



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Daniel Echeverria, daniel.echeverria@slcgov.com, 801-535-7165
Date: March 18, 2022 (publication)
Re: PLNSUB2021-00740 - Swaner Subdivision – Preliminary Subdivision Plat

Preliminary Subdivision

MASTER PLAN: Northpoint Small Area Plan (2001) – 2022 update in progress
ZONING DISTRICT: Business Park (BP)
PROPERTY ADDRESS: 2691 N 2200 West (approximate)
PROPERTY SIZE: ~430 Acres

REQUEST:

Colby Anderson, representing the developer Scannell Properties, is requesting preliminary subdivision approval for property at 2691 N 2200 West. The applicant is proposing to subdivide the property into 20 lots. The subdivision would also include new right-of-way and associated infrastructure improvements through the property to provide access to the lots, including a north-south running roadway at approximately 2900 West and an east-west right of way at 2950 North. Additional right of way along 2200 and 3200 West would also be dedicated. The applicant is also requesting that the Planning Commission make a recommendation on the modification of a block size regulation. Subdividing property requires this preliminary subdivision plat process. The property is currently zoned Business Park (BP), which allows for a variety of light industrial and commercial uses. The property is currently primarily vacant.

RECOMMENDATION:

Based on the information in this staff report and standards of review, Planning Staff recommends that the Planning Commission approve the proposed preliminary subdivision request with the following conditions:

1. Prior to final plat approval, the developer shall finalize any required agreements with the City Department of Airports for use of its property for the lift station shown on the associated improvement plans or shall proceed with alternative utility plans that do not require use of Airport property. (See [Attachment F, Standard D](#))
2. If the canal is not relocated, lot lines may be revised prior to final plat approval to accommodate the existing canal area, to accommodate vehicle access, and to ensure zoning compliance for lots impacted by the canal. (See [Consideration 4](#))

3. The dedication and improvements to 3200 West may be waived by the City if 3200 West is removed from the Major Street Plan as a required collector street, the street is formally closed or vacated, or the dedication and improvement requirement is modified by any other applicable process or regulation. (See [Consideration 5](#), and [Attachment F, 20.16.100.E](#)) If 3200 West improvements are waived, the final plat shall include a note that prohibits vehicle access from any lot abutting 3200 West onto any unimproved section of 3200 West, except as necessary for any utility or maintenance access.
4. Prior to the City accepting any right of ways or other infrastructure improvements within a recognized wetland area, any wetland impacts by such right of way shall be approved by the Army Corps of Engineers and mitigated by the subdivider as required by the Army Corps. The associated property shall otherwise be clear of any other legal constraints on its use and improvement as a public right of way or for other public infrastructure. (See [Attachment F, 20.16.100.F](#))
5. This approval is contingent on Mayor approval of the block size modification request. (See [Consideration 1](#))
6. This preliminary plat approval does not include or imply City approval of the canal re-alignment and any necessary property transactions. Canal re-alignment is subject to separate processes and agreements. (See [Consideration 4](#).)
7. Off-site transportation infrastructure improvements beyond those shown on the preliminary plans may be required as part of the final plat and final infrastructure plans, based on the recommendations in the current traffic study or any supplemental traffic studies and Transportation Division review and determination. (See [Attachment F, 20.16.100.E](#))
8. All other City department comments and conditions shall be complied with as noted in [Attachment I \(City Department Review Comments\)](#).
9. Final street light plans shall comply with 20.12.030.H regarding compliance with the City's Street Light Master Plan. (See [Attachment F](#))
10. A legal agreement for the included protection strip, as per 20.12.030.J, shall be finalized with the City prior to final plat approval. (See [Attachment F](#))
11. Areas of the subdivision located in a floodplain area, or mapped flood zone, shall comply with 20.40.040 (See [Attachment F, 20.16.100.E](#) and 20.40.040)
12. The final subdivision and infrastructure plans, including for sewer, water, and storm drainage, shall comply with all other applicable regulations as determined by the Public Utilities Department Director. (See [Attachment F, 20.16.100.D & F](#))
13. A site development permit will be required as per 20.16.140 and 18.28. (See [Attachment F, 20.16.140](#))
14. Final plans shall demonstrate compliance with 20.12.030.E regarding intersection visibility unless deemed unwarranted by the City Engineer and Transportation Division Director as per 20.12.030. (See [Attachment F, 20.12.030.E](#))
15. Final plan details shall comply with all other requirements of 20.40.010. (See [Attachment F, 20.16.100.E](#))

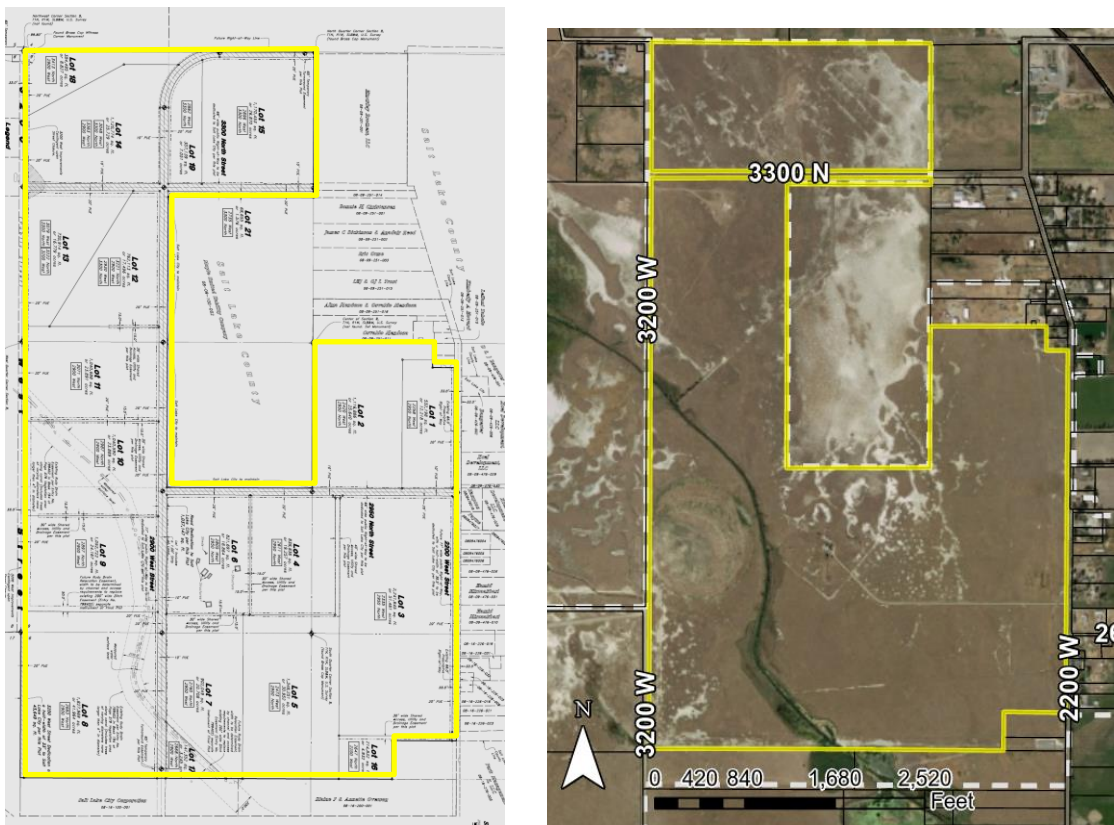
Planning Staff also recommends that the Planning Commission provide a positive recommendation to the Mayor to approve the requested block size regulation modification.

ATTACHMENTS:

- A. [ATTACHMENT A: Zoning and Vicinity Maps](#)
- B. [ATTACHMENT B: Subdivision Plat](#)
- C. [ATTACHMENT C: Improvement Plans and Reference Exhibits](#)
- D. [ATTACHMENT D: Applicant Narrative and Supplemental Exhibits](#)
- E. [ATTACHMENT E: Major Street Plan and Northpoint Plan Extract](#)
- F. [ATTACHMENT F: Analysis Of Standards – Preliminary Subdivision](#)
- G. [ATTACHMENT G: Public Process And Comments](#)
- H. [ATTACHMENT H: Property Photographs](#)
- I. [ATTACHMENT I: City Department Review Comments](#)
- J. [ATTACHMENT J: Zoning and Planning History of Site](#)
- K. [ATTACHMENT K: Miscellaneous Studies](#)

PROJECT DESCRIPTION AND BACKGROUND

Colby Anderson, representing the developer Scannell Properties, is requesting preliminary subdivision approval for a ~430-acre property at 2691 N 2200 West. All subdivisions of property into new lots are required to go through this preliminary subdivision process.



The proposed subdivision plat showing proposed lots and right of ways is on the left (full size in [Attachment B](#)), with an aerial of the property on the right (full size in [Attachment A](#)).

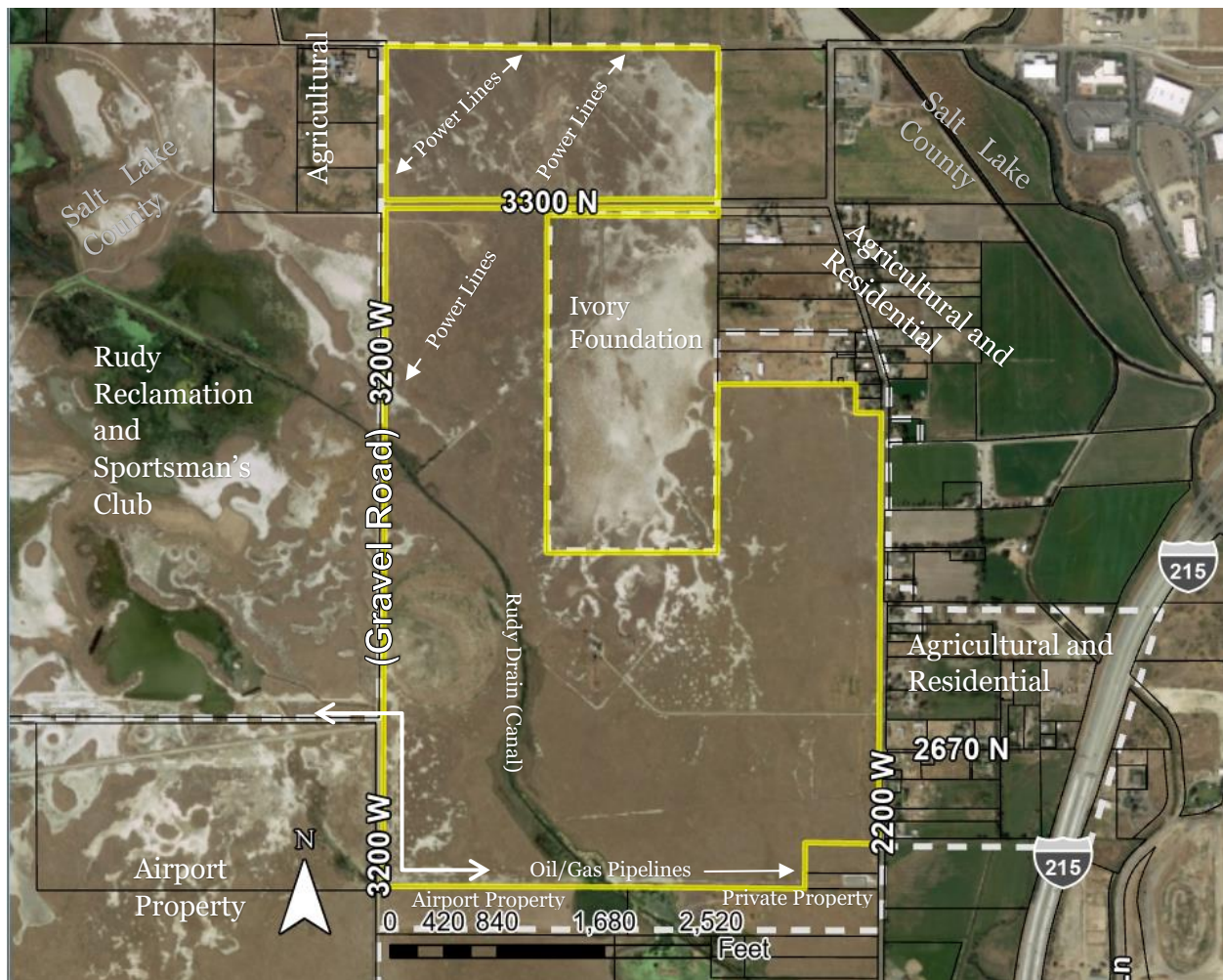
The applicant is proposing to subdivide the property into 20 lots. The subdivision will include dedication and improvement of new right-of-way (roads) through the property to provide access to the lots and installation of associated public infrastructure improvements to provide public utility services to the lots. New rights-of-way include a north-south running roadway at approximately 2900 West and an east-west right of way at 2950 West. Additional right-of-way along 2200 West and 3200 West will also be dedicated and improved. Infrastructure improvements include both roadway improvements to the dedicated rights-of-ways (street, curb, gutter, sidewalk, lighting) and utility improvements (sewer, water, storm drainage) to provide utility services to the properties. A more detailed list of proposed improvements is located below under the heading [“Proposed Lots and Public Improvements” on page 5](#). The full plat and infrastructure improvement plans are in [Attachments B](#) and [C](#).

The subdivision is coming before the Planning Commission as the applicant is seeking a modification to a subdivision design standard. Most subdivisions are approved administratively by Planning Staff and are not required to come before the Planning Commission for a decision. The ordinance specifically requires that subdivisions that meet ordinance requirements be approved administratively (staff level) by the Planning Director. However, in this case, the subdivision does not meet a block size regulation and so must go before the Planning Commission as part of the process to modify the regulation. The specific regulation is a size limit of 3,000 linear feet for the perimeter of subdivision blocks. The “blocks” in this proposed subdivision exceed that limit. However, the standard can be modified. It requires the Planning Commission to make a recommendation on the modification and the recommendation would then be provided to the Mayor for the Mayor’s decision. The modification is discussed in the Key Considerations section below.

The property is zoned Business Park (BP) and can be developed for any commercial or light industrial use allowed in that zone. The developer has included a conceptual plan showing that the property could be developed for warehouse style development in [Attachment D](#). However, the scope of a preliminary subdivision review only includes property lines and public infrastructure improvements, and does not cover buildings or other site improvements, such as driveways, parking, and landscape improvements. The subdivision standards of review are listed on page 6 under the heading “Subdivision Regulations.”

Subdivision Location Context

The subject property is located at the north end of the City and is surrounded predominantly by agricultural and single-family residential land uses. On the east side of the property along 2200 West there are multiple agricultural users and residences. On the west side of the property along 3200 West there is an agricultural use on the north-most corner of the property. Across 3200 West along the middle of the property is the “Rudy Reclamation and Sportsman’s Club” which includes large wetlands and bird habitat. Properties to the south-west corner of the site are owned by the City/Airport and are vacant. The on the south-east corner are owned by Dominion Energy and used to feed gas from major gas transmission lines to local distribution gas lines.

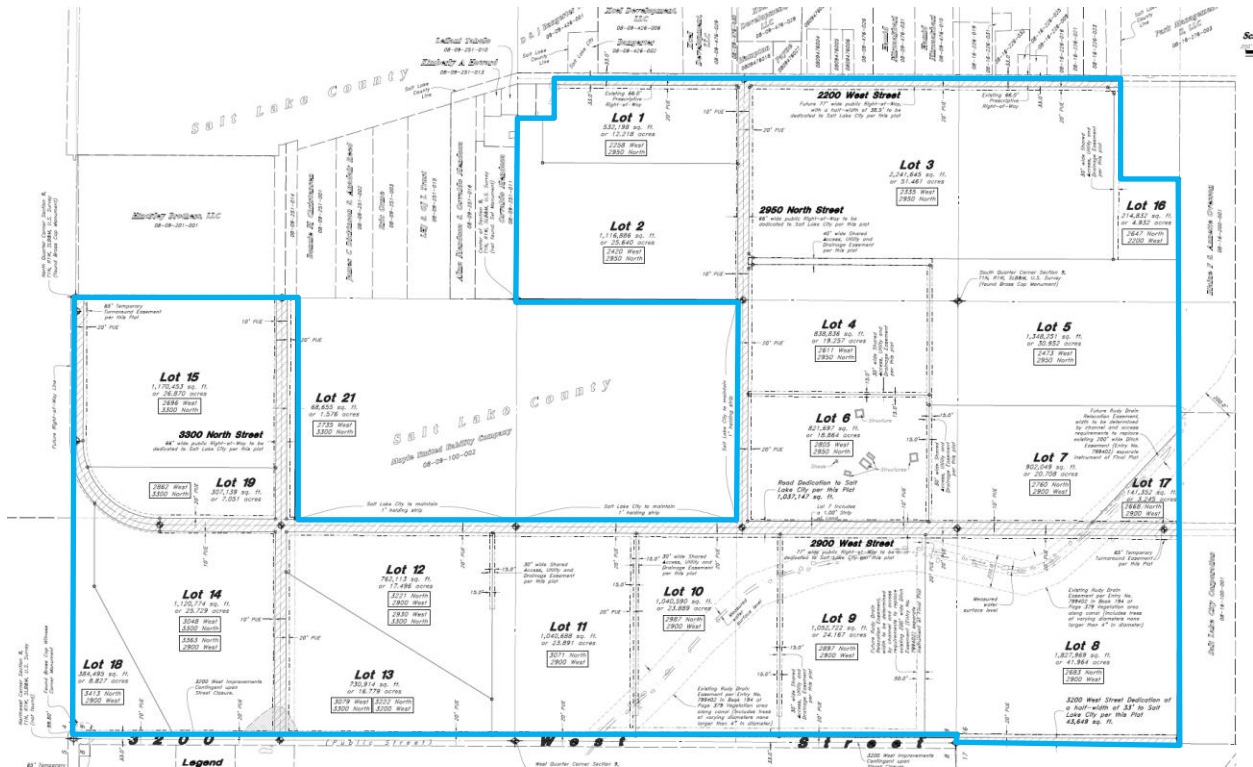


Subject property highlighted in yellow with adjacent general surrounding land uses noted. The dashed white line is the City boundary. Property outside of the boundary is under Salt Lake County jurisdiction.

See [Attachment A](#) for larger aerial and zoning map.

The property itself is largely vacant. The south-most ~150 feet of the property is occupied by underground oil/gas pipelines. These same lines also run along the west portion of the site for about 1300 feet. Two high voltage power transmission lines cross through the north-west part of the property. The center of the property is currently occupied by a single-family home type structure and a large, shed type structure. There are also two homes located in the north-east corner of the site along 2200 West.

Proposed Lots and Public Improvements



The above shows the proposed subdivision (blue line). North is to the left. Hatched areas are new right of ways/streets. A full-size version of the plat is located in [Attachment B](#).

The subdivision does the following:

- Divides the property into 20 lots
- Dedicates and improves a new north-south road at 2900 West (77' Right of Way (ROW))
- Dedicates and improves a new east-west road at 2950 North (66' RoW)
- Dedicates and improves the existing east-west roadway at 3300 North (66' RoW)
- Dedicates additional width and improves 2200 West to a ~74' RoW
 - Includes additional property dedication from the subdivider to widen the road (Widens existing 66' RoW by ~8.3')
 - Includes improving approximately the west half of the road (~36' of new asphalt, curb, gutter, sidewalk)
 - The road will not be widened or improved on the east half of the road next to residences. Widening and improvements would only be required if those properties are subdivided.
 - Includes new sewer and water lines
- Dedicates and improves the existing north-south road at 3200 West (~33' to 66' RoW)
 - Most of the road directly adjacent to the subdivision (east half or ~33') is already dedicated public right-of-way, excepting the southmost ~1,300 feet.
 - The developer is proposing to not improve 3200 West if possible. The improvements would not be required if the street is formally closed or vacated by the City and/or the Major Street Plan (official City street plan) is amended to

remove it from the map. This is discussed further in the Key Considerations section.

- Installs new sewer and water lines to all lots and necessary drainage infrastructure to support each lot's use

The developer is also proposing to do the following as part of their development that are outside of the scope of this subdivision review:

- Relocate the Rudy Drain canal to the west side of the property, along 3200 West
 - This relocation is being negotiated with Salt Lake City Public Utilities, which owns the existing canal easement.
 - This is not being proposed as part of the subdivision plat. The canal is covered by a deed to the City from 1915 and release or modification of that requires a property transaction outside of the scope and authority of subdivision process.
 - The canal relocation is discussed further in the Key Considerations section.
- Construct a bypass road off-site at approximately 2900 West, which would extend from 2100 North to the subdivision boundary (~2500 North)
 - The road would go through Airport property and the applicant will need to continue to work with them on obtaining an access easement for the road
 - The applicant has noted that they intend to initially use it as a construction access road
 - The road would allow traffic to access the site without traveling on 2200 West
 - The road is outside of the boundary of the subdivision and subject to Airport approvals that are outside the scope and authority of this subdivision process.

The proposed plat and associated improvement plans are in [Attachments B](#) and [C](#), respectively.

Although a conceptual site plan with potential buildings has been provided (see [Attachment D](#)), this plan is conceptual only and is not part of the subdivision review. Zoning compliance will be ensured during the building permit process for each individual site.

Approval Process and Commission Authority - Subdivisions

Planning Staff is required by ordinance to analyze subdivisions against the subdivision standards. The full list of standards and Staff's findings on those standards is in [Attachment F](#). Most of these standards refer to specific measurable regulations and are generally not discretionary, which is different than most proposals that come before the Commission. The standards are copied below:

- A.** The subdivision complies with the general design standards and requirements for subdivisions as established in [chapter 20.12](#) of this title;
- B.** All buildable lots comply with all applicable zoning standards;
- C.** All necessary and required dedications are made;
- D.** Water supply and sewage disposal shall be satisfactory to the public utilities department director;
- E.** Provisions for the construction of any required public improvements, per section [20.40.010](#) of this title, are included;
- F.** The subdivision otherwise complies with all applicable laws and regulations;
- G.** If the proposal is an amendment to an existing subdivision and involves vacating a street, right of way, or easement, the amendment does not materially injure the public or any

person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.

When a subdivision meets all the standards, the ordinance directs the Planning Director to approve the subdivision. As noted, the development exceeds a block size dimensional limit (located in 20.12 referenced by standard A above), so it is before the Planning Commission for a decision on the subdivision with a recommendation on the block size modification.

Keep in mind that infrastructure plans (i.e., plans for roads, utilities, drainage) approved in a “preliminary plat” process are “preliminary” and not complete, buildable plans. The number of conditions attached to this report is reflective of that. The plans will be refined and expanded with additional details as part of the final plat review process, and additional regulations, for example water quality regulations, may result in modifications to the plans.

Current Zoning and Planning Context

A general history of the zoning and City planning efforts involving the property is located in [Attachment J](#) for background reference. The property is currently zoned Business Park, which allows for a wide variety of commercial and light industrial uses, such as warehouses, industrial assembly, and office uses. The property is also associated with an ongoing update to the Northpoint Small Area Plan, which covers this area of the city. A consultant has done initial outreach, completed an existing condition report, and is working on a draft plan. Zoning changes for the area may follow the adoption of that plan in the future.

Some input received on this proposal from community members has requested that the City put a hold on the subdivision based on that master plan update being in progress (see [Attachment G](#)). Although this planning process started prior to the applicant proposing their subdivision, the planning process does not put a hold or a moratorium on development within the area. The City cannot legally hold up an application until the conclusion of a master planning process. The City is legally required to process the subdivision application against the existing adopted standards that apply to the property.

Community Input and Public Process History

For the subdivision process, public notices are required to be sent to adjacent property owners and signs are required to be posted on the property. This noticing occurred in August 2021. Staff received letters from adjacent property owners and interest groups pertaining to the subdivision. Most of the letters included concerns regarding the subdivision, including potential traffic impacts to 2200 West and the development’s impact to wetland and wildlife habitat properties to the west of 3200 West. Two comments were provided in support of the development. Those letters and input are attached in [Attachment G](#).

KEY CONSIDERATIONS

The key considerations and concerns below have been identified through the analysis of the project, neighbor and community input, and department reviews.

1. [Modification to Block Size](#)
2. [Use of 2200 West and 2900 West Bypass Road](#)
3. [2200 West Improvements and New Sewer Line Concerns](#)
4. [Rudy Drain \(Canal\) Relocation](#)
5. [Waiver of 3200 West Improvements Long Term](#)

Consideration 1: Modification to Block Size

- Multiple “block” perimeter lengths exceed subdivision maximum of 3,000 linear feet
- Compliance would result in additional streets that wouldn’t align with plan goals and put additional access points next to residences on 2200 West and the wetlands on 3200 West
- Staff supports a block size modification to avoid additional streets and intersections and to better align with existing adopted plan policies for the area
- Staff recommends that the Commission provide a positive recommendation to the Mayor

Discussion:

The subdivision ordinance has a maximum perimeter length limit for new blocks. A block is defined as “An area of land within a subdivision entirely bounded by streets (other than alleys), freeways, railroad rights of way, natural barriers, or the exterior boundaries of the subdivision.” The subdivision code allows a maximum perimeter length of 3,000 linear feet for the property’s zone. For this subdivision, five of the “blocks” exceed the perimeter length limit, as shown below.



The above map (extracted from the developer’s roadway exhibit in [Attachment C](#)) shows the total approximate perimeter lengths of each block. The proposed blocks would require multiple new streets through them to create smaller “blocks.”

Enforcement of the block limit would require that the development be broken up into several smaller blocks by several additional streets, some of which would need to connect to 2200 West. The developer has provided an exhibit showing the potentially required network of streets to meet the block size standard, located in [Attachment D](#). Their exhibit shows at least four streets connecting onto 2200 West. These additional streets would directly conflict with the intent of the Northpoint Small Area Plan that applies to the area, which has a policy to limit vehicle access into the site from 2200 West and to encourage traffic to use a bypass road west of 2200 West. An extract of that plan is in [Attachment E](#). As such, Staff supports a modification to the requirement.

The subdivision ordinance in [20.44](#) states that modifications may be permitted in the following code (underlines added):

Whenever the land involved in any subdivision is of such size or shape, or is subject to such title limitations of record, or is affected by such topographical location or conditions, or is to be devoted to such use that it is impossible, impractical or undesirable in a particular case for the subdivider fully to conform to the design standards and requirements contained in chapter 20.12 of this title... or its successor, the planning commission or its designee may recommend and the mayor may permit such modification thereof as may be reasonably necessary if such modifications are in conformity with the spirit and purpose of this title.

With respect to that, the development's size results in the requirement for several additional rights-of-way to create smaller blocks. The smaller resulting blocks would be problematic for the proposed warehouse type uses, as these typically occupy much larger properties than would be supported by the smaller blocks. The additional streets would also not be necessary to support warehouse traffic and would be an underutilized maintenance burden for the City in the long term. The limit would also lead to unusual shifts in the proposed roadway alignments to avoid exceeding the block size limit, rather than the logical straight runs shown. And as noted above, it would conflict with the master plan goals for the area. As such, Planning Staff recommends that the Commission recommend approval of the modification.

The Planning Commission has decision making authority over all aspects of the subdivision plat, except regarding the block size limit where the final decision is made by the Mayor. The Commission is directed by ordinance to make a recommendation on the modification request and the Mayor will decide whether to approve the modification.

The ordinance requires that the Planning Commission make findings on the specific modification standards. Staff has included a finding for each "fact" below:

- 1.** There are special circumstances or conditions affecting said property;
 - a.** *Finding:* See consideration 1 discussion regarding the block sizes conflicting with the master plan for the property.
- 2.** The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
 - a.** *Finding:* The modification allows for reasonable, permitted warehouse development use that would otherwise not be supported with smaller block sizes. The existing master plan policies and zoning of the property (BP Business Park) anticipate larger warehouse development and large block sizes are required to support that type of development. Considering that the master plan and zoning encourages this development, it is assumed that developing according to the adopted policies and laws is a substantial property right.
- 3.** The granting of the modification will not be detrimental to the public welfare or safety, or injurious to other property in the vicinity in which the property is situated.
 - a.** *Finding:* The modification reduces the number of potential access points and traffic conflict points on 2200 West and helps direct traffic away from lower scale residential uses in the long term. This supports the public welfare and safety and protects those lower scale residential uses from traffic impacts.

Staff finds that the modification meets the modification consideration facts above.

Consideration 2: Use of 2200 West and 2900 West Bypass Road

- Residents are concerned with the use of 2200 West for vehicle access due to traffic, and existing master plan policies state that future development on the west side of 2200 West should not utilize 2200 West for access.
- Regardless of the master plan policies, no subdivision or zoning standards exist to prevent driveways or streets on 2200 West
- Applicant has designed the subdivision with only one street connecting on 2200 West
- The City can't require the developer to buy property it doesn't own to build a 2900 West bypass
- However, the developer has proposed to build an off-site 2900 West bypass road through Airport property and is working with the Airport for permission

Discussion:

2200 West Access

Concerns have been received from neighboring property owners and the local community council regarding the use of 2200 West for access to the site, noting a preference that 2200 West not be used at all for vehicle access. Aligned with that preference, the area has an adopted master plan (Northpoint Small Area Plan) with policies that support restricting or prohibiting vehicle access from 2200 West into this site. A map from that plan showing the proposed access restriction is located in [Attachment E](#). However, while the master plan supports access restrictions, the master plan is a guiding document and does not control private development. There are no zoning or subdivision regulations that prohibit access from 2200 West and master plan policy compliance is not a standard of review for a subdivision. Because of that, the City can't restrict or prohibit access from 2200 West into the site.

Despite that, the developer is aware of those policies and is proposing just one new public street connection onto 2200 West. The connection is also located north of most single-family home properties on 2200 West. The normal subdivision regulations would require an additional street connection onto 2200 West, as discussed in Consideration 1. To build just one street connection and reduce the number of intersections on 2200 West, the subdivider is asking that the Planning Commission make a recommendation on that block size regulation. Staff supports the modification request.

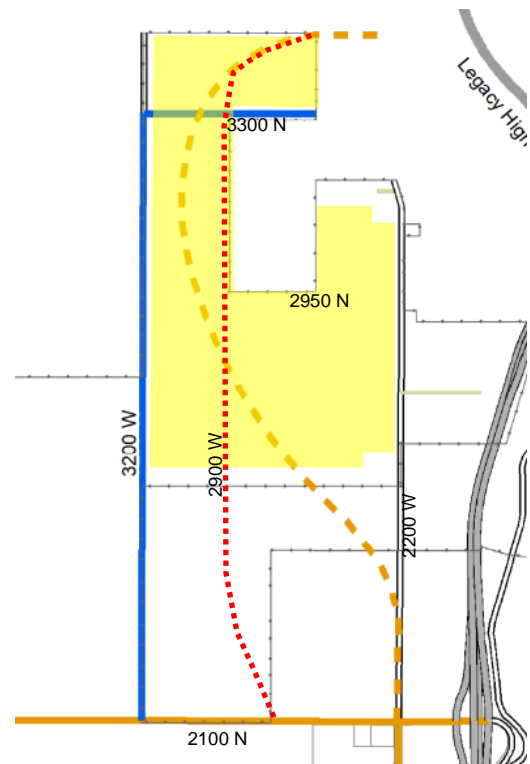
2900 West Bypass Road

Related to the request that 2200 West not be used for access, comments have pointed to a bypass road shown in the City's adopted Major Street Plan. Comments have requested that the developer build and use that, as opposed to accessing the site from 2200 West.

