrimental effects to the property or to neighboring properties;
- B. Does not introduce hazards or potentials for damage to neighboring properties that cannot be mitigated; and
- C. Is in keeping with the type of existing uses surrounding the property, and that as proposed the development will improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

Analysis: No deterioration of the environment will occur as a result of this application. The electrical transformers and structures do not emit any harmful or hazardous pollutants into the ground or air that will not be mitigated through the building permit process. The upgrade and redevelopment of the existing utilities should have a positive impact on the surrounding area.

Finding: The project satisfies this standard.

5. **Compliance with Other Applicable Regulations:** The proposed development complies with all other applicable codes and ordinances.

Analysis: Approval of this application is based on compliance with all applicable City building permits and codes prior to installation.

Finding: Staff finds the proposed conditional use complies with all other applicable codes and ordinances.

Exhibit A:
Site Plan

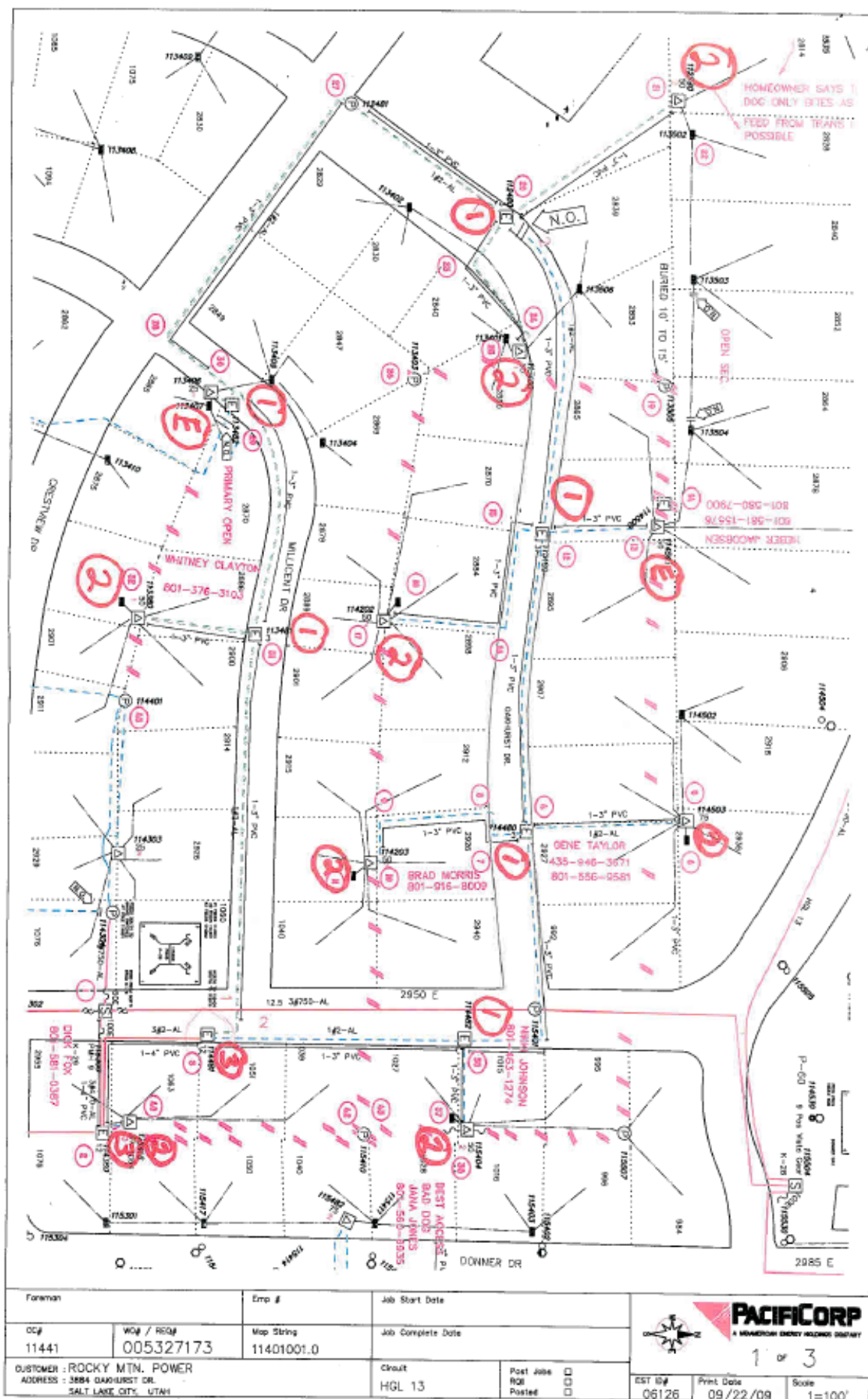


Exhibit B:
Photos of Proposed Structures

①

Single Phase Sectionalizer Cabinet 15Kv

37"H X 37"W X 22"D
Plus inches for base



This equipment is used as a junction box for several primary conductors



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Single Phase Pad Mount Transformer 15Kv

25"H X 46"W X 30"D
Plus inches for base



This equipment reduces high voltage to low voltage



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Three Phase Sectionalizing Enclosure

37" H X 66"W X 22" D

Plus inches for base



High Voltage Junction Equipment

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EXHIBIT C:
Community Council Comments

From: Kevin Jones [mailto:gkevinjones@hotmail.com]
Sent: Wednesday, October 28, 2009 9:39 AM
To: Bentley, Alene
Subject: RE: East Bench Community Council meeting on RMP project

Thanks for coming to the East Bench Community Council on Wednesday evening, Oct. 21 and informing the neighborhood on the planned Rocky Mountain Power project. Your presentation was thorough and well received by the neighborhood. There was no voiced opposition at the meeting.