The City's Major Street Plan does indeed call for a bypass road through this area. The proposed road is intended to ultimately direct traffic away from the residences along 2200 West, concentrating commercial vehicle traffic along a 2900 West corridor.

The subdivision ordinance requires that streets shown in the City's Major Street Plan be dedicated by a property owner when they subdivider their property. Since a portion of the planned bypass road goes through the subdivider's property, the subdivider is required to dedicate and improve those portions of the road within their property.

As shown on the map to the right, the bypass road is shown on the Major Street Plan extending beyond the subdivider's property line on the south, across multiple other properties to link into 2200 West. The subdivision ordinance does not, and the City legally cannot, require the subdivider to obtain other person's property to provide access to their subdivision. However, separately from this subdivision process, the applicant is seeking to build a version of the bypass road to provide improved access to their development. That bypass roadway (shown in red on the map) would tie into 2100 North, rather than 2200 West as shown in the Major Street Plan (shown in orange on the map).



There are advantages to this alignment over the curved 2200 West connected alignment in that it:

- Avoids crossing through wetland areas along the Rudy Drain that would be required to be mitigated
- Only requires use of City owned (Airport) property, rather than third-party owned private property
- Aligns with long term Airport plans that would require removal and re-alignment of 3200 West
- Provides a more direct route into the site from the freeway interchange at 2100 North, which reduces vehicle conflicts with agricultural and residential traffic on 2200 West

The above is an extract from Major Street Plan extract showing the conceptual location of the bypass road in that plan (orange dashed line). A larger version of this is in [Attachment E](#). The approximate location of the applicant's proposed bypass road is overlaid in red. The subject property is highlighted in yellow. Property between that area and 2100 North is Airport owned.

Planning Staff and other City departments, including the Department of Airports, support the construction of the bypass road (see department comments in [Attachment I](#).) However, the City can't legally *require* that the developer build the portions of the road that are off their site, as it is on property they do not own (Airport owned) and they would need to pay the Airport for access. As such, the off-site portion of the bypass road are not part of this subdivision and are outside of the scope of this subdivision request. The applicant will need to continue to work with the Airport and other City departments to build that roadway.

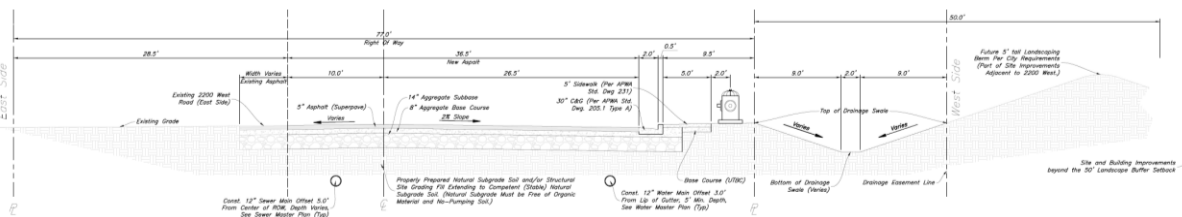
Consideration 3: 2200 West Improvements and New Sewer Line Concerns

- Residents on the east side of 2200 West are concerned that their property will be needed to widen 2200 West.

- The subdivider will be dedicating and improving the west side of 2200 West as necessary to serve their property.
- Proposed width will accommodate a lane in each direction and a turn lane.
- Residents concerned that they will be required to connect into new sewer line.
- Connecting into the new sewer line is up to the Salt Lake County Health Department

Discussion:

Residents have expressed concerns regarding the improvements to 2200 West and whether any of their property, including in some cases portions of the shoulder of 2200 West, would be impacted. The subdivision will be dedicating additional right of way from the subdivider's property to widen the road. The shoulder on the east side of the road is not proposed for modifications, such as additional paving. A cross-section of the street is below, showing the additional property that will need to be dedicated by the subdivider and the existing paved roadway. A photo showing an example of the improvements is also below.



The above is a cross-section of the proposed 2200 West improvements. The specific measurements will vary across the ~3,300' length of street improvements. The future 5' tall landscaping berm, required for new development, is shown on the right side of the diagram. The full-size diagram is in [Attachment C](#).



This is a view of 2200 West, looking north, showing the widening of the road on an adjacent property that was recently subdivided. This shows the same widening that will be required of the Swaner property. The right side is the existing roadway, the left side is the new widened road.

The proposed dedication and improvements will provide enough pavement width for at least one lane in each direction and a center turning lane, by using the existing paved road and paving additional roadway on the west side along the subdivision. Sidewalk, curb, and gutter will also be provided on the subdivider's side. If the residential properties on the east side of the street are ever subdivided for non-agricultural development, those properties will need to dedicate right of way and improve that side of the street with additional paving, curb, and gutter.

Residents have also expressed concerns with the potential requirement to connect their properties into the new sewer line that will be installed on 2200 West with the roadway improvements. The residences on 2200 West are not currently served by sewer and have their own septic systems. Salt Lake County Health Department ordinances require that properties tie into a sewer connection when available ([Wastewater Disposal Regulation, 4.11.1](#)). The same code has a hardship provision that allows a property owner to seek a waiver from the Health Department if the requirement would result in a hardship.

Consideration 4: Rudy Drain (Canal) Relocation

- Canal location is controlled by the City due to a 1915 deed to the canal granted to the City
- The subdivision ordinance does not prohibit the relocation of canals
- The relocation is being negotiated with Public Utilities outside of this subdivision and relocation is not being approved by this subdivision

Discussion:

The Rudy Drain (canal) bisects the southwestern portion of the subdivision area. The property along the canal was deeded to the City in 1915 and the deed was written in a way that effectively acts as a 100' wide easement along each bank of the canal. Salt Lake City Department of Public Utilities manages the canal and the easement.

The applicant is working with the Public Utilities Department in an effort to relocate the canal to the western boundary of the proposed subdivision. Relocating the canal will achieve two things. The realignment of the canal would improve the developability of the lots on the west side of the subdivision as it would no longer bisect them diagonally. It would also provide a buffer between the future development and the Rudy Reclamation and Sportsman's Club, a property with large wetland and bird migration areas located directly to the west of the subdivision on 3200 West. Representatives of Rudy Reclamation have raised concerns over the impact that development could have on their property (see letters in [Attachment J](#)), and the buffer created by moving the canal to the western boundary of the subdivision could help to mitigate the concerns raised.



The Rudy Drain (shown in blue) crosses diagonally through the property. The developer has proposed to relocate it to the purple dashed line (approximate). The alignment is not being approved by this subdivision plat.

The subdivision ordinance does not have any regulations that control the location or re-location of canals. The new proposed location is shown on the plat as a potential location for reference. The final location of the canal will be negotiated between the developer, Public Utilities, and other entities with property or water right interests in the canal and is not controlled by this subdivision plat. There is no guarantee that this location will be approved. If the relocation is not approved, the lot lines may need to be changed to accommodate the existing canal, ensure vehicle access to

the developable area of each lot, and to ensure zoning compliance. A condition has been added to this report to specifically allow such changes prior to plat finalization.

The proposed north-south running 2900 West roadway also crosses over the canal and there may be wetlands along it that require mitigation. The City can't accept a roadway dedication if it is prohibited from use as a roadway by other regulations, such as federal wetland regulations. As such, any impact to wetlands will need to be approved and mitigated as required by the Army Corps of Engineers prior to acceptance by the City for right of way use. A condition of approval for this item has been attached to the first page of this report.

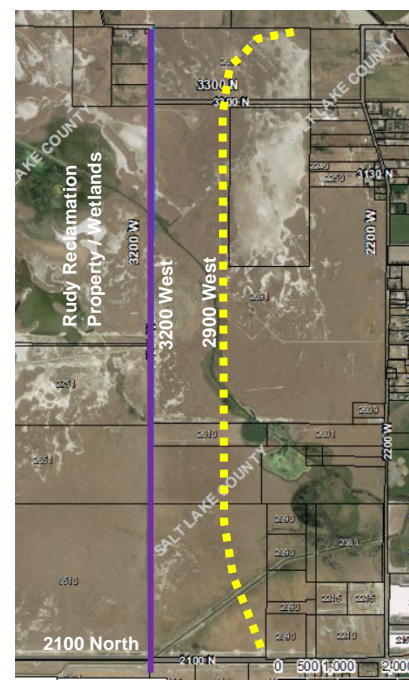
Consideration 5: Waiver of 3200 West Improvements Long Term

- Concerns received from Rudy Reclamation and wildlife focused NGOs over 3200 West traffic impacts to wildlife
- 2900 West bypass serves the same purpose as 3200 West
- City departments support not improving 3200 West if the 2900 West bypass is built
- City/State codes create issues with waiving improvements outright due to adopted street plans showing 3200 West as a collector street
- Improvements will be waived if the City amends the plan and/or closes/vacates 3200 West

The City has received input from the adjacent property owner to the west, Rudy Reclamation, as well as from wildlife focused non-governmental organizations, with concerns regarding impacts from traffic on wetland wildlife. Much of the property to the west of 3200 West is wetlands frequented by bird populations. Due to these concerns, the subdivider revised their street plans to eliminate the need to use 3200 West for access to their site. They have also proposed to not improve 3200 West between approximately 2600 North and 3300 North, so as not to encourage its use for access to their site.

In light of that proposal, City departments determined that roadway improvements are not necessary for 3200 West in the long term, due to the following reasons:

- The existing 2100 North access for 3200 West will likely need to be closed by the airport in the future for future runway expansion, likely routing traffic to 2900 West. (See Airport exhibit showing future runway plans in [Attachment I.](#))
- Properties on the west side of 3200 West on the west are unlikely to ever be developed for non-agricultural uses and will likely remain preserved for agricultural and conservation purposes in perpetuity.
- Rudy Reclamation notes that they do not want to see 3200 West improvements and support the long-term closure of 3200 West.
- Both 3300 North and the proposed 2900 West access road will provide adequate traffic access to Rudy Reclamation and other properties.



Map showing the approximate location of the proposed bypass road at 2900 West (yellow), existing 3200 West (purple), and the location of Rudy Reclamation property.

- Draft long term County plans ([see February draft here](#)) for the properties along 3200 West call for agricultural or conservation uses, rather than commercial development that would necessitate roadway improvements.
- The pavement improvements would be an underutilized maintenance burden on long term City finances.

The Salt Lake City Major Street Plan (shown in [Attachment E](#)) specifically identifies 3200 West as a collector street. Although City departments support waiving the improvements, there are City and State codes that require roadways be dedicated and/or improved when shown on an adopted plan. These include State Code 10-9a-406 “Public Uses to Conform to General Plan” and City Codes 20.12.030.A.1 and 20.40.010.A. As such, Staff does not believe that the City can waive these dedications and improvements altogether at this time. However, Staff is recommending that a condition be attached to the approval that allows the dedication and improvements to be waived if the City removes 3200 West as a collector street from the City’s Major Street Plan and/or the street is formally “closed” or vacated. The Planning Division is currently considering options to initiate petitions that would do that.

STANDARDS OF REVIEW DISCUSSION:

Subdivision amendments are reviewed for compliance against the subdivision standards in the City’s Subdivision ordinance (Chapter 20 of City Code). Staff has reviewed those standards in [Attachment F](#) and determined that the proposal meets the associated standards, except where a modification is needed for block size. Conditions have been noted next to some of the standards to ensure final plan compliance.

NEXT STEPS:

The Planning Commission can approve or deny the subdivision based on the standards of review.

If denied, the developer could propose a subdivision that met the block size standards. If it met all other standards, the plat could be approved at an administrative (staff) level by the Planning Director.

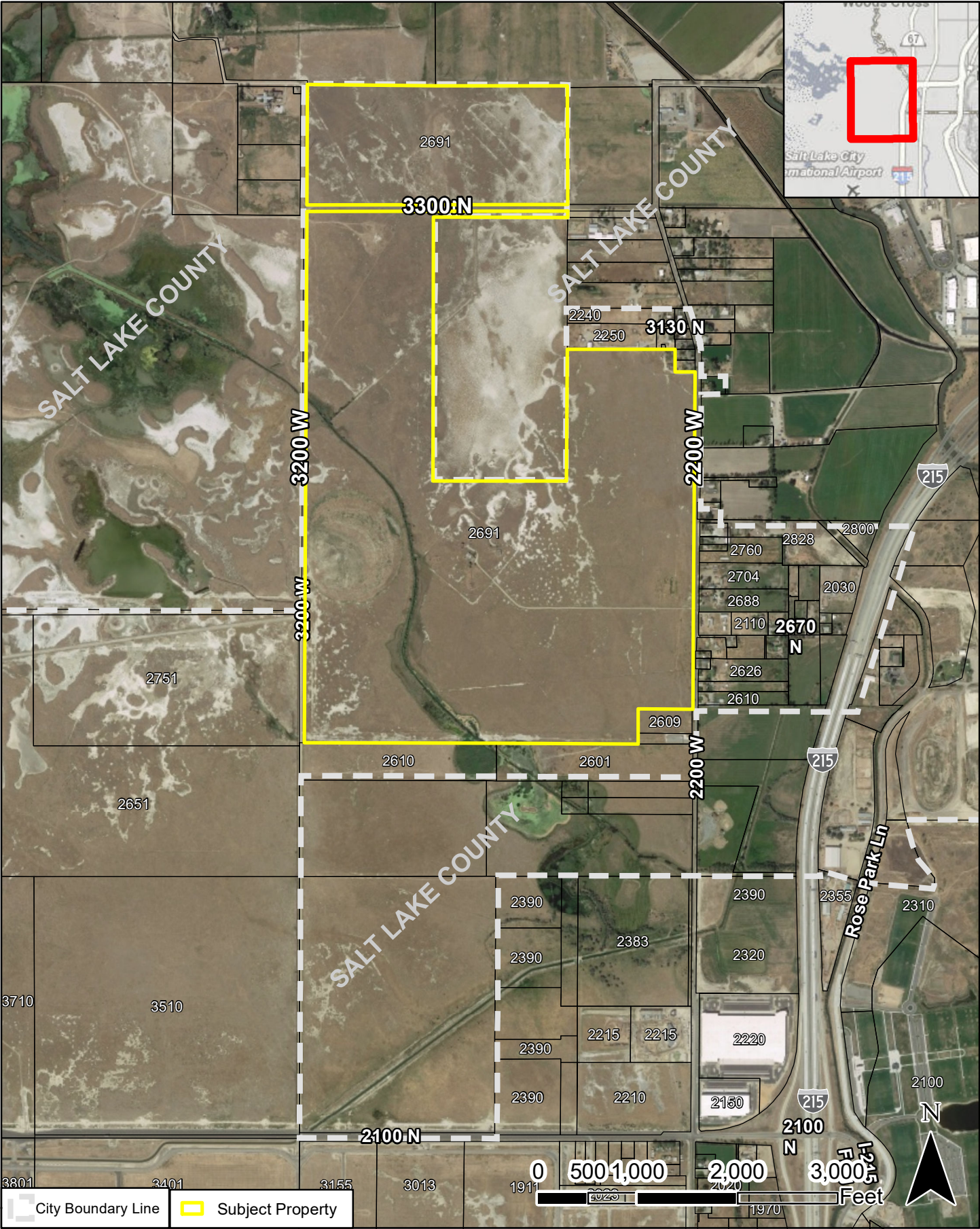
If approved, the Commission will also need to incorporate a recommendation on the block size modification request. The modification recommendation will then be sent to the Mayor for her decision. If the modification is approved, the lots could be subdivided as proposed. If the modification is not granted, the property could still be subdivided but additional streets would need to be incorporated into the plat.

If approved, to finalize the proposed lots the developer will need to proceed to create more detailed final infrastructure plans and will need to submit a final plat application with those final infrastructure plans. The developer will need to comply with any conditions of approval and any detailed standards required by each City department for final plans. The applicant may finalize the plat in phases as shown on their phasing plan. The phases will need to be finalized and recorded within 2 years of approval, or any portion not finalized will expire. The improvements may be completed over a longer term, but will need to be fully bonded for with each phase.

ATTACHMENT A: Zoning and Vicinity Maps

[illegible]

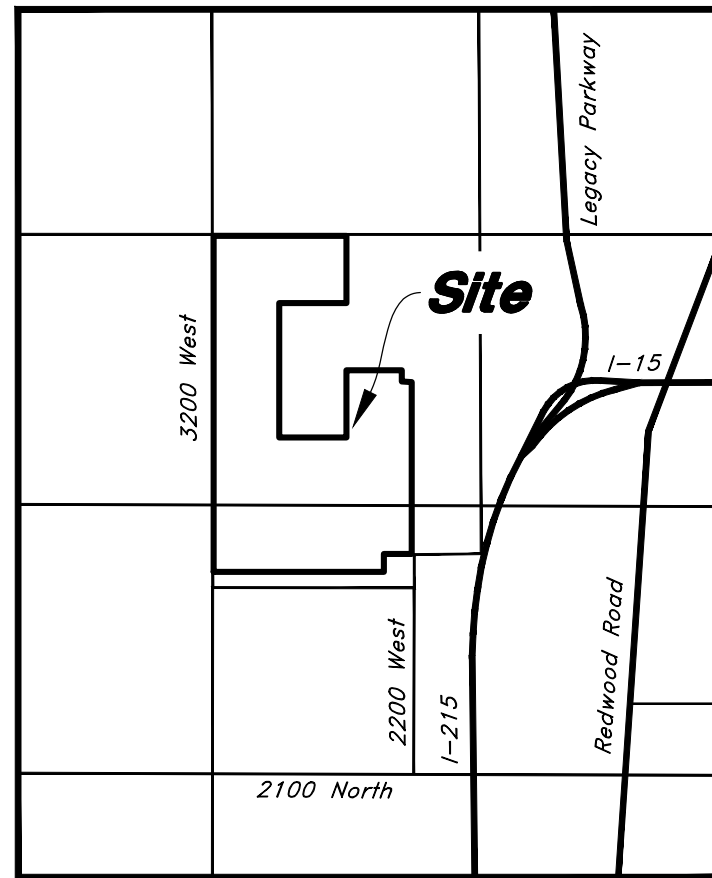
Vicinity Map



ATTACHMENT B: **Subdivision Plat**

Swaner Subdivision

A Part of the West Half and the Southeast Quarter of Section 9, and the North Half of Section 16,
T1N, R1W, SLB&M, U.S. Survey, in Salt Lake City, Salt Lake County, Utah



Vicinity Map
Not to Scale

Certification

I, Ken B. Hawkes, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold Certificate No. 8707113 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act; I further certify for, and on behalf of Anderson Wahlen & Associates that by authority of the owners I have completed a survey of the property described on this Subdivision Plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as Swaner Subdivision.

Boundary Description

A Part of the West Half and the Southeast Quarter of Section 9, and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey, in Salt Lake City, Salt Lake County, Utah:

Beginning at a Brass Cap monument found marking the Southwest Corner of said Section 9, said monument is located 2645.40 feet North 0°14'35" East from a Brass Cap Monument found marking the West Quarter Corner of said Section 16; and running thence 33.00 feet South 89°44'39" East along the Southerly line of a Dedication for 3200 West Street and 3500 North Street recorded as Entry No. 1222348 in Book L of Plats at Page 25 of the Official Records of Salt Lake County to the Easterly line of said Dedication as it exists at 33.00 foot half-width; thence along said Easterly line the following two courses; North 0°15'18" East 2640.26 feet; and North 0°15'29" East 2640.43 feet to the North line of said Section 9; thence South 89°44'36" East 2607.84 feet to a Brass Cap monument found marking the North Quarter Corner of said Section 9; thence South 0°16'13" West 1320.19 feet along the Quarter Section line to a sixteenth line; thence North 89°44'35" West 1320.28 along said sixteenth line to a sixteenth line; thence along a sixteenth line the following two courses; South 0°15'51" West 1320.20 feet; and South 0°15'45" West 1320.13 feet to a sixteenth line; thence South 89°44'40" East 1319.97 feet along said sixteenth line to the Quarter Section line; thence North 0°16'13" East 1320.13 feet along said Quarter Section Line to the Center of said Section 9; thence South 89°44'40" East 1089.00 feet along the Quarter Section line to the West line of a Deed recorded in Book 4-1 of Deeds at Page 222 of the Official Records of Salt Lake County; thence South 0°15'20" West 219.95 feet to the North line of a Quit Claim of a 1/6 Rod wide strip described in Entry Numbers 3404734, 3404735 & 3404736 of the Official Records of Salt Lake County; thence South 89°43'48" East 198.00 feet along said North line to the East line of said strip; thence South 0°15'20" West 2.75 feet along said East line; thence South 89°44'05" East 32.54 feet to a sixteenth line; thence along said sixteenth line the following two courses; South 0°15'20" West 2417.46 feet; and South 0°15'44" West 969.89 feet to the Northerly Line of Dominion Energy Rose Park Subdivision recorded as Entry No. 13148720 in Book 2019P at Page 350 of the Official Records of Salt Lake County; thence along the Northerly and Westerly lines of said Subdivision the following two courses; North 89°45'08" West 582.45 feet; and South 0°15'33" West 350.88 feet to a sixteenth line; thence along said sixteenth line the following two courses; North 89°46'40" West 737.50 feet; and North 89°46'35" West 2639.43 feet to the West Line of said Section 16; thence North 0°14'35" East 1322.70 feet along said West line to said Brass Cap monument found marking the Southwest Corner of said Section 9 and the point of beginning.

APN: 08-09-100-003

Contains 18,745,054 sq. ft.
Or 430.327 acres
20 Lots

Signed this _____ day of _____, 20____.

8707113
License No.

Ken B. Hawkes

Owner's Dedication

Know all by these presents that we, the undersigned owners of the described tract of land hereon, having caused the same to be subdivided into lots and streets to hereafter be known as Swaner Subdivision, do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, and do warrant, defend, and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, operation, and maintenance of the streets and do further dedicate the easements as shown for the use by all suppliers of utility or other necessary services.

In witness whereby I have hereunto set my hand
This _____ Day of _____ AD, 20____.

Scannell Properties, LLC

by:

its:

Acknowledgment

State of _____
County of _____ } ss

On the _____ day of _____, 20____, personally appeared before me, the undersigned Notary Public, _____, who being by me duly sworn did say that they are the _____ of _____ by authority of its members or its articles of organization, and they acknowledged to me that said limited liability company executed the same.

Notary Public Full Name: _____

Commission Number: _____

My Commission Expires: _____

A Notary Public Commissioned in Utah

(If above information is provided, no stamp required per Utah Code, Title 46, Chapter 1, Section 16)

A Notary Public

Swaner Subdivision

A Part of the West Half and the Southeast Quarter of Section 9,
and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey,
in Salt Lake City, Salt Lake County, Utah

Narrative

This Subdivision Plat was requested by Scannell Properties, LLC for the purpose of creating 20 commercial lots.

This Subdivision retraces the underlying aliquot parts descriptions as mapped with VRS methods on the NAD 1983 Utah Central Zone State Plane datum.

Record Area Reference Plat bearings have been rotated 0°18'01" clockwise to match said State Plane datum.

A line between monuments found for the West Quarter Corner of Section 16 and the Southwest Corner of Section 9 was assigned the bearing of North 0°14'35" East as the Basis of Bearings to place the Survey on said State Plane datum.

Property corners were recovered or set as shown hereon.

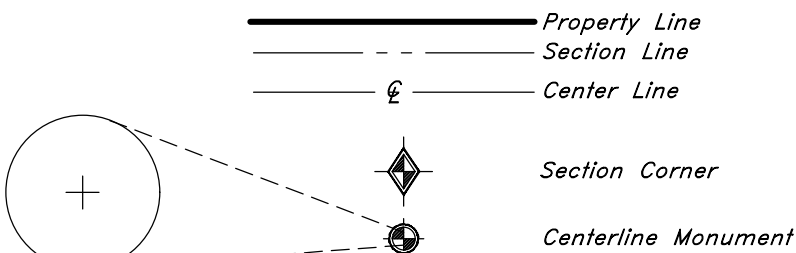
Notes

- This property lies entirely within Flood Zone X as designated on FEMA Flood Insurance Rate Map for Salt Lake County, Utah and Incorporated Areas Map Number 49035C0129C dated 5 September, 2005. Flood Zone X is defined as "Areas of minimal flood hazard", with the exception of a Flood Zone A depicted hereon. Flood Zone A is defined as "without base flood elevation".
- The Subject Property is Zoned BP (Business Park). No changes are anticipated in the zoning. Front and side setbacks are 20 feet.
- Water service is to be provided by Salt Lake City Corporation.
- Sewer service is to be directed to Salt Lake City Sewer trunkline.
- Minimum Finish Floor Elevation for each Lot is 4220.00

Benchmark

Brass Cap Monument for the Northeast Corner of Section 9, T1N, R1W, SLB&M Elevation = 4214.88 feet (NAVD 88, 1284.70 meters) Salt Lake County Surveyor Tie Sheet, Published July 26, 2001 Observed October 11, 2001

Legend



Set 5/8" rebar with plastic cap or nail with Brass Tag stamped 'AWA'

Owner / Developer

Scannell Properties, LLC
8801 River Crossing Blvd, Suite 300
Indianapolis, Indiana 46240
Phone: (317) 843-5959



2010 North Redwood Road, Salt Lake City, Utah 84116
801 521-8529 - AWAengineering.net

City Attorney

Approved as to form this _____ day of _____, 20____.

Salt Lake City Mayor

Salt Lake City Attorney

City Approval

Presented to Salt Lake City this _____ day of _____, 20____, and it is hereby approved

Salt Lake City Mayor

Salt Lake City Recorder

Recorded

State of Utah, County of Salt Lake, Recorded and Filed at the Request of

Date _____ Time _____ Book _____ Page _____

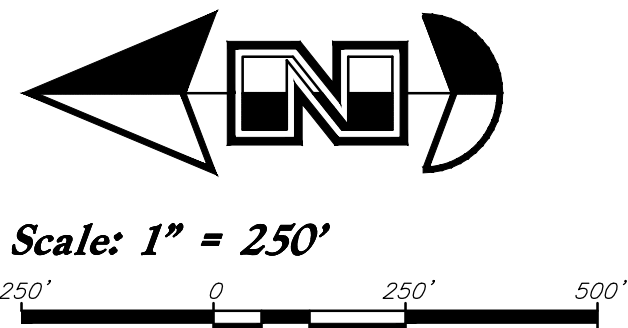
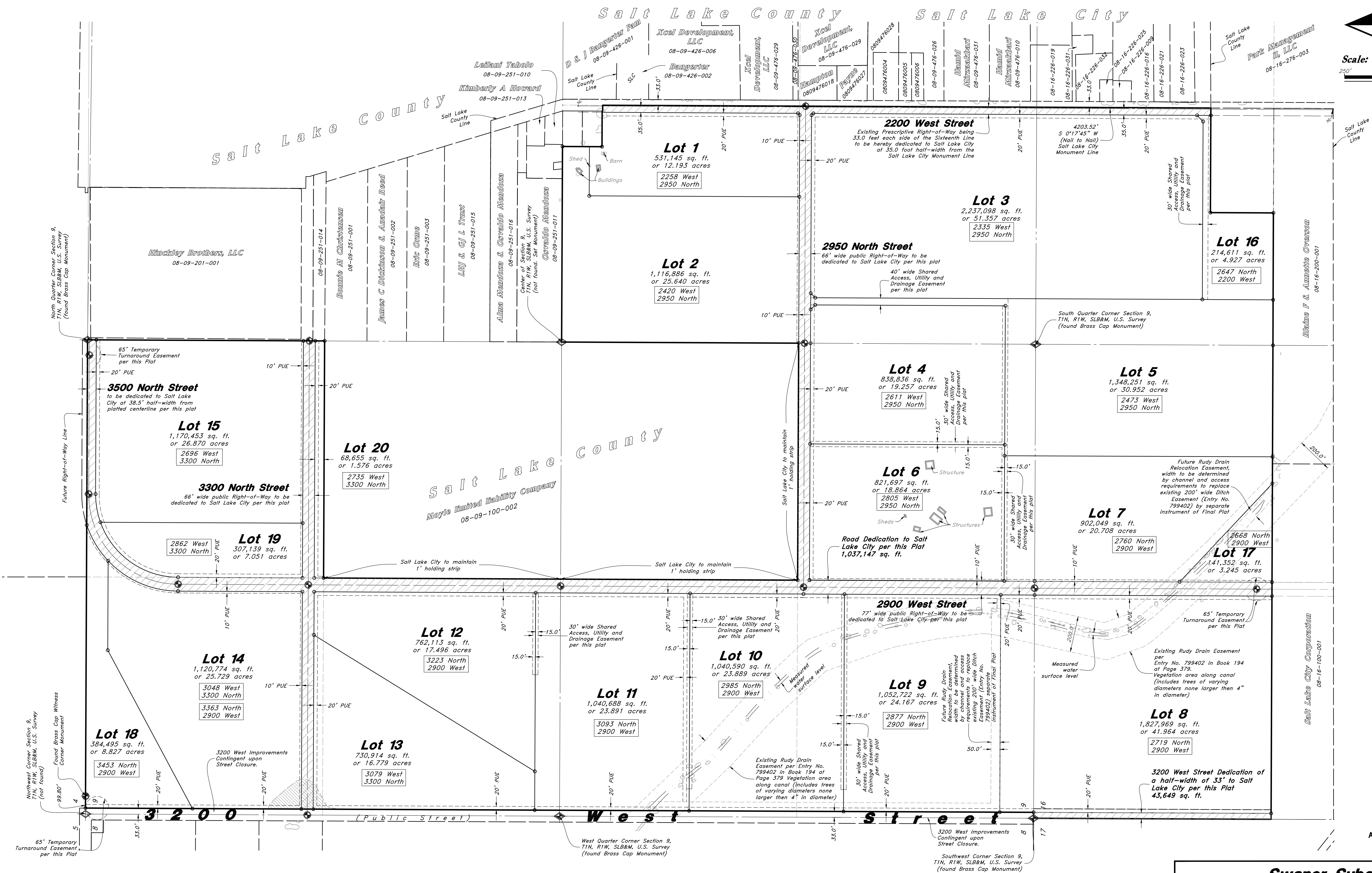
Fee \$ _____ Salt Lake County Recorder

NUMBER

ACCOUNT

SHEET **1**

OF **5** SHEETS

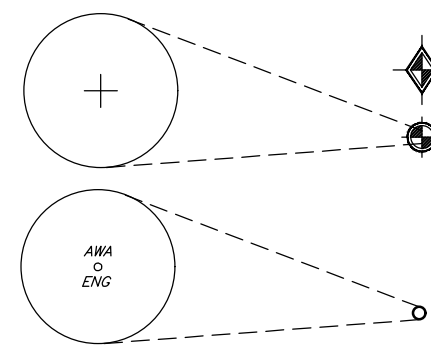


Scale: 1" = 250'

Legend

- Section Corner
 - Centerline Monument
 - Property Line
 - Section Line
 - Center Line
 - Easement Line
 - Adjoiner Line
 - Measured Water Level
 - Flood Zone A
 - Road Dedication
- Set 5/8" rebar with plastic cap or nail with Brass Tag stamped 'AWA'

NUMBER _____
 ACCOUNT _____
 SHEET **2**
 OF **5** SHEETS



AWA
 ANDERSON WAHLEN & ASSOCIATES

2010 North Redwood Road, Salt Lake City, Utah 84116
 801-521-8529 - AWAengineering.net

Swaner Subdivision

**A Part of the West Half and the Southeast Quarter of Section 9,
 and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey,
 in Salt Lake City, Salt Lake County, Utah**

Salt Lake County Recorder**Recorded #**

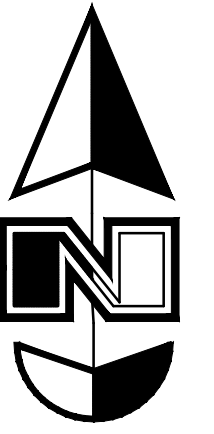
State of Utah, County of Salt Lake, Recorded and Filed at the Request of

Date _____ Time _____ Book _____ Page _____

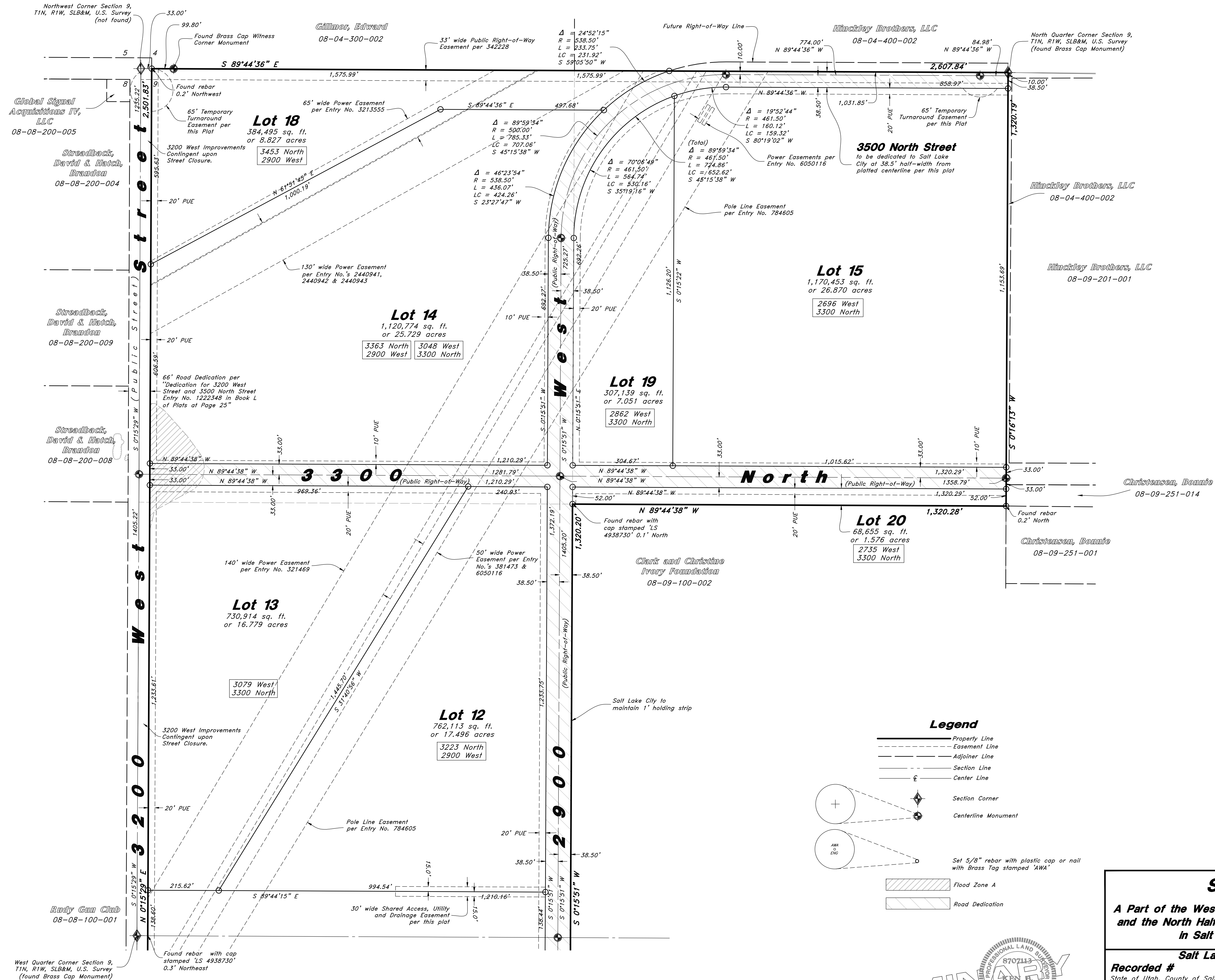
Fee \$ _____ Salt Lake County Recorder

NUMBER**ACCOUNT**

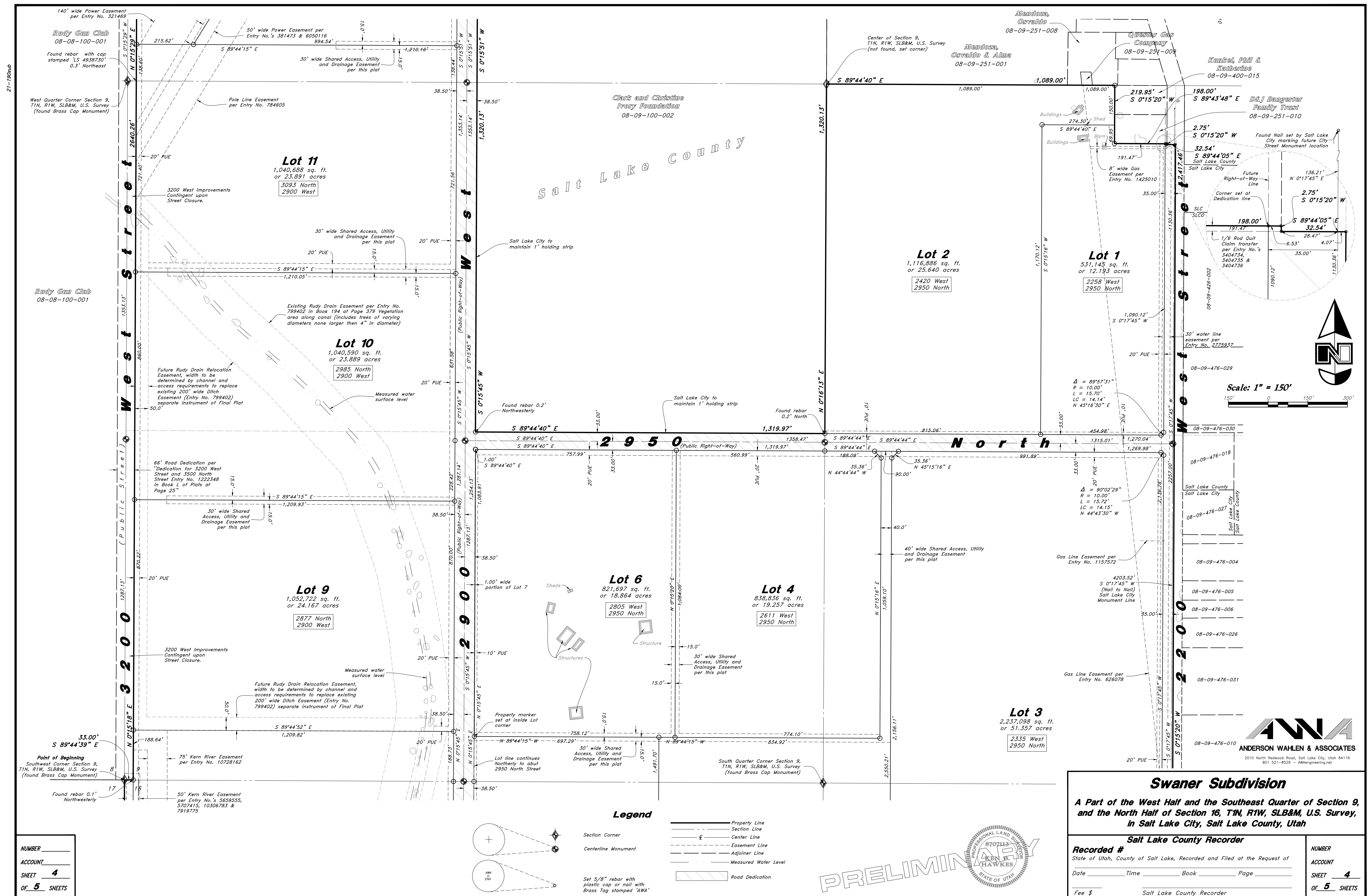
SHEET **2**
 OF **5** SHEETS

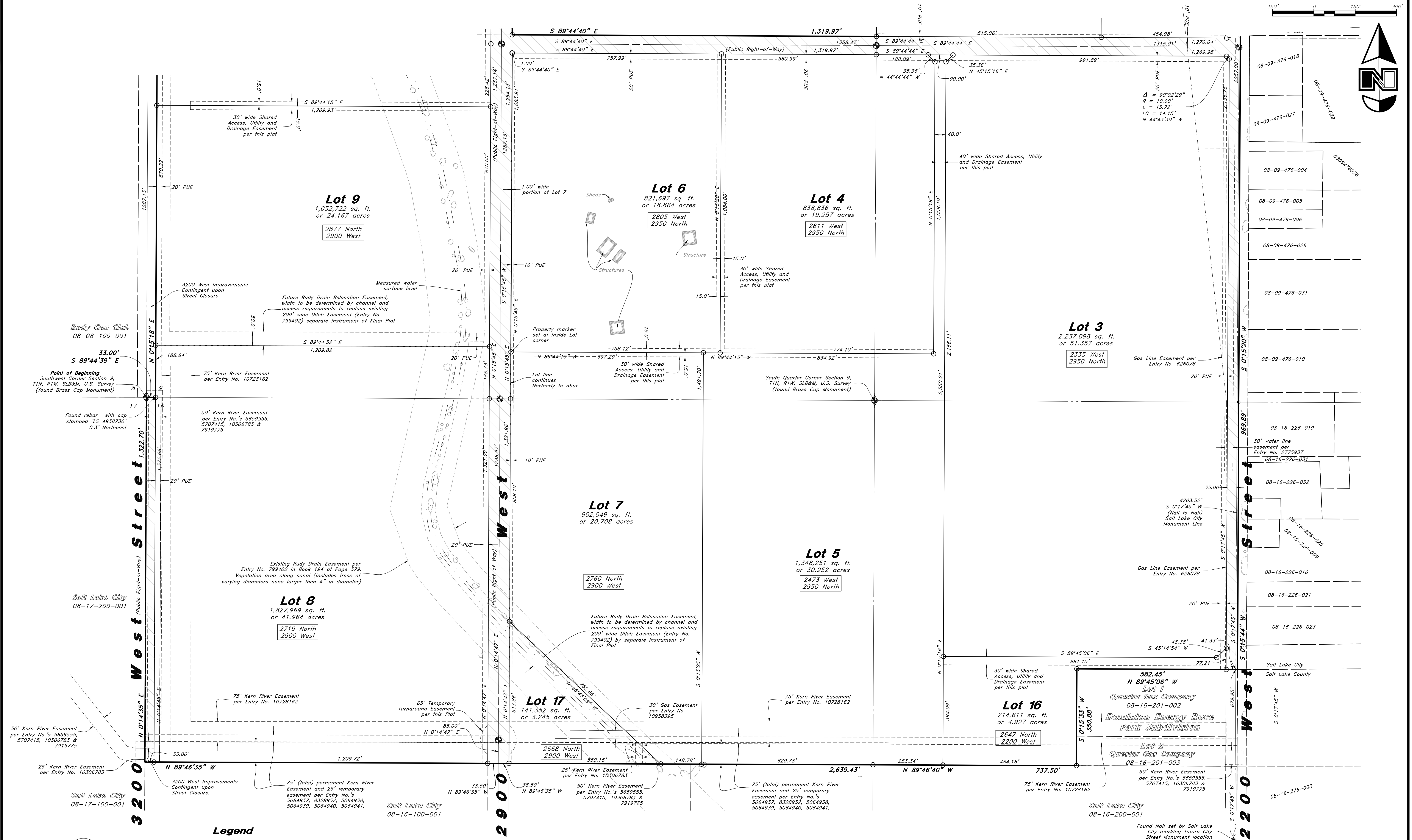
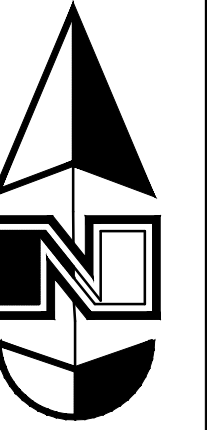


Scale: 1" = 150'

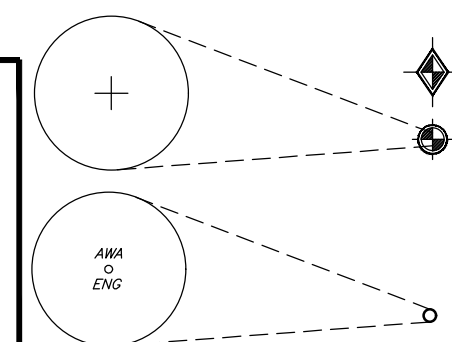


AWA
ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
801.521-8529 - AWAengineering.net





NUMBER _____
ACCOUNT _____
SHEET **5**
OF **5** SHEETS

**Legend**

Section Corner
Centerline Monument

Set 5/8" rebar with plastic cap or nail
with Brass Tag stamped "AWA"

Property Line
Section Line
Center Line
Easement Line
Adjoiner Line
Measured Water Level
Road Dedication

AWA
ANDERSON WAHLEN & ASSOCIATES

2010 North Redwood Road, Salt Lake City, Utah 84116
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PRELIMINARY

Swaner Subdivision

A Part of the West Half and the Southeast Quarter of Section 9,
and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey,
in Salt Lake City, Salt Lake County, Utah

Salt Lake County Recorder**Recorded #**

State of Utah, County of Salt Lake, Recorded and Filed at the Request of

Date _____ Time _____ Book _____ Page _____

Fee \$ _____ Salt Lake County Recorder

NUMBER**ACCOUNT**

SHEET **5**
OF **5** SHEETS

ATTACHMENT C: Improvement Plans and Reference Exhibits

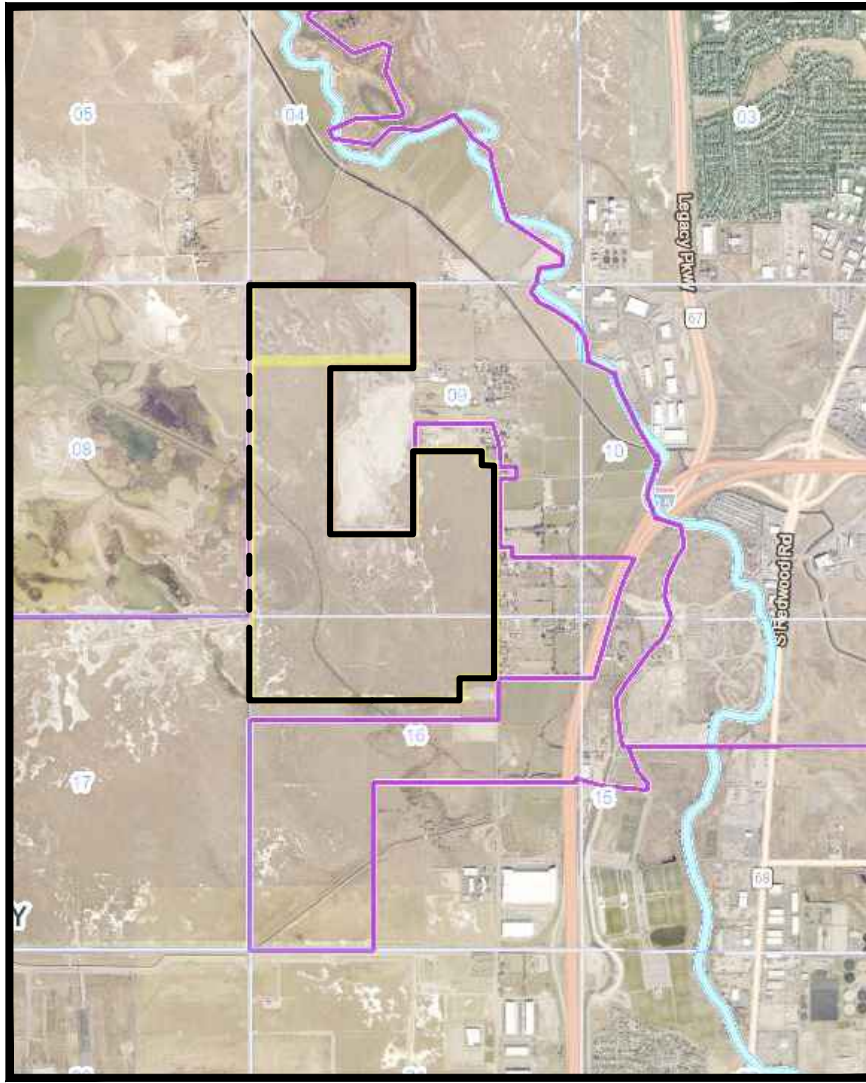
Sheets in this attachment include:

1. Sewer Plan
2. Stormwater Plan
3. Water Line Plan
4. Typical Roadway Cross-Sections
5. Phasing Plan
6. Grading Plan
7. Master roadway exhibit showing proposed new right of ways and off-site bypass through Airport property (off-site bypass is not part of this subdivision approval)
8. ALTA survey of the site (for reference)

Preliminary Plat Submittal

2950 North 2200 West

Salt Lake City, UT



Vicinity Map
Not to Scale



Civil Sheet Index

1 of 9	<i>Cover Sheet</i>
2 of 9	<i>Preliminary Plat (5 Sheets)</i>
3 of 9	<i>Master Sanitary Sewer Plan</i>
4 of 9	<i>Master Stormwater Plan</i>
5 of 9	<i>Master Water Plan</i>
6 of 9	<i>Master Open Space Plan</i>
7 of 9	<i>Typical Roadway Sections</i>
8 of 9	<i>Typical Roadway Sections</i>
9 of 9	<i>Subdivision Phasing Plan</i>

[illegible]

Designed by: CA

Drafted by: NE

Client Name:
Gannett-Sutton

Scannell Swaner

21-190CV Master F



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2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 — AWHengineering.net

Cover Sheet

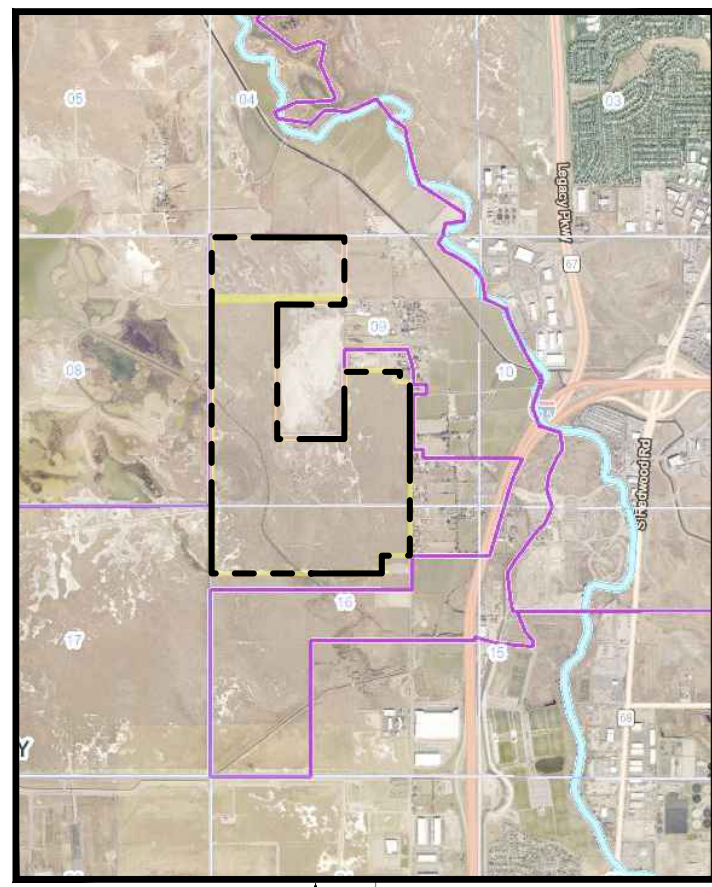
Swaner Commercial Business Park
2950 North 2200 West

Salt Lake City, UT

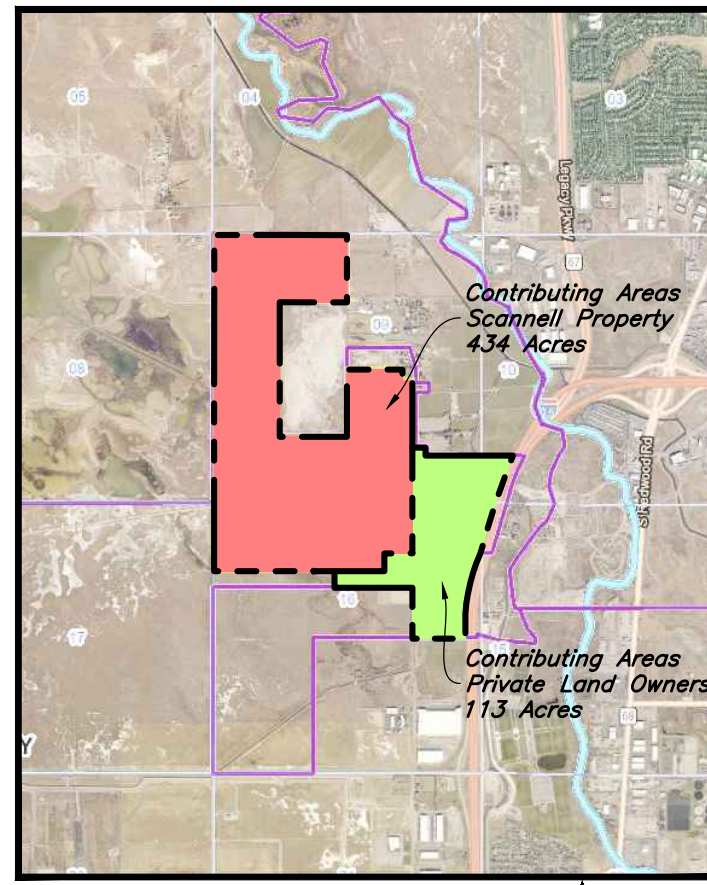
1 Feb, 2022

SHEET NO.

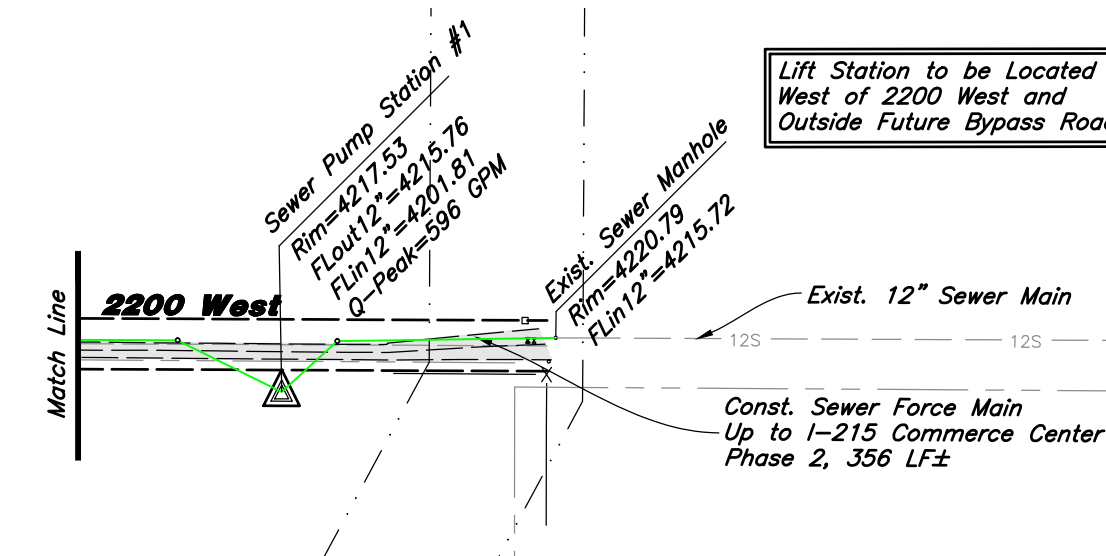
1 of 9



Vicinity Map
Not to Scale



Sewer Contributing Areas
Not to Scale



Connection at I-215 Commerce Center Phase 2

Legend

Proposed 12" Sanitary Sewer 12S
Existing 12" Sanitary Sewer 12S

Sanitary Sewer General Notes

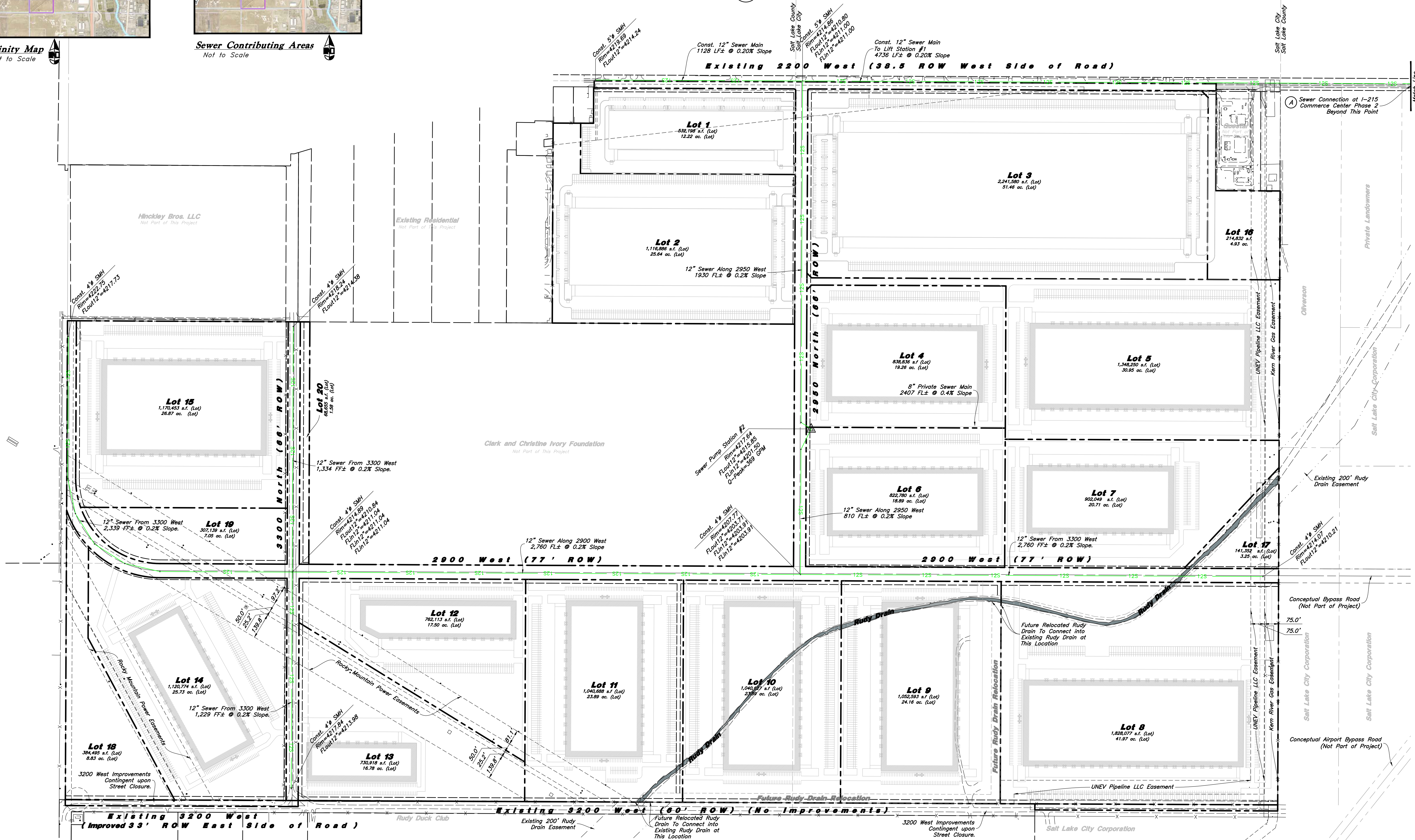
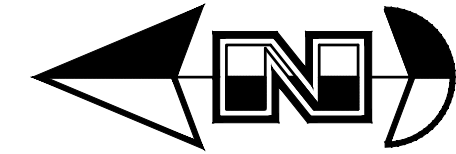
- Manhole Separation @ 400.0' Max
- Pipe Material to be PVC, SDR 35
- Average Projected Sewer Flow for Light Industrial Area Based on 754 Gal/Acre Day. A Peaking Factor of 2 Was Applied The Peak Flow is 1.09 GPM per Acre. Same Flow Rate for All Contributing Areas. See Map This Sheet.
- Total Contributing Area to Sewer Pump Station #1 is Anticipated to be Approx. 547 Acres.
- Total Contributing Area to Sewer Pump Station #2 is Anticipated to be Approx. 339 Acres.

Scale: 1" = 250'



Wetlands Note

Wetlands Delineation and Mitigation for the Site is in Progress



Designed by: CA
Drafted by: NE
Client Name:
Scannell Swaner

2-190UT Master Plans - Opt

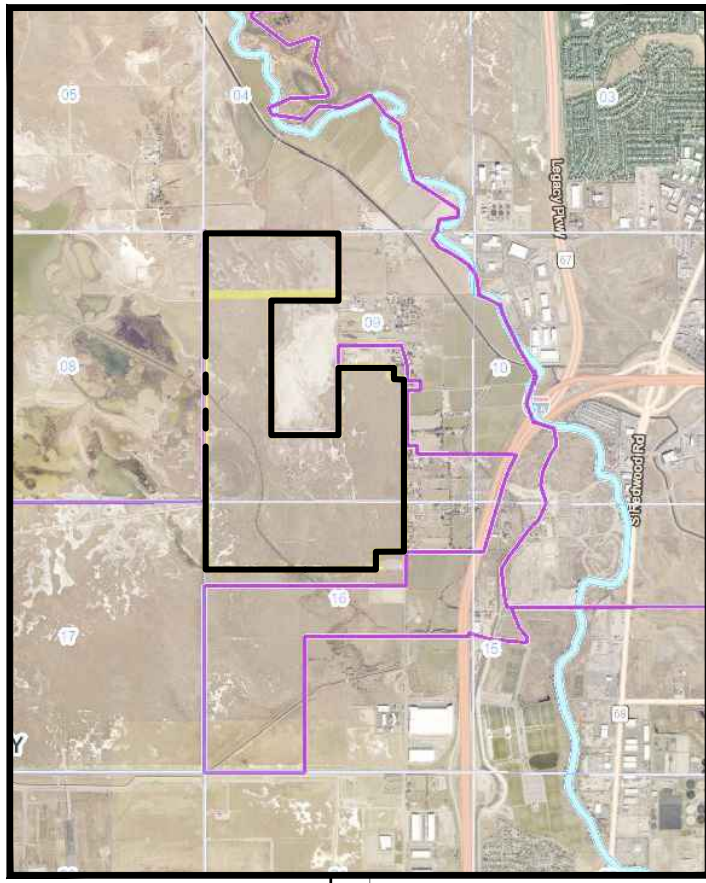
ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 321-8529 - awhengineering.net

Master Sanitary Sewer Plan
Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

1 Feb, 2022

SHEET NO.

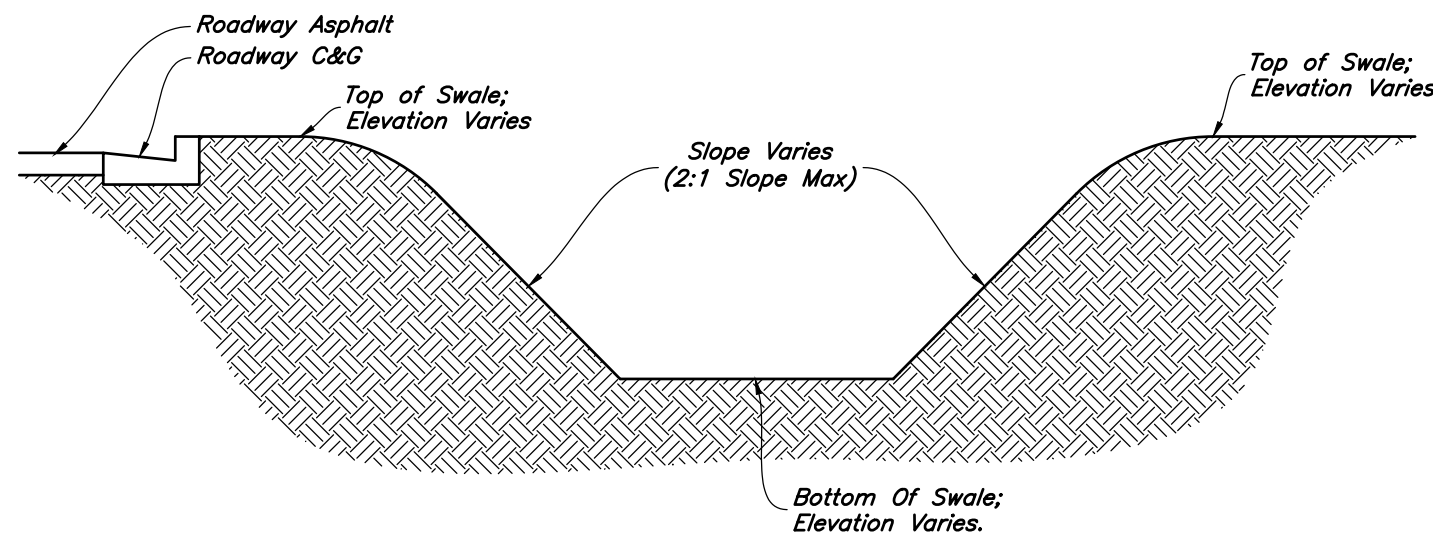
3 of 9



Vicinity Map
Not to Scale

Area Tabulations						
Lot #	Lot Size (In Square Feet)	Building Area (In Square Feet)	Pavement Area (In Square Feet)	Landscaped Area (In Square Feet)	LID Retention Vol. (In Cubic Feet)	Detention Vol. (In Cubic Feet)
1	532,198	199,500	205,526	127,172	22,175	42,461
2	1,116,886	462,000	483,286	171,600	46,537	52,080
3	2,241,580	1,083,000	864,476	294,104	93,399	108,730
4	838,836	357,000	352,547	129,289	34,952	39,003
5	1,348,250	587,500	526,547	234,203	56,177	59,880
6	822,780	314,500	342,940	165,340	34,283	34,538
7	838,157	296,000	303,613	238,544	28,136	28,136
8	1,828,077	587,500	534,587	705,990	76,170	42,658
9	1,052,593	386,397	379,075	287,121	43,900	36,574
10	1,040,627	386,397	446,911	207,319	43,360	43,945
11	1,040,688	357,000	419,738	263,950	43,362	38,324
12	762,113	177,000	226,476	358,637	31,755	116,32
13	730,918	126,000	122,712	482,206	32,582	11,282
14	1,120,774	272,000	374,112	474,662	22,454	69,153
15	1,170,453	468,000	421,187	281,266	93,020	93,020
16	214,832	0	0	214,832	8,951	1,807
17	204,160	0	0	204,160	8,505	1,716
18	384,495	0	0	384,495	16,020	3,233
19	307,139	0	0	307,139	12,797	2,583
20	68,655	0	0	68,655	577	2,860
Totals:	17,864,211	6,058,794	6,003,793	5,800,884	707,130	538,147

* Building, Pavement, and Landscape Information is Conceptual and will be Modified at Final Design.



Typical Drainage Swale Detail

Not to Scale

Legend

- Proposed Drainage Swale
- Undetermined Street Flow 10 y. - 15 Min Intensity
- Determined Lot Flow
- Cumulative Flow in Swale

Storm Drain General Notes

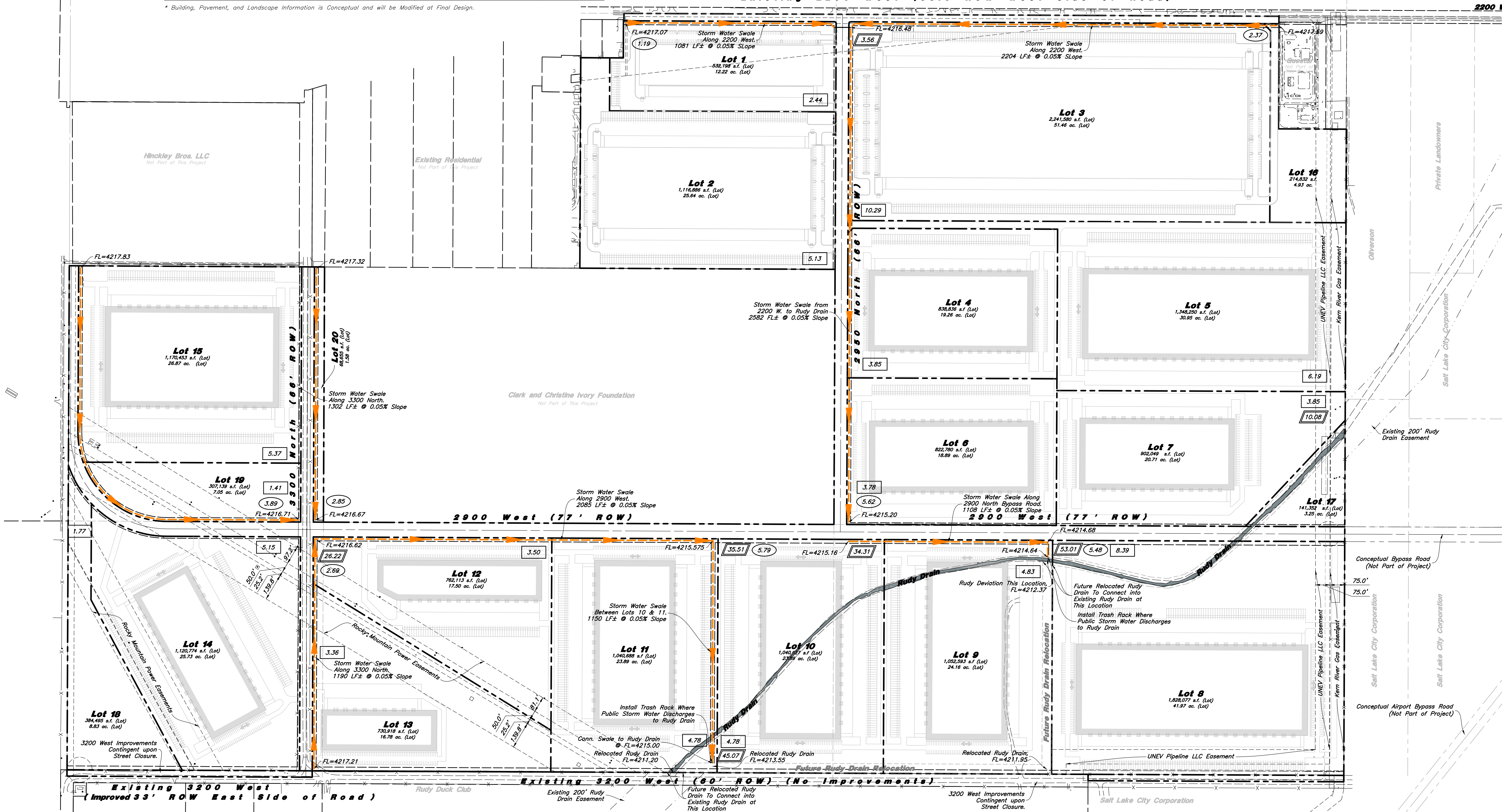
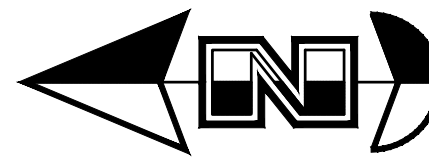
- LID (80th Percentile Storm) Retention Volume of 0.50 Inch Will be Retained Either by Lot or in Shared Ponds.
- Allowable Release Rate for Detention Discharge is 0.2 cfs/Acre.
- Roadway Flows are not Detained. Flows are Calculated at 10 Year - 15 Minute Intensity.
- All Storm Water to be Pretreated Prior to Discharge to Public Facilities.
- See Table for Estimated Detention and LID Retention by Lot.
- Public Storm Water to be Treated Prior to Discharging to Rudy Drain per City Requirements.

Scale: 1" = 250'



Wetlands Note

Wetlands Delineation and Mitigation for the Site is in Progress



Designed by: CA
Drafted by: NE
Client Name:
Scannell Swaner
2-190UT Master Plans - Opt

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - awhengineering.net

Master Stormwater Plan
Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

1 Feb, 2022
SHEET NO.
4 of 9



Vicinity Map
Not to Scale

Legend

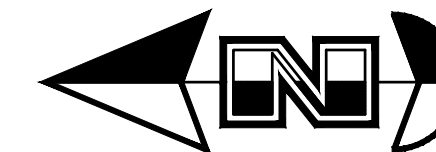
Proposed 12" Water Lines ——— 12W ———

Existing 12" Water Lines - - - 12W - - -

Existing 6" Water Lines - - - 6W - - -

Water General Notes

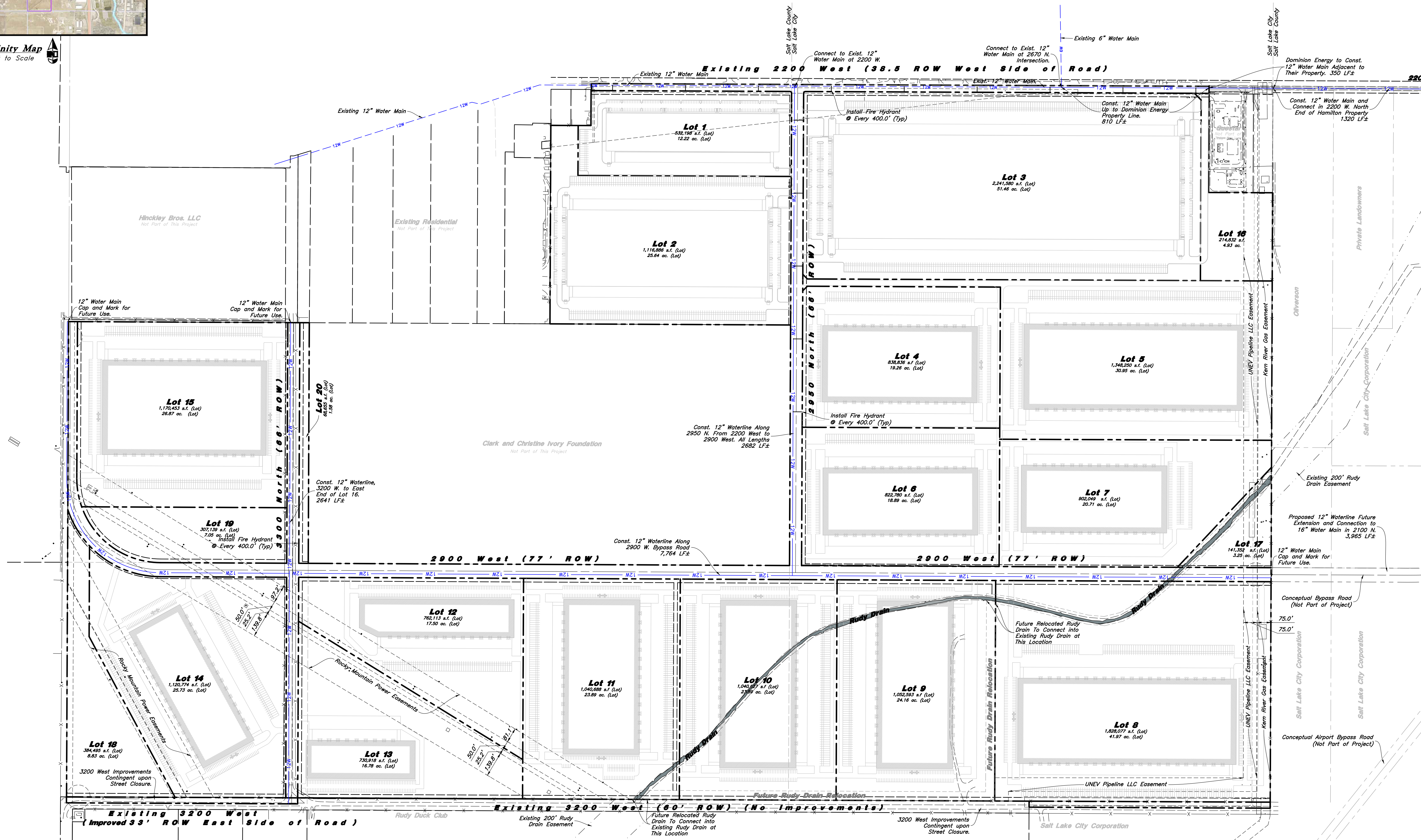
1. Fire Hydrant Spacing @ Maximum of 400'
2. Isolation Valves at each Intersection and @ Maximum 1,000' Spacing.
3. PVC C-900 DR-18 Pipe
4. Each Lot to Have a Fire Stub, 2" Culinary Stub, and 2" Irrigation Stub.



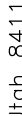
Scale: 1" = 250'

Wetlands Note

*Wetlands Delineation and Mitigation
for the Site is in Progress*



Designed by: CA
Drafted by: NE
Client Name: Scannell Swaner



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2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWEngineering.net

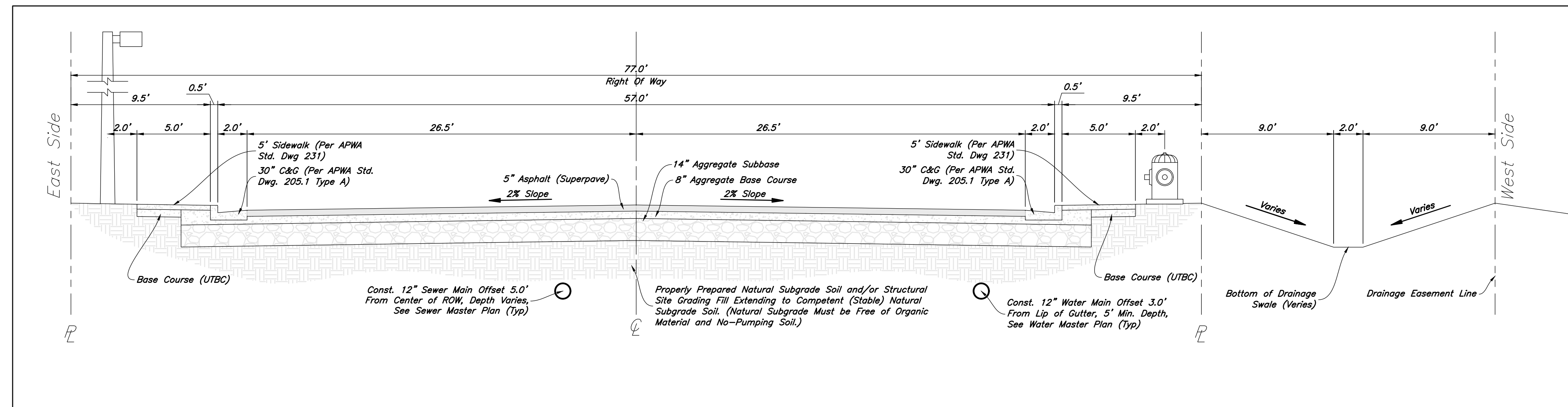
Master Water Plan

Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

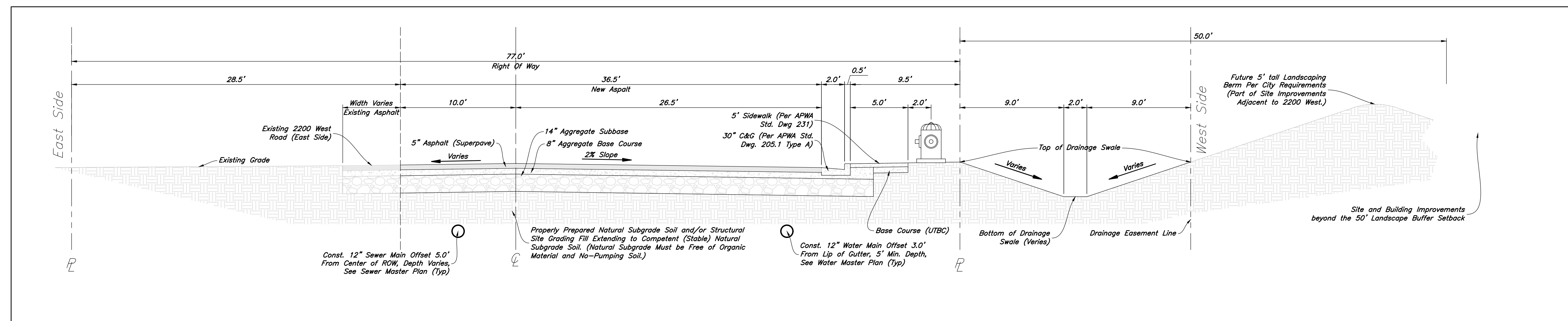
1 Feb. 2022

SHEET NO.

5 of 9



**Typical 77' ROW Cross-Section
2900 West**



**Typical 77' ROW Cross-Section
2200 West**

[illegible]

Designed by: CA
Drafted by: NE
Client Name: Scannell Swaner
21-190DT - Road Sections



Typical Highway Sections

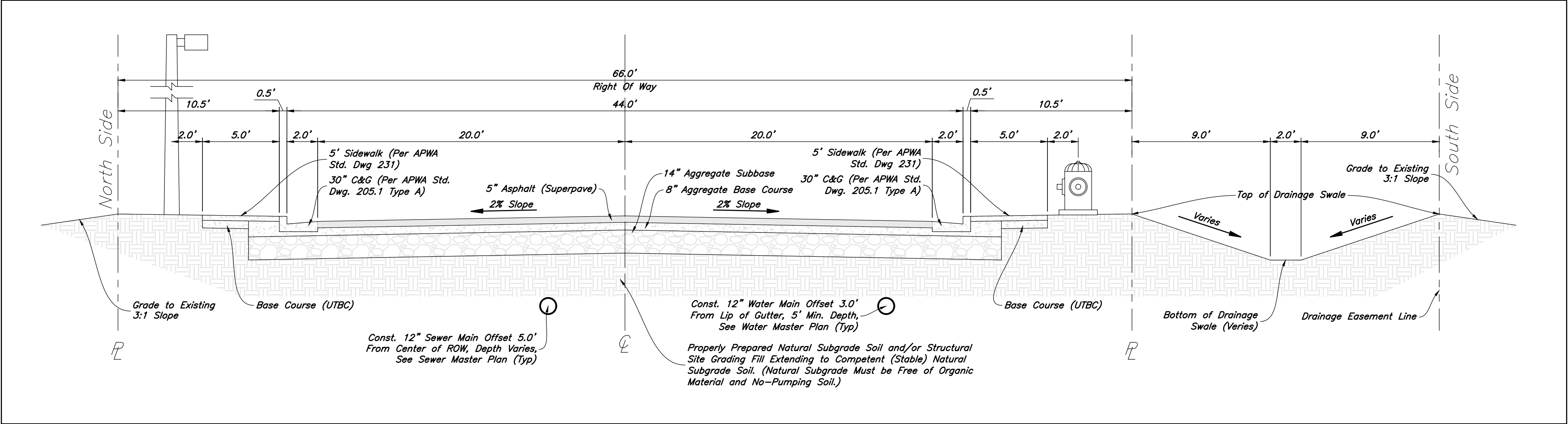
Swaner Commercial Business Park

2950 North 2200 West
Salt Lake City, UT

1 Feb, 2022

SHEET NO.

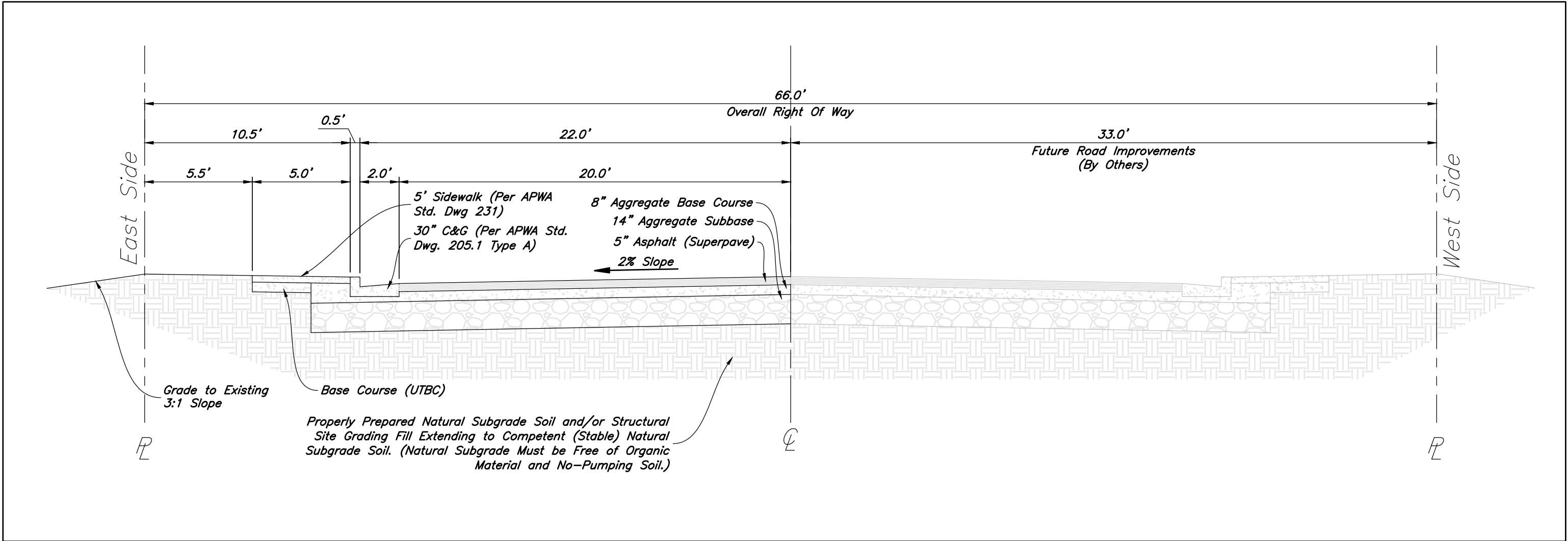
7 of 9



Typical 66' ROW Cross-Section
3300 North and 2950 North

3

Not to Scale



66' ROW Cross-Section
3200 West

4

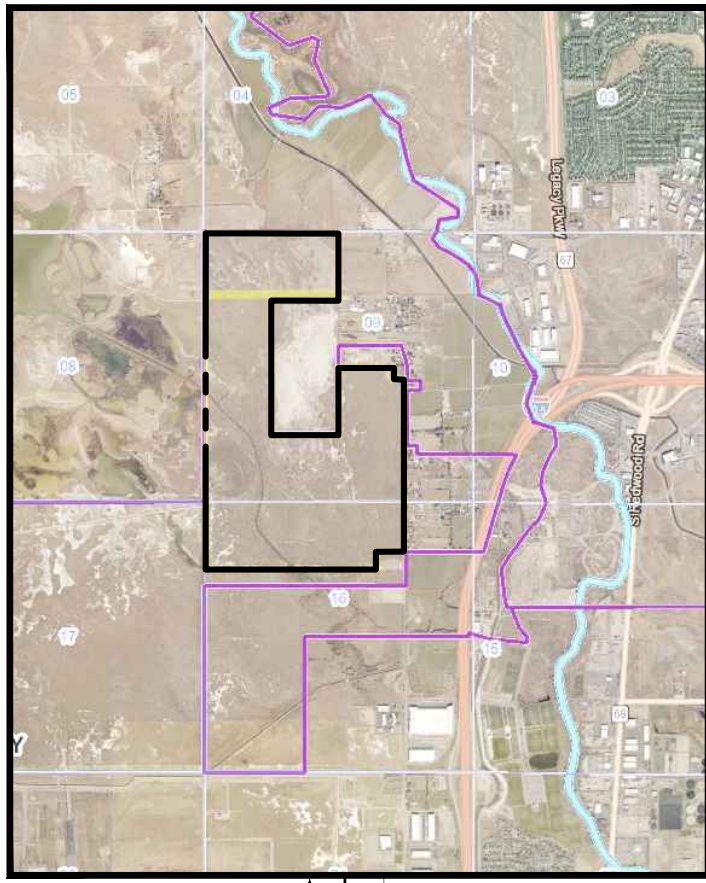
Not to Scale

Designed by: CA
Drafted by: NE
Client Name:
Scannell Swaner
21-190DT - Road Sections

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

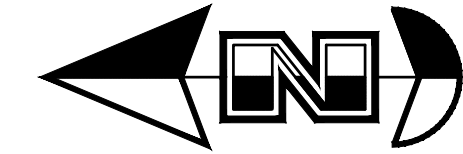
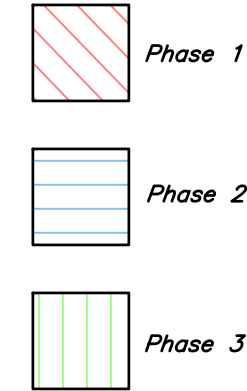
Typical Roadway Sections
Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

1 Feb, 2022
SHEET NO.
8 of 9



Vicinity Map
Not to Scale

Legend



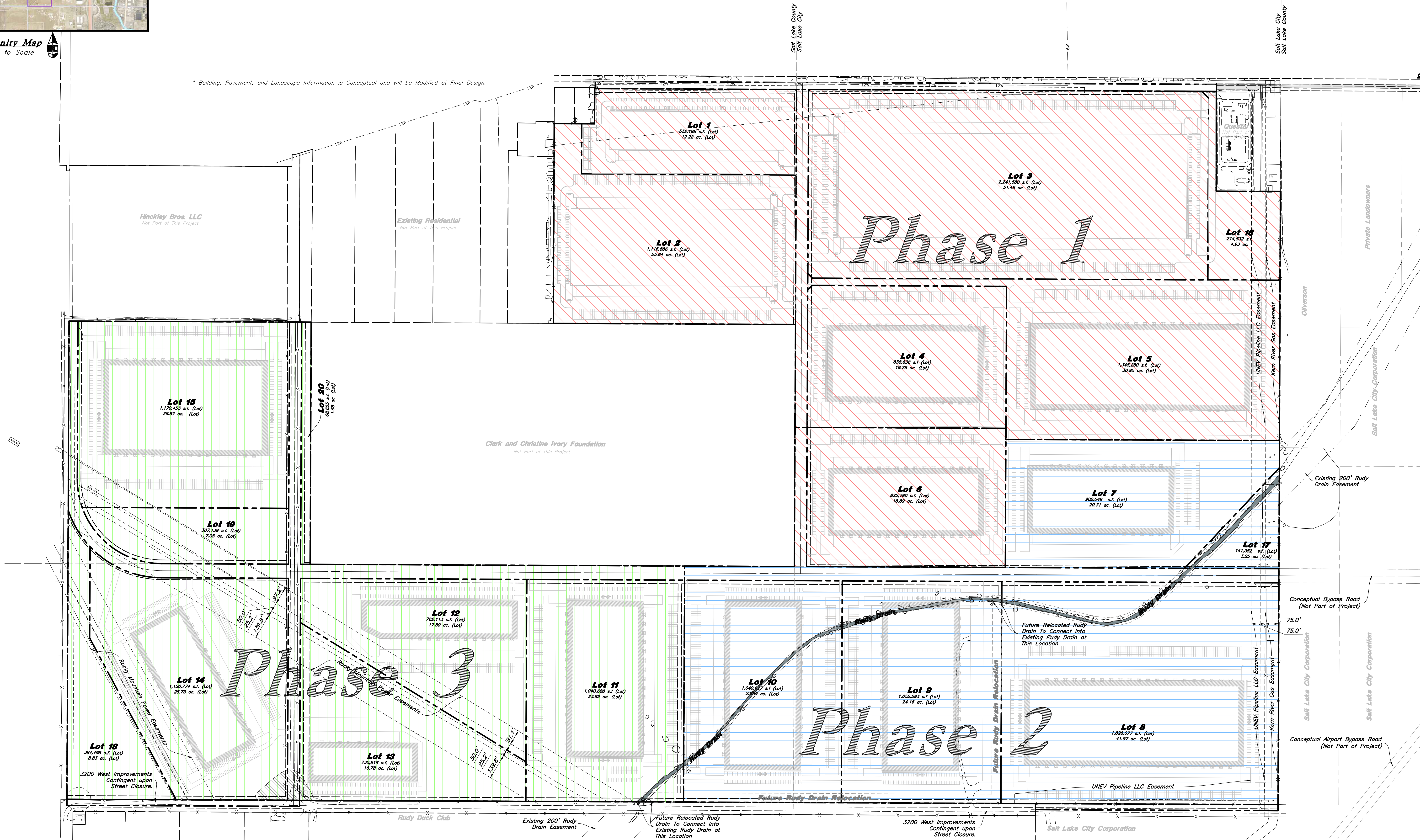
Scale: 1" = 250'



Wetlands Note

Wetlands Delineation and Mitigation
for the Site is in Progress

* Building, Pavement, and Landscape Information is Conceptual and will be Modified at Final Design.

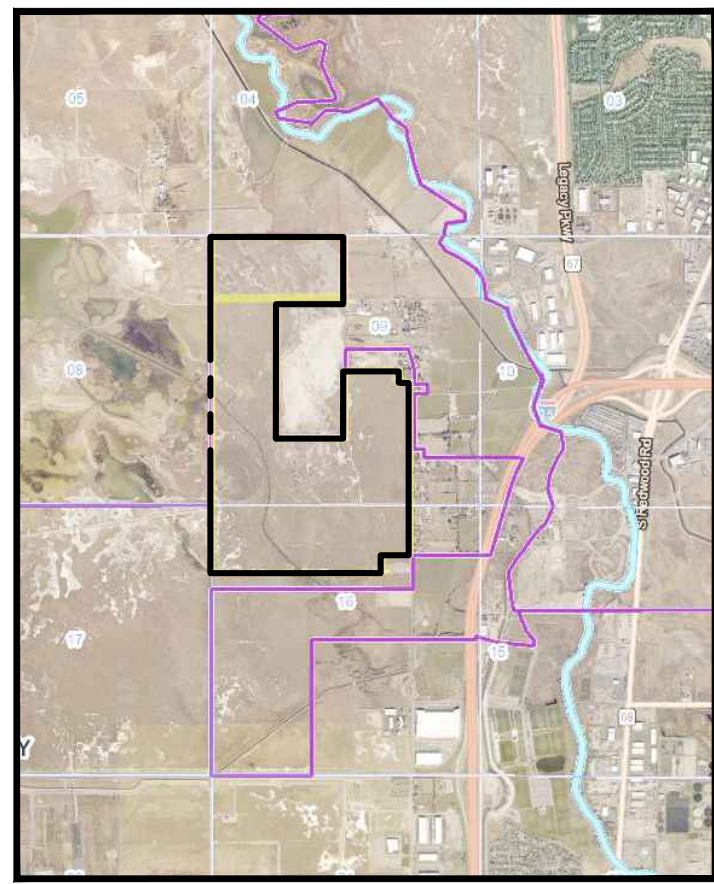


Designed by: CA
Drafted by: NE
Client Name:
Scannell Swaner
21-190 Phasing Plan

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - awhengineering.net

Subdivision Phasing Plan
Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

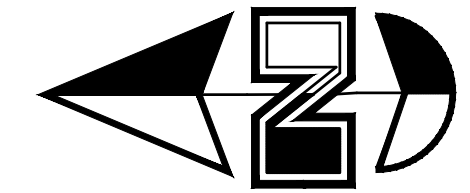
1 Feb, 2022
SHEET NO.
9 of 9



Vicinity Map
Not to Scale

Contour Legend:

- Existing Major Contour ---78---
- Existing Minor Contour ---78---
- Proposed Major Contour ---78---
- Proposed Minor Contour ---78---



Scale: 1" = 250'

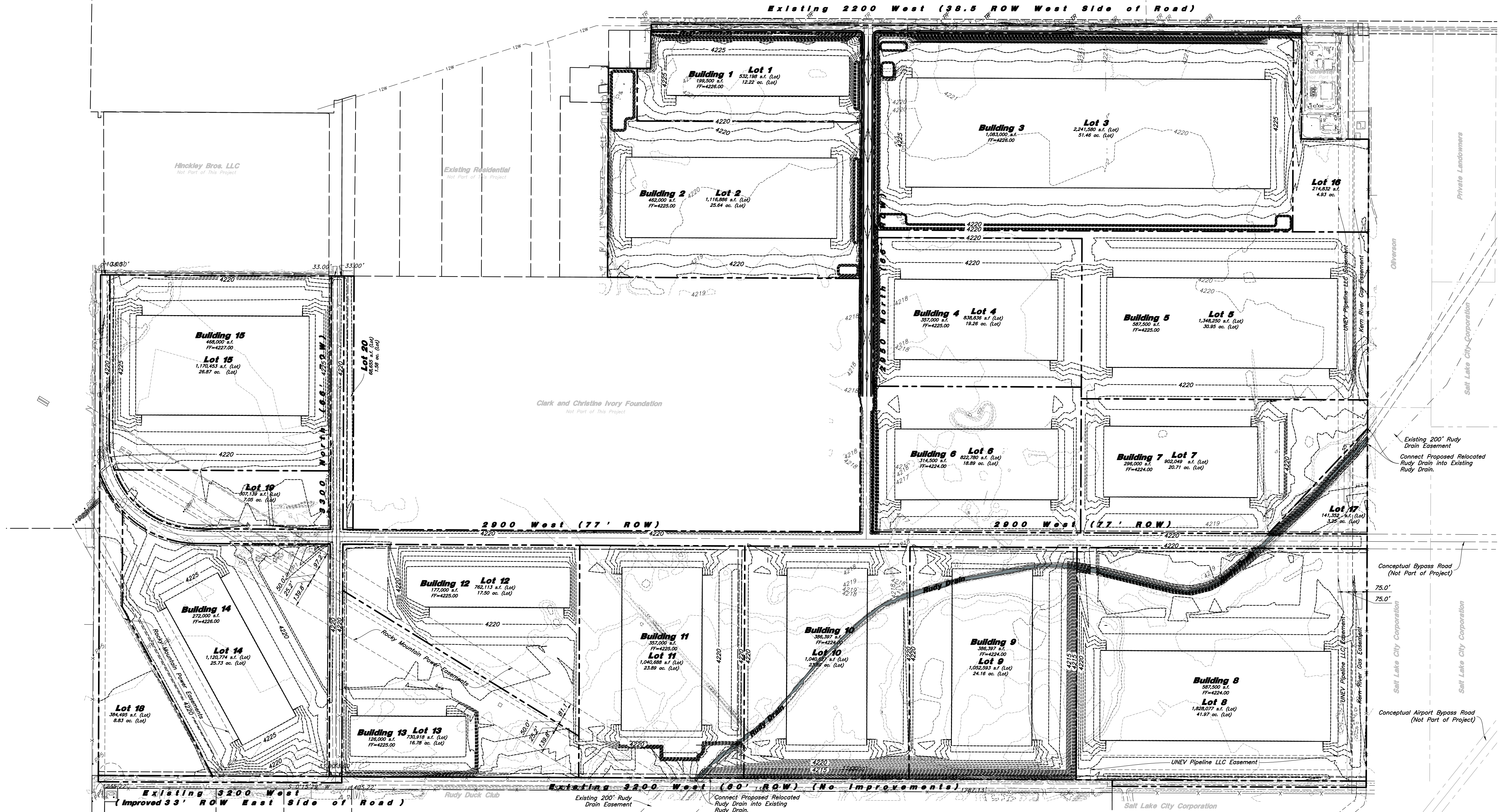


Designed by: CA
Drafted by: NE
Client Name:
Scannell Swaner
21-190GR Exhibit

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - awhengineering.net

Conceptual Site Grading Exhibit
Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

1 Feb, 2022
SHEET NO.
CSG-1



ALTA/NSPS LAND TITLE SURVEY

PARCEL NUMBER 08-09-100-003

LOCATED IN SECTION 9, AND THE NORTH HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH

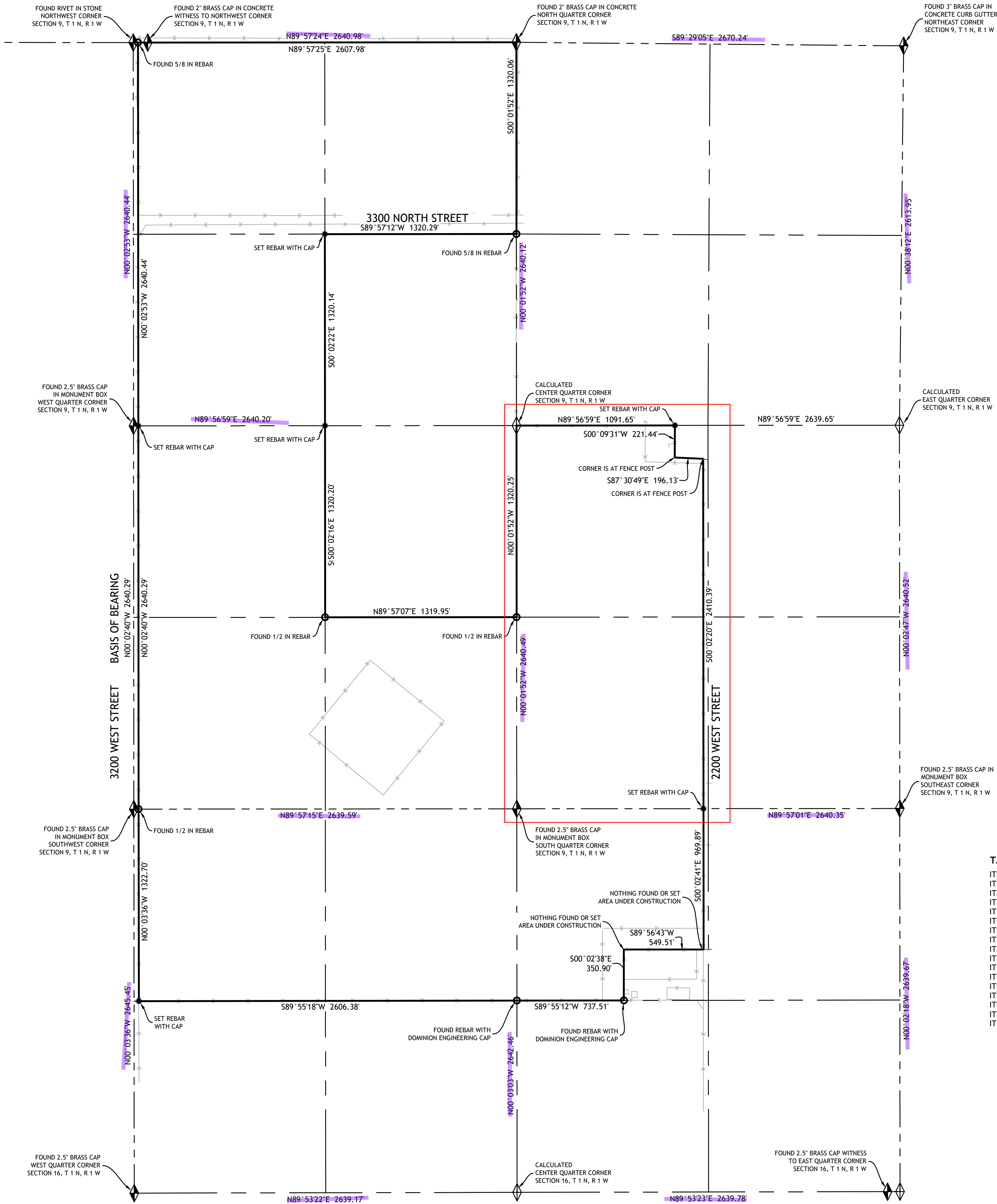


TABLE A COMMENTS:

- ITEM 1: BOUNDARY CORNERS NOTED ON SURVEY.
ITEM 2: ADDRESS OF SURVEYED PROPERTY: 2691 NORTH 2200 WEST, SALT LAKE CITY, UT 84116.
ITEM 3: FLOOD ZONE CLASSIFICATION: "ZONE X".
ITEM 4: GROSS LAND AREA: 18,589,703 SQUARE FEET, OR 426.76 ACRES IN AREA, MORE OR LESS.
ITEM 6a: ZONING REPORT OR LETTER NOT PROVIDED.
ITEM 6b: ZONING REPORT OR LETTER NOT PROVIDED.
ITEM 7a: EXISTING BUILDINGS SHOWN ON SURVEY.
ITEM 7b1: EXISTING BUILDINGS SHOWN ON SURVEY.
ITEM 7c: EXISTING BUILDINGS SHOWN ON SURVEY.
ITEM 8: SUBSTANTIAL FEATURES SHOWN ON SURVEY.
ITEM 9: NO PARKING SPACES OBSERVED.
ITEM 11a: OBSERVED EVIDENCE OF UTILITIES LABELED ON SURVEY.
ITEM 13: ADJOINING OWNER NAMES LABELED ON SURVEY.
ITEM 16: NO OBSERVED EVIDENCE OF EARTH MOVING WORK.
ITEM 17: NO PROPOSED CHANGES TO RIGHT OF WAY PROVIDED.
ITEM 18: EASEMENTS AS PROVIDED IN TITLE REPORT ARE SHOWN ON SURVEY.
ITEM 19: PROFESSIONAL LIABILITY INSURANCE FURNISHED UPON REQUEST.

LEGEND	
	BOUNDARY LINE
	SECTION LINE
	SECTION CORNER (FOUND)
	SECTION CORNER (NOT FOUND)
	BOUNDARY CORNER FOUND
	BOUNDARY CORNER SET

TO SCANNELL PROPERTIES LLC, FIRST AMERICAN TITLE INSURANCE COMPANY:
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6a, 6b, 7a, 7b1, 7c, 8, 9, 11a, 13, 16, 17, 18, AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON APRIL 23, 2021.

DATE OF MAP: APRIL 23, 2021.

SURVEY NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO CORRECTLY IDENTIFY THE BOUNDARY LINES AND CORNERS OF THE PROPERTY DESCRIBED IN THE PROVIDED TITLE COMMITMENT FOR FUTURE DEVELOPMENT OF SAID PROPERTY.

BASIS OF BEARING:

SOUTH 00°02'40" EAST 2640.29 FEET MEASURED, BEING THE BEARING OF THE MONUMENT LINE BETWEEN TWO FOUND SECTION MONUMENTS; MONUMENTS AT THE WEST QUARTER CORNER AND THE SOUTHWEST CORNER OF SECTION 9 TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

RECORD LEGAL DESCRIPTION FROM TITLE REPORT:

NORTH 80 RODS OF WEST 240 RODS OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN.

ALSO, BEGINNING FROM CENTER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN; EAST 68 RODS; SOUTH 131/2 RODS; EAST 12 RODS; SOUTH 146.5 RODS; WEST 80 RODS; NORTH 160 RODS TO BEGINNING.

ALSO, SOUTHEAST QUARTER OF SOUTHWEST QUARTER AND NORTHEAST QUARTER OF NORTHWEST QUARTER AND WEST 80 RODS OF SAID SECTION 9.

LESS AND EXCEPTING THEREFROM THAT PORTION DEDICATED FOR STREETS AND ROADS BY PLAT RECORDED OCTOBER 31, 1950 AS ENTRY NO. 1222348 IN BOOK L AT PAGE 25 OF OFFICIAL RECORDS.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO ORSON W. RUDY, FRANK H. RUDY AND LEVI REED, TRUSTEES OF THE FORTY EIGHTH SCHOOL DISTRICT BY THAT CERTAIN DEED RECORDED DECEMBER 10, 1892 IN BOOK 4-I OF DEEDS AT PAGE 222 OF OFFICIAL RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT SIXTY SIX (66) RODS EAST OF THE CENTER OF SECTION NINE (9), TOWNSHIP ONE (1) NORTH OF RANGE ONE (1) WEST, SALT LAKE MERIDIAN; RUNNING THENCE EAST TWELVE (12) RODS TO ROAD; THENCE SOUTH THIRTEEN AND ONE-THIRD (13 1/3) RODS; THENCE WEST TWELVE (12) RODS; THENCE NORTH THIRTEEN AND ONE THIRD (13 1/3) RODS TO THE PLACE OF BEGINNING.

ALSO LESS DOMINION ENERGY ROSE PARK SUBDIVISION, RECORDED DECEMBER 17, 2019 AS ENTRY NO. 1314870 IN PLAT BOOK 2019P AT PAGE 350 OF OFFICIAL RECORDS.

SURVEYED BOUNDARY DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 9 AND THE NORTH HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THE BOUNDARIES ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL, SAID POINT BEING 500'03'36"E 1322.70 FEET ALONG THE SECTION LINE AND N89°58'18"E 33.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 16 AND RUNNING THENCE N00°03'36"W 1322.70 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF 3200 WEST STREET (SAID EASTERLY LINE BEING PARALLEL TO AND 33.00 FEET EASTERLY FROM THE SECTION LINE); THENCE N00°02'40"W 2640.29 FEET ALONG SAID EASTERLY LINE; THENCE N00°02'53"W 2640.44 FEET ALONG SAID EASTERLY LINE TO THE NORTH LINE OF SAID SECTION 9; THENCE N89°57'24"E 2607.98 FEET ALONG SAID NORTH LINE TO THE NORTH QUARTER CORNER OF SAID SECTION 9; THENCE 500'01'52"E 1320.06 FEET TO THE NORTH ONE SIXTEENTH LINE OF SAID SECTION 9; THENCE ALONG SAID ONE SIXTEENTH LINE S89°57'42"W 1320.29 FEET TO THE WEST ONE SIXTEENTH LINE OF SAID SECTION 9; THENCE ALONG SAID WEST ONE SIXTEENTH LINE 500'02'22"E 1320.14 FEET; THENCE ALONG SAID WEST ONE SIXTEENTH LINE 500'02'16"E 1320.20 FEET TO THE SOUTH ONE SIXTEENTH LINE OF SAID SECTION 9; THENCE ALONG SAID SOUTH ONE SIXTEENTH LINE N89°57'07"E 1319.95 FEET TO THE CENTER SECTION LINE OF SAID SECTION 9; THENCE ALONG SAID CENTER SECTION LINE N00°01'52"W 1320.25 FEET TO THE CENTER CORNER OF SAID SECTION 9; THENCE N89°56'59"E 1091.65 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 TO A FENCE CORNER; THENCE S00°09'31"W 221.44 FEET ALONG SAID FENCE TO A FENCE CORNER; THENCE S87°30'49"E 196.13 FEET ALONG SAID FENCE TO THE WESTERLY RIGHT OF WAY OF 2200 WEST STREET (SAID WESTERLY LINE BEING PARALLEL TO AND 33.00 FEET WESTERLY FROM THE EAST ONE SIXTEENTH LINE OF SAID SECTIONS 9 AND 16); THENCE 500'02'20"E 2410.39 FEET ALONG SAID WESTERLY LINE TO THE SOUTH LINE OF SAID SECTION 9; THENCE 500'02'41"E 969.89 FEET ALONG SAID WESTERLY LINE TO THE NORTHERLY LINE OF DOMINION ENERGY ROSE PARK SUBDIVISION; THENCE S89°56'43"W 549.51 FEET ALONG SAID SUBDIVISION TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE ALONG THE WESTERLY LINE OF SAID SUBDIVISION 500'02'38"E 350.90 FEET TO THE NORTH ONE SIXTEENTH LINE OF SAID SECTION 16; THENCE ALONG SAID ONE SIXTEENTH LINE S89°55'18"W 2606.38 FEET TO THE POINT OF BEGINNING.

GENERAL NOTES:

- THIS SURVEY IS BASED UPON COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY.
- THIS SURVEY ADDRESSES SURVEY RELATED SCHEDULE B EXCEPTIONS TO COVERAGE, SEE SHEET 2 FOR EXCEPTION NOTES.
- DOCUMENTS PROVIDED (P) AND RESEARCHED (R) IN THE PERFORMANCE OF THIS SURVEY ARE AS FOLLOWS:
P1) TITLE REPORT, FIRST AMERICAN TITLE INSURANCE COMPANY, DATED MARCH 9, 2021 - FILE NO.: NCS-1057882-CH2.
R1) FEMA MAP PANEL - 49035C0129G - EFFECTIVE 9/25/2009.
R2) ADJOINING PROPERTY DESCRIPTIONS ACCORDING TO CURRENT PUBLIC RECORDS.
- SURVEYED PROPERTY IS LOCATED WITHIN "ZONE X" OF SAID FEMA MAP PANEL.
- UTILITIES AS SHOWN HEREON WERE LOCATED BASED UPON VISIBLE IMPROVEMENTS AT THE TIME OF THE SURVEY. ADDITIONAL UTILITIES MAY EXIST.
- A SURVEYED BOUNDARY DESCRIPTION WAS PREPARED WITH THIS SURVEY.
- THE SURVEY IS BASED ON GROUND MEASUREMENTS FROM FIELD SURVEY.
- SEE THIS SHEET FOR TABLE A COMMENTS.
- EXISTING BUILDINGS OBSERVED ON THE SURVEYED PROPERTY ARE SHOWN ON THIS SURVEY.
- DIMENSIONS ALONG THE BOUNDARY ARE TO EXISTING FENCE LINES.



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

CLIENT:

SCANNELL PROPERTIES

LOCATION:

PARCEL NUMBER 08-09-100-003
LOCATED IN SECTION 9, AND THE NORTH HALF OF
SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
2691 NORTH 2200 WEST, SALT LAKE CITY, UT 84116



ALTA/NSPS LAND TITLE
SURVEY

DRAWN BY: KWT
REVIEWED BY: TEJ
REVISIONS:
No. DATE REMARKS

DATE: APRIL 2021

SHEET NUMBER:

1 OF 4

EXCEPTION NOTES:

EXCEPTION 9: THE EFFECT OF THE 1969 FARMLAND ASSESSMENT ACT, WHEREIN THERE IS A FIVE (5) YEAR ROLL-BACK PROVISION WITH REGARD TO ASSESSMENT AND TAXATION, BY REASON OF THAT CERTAIN APPLICATION FOR ASSESSMENT AND TAXATION OF AGRICULTURAL LAND, RECORDED APRIL 16, 2020 AS ENTRY NO. 13244535 IN BOOK 10928 AT PAGE 1875 OF OFFICIAL RECORDS.

EXCEPTION 10: ANY CHARGE UPON THE LAND BY REASON OF ITS INCLUSION IN SALT LAKE CITY.

EXCEPTION 11: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR POLES AND ELECTRIC TRANSMISSION CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO THE TELLURIDE POWER COMPANY, A COLORADO CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 8, 1902 AS ENTRY NO. 161342 IN BOOK 6-C AT PAGE 268 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

EXCEPTION 12: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR POLES AND ELECTRIC TRANSMISSION CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO THE TELLURIDE POWER COMPANY, A COLORADO CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 8, 1902 AS ENTRY NO. 161361 IN BOOK 6-C AT PAGE 278 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

EXCEPTION 13: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR POLES AND ELECTRIC TRANSMISSION CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO TELLURIDE POWER COMPANY, A COLORADO CORPORATION BY INSTRUMENT RECORDED MARCH 17, 1903 AS ENTRY NO. 167653 IN BOOK 6-N AT PAGE 203 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

EXCEPTION 14: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC POWER TRANSMISSION AND TELEPHONE CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO TELLURIDE POWER COMPANY, A COLORADO CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 2, 1909 AS ENTRY NO. 254188 IN BOOK 8-E AT PAGE 67 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

EXCEPTION 15: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC POWER TRANSMISSION AND TELEPHONE CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO TELLURIDE POWER COMPANY, A COLORADO CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 2, 1909 AS ENTRY NO. 254189 IN BOOK 8-E AT PAGE 68 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.
(THE FOLLOWING EXCEPTION AFFECTS NORTHWESTERLY PORTION OF SAID LAND)

EXCEPTION 16: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION LINES AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER COMPANY BY INSTRUMENT RECORDED FEBRUARY 26, 1914 AS ENTRY NO. 321469 IN BOOK 8-V AT PAGE 232 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS NORTHERLY BOUNDARY OF SAID LAND)

EXCEPTION 17: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR A PERPETUAL RIGHT OF WAY FOR THE USE OF THE PUBLIC AS A HIGHWAY AND INCIDENTAL PURPOSES, AS GRANTED TO SALT LAKE COUNTY BY INSTRUMENT RECORDED MAY 18, 1915 AS ENTRY NO. 342228 IN BOOK 10-H AT PAGE 13 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS WEST AND NORTH PORTION OF SAID LAND)

EXCEPTION 18: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION LINES AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER & LIGHT COMPANY BY INSTRUMENT RECORDED JULY 18, 1917 AS ENTRY NO. 381473 IN BOOK 3-A OF LIENS AND LEASES AT PAGE 530 OF OFFICIAL RECORDS.
SUPPLEMENTAL EASEMENT RECORDED MARCH 29, 1995 AS ENTRY NO. 6050116 IN BOOK 7124 AT PAGE 505 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS EASTERLY PORTION OF SAID LAND)

EXCEPTION 19: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, TELEGRAPH AND TELEPHONE LINES AND INCIDENTAL PURPOSES, AS GRANTED TO MASCH GAS CO., A UTAH CORPORATION BY INSTRUMENT RECORDED JANUARY 31, 1929 AS ENTRY NO. 626078 IN BOOK 44 AT PAGE 399 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS WEST AND NORTH PORTION OF SAID LAND)

~~EXCEPTION 20: AN~~ EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION LINES AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER & LIGHT BY INSTRUMENT RECORDED APRIL 29, 1936 AS ENTRY NO. 784605 IN BOOK 157 OF LIENS AND LEASES AT PAGE 298 OF OFFICIAL RECORDS.

EXCEPTION 21: THE EFFECTS OF THAT CERTAIN DEED RECORDED DECEMBER 16, 1936 AS ENTRY NO. 799402 IN BOOK 194 AT PAGE 379, WHEREIN GRANTORS PURPORT TO CONVEY TO SALT LAKE CITY, A MUNICIPAL CORPORATION A 200 FOOT WIDE PARCEL FOR A CANAL, EXACT LOCATION NOT DISCLOSED. IF FURTHER RECITES "IF THE CITY AT ANY TIME ABANDON OR TO BE COMPELLED TO CEASE THE USE OF SAID CHANNEL, THEN THE SAID RIGHT TO THE USE OF THE WATER AND TITLE TO THE LAND TO GRANTOR, HIS HEIRS OR ASSIGNS".

EXCEPTION 22: PUBLIC RIGHTS OF WAY AS RESERVED BY SALT LAKE COUNTY BY THAT CERTAIN DEED RECORDED SEPTEMBER 16, 1937 AS ENTRY NO. 818500 IN BOOK 199 AT PAGE 519 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

(THE FOLLOWING EXCEPTION AFFECTS EASTERLY PORTION OF THE LAND)

EXCEPTION 23: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPE LINES, GATES AND GATE-BOXES FOR THE TRANSPORTATION OF GAS AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY, A CORPORATION OF THE STATE OF UTAH BY INSTRUMENT RECORDED MAY 18, 1949 AS ENTRY NO. 1157572 IN BOOK 679 AT PAGE 382 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS EASTERLY PORTION OF THE LAND)

EXCEPTION 24: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR GAS DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY, A CORPORATION OF THE STATE OF UTAH BY INSTRUMENT RECORDED MAY 6, 1955 AS ENTRY NO. 1425010 IN BOOK 1193 AT PAGE 530 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS NORTHWESTERLY PORTION OF THE LAND)

EXCEPTION 25: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION, DISTRIBUTION, TELEPHONE AND TELEGRAPH CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER & LIGHT COMPANY, A CORPORATION BY INSTRUMENTS RECORDED MARCH 6, 1972 AS ENTRY NO.'S 2440941, 2440942 AND 2440943 IN BOOK 3047 AT PAGES 948, 949 AND 950 OF OFFICIAL RECORDS.

EXCEPTION 26: THE INTEREST OF ROBERT B. SWANER, ACQUIRED UNDER AND BY VIRTUE OF THAT CERTAIN WARRANTY DEED FROM WAYNE D. HAWKINS, AS TRUSTEE FOR THE CHARLOTTE L. HAWKINS TRUST, RECORDED AUGUST 28, 1972 AS ENTRY NO. 2480277 IN BOOK 3140 AT PAGE 33 OF OFFICIAL RECORDS.
NOTE: SAID DOCUMENT APPEARS TO CONTAIN AN INCORRECT OR INCOMPLETE LEGAL DESCRIPTION. (THE FOLLOWING EXCEPTION AFFECTS EASTERLY PORTION OF SAID LAND)

EXCEPTION 27: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND REPAIR OF WATER MAIN EXTENSION NO. 35-3838 AND 33-C1017, TOGETHER WITH SERVICE LINES, METERS AND ATTENDANT FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO SALT LAKE CITY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH BY INSTRUMENT RECORDED JANUARY 09, 1976 AS ENTRY NO. 2775937 IN BOOK 4075 AT PAGE 82 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS NORTHWESTERLY PORTION OF SAID LAND)

EXCEPTION 28: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR THE ERECTION, OPERATION AND CONTINUED MAINTENANCE, REPAIR, ALTERATION, INSPECTION, RELOCATION AND REPLACEMENT OF ONE OR MORE TRANSMISSION AND DISTRIBUTION CIRCUITS AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER & LIGHT COMPANY, A CORPORATION BY INSTRUMENT RECORDED DECEMBER 19, 1978 AS ENTRY NO. 3213555 IN BOOK 4789 AT PAGE 143 OF OFFICIAL RECORDS.

EXCEPTION 29: A PERPETUAL UTILITY EASEMENT AS EVIDENCED BY THAT CERTAIN WARRANTY DEED RECORDED JANUARY 5, 1979 AS ENTRY NO. 3218910 IN BOOK 4794 AT PAGE 1403 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

(THE FOLLOWING EXCEPTION AFFECTS A PORTION OF THE LAND)

EXCEPTION 30: THE INTEREST OF WAYNE D. HAWKINS, TRUSTEE OF THE HAWKINS FAMILY LIVING TRUST, DATED SEPTEMBER 29, 1978, ACQUIRED UNDER AND BY VIRTUE OF THAT CERTAIN WARRANTY DEED FROM CHARLOTTE L. HAWKINS TRUST, WAYNE D. HAWKINS, TRUSTEE, RECORDED JANUARY 3, 1979 AS ENTRY NO. 3218912 IN BOOK 4794 AT PAGE 1405 OF OFFICIAL RECORDS.
(NOTE: NO RECORDED EVIDENCE OF DEATH CERTIFICATE FOR FOUND FOR WAYNE D. HAWKINS)

(THE FOLLOWING EXCEPTION AFFECTS A PORTION OF THE LAND)

EXCEPTION 31: THE INTEREST OF PETER B. SWANER AND MARGARET C. SWANER, HIS WIFE, AS JOINT TENANTS, ACQUIRED UNDER AND BY VIRTUE OF THAT CERTAIN QUITCLAIM DEED FROM LYNN H. JENSEN AND CAROL D. JENSEN, HIS WIFE, RECORDED FEBRUARY 27, 1980 AS ENTRY NO. 3404734 IN BOOK 5055 AT PAGE 925 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS A PORTION OF THE LAND)

EXCEPTION 32: THE INTEREST OF WAYNE D. HAWKINS, TRUSTEE, ACQUIRED UNDER AND BY VIRTUE OF THAT CERTAIN QUITCLAIM DEED FROM LYNN H. JENSEN AND CAROL D. JENSEN, HIS WIFE, RECORDED FEBRUARY 27, 1980 AS ENTRY NO. 3404735 IN BOOK 5055 AT PAGE 926 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS A PORTION OF THE LAND)

EXCEPTION 33: THE INTEREST OF ROBERT B. SWANER COMPANY, ACQUIRED UNDER AND BY VIRTUE OF THAT CERTAIN QUITCLAIM DEED FROM LYNN H. JENSEN AND CAROL D. JENSEN, HIS WIFE, RECORDED FEBRUARY 27, 1980 AS ENTRY NO. 3404736 IN BOOK 5055 AT PAGE 927 OF OFFICIAL RECORDS.

EXCEPTION 34: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES AND INCIDENTAL PURPOSES, AS GRANTED TO SALT LAKE CITY CORPORATION, DEPT. OF PUBLIC UTILITIES FROM SALT LAKE COUNTY BY INSTRUMENT RECORDED OCTOBER 10, 1989 AS ENTRY NO. 483298 IN BOOK 6166 AT PAGE 1146 OF OFFICIAL RECORDS.
NOTE: THE ABOVE EASEMENT PURPORTS TO AFFECT THE SUBJECT PROPERTY, BUT THE EXACT LOCATION CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 35: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO CONSTRUCT, ENTRENCH, MAINTAIN, PROTECT, INSPECT AND OPERATE A PIPELINE AND/OR COMMUNICATIONS CABLE WITH APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED MAY 10, 1991 AS ENTRY NO. 5064937 IN BOOK 6315 AT PAGE 397 OF OFFICIAL RECORDS.

AMENDMENT TO RIGHT-OF-WAY AND EASEMENT CONTRACT DATED AUGUST 2, 2002 BY AND BETWEEN KERN RIVER GAS TRANSMISSION COMPANY AND ROBERT B. SWANER COMPANY (30% INTEREST), PETER B. SWANER (27.5% INTEREST), MARGARET C. SWANER FAMILY LIMITED PARTNERSHIP, A UTAH LIMITED PARTNERSHIP (22.5% INTEREST); C. HOLLY HAWKINS BOWLER (10% INTEREST); W. DAVIS HAWKINS, JR. FAMILY LIVING TRUST DATED SEPTEMBER 22, 1978 AND RESTATED AS OF JULY 11, 1997, W. DAVIS HAWKINS, JR., AND GAIL MARIE HAWKINS, CO-TRUSTEES (5% INTEREST); AND W. DAVIS HAWKINS, JR., INDIVIDUALLY (5%) RECORDED AUGUST 21, 2002 AS ENTRY NO. 8328952 IN BOOK 8636 AT PAGE 2475 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 36: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO CONSTRUCT, ENTRENCH, MAINTAIN, PROTECT, INSPECT AND OPERATE A PIPELINE AND/OR COMMUNICATIONS CABLE WITH APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED MAY 10, 1991 AS ENTRY NO. 5064938 IN BOOK 6315 AT PAGE 401 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 37: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO CONSTRUCT, ENTRENCH, MAINTAIN, PROTECT, INSPECT AND OPERATE A PIPELINE AND/OR COMMUNICATIONS CABLE WITH APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED MAY 10, 1991 AS ENTRY NO. 5064939 IN BOOK 6315 AT PAGE 405 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 38: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO CONSTRUCT, ENTRENCH, MAINTAIN, PROTECT, INSPECT AND OPERATE A PIPELINE AND/OR COMMUNICATIONS CABLE WITH APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED MAY 10, 1991 AS ENTRY NO. 5064940 IN BOOK 6315 AT PAGE 409 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 39: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO CONSTRUCT, ENTRENCH, MAINTAIN, PROTECT, INSPECT AND OPERATE A PIPELINE AND/OR COMMUNICATIONS CABLE WITH APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED MAY 10, 1991 AS ENTRY NO. 5064941 IN BOOK 6315 AT PAGE 413 OF OFFICIAL RECORDS.

EXCEPTION 40: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO LOCATE A SURVEY ROUTE, CONSTRUCT, ENTRENCH, MAINTAIN, PROTECT, INSPECT AND OPERATE A PIPELINE AND/OR COMMUNICATIONS CABLE WITH APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED OCTOBER 24, 1991 AS ENTRY NO. 5144514 IN BOOK 6368 AT PAGE 2997 OF OFFICIAL RECORDS.
NOTE: THE EXACT LOCATION OF THE HEREIN-ABOVE DESCRIBED EASEMENT CANNOT BE DETERMINED BECAUSE OF AN INCOMPLETE LEGAL DESCRIPTION.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 41: A NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT BY AND BETWEEN SALT LAKE CITY CORPORATION, A UTAH MUNICIPAL CORPORATION IN FAVOR OF KERN RIVER GAS TRANSMISSION COMPANY, A TEXAS GENERAL PARTNERSHIP FOR A PIPELINE, APPURTENANT FACILITIES AND INCIDENTAL PURPOSES RECORDED NOVEMBER 17, 1993 AS ENTRY NO. 5659555 IN BOOK 6804 AT PAGE 195 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 42: AN AMENDED NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT BY AND BETWEEN SALT LAKE CITY CORPORATION, A UTAH MUNICIPAL CORPORATION AND KERN RIVER GAS TRANSMISSION COMPANY, A TEXAS GENERAL PARTNERSHIP QUALIFIED TO DO BUSINESS IN UTAH RECORDED JANUARY 10, 1994 AS ENTRY NO. 5707415 IN BOOK 6847 AT PAGE 843 OF OFFICIAL RECORDS.
A DOCUMENT ENTITLED "2007 NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT FOR THE 2002 PIPELINE ON NON-AIRPORT PROPERTY" RECORDED DECEMBER 21, 2007 AS ENTRY NO. 10306783 IN BOOK 9551 AT PAGE 2237 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 43: AN AMENDED NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT BY AND BETWEEN SALT LAKE CITY CORPORATION, A UTAH MUNICIPAL CORPORATION AND KERN RIVER GAS TRANSMISSION COMPANY, A TEXAS GENERAL PARTNERSHIP QUALIFIED TO DO BUSINESS IN UTAH RECORDED JUNE 12, 2001 AS ENTRY NO. 7919775 IN BOOK 8467 AT PAGE 4722 OF OFFICIAL RECORDS.
A DOCUMENT ENTITLED "2007 NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT FOR THE 1991 PIPELINE ON NON-AIRPORT PROPERTY" RECORDED DECEMBER 21, 2007 AS ENTRY NO. 10306782 IN BOOK 9551 AT PAGE 2205 OF OFFICIAL RECORDS.
A DOCUMENT ENTITLED "2007 NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT FOR THE 1991 AND 2002 PIPELINES ON AIRPORT PROPERTY" RECORDED DECEMBER 21, 2007 AS ENTRY NO. 10306784 IN BOOK 9551 AT PAGE 2270 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 44: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND TO CONSTRUCT, ENTRENCH, MAINTAIN, REPAIR, REPLACE, PROTECT, INSPECT AND OPERATE A MAIN LINE BLOCK VALVE AND LAUNCHER/RECEIVER FACILITY AND/OR APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED AUGUST 21, 2002 AS ENTRY NO. 8328954 IN BOOK 8636 AT PAGE 2525 OF OFFICIAL RECORDS.
A DOCUMENT ENTITLED "2007 NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AGREEMENT FOR THE 1991 AND 2002 PIPELINES ON AIRPORT PROPERTY" RECORDED DECEMBER 21, 2007 AS ENTRY NO. 10306784 IN BOOK 9551 AT PAGE 2270 OF OFFICIAL RECORDS.
TRANSMISSION COMPANY AMENDMENT OF FACILITY EASEMENT RECORDED JANUARY 04, 2011 AS ENTRY NO. 11109720 IN BOOK 9895 AT PAGE 6520 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS ALL OF THE LAND, TOGETHER WITH OTHER LAND NOT INCLUDED HEREIN)

EXCEPTION 45: AN UNRECORDED LEASE EXECUTED BY NOT GIVEN, AS LESSOR, AND DAVE HINCKLEY AND EDWARD GILMORE, AS LESSEE, AS DISCLOSED BY APPLICATION FOR ASSESSMENT AND TAXATION OF AGRICULTURAL LAND RECORDED JULY 7, 2004 AS ENTRY NO. 9112500 IN BOOK 9011 AT PAGE 490 OF OFFICIAL RECORDS.
NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD RIGHTS AS DISCLOSED BY THE HEREIN-ABOVE MENTIONED LEASE AND ANY OTHER MATTERS AFFECTING SAID LEASE ARE NOT SHOWN HEREIN.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 46: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR OIL AND GAS PIPELINES AND ASSOCIATED FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO UNEV PIPELINE, LLC, A DELAWARE LIMITED LIABILITY COMPANY BY INSTRUMENT RECORDED JUNE 12, 2009 AS ENTRY NO. 10728162 IN BOOK 9734 AT PAGE 9409 OF OFFICIAL RECORDS.
(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 47: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR A PIPELINE AND/OR COMMUNICATIONS CABLE AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY BY INSTRUMENT RECORDED MARCH 24, 2010 AS ENTRY NO. 10920609 IN BOOK 9812 AT PAGE 6952 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 48: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR AN OIL AND GAS PIPELINE AND INCIDENTAL PURPOSES, AS GRANTED TO UNEV PIPELINE, LLC, A DELAWARE LIMITED LIABILITY COMPANY FROM SALT LAKE CITY CORPORATION BY INSTRUMENT RECORDED MAY 25, 2010 AS ENTRY NO. 10958395 IN BOOK 9827 AT PAGE 9335 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 49: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR A PIPELINE AND ASSOCIATED FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO KERN RIVER GAS TRANSMISSION COMPANY, A TEXAS GENERAL PARTNERSHIP FROM SALT LAKE CITY CORPORATION BY INSTRUMENT RECORDED OCTOBER 18, 2010 AS ENTRY NO. 11055050 IN BOOK 9869 AT PAGE 5130 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS SOUTHERLY PORTION OF SAID LAND)

EXCEPTION 50: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC POWER TRANSMISSION, DISTRIBUTION AND COMMUNICATION LINES AND INCIDENTAL PURPOSES, AS GRANTED TO PACIFICORP, AN OREGON CORPORATION, D/B/A ROCKY MOUNTAIN POWER ITS SUCCESSORS AND ASSIGNS BY INSTRUMENT RECORDED JANUARY 04, 2011 AS ENTRY NO. 11109725 IN BOOK 9895 AT PAGE 6549 OF OFFICIAL RECORDS.
AN AMENDMENT OF RIGHT OF WAY EASEMENT RECORDED SEPTEMBER 20, 2011 AS ENTRY NO. 11246881 IN BOOK 9951 AT PAGE 5147 OF OFFICIAL RECORDS.

EXCEPTION 51: A MEMORANDUM OF PIPELINE PERMIT GIVING NOTICE OF A CERTAIN PIPELINE PERMIT FOR THE CONSTRUCTION AND MAINTENANCE OF THE KERN RIVER APEX EXPANSION PROJECT BY AND BETWEEN SALT LAKE CITY CORPORATION AND KERN RIVER GAS TRANSMISSION COMPANY RECORDED APRIL 20, 2011 AS ENTRY NO. 11169539 IN BOOK 9919 AT PAGE 2920 OF OFFICIAL RECORDS.

EXCEPTION 52: THE FACT THAT AFFIDAVIT OF SUCCESSOR TRUSTEE RECORDED SEPTEMBER 5, 2019 AS ENTRY NO. 13067306 IN BOOK 10825 AT PAGE 9458 OF OFFICIAL RECORDS, DID NOT CONTAIN THE CORRECT LEGAL DESCRIPTION OF SAID LAND.

EXCEPTION 53: OFF AIRPORT LAND LEASE DTFAWN-14-L-00016, DATED JANUARY 30, 2019 BY AND BETWEEN ROBERT B. SWANER CORPORATION AND THE UNITED STATES OF AMERICA DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION, RECORDED NOVEMBER 5, 2019 AS ENTRY NO. 13117055 IN BOOK 10856 AT PAGE 2528 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS ALL OF THE LAND, TOGETHER WITH OTHER LAND NOT INCLUDED HEREIN)

EXCEPTION 54: AVIGATION EASEMENT IN FAVOR OF SALT LAKE CITY CORPORATION FOR THE FREE AND UNRESTRICTED PASSAGE OF AIRCRAFT OF ANY AND ALL KINDS IN, THROUGH, ACROSS AND ABOUT THE AIRSPACE OVER THE LAND RECORDED APRIL 10, 2020 AS ENTRY NO. 13239648 IN BOOK 10924 AT PAGE 9570 OF OFFICIAL RECORDS.

EXCEPTION 55: OUR SEARCH OF THE PUBLIC RECORDS FINDS NO OUTSTANDING MORTGAGES AFFECTING THE LAND.

EXCEPTION 56: ANY CLAIM THAT THE TITLE IS SUBJECT TO A TRUST OR LIEN CREATED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT (7 U.S.C. §5499A, ET SEQ.) OR THE POULTRY AND STOCKYARDS ACT (7 U.S.C. §5181 ET SEQ.) OR UNDER SIMILAR STATE LAWS. CONSIDERATION FOR THE DELETION OF THIS EXCEPTION IS HIGHLY FACT INTENSIVE. PLEASE CONTACT THE UNDERWRITER ASSIGNED TO YOUR FILE AS SOON AS POSSIBLE TO DISCUSS.

EXCEPTION 57: ANY FACTS, RIGHTS, INTEREST OR CLAIMS WHICH WOULD BE DISCLOSED BY A CORRECT ALTA/NSPS SURVEY.

EXCEPTION 58: THE STATE CONSTRUCTION REGISTRY DISCLOSES THE FOLLOWING PRELIMINARY NOTICE(S):
ENTRY # 7814637, FILED MAY 6, 2020 BY STEEL ENCOUNTERS
ENTRY # 7939865, FILED JUNE 30, 2020 BY CONTECH ENGINEERED SOLUTIONS LLC
ENTRY # 7939891, FILED JUNE 30, 2020 BY CONTECH ENGINEERED SOLUTIONS LLC
ENTRY # 7991487, FILED JULY 20, 2020 BY KILGORE COMPANIES
ENTRY # 8023729, FILED AUGUST 4, 2020 BY GENEVA ROCK PRODUCTS
ENTRY # 8094383, FILED SEPTEMBER 1, 2020 BY MOUNTAIN CRANE SERVICE
ENTRY # 8128453, FILED SEPTEMBER 16, 2020 BY MOUNTAIN CRANE SERVICE
ENTRY # 8165453, FILED SEPTEMBER 30, 2020 BY CMI
ENTRY # 8238319, FILED OCTOBER 28, 2020 BY STAKER & PARSON CO
ENTRY # 8281623, FILED NOVEMBER 13, 2020 BY MOUNTAIN STATES FENCE
ENTRY # 8511551, FILED MARCH 02, 2021 BY COMMANDER CONCRETE LLC

EXCEPTION 59: ANY CLAIM TO (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO, WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN (A) OR (B) APPEAR IN THE PUBLIC RECORDS OR ARE SHOWN IN SCHEDULE B.



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

CLIENT:

SCANNELL PROPERTIES

LOCATION:

PARCEL NUMBER 08-09-100-003
LOCATED IN SECTION 9, AND THE NORTH HALF OF
SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
2691 NORTH 2200 WEST, SALT LAKE CITY, UT 84116

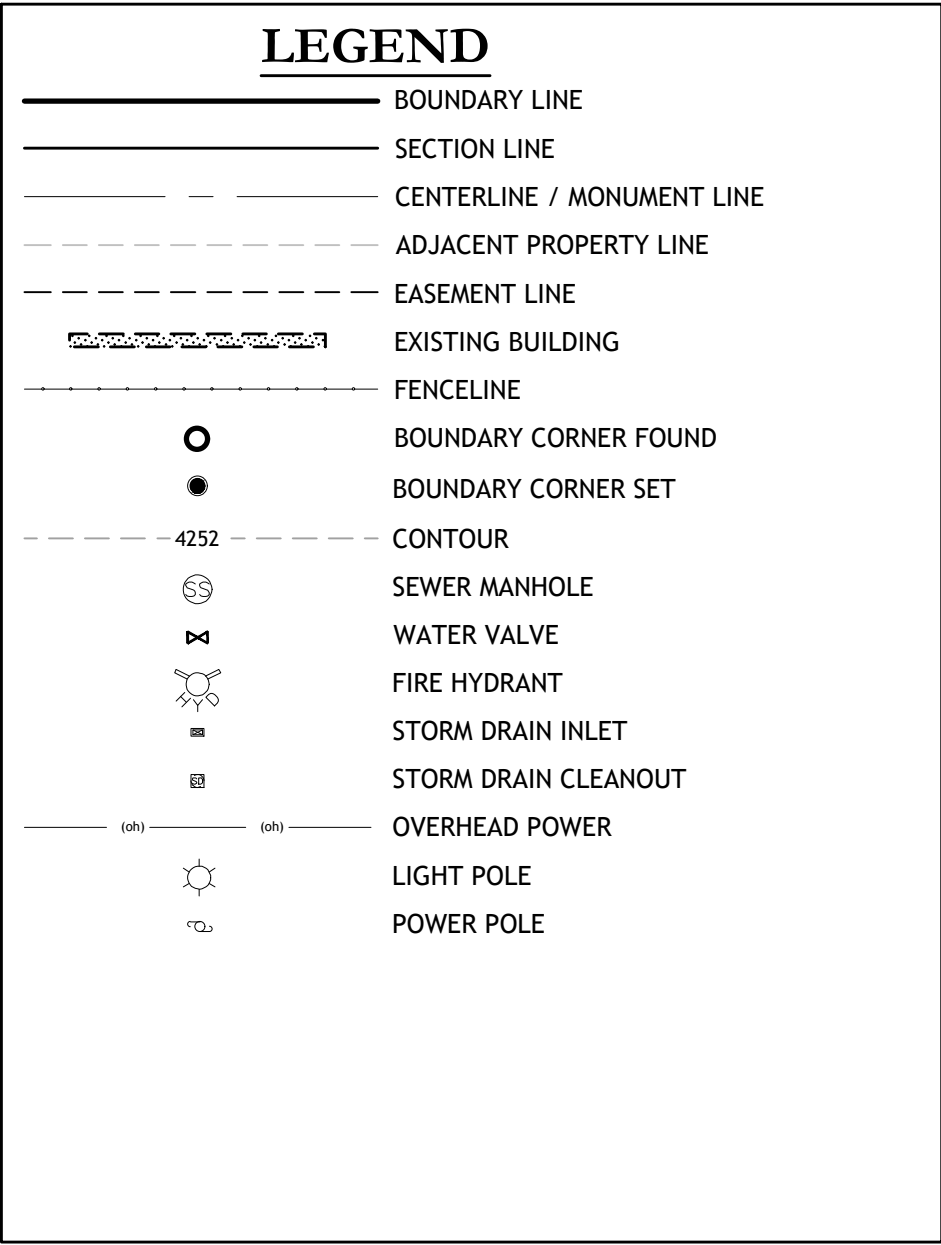
ALTA/NSPS LAND TITLE
SURVEY

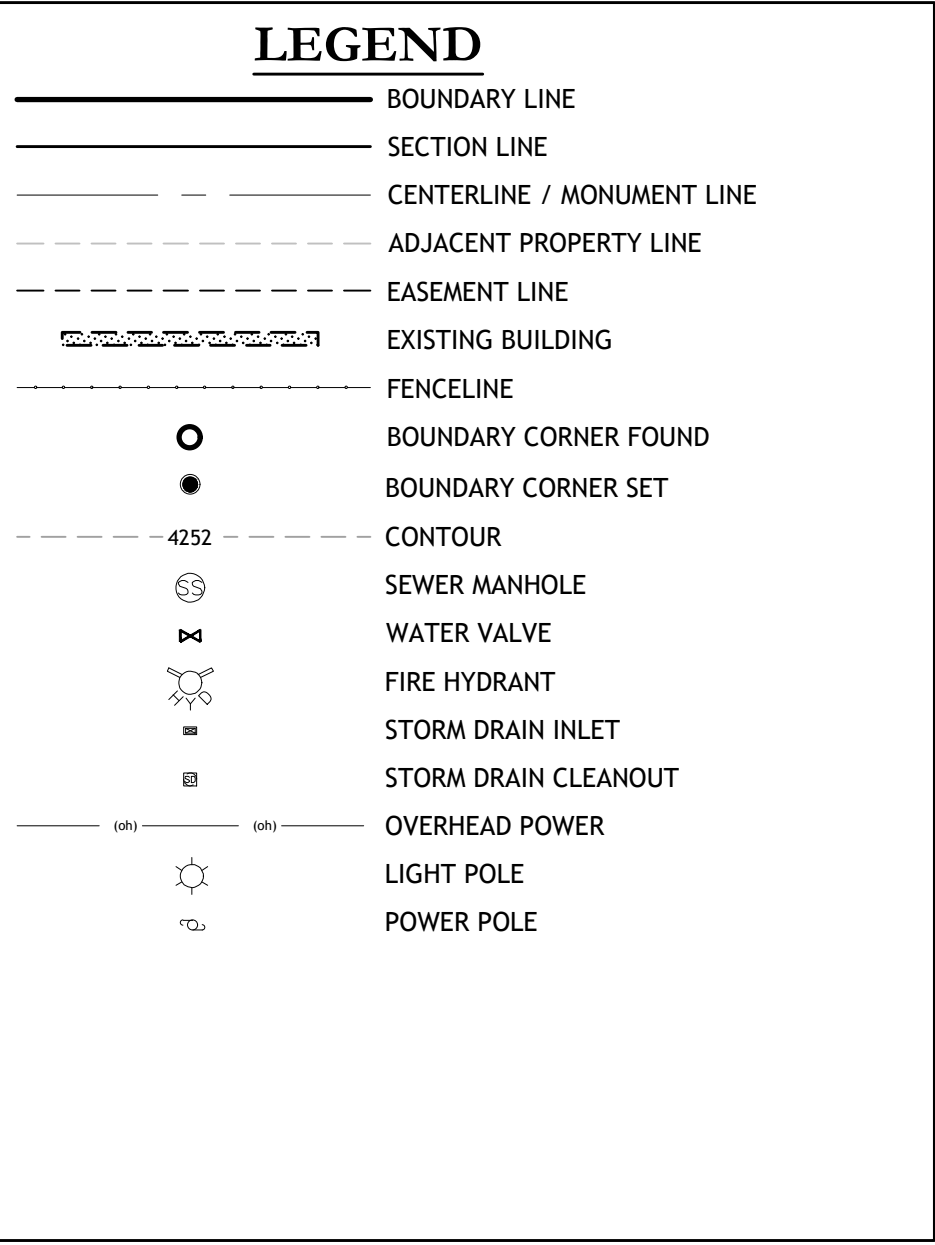
DRAWN BY:	KWT
REVIEWED BY:	TEJ
REVISIONS:	
No. DATE	REMARKS

DATE: APRIL 2021

SHEET NUMBER:

2 OF 4





4 OF 4

ATTACHMENT D: **Applicant Narrative and Supplemental Exhibits**

The attached documents include:

1. Applicant narrative explaining the subdivision request
2. Letter from applicant's legal counsel detailing the block size modification request
3. Roadway exhibit showing potential number of streets required to meet the block size limit
4. Open space exhibit showing conceptual development and how the open space zoning requirement would be met

Swaner Preliminary Subdivision at approximately at 2691 North 2200 West

Scannell Properties (Applicant) is requesting preliminary subdivision approval for the property located at 2691 North 2200 West (a.k.a Swaner Property). The applicant is proposing to subdivide the 434-acre parcel into 20 lots to develop a Class A Business Park with building sizes ranging from 100,000 square feet to 1 million square feet to be constructed in a phased development estimated to occur within an eight-year period. Intended uses within the proposed park under the current Business Park (BP) zoning will include general warehousing, distribution, and data center facilities to accommodate national, regional and local tenants/users.

Improvements funded by the Applicant will include a new right-of-way (bypass road) and associated infrastructure improvements through the property as well as boarding the property. The new roadway infrastructure will provide access to the lots and mitigate traffic congestion on existing roadways. Improvements will include a north south running roadway at approximately 2900 West and an east-west right of way at 2950 North as well as an additional right-of-way along 2200 West and 3200 West would be dedicated.

The applicant is also requesting that the Planning Commission make a recommendation on the modification of a block size regulation. The Intent of the request is to increase block size to allow for the configuration shown on Scannell's preliminary plat which is consistent with typical Class A Industrial development parks. In addition, the larger block sizes will minimize and or reduce the number of interior roads and utilities required under current size regulation. The smaller block sizing under the current regulation would have a negative impact due to the quantity of buildings, the increase to vehicular traffic and the additional city services this would require.

D.2 Narrative Request to Modify Dimensions.pdf

大成 DENTONS

DURHAM JONES
PINEGAR

Brent N. Bateman
Attorney at Law

brent.bateman@dentons.com
D 1+ (801) 375-6600

Dentons Durham Jones Pinegar P.C.
3301 N. Thanksgiving Way, Suite 400
Lehi, Utah 84043
United States

dentons.com

DRAFT

January 5, 2022

Salt Lake City Planning Commission
Daniel Echeverria
451 South State Street, Room 406
Salt Lake City, Utah 84111

Dear Planning Commissioners:

This law firm represents Scannell Properties #558, LLC ("Scannell"), applicant under the Preliminary Plat submission accompanying this correspondence. Please accept this letter as my client's Application for a Modification of a Design Standard, submitted in accordance with *Salt Lake City Code* 20.44.010.

My client requests modification of the standard found in *Salt Lake City Code* 20.12.101(I)(2), concerning maximum perimeter of blocks. That section reads, in relevant part:

Blocks shall not exceed the following perimeter measurements: . . . three thousand (3,000) linear feet for zoning districts with a minimum lot size greater than ten thousand (10,000) square feet.

A modification of this requirement is necessary due to the location and size, and more importantly, the uses at the property. It is impractical and undesirable to impose block sizes requirements on land uses of this type. Block sizes do not appear to be applicable to the zoning and land use designations on the property.

Scannell's intended use on the property is a large warehouse business park, consisting of several large warehouse and light industrial buildings. The total size of the property is 434.32 acres. The site plan and preliminary plat contemplates that the property will be subdivided into 21 lots, ranging from +/- 4.89 acres to +/- 51.69 acres. Scannell plans sixteen (16) warehouse distribution buildings on the property, ranging in size from +/-177,000 to +/-1,083,000 square feet. This proposed use complies with the current zoning in place. Further, it complies with the development agreements applicable to the property.

An application for modification under the Salt Lake City Code requires three findings. Each can easily be found here. These findings will be discussed below:

Finding 1: There are special circumstances or conditions affecting said property.

The property is located on the extreme northwestern boundary of Salt Lake City, near the inland port area and the Great Salt Lake. The property is very large in size and intended as a single development under a master development plan. The property borders existing residential uses for a small percentage on the east side. The majority is bordered by vacant Salt Lake City Airport and Salt Lake County land. At least one recreational use borders the property on the west side, the Rudy Gun Club.

These features, the location, size, and adjacent uses, all support the approved commercial/industrial use of the property, and combined with the factors below, make a commercial layout without block size requirements, not only acceptable, but desirable. In addition, as discussed further below, a reduction of

D.2 Narrative Request to Modify Dimensions.pdf

the number of needed roads is desirable based on Salt Lake City's adoption of plans to limit the number of access points or driveways onto 2200 West. Moreover, Salt Lake City supports future vacation of 3200 W which would cause conflict when implementing a maximum 3,000 linear foot City block length requirement.

Finding 2: The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

As any owner would be, Scannell is entitled to develop and improve the property in accordance with the current zoning, which is BP – Business Park District. This zoning allows the property to be developed as a business park and allows all uses intended by Scannell. The limitation of subdivision block size, almost certainly, is a limitation intended to achieve consistency in *residential* developments throughout the City. This limitation would prevent the developer of this property, and indeed all developments of business park land in the City, from developing in accordance with what is allowed in the current zoning. Indeed, if exceptions were not permitted in these circumstances, the block size requirement would render the existing zoning of the property undevelopable as zoned.

Furthermore, many examples exist in Salt Lake City, as well as in the areas near the subject properties, where the block size requirement is not applicable. For example, SLC Global Industrial Center, Cooper Crossing, Price Real Estate industrial developments, and Hamilton 215 Logistics Center do not appear to comply with the 3,000 linear foot block requirement. Whether or not these properties have formally received modification, this fact illustrates (1) that the block size limitation does not work for the area and types of uses applicable here, and (2) a modification to this standard here would not be out of accord with the City plan, and in fact would conform to the norm in this area of Salt Lake City. Thus, in order to preserve the Owner's substantial rights granted by current zoning, the block size requirement must be removed.

Finding 3: The granting of the modification will not be detrimental to the public welfare or safety, or injurious to other property in the vicinity in which the property is situated.

Most critically, compliance with the maximum 3,000 linear foot perimeter block requirement will require the construction of many additional and unnecessary roads on the property. The planned uses at the property do not justify additional roads, neither by traffic count nor to improve traffic circulation or flow. Please refer to the Preliminary Plat dated October 26, 2021, and the Traffic Impact Study dated October 26, 2021 which have been submitted to Salt Lake City. The preliminary plat includes arterial and collector streets which adequately serve the fully developed site. Local residential streets, where a maximum 3,000' block length requirement may apply, are not necessary or beneficial here for site access or traffic circulation and flow. Such a requirement is inconsistent with the allowable uses in BP zoning and with the development type.

Most importantly, Salt Lake City has adopted plans to limit the number of access point or driveways on 2200 West, and Salt Lake City supports future vacation of 3200 West. Salt Lake City Airport's expansion and roadway master plan rely on vacation of 3200 West. Accordingly, Salt Lake City supports limiting roadways in the project and requires a bypass road to improve the flow of traffic through the area and limit traffic on 2200 W. The maximum block length requirement and associated additional roadways are in direct conflict with the requirements of Salt Lake City, Salt Lake City Airport's master plan, and the Transportation Master Plan for this area.

Limiting roadways on the project will not be detrimental to health and safety of the public. In fact, it will increase health and safety by reducing traffic conflict points, and limiting the locations where traffic will be found. In addition, fewer roads through the property will limit traffic exposure to other properties in the vicinity, and by controlling access and circulation points, cause less interference with local residents.

Accordingly, Scannell's modification requests exemption from the City of its requirement for a maximum 3000 linear foot city block as it does not appear to be applicable to the zoning designations. The exemption will allow for the roadways to be constructed as indicated on the attached preliminary plat and

D.2 Narrative Request to Modify Dimensions.pdf

in accordance with the traffic and use needs of the property. Further, in accordance with Salt Lake City Code 20.44.010, and in the interest of time and simplicity, we hereby request that this application for modification be heard by staff rather than by the planning commission if possible.

Please let me know if you have any questions or concerns about this application. On behalf of my client, I want to thank you for your attention to this matter.

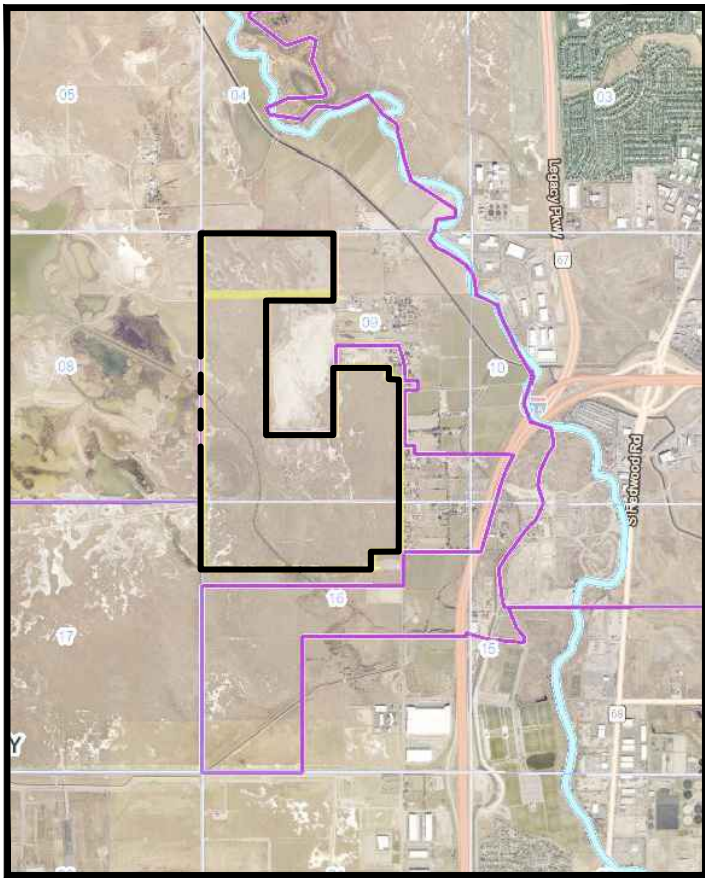
Very truly yours,

DENTONS DURHAM JONES PINEGAR P.C.

Brent N. Bateman

Verified:

By:
Scannell Properties #558, LLC



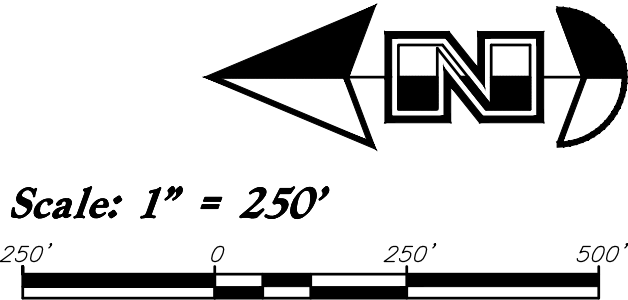
Vicinity Map
Not to Scale

Area Tabulations					
Lot #	Lot Size (In Square Feet)	Building Area (In Square Feet)	Pavement Area (In Square Feet)	Open Space Area (In Square Feet)	Open Space Area (Percentage)
1	532,198	199,500	224,170	108,528	20%
2	1,116,886	462,000	483,286	171,600	15%
3	2,236,780	1,083,000	824,680	329,100	15%
4	838,836	357,000	352,547	129,289	15%
5	1,348,250	587,500	526,547	234,203	17%
6	822,780	314,500	342,940	165,340	20%
7	838,157	296,000	303,613	238,544	28%
8	1,828,077	587,500	534,587	705,990	39%
9	1,052,593	386,397	379,075	287,121	27%
10	1,040,627	386,397	446,911	207,319	20%
11	1,040,688	357,000	429,690	253,998	24%
12	762,113	177,000	226,476	358,637	47%
13	730,918	126,000	122,712	482,206	66%
14	1,120,774	272,000	374,112	474,662	42%
15	1,170,453	468,000	421,187	281,266	24%
16	214,832	0	0	214,832	100%
17	204,160	0	0	204,160	100%
18	384,495	0	0	384,495	100%
19	307,139	0	0	307,139	100%
20	68,655	0	0	68,655	100%
21	4,800	0	0	4,800	100%
Totals:	13,588,742	6,059,784	6,921,884	5,607,084	30%

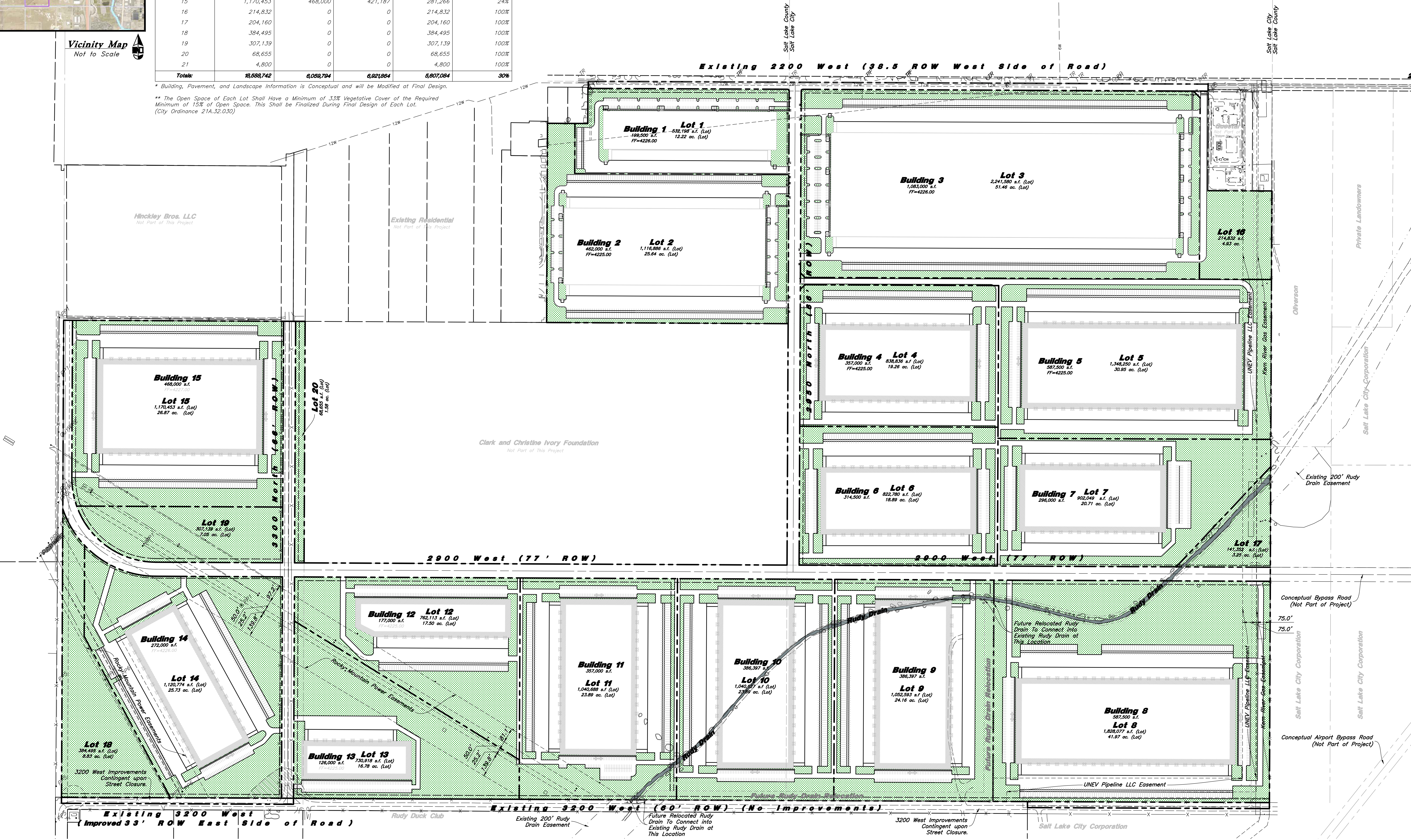
* Building, Pavement, and Landscape Information is Conceptual and will be Modified at Final Design.

** The Open Space of Each Lot Shall Have a Minimum of 33% Vegetative Cover of the Required Minimum of 15% of Open Space. This Shall be Finalized During Final Design of Each Lot.
(City Ordinance 21A.32.030)

Legend
Proposed Open Space Areas



Wetlands Note
Wetlands Delineation and Mitigation
for the Site is in Progress



Designed by: CA
Drafted by: NE
Client Name:
Scannell Swaner
21-190CS Master Plans

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - awhengineering.net

Master Open Space Plan
Swaner Commercial Business Park
2950 North 2200 West
Salt Lake City, UT

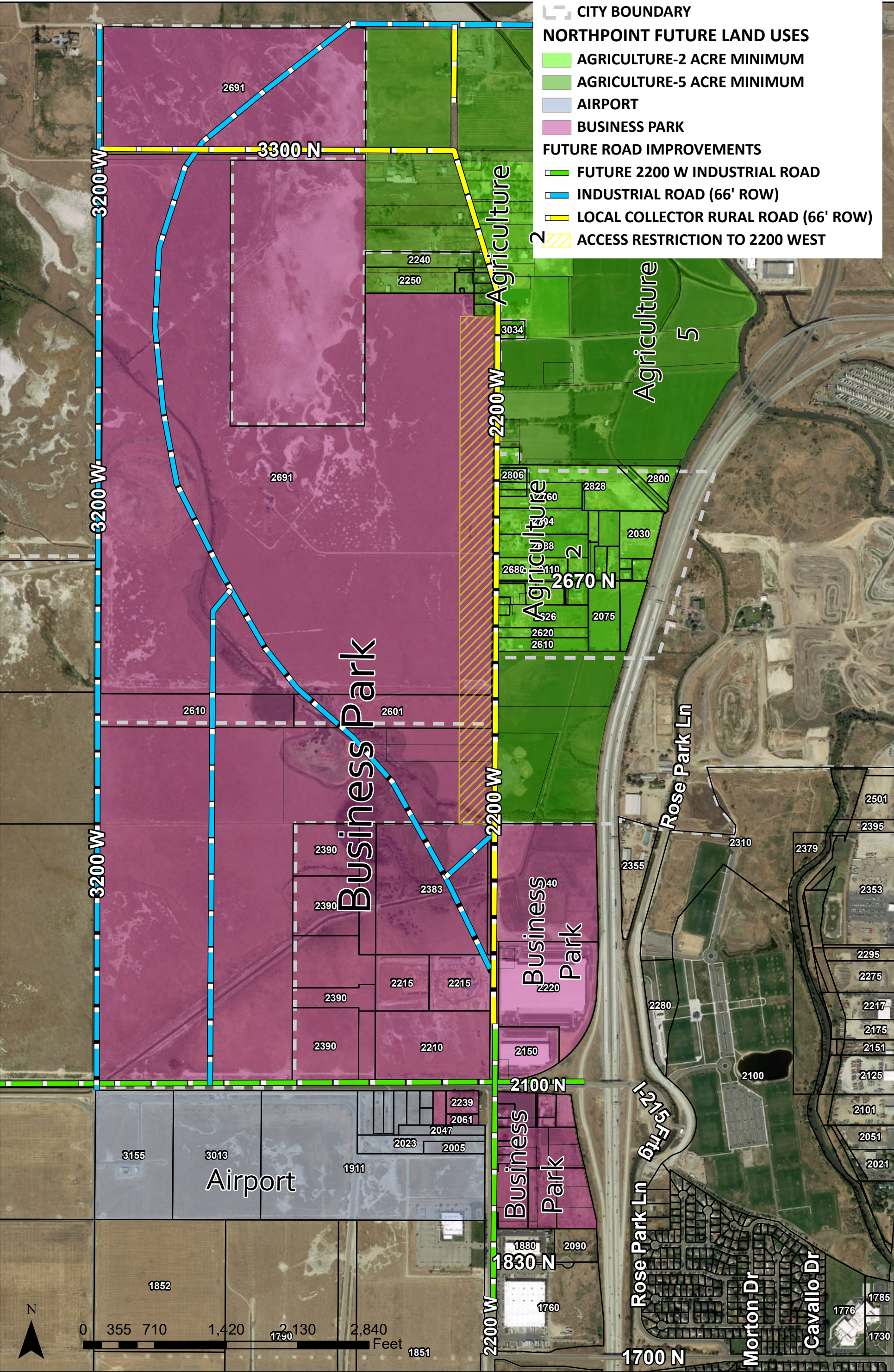
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SHEET NO.
6 of 9

ATTACHMENT E: Major Street Plan and Northpoint Plan Extract

Maps in this Attachment

- **1. Northpoint Future Land Use and Roadway Plan**
 - Shows future land use and proposed roadways from the Northpoint Small Area Plan.
- **2. Major Street Plan Extract**
 - Shows streets that must be improved and dedicated as part of any development activity in the area
 - The Major Street Plan is referenced by the Subdivision standards regarding when a street should be dedicated and improved

Northpoint Small Area Plan 2000



City Major Street Map 2018 - Plan for Future Street Improvements



ATTACHMENT F: Analysis Of Standards – Preliminary Subdivision

Preliminary Subdivision Plat Standards

20.16.100: Standards of Approval for Preliminary Plats

All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

REGULATION	FINDING	RATIONALE
A. The subdivision complies with the general design standards and requirements for subdivisions as established in chapter 20.12 of this title;	The proposal generally complies with the standards, with conditions as noted in the below 20.12 standards tables in this attachment and subject to the modification to the block size regulation being approved by the Mayor.	The subdivision was reviewed by City departments for compliance with the subdivision standards in 20.12. These include the General Regulations and Standards, Lot Design Standards, and Street Design Standards. The standards are reviewed in the tables that follows. Note that a modification is being sought to the block size limit listed in the below tables under 20.12.020.I.
B. All buildable lots comply with all applicable zoning standards;	Complies, with condition: (1) If the canal is not relocated, lot lines may be revised prior to final plat approval to accommodate the existing canal area, to accommodate vehicle access, and to ensure zoning compliance for lots impacted by the canal.	All the proposed lots comply with the associated BP zoning standards for lot dimensions, including lot size and lot frontage. See further analysis of zoning compliance in the 20.12 standards below. If the canal is not relocated, the existing canal location may impact vehicle access to the developable area of lots and lot lines may need to be reconfigured. A condition is proposed to allow modifications to the proposed lot lines in that case.
C. All necessary and required dedications are made;	Complies, with condition: (1) The dedication and improvements to 3200 West may be waived by the City if 3200 West is removed from the Major Street Plan as a collector street, the street is formally “closed” or vacated, or the dedication and improvement requirement is modified by any other	The subdivision is dedicating the necessary right of ways required to serve the subdivision and right of ways through the site that are identified by the City’s Major Street Plan. The right of way widths comply with the dimensional requirements for those right of ways as determined by the Transportation and Engineering departments. See discussion in Consideration 4 regarding 3200 West dedication and improvements. See also discussion about a note prohibiting vehicle

	<p>applicable process or regulation. If 3200 West improvements are waived, the final plat shall include a note that prohibits vehicle access from any lot abutting 3200 West onto any unimproved section of 3200 West, except as necessary for any utility or maintenance access.</p>	<p>access if not improved under standard F below.</p>
<p>D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;</p>	<p>Complies, with condition that:</p> <p>(1) The final subdivision and infrastructure plans, including for sewer, water, and storm drainage, shall comply with all other applicable regulations as determined by the Public Utilities Department Director,</p> <p>(2) Prior to final plat approval, the developer shall finalize any required agreements with the City Department of Airports for use of its property for the lift station shown on the associated improvement plans or shall proceed with alternative utility plans that do not require use of Airport property.</p>	<p>The preliminary water and sewage plans (including storm drainage) have been reviewed by the Public Utilities department and have been found to be satisfactory, subject to final infrastructure plans complying with all other Public Utilities regulations on such facilities. (See full comments in Attachment I.)</p> <p>The developer is proposing to utilize a small portion of Airport property along 2200 West for a sewer “lift station” to bring sewer service north along 2200 West to the site. The lift station location would allow other properties along 2200 West to use the sewer line. If the Airport declines the use of its property for this lift station, the developer may build an alternative that may not allow other properties to it south along 2200 West to hook into sewer line due to technical constraints.</p> <p>The lift station would ultimately be a public City facility. A subdivision approval cannot force a nearby property owner to do something with their property. The Airport may choose to not allow its property to be used. This subdivision approval does not require or bind the Airport to this configuration. If the Airport does not allow the use of its property for this purpose, the sewer infrastructure plans will need to be modified and modifications are subject to Public Utilities approval. An alternative design without an off-site lift station is allowed.</p>

<p>E. Provisions for the construction of any required public improvements, per section 20.40.010 of this title, are included;</p>	<p>Complies, with conditions that:</p> <p>(1) The dedication and improvements to 3200 West may be waived by the City if 3200 West is removed from the Major Street Plan as a collector street, the street is formally “closed” or vacated, or the dedication and improvement requirement is modified by any other applicable process or regulation. If 3200 West improvements are waived, the final plat shall include a note that prohibits vehicle access from any lot abutting 3200 West onto any unimproved section of 3200 West, except as necessary for any utility or maintenance access.</p> <p>(2) Flood zone areas shall comply with 20.40.040,</p> <p>(3) Off-site transportation infrastructure improvements beyond those shown on the preliminary plans may be required as part of the final plat and final infrastructure plans, based on the recommendations in the current traffic study or any supplemental traffic studies and Transportation Division review and determination.</p> <p>(4) All other City department comments and conditions shall be</p>	<p>As part of the final plat approval, the subdivider is required to enter into a Subdivision Improvement Agreement with the City to ensure that all associated public improvements are built, including all internal streets being dedicated and adjacent streets required to serve the subdivision. This requires that the developer provide a security device (ex: bond) to guarantee the improvements are completed.</p> <p>Final public improvements required in each right of way will be finalized with the development of full, detailed infrastructure plans for the final plat process.</p> <p>The plat currently notes that 3200 West will not be improved “contingent on closure.” Improvements are required unless the street is removed from the City’s Major Street Plan or formally closed/vacated. See discussion in Consideration 3, and under standard C above. If the street is not improved but remains a public right-of-way, it should not be allowed to be used as an access for new development based on the improvement requirements of 20.40.010.A which require property improvements to adjacent right of ways that serve the property (see table below). The plat will need to include a note restricting such access to ensure that if it a future property owner wants to use it for access, a plat amendment would be required, and public improvements made.</p> <p>A traffic study was submitted to the City with this subdivision. This study is available in Attachment K. The traffic study recommends various off-site improvements to support projected traffic associated with the proposed subdivision, including additional turning lanes, traffic signals, and additional travel lanes or paving. As per City Code 20.40.010.A, subdividers are required to improve “adjacent streets required to serve the subdivision.” As part of the final plat and final infrastructure plan process, off-site improvements beyond those shown</p>
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	<p>complied with as noted in Attachment I.</p> <p>(5) Final plan details shall comply with all other requirements of 20.40.010.</p>	<p>on the preliminary plans may be required based on the recommendations in the current traffic study or any supplemental traffic studies and Transportation Division review and determination. This is also subject to any other applicable City and State regulations on such improvements.</p> <p>A small section of the plat at the intersection of 3300 N and 3200 West is in a floodplain (identified as Flood Zone A on page 3 of the plat). Section 20.40.040 requires that specific conditions be attached to any approval for a subdivision in a floodplain. Those standards copied at the end of this attachment. Compliance with those is a condition of approval.</p> <p>The requirements of 20.40.010 are listed in that standards table below in this attachment and include additional conditions.</p>
<p>F. The subdivision otherwise complies with all applicable laws and regulations;</p>	<p>Complies, with condition that:</p> <p>(1) Prior to the City accepting any right of ways or other infrastructure improvements within a recognized wetland area, any wetland impacts by such right of way shall be approved by the Army Corps of Engineers and mitigated by the subdivider as required by the Army Corps. The associated property shall otherwise be clear of any other legal constraints on its use and improvement as a public right of way or for other public infrastructure.</p> <p>(2) The final subdivision and infrastructure plans, including for sewer, water, and storm drainage, shall</p>	<p>The subdivision complies with or will comply with all City ordinances. The subdivision includes property that has been preliminarily identified as wetlands and requires approval from the Army Corps of Engineers (see provided wetland delineation in Attachment K). This review process is ongoing. Portions of 2900 West are in potential wetland area and if approval is not granted by the Corps for modification to those elements, the right of way design will need to be modified. Final design for drainage facilities in relation to modifications to the “Rudy Drain” is subject to the Public Utilities department approval, which also reviews all such facilities against applicable federal and state regulations relating to water quality.</p>

	<p>comply with all other applicable regulations as determined by the Public Utilities Department Director, and</p> <p>(3) Prior to the City accepting any right of ways or other infrastructure improvements within a recognized wetland area, any wetland impacts by such right of way shall be approved by the Army Corps of Engineers and mitigated by the subdivider as required by the Army Corps. The associated property shall otherwise be clear of any other legal constraints on its use and improvement as a public right of way or for other public infrastructure.</p>	
<p>G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right of way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.</p>	Not Applicable	<p>The subdivision is not an amendment to an existing subdivision and so this does not apply.</p>

20.12 Design Standards and Requirements – Regulations and Findings

The following tables cover the “design standards and requirements” in 20.12 referenced in general standard 20.16.100.A above.

20.12.010: General Regulations and Standards:

Except where modified by the planning commission or its designee, all subdivision of land within Salt Lake City shall comply and conform with the design standards and requirements as set forth and as referred to in this section, as follows:

Standard	Finding	Rationale
A. Supervision: All subdivision development work performed under this section will be allowed only when said work is performed under the supervision of the city engineer, transportation director and/or public utilities director in accordance with the approved subdivision plan, and said work is secured by a performance guarantee bond or other security device acceptable to the city attorney and mayor.	Complies	All subdivision work will be supervised by those City personnel and guaranteed by a security device.
B. Preservation Of Natural Features: Trees, native ground cover, natural watercourses, and topography shall be preserved when possible, and the subdivision shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with this title.	Complies	<p>This standard is generally intended to avoid destruction of significant natural features, such as a significant slope that contributes to the character of an area, such as in the City’s foothills. The site is relatively flat; however, grading is necessary to allow the site to be developed, including for proper water detention or retention, and will be performed as part of the development of each of the lots and as part of the roads through the site. Because of that, preservation of the existing topography and native ground cover is not possible. Final grading plans will be developed as part of the final plat infrastructure plans. Staff does not believe the proposed lots and roads result in excessive grading or scarring of the landscape due to the generally flat nature of the site.</p> <p>The property does not have a significant grade change and is relatively flat, varying generally between 4220' to 4218' across the site. Portions of the existing canal dip to around 4213' to 4214'. A preliminary plan sheet showing existing and proposed finished grade can be seen in Attachment C. The final finished elevations will be refined with final improvement plans and final building plans for each site.</p>

		<p>No significant trees were identified on the survey of the site.</p> <p>The “Rudy Drain” runs diagonally through the property and is identified in various materials as a “drain,” “excavated channel,” “irrigation canal,” or “canal.” The wetland analysis in Attachment K notes that it is likely an “excavated channel within what is likely an old meander of the Jordan River” as opposed to a natural water course. The relocation of the drain is subject to property transactions and private agreements outside the scope of this subdivision process. For background, a 200' wide piece of property along the route of the drain (100' on each side of the drain) was deeded by the property owner to Salt Lake City in 1915 (County Recorder Entry #799402) to be used for a canal and for canal maintenance. It effectively has functioned as an easement along the drain since that time and the drain has functioned as a part of the overall City drainage system. The applicant is negotiating separately with the City to modify the location of the drain and requires a separate property transaction process that is outside of the scope of the subdivision process.</p>
<p>C. Hazardous Areas to be Fenced: All areas of the subdivision or features adjacent to the subdivision, which present a potential threat to the public safety shall be fenced with a six foot (6') nonclimbable fence or acceptable alternative, as required by the planning commission or its designee. Such hazardous areas may include, but are not limited to, rivers and streams, canals, cliffs, ravines, railroad rights of way, and steep slopes. Required fencing shall be constructed and included as part of the subdivision improvements and shall be bonded.</p>	Complies	<p>No areas posing a potential threat to public safety are on the site. Staff does not believe the drain/canal is of a size or depth to necessitate fencing and is not in an area anticipated to be frequented by children.</p>

<p>D. Buildable Lots: All subdivisions shall result in the creation of lots which are developable and capable of being built upon, unless a different purpose for the lot is clearly intended and approved by the planning commission or its designee. No subdivision shall create lots, and no building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions.</p>	<p>Complies</p>	<p>All lots are of sizes capable of being built upon, excepting Lot 20 (misnumbered as Lot 21 on some sheets), which is located between an existing private right of way (to be dedicated to the public via this plat) and the edge of the subject property. This portion of the property is currently 52' in depth. Incorporating required setbacks of 30' (front) and 25' (rear) results in no buildable area. The lot is clearly not intended for development due to its size and the lot will need to remain undeveloped and serve as open space, until such time that it is combined with adjacent property. While other lots do have power line corridors or other easements that cross them, they are of a sufficient size to still allow reasonably sized buildings that comply with Zoning required setbacks. Three smaller examples are Lots 16, 17 and 19, which while relatively small compared to the other lots in the subdivision, could still accommodate relatively smaller commercial structures or parking lots.</p>
<p>E. Access to Public Streets:</p> <ol style="list-style-type: none"> 1. All lots or parcels created by the subdivision of land shall have access to a public street improved to standards required by this title, unless a private street or modified standards are approved by the planning commission as part of a planned development. Private streets shall not be permitted unless the planning commission finds that the most logical development of land requires that lots be created which are served by a private street or other means of access. 2. As part of the application for any subdivision proposing private streets, the subdivider shall provide for review by the city engineer the following: <ol style="list-style-type: none"> a. A street development plan showing the alignment, width, grades, design, and material specifications; the topography and means of access to each lot; drainage; and, utility easements for servicing the lots served by such private street. b. A plan providing for future ownership and maintenance of said street together with payment of taxes and other liability thereon. 	<p>Complies</p>	<p>E.1: All lots will have access to public streets.</p> <p>E.2/3. Private streets are not proposed.</p>

<p>3. After review and favorable recommendation by the city engineer, the planning commission may include such approved street plans as part of its recommendations to the mayor. Construction of the private street or access shall be completed prior to occupancy of any building on lots served by a private street. However, if finished grading has been completed and stabilized to the city engineer's satisfaction, the subdivider may post a cash bond equal to the cost of completing the street, as determined by the city engineer, in a form approved by the city attorney to assure the earliest possible completion of said street. The bond may be posted if, and only if, the street is stabilized and made passable until such time as the completion of the street can be accomplished.</p>		
<p>F. Landscaping:</p> <p>1. A landscaped area shall be required in all residential subdivisions and may be required in nonresidential subdivisions. Said landscaping shall be located either within the nonpaved portion of the street right of way, or within a dedicated landscaping easement, not less than five feet (5') wide, adjacent to the street. The location of the landscaping shall be specified by the planning commission or its designee. The type of landscaping and street trees shall be selected, installed, and maintained in accordance with standard specifications prepared by Salt Lake City.</p> <p>2. Whenever, in the opinion of the planning commission or its designee, the cuts and fills created by the subdivision are of sufficient size or visibility to demand special treatment, the subdivider shall be required to landscape such areas with suitable permanent plant materials and to provide for their maintenance.</p>	<p>Complies with condition that (1) any unpaved right of way areas between back of curb or back of sidewalk and the property line be landscaped in conformance with the park strip landscaping requirements of 21A.48.060, including installation of street trees as per D.1 of that section. (See Planning comments in Attachment I)</p>	<p>1. This is an industrial (non-residential) subdivision and park strips are not normally required. Typical park strips are not being provided adjacent to the proposed streets, though there will be some landscaped/non-paved areas between the back of curb and front lot lines that are required to be landscaped and a condition is proposed to ensure landscaping of these areas. Although no formal park strip will be provided along 2200 West, the ordinance requires a berm along the front property line of the property, which includes a shade tree requirement of 1 tree for every 25 linear feet of street frontage.</p> <p>2. All required yard areas along the edges of the proposed lots, including the front, rear, corner, and side yards, have a minimum 1/3rd vegetation coverage requirement and will be required to be landscaped. The property is relatively flat, and Staff has not identified any substantial cuts or fills warranting special treatment due to size or visibility based on the preliminary grading plans. Note that grading of individual sites can be changed at any time outside of the subdivision process, but public right of ways generally would not change in grade after dedication. The public right of ways proposed are generally flat and any included landscape areas are also flat. No other public</p>

		property is being dedicated with this subdivision.
G. Utilities and Easements: 1. All utilities shall be provided through underground services 2. Easements for utility and drainage purposes shall be provided within the subdivision as required by the planning commission or its designee. However, in no event shall such easement be less than five feet (5') in width when proposed along the front lot line.	Complies, with condition that final easements align with the location of public utility infrastructure as approved by Public Utilities in final infrastructure plans. (See department comments and conditions.)	1. All new utilities will be provided underground. Final plans are required to comply with that standard. 2. Drainage for the development is generally provided via drainage swales within each lot along rights-of-way, rather than underground storm drainpipes. Public utility easements of at least 5' width are located along the lot edges to accommodate this public storm drain system. Final easements will need to match final approved utility and drainage locations.
H. Watercourses: The subdivider shall dedicate a right of way for storm drainage conforming substantially with the lines of any natural watercourse or channel, stream, creek, or floodplain that enters or traverses the subdivision.	Complies	There are no <i>natural watercourses or channels</i> , streams, or creeks that enter or traverse the subdivision. Although not covered by this section, the Rudy Drain/canal is located within an existing 200' "easement" that allows for storm drainage. Any relocation of the canal will require a new easement. That relocation is being negotiated with the Salt Lake City Public Utilities department, which manages canal properties for the City. The tentative location of the canal is along the east side of 3200 West.
I. Block Design: 1. Blocks shall normally have sufficient width for an ultimate layout of two (2) tiers of lots of the size required by the provisions of the zoning and subdivision ordinances of Salt Lake City. 2. Blocks shall not exceed the following perimeter measurements: Two thousand four hundred (2,400) linear feet for zoning districts with minimum lot sizes that range from no minimum up to and including ten thousand (10,000) square feet, and; three thousand (3,000) linear feet for zoning districts with a minimum lot size greater than ten thousand (10,000) square feet.	Does not comply, requires modification. Staff recommends modification. Block size modification is subject to a recommendation from the Commission and Mayor approval.	1. This standard is generally intended for residential subdivisions, where each block is split into two rows of lot, with each residential lot only having frontage on one street. Large commercial and industrial subdivision do not "normally" have two tiers of lots, and lots can occupy an entire block. However, the proposed blocks proposed do have a sufficient size to accommodate two tiers of lots if desired by future property owners. 2. Block is defined in the subdivision ordinance as: <i>An area of land within a subdivision entirely bounded by streets (other than alleys), freeways, railroad rights of way, natural barriers, or the exterior boundaries of the subdivision.</i>

		<p>The BP zone has a minimum lot size greater than 10,000 square feet and so has a maximum perimeter length allowance of 3,000 linear feet. Some of the proposed blocks (as measured along the proposed streets and exterior boundaries of the subdivision) exceed this length. A modification to this limit is requested and the reasons for that are discussed in Consideration 1.</p>
<p>J. Reservation Of Land For Park And Recreation Purposes: Pursuant to the recreation or parks elements, plans or standards set forth in the master plan, as a condition of final subdivision approval the subdivider shall be required to reserve land for park and recreation purposes according to the following standards:</p> <ol style="list-style-type: none"> 1. For subdivisions of twenty five (25) lots or more, including contiguous land owned or controlled by subdivider or landowner, the subdivider shall reserve land for two (2) years for public purchase at a minimum ratio of one-fourth (1/4) acre of land per twenty five (25) lots in the subdivision or five percent (5%) of the total area in the subdivision, whichever is greater. 2. All land to be reserved for park or recreational purposes shall be found to be suitable by the planning commission or its designee and the public services department as to location, parcel size, and topography for the park and recreation purpose for which it is indicated in the master plan, or as determined by the planning commission or its designee. Such purpose may include active recreation facilities such as playgrounds, play fields, pedestrian or bicycle paths, or open space areas of particular natural beauty, including canyons, hilltops, and wooded areas to be developed or left in their natural state. 3. At the time of approval of the final subdivision plat, the city may specify when development of a park or recreation facility is scheduled to begin. 	Complies	<p>The proposed subdivision has less than 25 lots and so this standard does not apply. This standard is generally intended for residential subdivisions to provide recreational spaces for residents.</p>

<p>K. Connectivity:</p> <p>1. Public Accessways:</p> <p>a. The city shall require within the development site the improvement of accessways for pedestrian and bicyclist use to connect the development site to adjacent cul-de-sacs or to an adjacent site that is undeveloped, publicly owned, or developed with an accessway that connects to the subject site.</p>	Complies	No permanent cul-de-sacs or dead ends are provided. All proposed streets connect to, or will connect to, future streets.
<p>K.2: Street Connectivity Standards</p> <p>a. The proposed subdivision shall include street connections to any streets that abut, are adjacent to, or terminate at the subdivision site. The proposed development shall also include street connections in the direction of all existing or planned streets adjacent to the development site as determined by the planning director.</p> <p>b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site or that is separated from the development site by a drainage channel, transmission easement, survey gap, or similar property condition. The streets shall be in locations that will enable adjoining properties to connect to the proposed development's street system.</p>	Complies	<p>a. The proposed streets all connect to, or will connect to, future streets and future planned streets.</p> <p>b. The proposed streets within the subdivision are planned to allow for connections in the future by other property owners. This includes the end of 2900 West, where it curves to become 3500 North on the north. It will temporarily dead-end until the adjacent property owners develop their land. 2900 West is shown to extend to the airport property where a future bypass road can be built to connect to it.</p>
<p>K.3. Cul-De-Sacs:</p> <p>a. Except for streets that are less than one hundred fifty feet (150') long all streets that terminate shall be designed as a cul-de-sac bulb or other design acceptable to the transportation director in order to provide an emergency vehicle turnaround.</p> <p>b. Public accessways to provide safe circulation for pedestrians, bicyclists and emergency vehicles shall be required from a cul-de-sac or emergency vehicle turnaround, unless the subdivider adequately demonstrates that a connection cannot be made because of the existence of one or more of the following conditions:</p> <p>(1) Physical conditions preclude development of the connecting street. Such conditions</p>	Complies	<p>a. Temporary cul-de-sacs are established via easements at two points where the subdivision streets dead-end and may not immediately connect to an existing street until adjacent streets are built. These are at the south end of 2900 West and the east end of 3500 North.</p> <p>b. There are no cul-de-sacs that abut an existing street that would trigger this requirement. This is not applicable.</p>

<p>may include, but are not limited to, topography or likely impact to natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes or upland wildlife habitat area, or a resource on the national wetland inventory or under protection by state or federal law.</p> <p>(2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment.</p>		
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20.12.020: Lot Design Standards:

The size, shape and orientation of lots in a subdivision shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following principles and standards shall be observed:

Standard	Finding	Rationale
A. Minimum Area; Size: The minimum area and dimensions of all lots shall conform to the requirements of the zoning ordinances of Salt Lake City for the zoning district in which the subdivision is located.	Complies	All lots comply with the minimum lot area of the zone, which is 20,000 square feet. See lot width requirement compliance below.
B. Side Lot Lines: The side lines of all lots, so far as possible, shall be designed to be at right angles to the street which the lot faces, or approximately radial to the center of curvatures, if such street is curved. Side lines of lots shall be designed to be approximately radial to the center of curvature of a cul-de-sac on which the lot faces.	Complies	All side lot lines are generally at right angles or radial to the center curvature of the adjacent right of ways. There are small portions of angled side lot lines to accommodate driveway curb radiuses for the flag lots where necessary.
C. Width: The minimum lot width shall conform to the requirements of the zoning district in which the proposed subdivision is located.	Complies	<p>All lots comply with the lot width minimum of 100', except for lots 5 and 16.</p> <p>Lots 5 and 16 are "flag lots," which do not have the necessary minimum lot width where they connect with the street. However, flag lots are permitted in the BP zone by 21A.36.010.E subject to the following standards:</p> <p><i>1. As part of new subdivisions or through the planned development process only when the flag lot is proposed at the rear of an existing parcel;</i></p>

		<p>Finding: This is a new subdivision.</p> <p><i>2. The flag lot access strip shall have a minimum of twenty four feet (24') of frontage on a public street;</i></p> <p>Finding: Each access strip has a minimum of 40' of frontage.</p> <p><i>3. The City subdivision review process determines the following:</i></p> <p><i>a. It is not desirable or necessary to extend a public street to access the parcel, and</i></p> <p><i>b. The existing lot and site layout is not conducive to private street development.</i></p> <p>Finding: It is not necessary and not desirable to extend a public street to the parcels. The access strips provide sufficient and safe access for the proposed lots. Additional public right of way and associated long term City maintenance is not warranted to serve the limited lots that would be served by the streets and would not align with the limited number of street connections to 2200 West planned in the Northpoint Small Area Plan. Private streets are not allowed without a Planned Development process and the lot and site layout would not be conducive to private street development given the requirements of that process.</p>
<p>D. Corner Lots: Corner lots have more than one side which must maintain required front yard setbacks, and therefore shall be platted wider than interior lots in order to permit conformance with the required street setback requirements of the zoning ordinance.</p>	Complies	<p>This is generally intended for residential lots, where the lots are smaller and corner lots must accommodate both a front and corner side setback. Imposing both setbacks on a small lot can create a much smaller buildable area if the lots are not platted wider. On very large industrial lots, this is not necessary, as the setbacks take up a much less substantial portion of the property.</p>
<p>E. Remnants: No remnants of property shall be left in the subdivision which do not conform to the lot requirements or are not required or more suitable for designation as common open space, private utility, or other purpose.</p>	Complies	<p>No remnant property is proposed. The entire parcel is included in the subdivision.</p>
<p>F. Double Frontage Lots: Lots other than corner lots, having double frontage shall not be approved except where necessitated by topographic or other unusual conditions.</p>	Complies	<p>This standard is intended for residential lots where double frontage creates a maintenance issue on public sidewalks. A property owner will install a fence along what functions as a rear property line along a public sidewalk and will then not maintain the adjacent park strip or plow the sidewalk. This proposal is an unusual situation not anticipated by this section of the</p>

		ordinance where the lots are very large, and the size is necessary to accommodate the large commercial buildings. Further, the dedication of 2900 West is a requirement for this property due to the Major Street Plan. This road creates a situation where large lots, that normally might only have frontage on 3200 West, will have frontage on both 3200 West and 2900 West
<p>G. Developable Area Limits:</p> <p>1. The planning commission or its designee shall review each proposed foothill subdivision and, using "ten foot averaging", shall determine the extent of significant steep slopes within the subdivision. The planning commission or its designee shall require all such undevelopable portions of proposed subdivisions to be identified by placement of a development limit line and legal description upon the final plat. Such limitation shall also be made a part of the subdivision restrictive covenants. In addition to protecting significant steep slopes, development limit lines may also be established to protect natural vegetation, special natural topographic features, faults, or unique views.</p> <p>2. Significant steep slopes identified by development limit lines on a subdivision plat shall be designated as undevelopable area. Said slopes if retained within the subdivision, shall be designated and maintained as common area and shall be protected from subsequent alteration or encroachment by a vegetation and open space preservation easement granted to Salt Lake City by dedication on the subdivision plat. In no event shall roads traverse such slopes.</p> <p>3. Undevelopable area shall not be used to determine the minimum lot size as required by the underlying zone, unless specifically approved by the planning commission through the planned development review process.</p> <p>4. For independently owned parcels in the foothills residential zoning districts that do not meet the minimum project size for a planned development per the zoning ordinance, the planning commission or its designee may count slopes over thirty percent (30%) toward meeting the minimum zoning required lot area of the underlying zone where the planning commission</p>	Complies/ Not Applicable	<p>1. The subdivision is not in the "foothills" and so this standard does not apply.</p> <p>2. There are no significant steep slopes in the subdivision, and so this does not apply.</p> <p>3. Not applicable.</p> <p>4. Not in a Foothills zone. Not applicable.</p> <p>5. Not applicable.</p>

<p>finds that:</p> <ul style="list-style-type: none"> a. The parcel fronts on an existing dedicated public street. b. The parcel has a minimum of one thousand five hundred (1,500) square feet of net buildable area. The net buildable area shall not include any areas of thirty percent (30%) or greater slope or the required zoning setbacks or the portion of the transitional area that lies within the required ten foot (10') minimum setback or twenty foot (20') average setback from the proposed development limit line, as defined by the Salt Lake City zoning ordinance. c. The parcel has city sewer and water services that are located or can be extended to access the lot directly from the street. d. The applicant must present a construction plan, acceptable to the planning director, which demonstrates the ability to manage staging for construction in a manner that will not impact transitional or steep slope areas. e. The proposed development on the parcel is compatible with the surrounding neighborhood and will not have a material net cumulative adverse impact on the neighborhood or the city as a whole. <p>5. Once established on the subdivision plat, the development limit line shall be delineated on all building permit site plans and shall be staked in the field prior to construction on any lot affected by the development limit line.</p>		
<p>H. Solar Oriented Requirements: For subdivisions with twenty five (25) or more single-family residential lots at least fifty percent (50%) of lots less than fifteen thousand (15,000) square feet, upon which detached single-family dwelling units are planned for construction, shall conform to the definition of "solar oriented lot" in order to preserve the potential for usage of solar energy systems.</p> <p>1. Street Layout: Where, as determined by the planning director, topographic, environmental, and soil conditions, and existing street configurations permit, the predominant pattern of new streets in subdivisions subject to solar oriented requirements shall be oriented within</p>	<p>Not Applicable</p>	<p>These standards apply to residential development only. This section does not apply.</p>

thirty degrees (30°) of east-west orientation.		
<p>2. Modifications: Where unusual topographic, environmental, soil, and similar conditions exist that, as determined by the planning director, make compliance with these provisions either physically or economically infeasible, the planning director may modify the solar oriented requirements. However, the modifications shall be the minimum necessary and shall maintain overall solar access in the subdivision.</p>		

20.12.030: STREET DESIGN STANDARDS:

The following minimum standards and design criteria shall apply unless deemed unwarranted by written recommendation of the city engineer and transportation division director. Said standards and criteria shall be supplemented by other applicable existing engineering and construction requirements and standards as specified by the city engineering and transportation divisions.

Standard	Finding	Rationale
A1. The subdivision design shall conform to the pattern of major streets as designated on the major street plan map of the city transportation master plan. Whenever a subdivision fronts on a street so designated, that street shall be platted and dedicated by the subdivider in the location and width so indicated.	Complies	The plat dedicates right of way in compliance with the right of way lines shown on the Major Street Plan map (See Attachment E for map excerpt). These include dedicating additional right of way on 2200 West, dedicating a new 2900 West bypass road through the property, and dedicating a portion of 3200 West which runs through the south-west corner of the property.
A2. Where higher standards have not been established as specified in subsection A1 of this section, all streets and arterials shall be platted according to the transportation division's standard for "Typical Street And Right Of Way Cross Sections" (diagram E1.a1, or its successor, available from the transportation division), except where it can be shown by the subdivider, to the satisfaction of the planning commission, that the topography or the small number of lots served and the probable future traffic development are such as to unquestionably justify a lesser standard. A planned development, if designated with a comprehensive circulation and parking system including separate pedestrianways, may justify modification of standards. Higher standards may be required where streets are to serve	Complies	Right-of-ways have been proposed ("platted") that conform with the minimum widths prescribed by the Transportation Division's "Typical Street and Right of Way Cross Sections."

commercial or industrial property or where warranted by probable traffic conditions.		
<p>A3. The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following principles shall be observed:</p> <ul style="list-style-type: none"> a. Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing planned or platted streets, or, if offset, streets shall be offset a minimum of one hundred feet (100') between centerlines of intersecting local and residential streets and a minimum of four hundred feet (400') between centerlines of intersecting collector and arterial streets. b. Proposed streets shall be extended to the boundary lines of the land to be subdivided or proposed as part of a subdivision master plan, unless prevented by topography or other physical conditions, or unless, in the opinion of the planning commission or its designee, such extension is not desirable for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts. c. Where streets extend to the boundary of the property, resulting dead end streets may be approved with a temporary turnaround of a minimum forty five foot (45') radius. In all other cases, a permanent turnaround shall conform to specifications in subsection G, "Turnaround", of this section or have a design otherwise approved by the transportation division. d. Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. "T" intersections rather than "cross" intersections shall be used wherever possible for local streets. e. Public alleys shall not normally be permitted in subdivisions. 	Complies	<ul style="list-style-type: none"> a. The street pattern aligns with the street alignments noted in the Major Street Plan. In particular, 2900 West is built to connect to the future alignment of 3500 North on the north and the 2900 West connection through airport property on the south. b. The proposed streets extend to the property line so that they can be extended off-site. c. A temporary turnaround easement is being provided at both the north and south ends of 2900 West and meets the minimum radius standard. d. Proposed streets intersect other streets at right angles, specifically where 2950 North intersects 2200 West and 2900 West, and where 3300 North intersects 3200 West and 2900 West. 2200 West is a local street and the intersection of 2950 North with that road is a "T" intersection. e. No public alleys are proposed.
A4. Subdivisions adjacent to arterials shall be designed as specified in the master plan or by the planning commission or its	Complies	<ul style="list-style-type: none"> a. The subdivision is not adjacent to an existing street designated as an arterial on the City's Major Street Plan. The proposal will include a

<p>designee. The following principles and standards shall be observed:</p> <ul style="list-style-type: none"> a. Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on arterials. b. The maximum block size established in subsection 20.12.010I of this chapter shall be the primary factor in determining the allowable number of intersecting streets along arterials. c. When the rear of any lot borders an arterial, the subdivider may be required to execute and deliver to the city an instrument, deemed sufficient by the city attorney, prohibiting the right of ingress and egress from said arterial to said lot, and a legal document sufficient to guarantee maintenance of said landscaping. 		<p>new arterial through the middle of the site (2900 West) that will not be adjacent to residential uses.</p> <ul style="list-style-type: none"> b. The proposal is not adjacent to an existing arterial street. The maximum block size limit would support additional intersecting streets along 2900 West. However, the proposal limits these intersecting streets to limit potential negative traffic impacts to adjacent streets. c. This standard is intended to both limit driveways along arterials to avoid vehicle conflict points from entry/exit movements of vehicles, particularly residential driveways, and to ensure that park strip landscaping is maintained despite a residential dwelling not facing or using the park strip next to their lot. There are no lots with such a potential here and so a legal instrument pertaining to this is not necessary for this subdivision.
<p>B. Street Grades: Curves and sight distances shall be subject to approval by the city engineering division, to ensure proper drainage and safety for vehicles and pedestrians. The following principles and standards shall be observed:</p> <ul style="list-style-type: none"> 1. Grades of streets shall be not less than 0.5 percent and not greater than ten percent (10%). Maximum grade applies at the street centerline. Short runs of steeper grades may be permitted by the planning commission or its designee after review and no objections from the fire department, transportation division, and engineering division. 	Complies	<p>B.1. No streets with steep grades are proposed. Final grading of the streets will comply with these requirements and will be verified during final infrastructure plan reviews at final platting.</p>
<p>C. Vertical Alignment Of Nonintersecting Streets: Transition curves over crests of hills shall be designed to provide both a smooth transition from upward movement to minimize potential roller coaster effect and to provide safe stopping sight distance at all times. The stopping sight distance is the distance required to safely stop a vehicle after viewing an object calculated on a formula set forth in standards adopted by the transportation division. The height of the eye shall be set at 3.5 feet and the height of the object at six inches (6") above the surface of the road. Local streets shall be</p>	Complies	<p>C. This standard does not apply. There are no streets cresting over hills or inclines.</p>

designed for a thirty (30) miles per hour minimum design speed providing for a minimum "K" value for stopping sight distance for crest curves of 28 and for sag curves of 35. Collector streets shall be designed for forty (40) miles per hour minimum design speed with a minimum "K" value for stopping sight distance for both crest and sag curves of 55.		
D. Vertical Alignment At Street Intersections: Transition curves shall be required to provide a smooth transition from road grade to intersections. For an approach distance ("A") from each edge of the intersecting street line, the grade may not exceed two percent (2%). The minimum length of the approaches ("A") and transition curves ("L") shall be calculated upon the formulas below: <i>(See ordinance for table and graphic)</i>	Complies	D. The proposed roadways will be relatively flat and will comply with these standards.
E. Intersection Site Distance: Intersections shall be planned and located to provide as much sight distance as possible. In achieving a safe road design, as a minimum, there shall be sufficient corner sight distance for the driver on the approach roadway to cross the intersecting street without requiring approaching traffic to reduce speed. Such corner sight distance is a field of vision which shall be measured from a point on the approach roadway at least fifteen feet (15') from the edge of the intersecting roadway pavement at a height of 3.5 feet on the approach roadway. The minimum corner sight distance for local streets (30 miles per hour design speed) shall be three hundred fifty feet (350'). For collector streets (40 miles per hour design speed) the minimum corner sight distance shall be four hundred fifty feet (450').	Complies, conditioned on (1) Final plans shall demonstrate compliance with 20.12.030.E unless deemed unwarranted by the City Engineer and Transportation Division Director as per 20.12.030.	E. Intersection designs will be finalized as part of final infrastructure plans for the final plat and will need to comply with this section.
F. Horizontal Alignment Of Streets: In addition to the specific street design standards set forth above, horizontal alignment shall be subject to the following criteria: <ol style="list-style-type: none"> 1. Consistent with topography, alignments shall be as straight as possible. 2. Maximum curvatures shall be avoided whenever possible. 3. Consistent patterns of alignment shall be sought. Sharp curves at the end of long 	Complies	F. Excepting for a portion of 2900 West where it turns into 3500 North, the streets are all designed to be straight. Transportation has not identified any issues with compliance in regard to this section for the curved portion of 2900 West.

<p>tangents or at the end of long flat curves shall be avoided.</p> <ol style="list-style-type: none"> 4. Short lengths of curves shall be avoided even for very small deflection angles. 5. Flat curvatures shall be provided on long fills. 6. Compound circular curves with large differences in radii shall be avoided. 7. Direct reverse curves shall be avoided; a tangent shall be used between them. 8. "Broken back curves" (2 curves in the same direction on either side of a short tangent or large radius curve) shall be avoided. 9. To effectuate the above general criteria, the minimum curve centerline radii for local streets and collector streets shall be one hundred feet (100') and one hundred fifty feet (150'), respectively. The maximum allowable degree of curvature shall be twenty three degrees (23°) for local streets and 12.5 degrees for collector streets. 		
<p>G. Turnaround: Cul-de-sacs in residential areas should be no longer than four hundred feet (400') (measured from centerline of intersecting street to radius point of turnaround) and shall have a minimum of forty five feet (45') curb radius. Cul-de-sacs in commercial or industrial areas should be no longer than six hundred fifty feet (650') and should have a minimum of sixty foot (60') curb radius. Other cul-de-sac lengths or turnaround configurations may be approved by the transportation division director and planning division director upon their favorable recommendation that the alternative provides equal or better convenience, access, and service in coordination with the city fire and life safety examiner and the fire department for emergency services.</p>	<p>Complies/Not Applicable</p>	<p>All cul-de-sacs are temporary and meet the requirements for temporary cul-de-sac dimensions in A.3.c.</p>
<p>H. Street Lighting: Lighting shall comply with the policies and standards outlined in the Salt Lake City street lighting master plan.</p>	<p>Complies, conditioned on (1) Final street light plans shall comply with 20.12.030.H regarding</p>	<p>Final design of street lighting will be done for final infrastructure plans with the final plat and will need to be meet this section.</p>

	compliance with the City's Street Light Master Plan.	
<p>I. Curb, Gutter, And Sidewalks: The following principles and standards shall apply to the design and installation of curbs, gutters, sidewalks, and pedestrianways:</p> <p>1. Vertical curbs and gutters as shown on the city's standard detail drawings shall be required in all subdivisions except for the exceptions specified in subsections I2, I3, or I4 of this section.</p> <p>2. Sidewalks shall be required on at least one side of the street in any subdivision. In residential subdivisions the planning commission or designee may require a sidewalk on both sides of a street.</p> <p>3. Sidewalks shall normally be located within the street right of way and shall be a minimum of four feet (4') wide in residential zoning districts when adjacent to a park strip; five feet (5') wide in residential zoning districts when the sidewalk is directly adjacent to the back of curb; six feet (6') wide in commercial, manufacturing, downtown, and gateway districts unless specified otherwise in those districts; eight feet (8') wide in the central business district, and; ten feet (10') wide along Main Street in the central business district. The planning commission or its designee may require additional width subject to a pedestrian impact study as determined by the transportation division director.</p> <p>4. For lots and public strips containing existing trees with a trunk diameter of four inches (4") or greater, the planning division shall consult the city forester for recommendations on locating curb cuts for driveways and preservation of such trees.</p>	Complies	<p>1. Vertical curbs and gutters are proposed on all street cross-section plans.</p> <p>2. A sidewalk is included on at least one side of each proposed street. See cross-sections in Attachment C.</p> <p>3. The width of sidewalks is not specifically regulated for the Business Park zone (defined in the code as a "Special Purpose" district, rather than a "Commercial" or "Industrial" district) in this section. However, the specific cross-sections in the Transportation Division's "Typical Street and Right of Ways Cross Sections" (referenced in section A.2 above) require 5' for all types of non-residential roadways, including commercial/industrial local and collector streets, as well as minor and major arterials. As noted in the preface to this code section, the regulations in this section are "supplemented by other applicable existing engineering and construction requirements and standards as specified by the city engineering and transportation divisions." As such, the document referenced above controls the sidewalk width. The proposal complies with the dimensions in that document.</p> <p>4. No existing trees with such a diameter are identified on the property survey.</p>
<p>J. Protection Strips: Where subdivision streets create frontage for contiguous property owned by others, the subdivider may, upon approval by the planning commission or its designee, create a protection strip not less than one foot (1') in width between said street and adjacent property, to be deeded into joint</p>	Complies, on condition that (1) A legal agreement for the included protection strip, as per	The applicant is proposing a protection strip along a portion of 2900 West. A protection strip allows a subdivider to build a new street upfront at their own cost, and when an adjacent property owner wants to use the new street for access to their property, the protection strip requires that property owner to pay the original

ownership between the city and subdivider. Such a lot requires an agreement from the subdivider contracting to deed to the owners of the contiguous property the one foot (1') or larger protection strip lot for a consideration named in the agreement, such consideration to be not more than the cost of street improvements properly charged to the contiguous property as determined by the city engineering division in their estimate of cost of improvements for the subdivision. One copy of this agreement shall be submitted as approved by the city attorney to the planning commission or its designee prior to the approval of the final plat. Jointly owned protection strip lots shall not be permitted at the end of or within the boundaries of a public street, or proposed street, or within an area, or abutting an area, intended for future public use.	20.12.030.J, shall be finalized with the City prior to final plat approval.	subdivider for the work that they did. The protection strip essentially “protects” the property owner’s investment into the new street. The subdivider will need to finalize the agreement for the protection strip with the City prior to final plat approval.
K. Traffic Report: New subdivisions have traffic impacts on existing street systems that may or may not be adverse in nature. The city may require the subdivider to provide a detailed traffic report of the effects and impacts of the proposed development. This report shall detail the expected number of trips to be generated, the type of vehicles expected, and the times of day that the most severe impact can be expected. It shall also detail the effect on street capacity by the development, as well as nearby intersections that will be impacted by the development's traffic as may be designated by the transportation division director.	Complies	A traffic study was submitted to the City with this subdivision. The traffic study recommends various off-site improvements to support projected traffic associated with the proposed subdivision, including additional turning lanes, traffic signals, and additional travel lanes or paving. As per City Code 20.40.010.A, subdividers are required to improve “adjacent streets required to serve the subdivision.” As part of the final plat and final infrastructure plan process, off-site improvements beyond those shown on the preliminary plans may be required based on the recommendations in the current traffic study or any supplemental traffic studies and Transportation Division review and determination. This is also subject to any other applicable City and State regulations on such improvements. A condition has been noted regarding this in the general standards table.

20.12.040: INSPECTION AND ENFORCEMENT:

Standards	Finding	Rationale
The city engineering division will have responsibility for inspection and enforcement of subdivision design standards and requirements of this chapter. Where it is found by inspection that conditions are not substantially as stated or shown in the	Complies	As required, the City Engineering Division will verify final compliance with this section in review and approval of final infrastructure plans with the final plat and in construction of the improvements.

approved subdivision plans, the city engineering division shall stop further work until approval is obtained for an amended subdivision plan.		
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20.16.140: SITE PREPARATION PERMIT REQUIRED:

The planning director, or designee, upon approval of the preliminary plat, shall indicate to the subdivider whether a site preparation permit (a.k.a. site development permit), as specified in title 18, [chapter 18.28](#) of this code, is required prior to the subdivider performing any site preparations on the proposed subdivision site.

Finding: As the site is generally undeveloped and grading work will be required in excess of 1/2 acre, a site development permit will be required. This condition is noted on the 1st page of the report.

20.40 Improvements and Flood Control – Regulations and Findings

Staff Note: Section 20.40 is referenced in general standard E for preliminary plats. The regulations are copied below with associated findings. The preliminary plat is required to include provisions for the construction of any required public improvements referenced by this section.

20.40.010: REQUIRED IMPROVEMENTS; IMPROVEMENT AGREEMENT CONDITIONS:

Standards	Finding	Rationale
A. The subdivider shall improve all streets, pedestrianways or easements in the subdivision, and adjacent streets required to serve the subdivision. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the city engineer and a subdivision improvement agreement contract has been executed between the subdivider and the city. Improvements shall be installed to permanent line and grade and to the satisfaction of the city engineer, and in accordance with the standard subdivision specifications contained in chapter 20.12 of this title or its successor, as adopted by the city. The cost of inspection shall be paid by the subdivider. The subdivider may request that certain public improvements be waived by the city's complete streets committee. The complete streets committee may waive those improvements for which it has authority.	Complies	All streets within the subdivision and adjacent streets (except 3200 West, where noted in this report) are proposed to be improved as required. As noted in 20.12.030.F, the provided traffic study identified recommended off-site improvements to adjacent streets, including to the 2200 West intersection, and such improvements may be required by the Transportation Division as part of the final plat and final infrastructure plan process.
B. The minimum improvements which the subdivider normally shall agree to install at the cost of the subdivider, prior to acceptance and approval of the final subdivision map by the city shall be:	Final improvement plans are required to comply with	Final plans are required to incorporate and comply with all requirements of this section and are required to be bonded for in a formal agreement with the City as noted in standard A above.

<ol style="list-style-type: none"> 1. Grading, curbs and gutter, paving, drainage, and drainage structures necessary for the proper use and drainage of streets and pedestrianways, and for the public safety; 2. Site grading and drainage, taking into consideration the drainage pattern of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved. All site grading shall conform to the specifications contained in chapter 20.12 of this title; 3. All streets and pedestrianways shall be graded, and surfaced to widths and grades shown on the improvement plans and profiles. The subdivider shall improve the extension of all subdivision streets and pedestrianways to any intercepting or intersecting streets; 4. Sidewalks shall be installed as shown on the improvement plans and profiles; 5. Sanitary sewer facilities connecting with the existing city sewer system shall be installed to serve the subdivision, with a separate private lateral for each lot, and to grades and sizes shown on the plans; 6. Stormwater drains and detention/retention basins shall be installed as shown on the plans; 7. Water mains and fire hydrants connecting to the water system serving the city shall be installed as shown on the plans signed by the city engineer. Mains and individual lot services shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection; 8. Street trees, if required, shall be of a type approved by the city and planted in approved locations; 9. Barricades, street signs and traffic safety devices shall be placed as required by the city engineer and city transportation engineer; 10. Street lighting facilities shall be provided in accordance with city policy for the area of the city where the subdivision is located, and shall be so screened as not to interfere with views from hillsides of the city; 11. All natural gas lines, and telephone, electric power, cable television or other wires or cables shall be placed underground. Equipment appurtenant to the underground facilities, such as surface mounted transformers, pedestal 	<p>this section. The City will not approve a final plat without the subdivider agreeing to make the improvements required here. No additional condition is necessary.</p>	<p>Preliminary plans are not required to demonstrate compliance with all these requirements.</p>
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<p>mounted terminal boxes and meter cabinets, and concealed ducts may be above ground subject to compliance with section 21A.40.160, "Ground Mounted Utility Boxes", of this code or its successor. The subdivider shall make necessary arrangements with the utilities involved for the installation of the underground facilities;</p> <p>12. Provisions shall be made for any railroad crossings necessary to provide access to or circulation within the proposed subdivision.</p>		
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20.40.040: FLOOD CONTROL REQUIREMENTS:

Standard	Finding	Rationale
<p>Notwithstanding the provisions of this section and sections 20.40.010 through 20.40.030 of this chapter, or successor sections, the following requirements <i>shall be imposed as a condition of approval</i> of a subdivision located within a floodplain area, as defined by title 18, chapter 18.68 of this code:</p> <p>A. The subdivision design shall be consistent with the need to minimize flood damage;</p> <p>B. Adequate drainage must be provided so as to reduce exposure to flood hazards; and</p> <p>C. All public utilities and facilities such as sewer, gas, electrical and water systems shall be located, elevated or constructed so as to minimize or eliminate flood damage.</p>	<p>Complies with condition that final plans are designed in conformance with this section as required by this regulation.</p>	<p>Requirements A through C are required conditions of approval as per this code section. A small portion of the property at the west end of 3300 North is identified as being in a flood plain, identified in FEMA maps and the subdivision plat as flood zone A.</p>

ATTACHMENT G: Public Process And Comments

The following attachment lists the public meetings that have been held, and other public input opportunities, related to the proposed project. All written public comments that were received throughout this process are included within this attachment.

Westpointe Community Council

The applicant attended the Westpointe Community Council on February 9th. The applicant presented their subdivision plans and took questions and comments.

Questions and comments were provided on the following topics:

- Water use of the potential uses in the development
 - *Staff Note:* The developer will need to install adequate water lines to serve the properties, based on Public Utility requirements. The City recently adopted limits on water use by businesses and future development on the site would be subject to these limits.
- Atmospheric pollution from potential uses in the development
 - *Staff Note:* This is not a subdivision process consideration.
- Whether residents will need to connect to new sewer line on 2200 West
 - *Staff Note:* This is subject to Salt Lake County Health Department regulations.
- Whether open space requirement of the BP zone can be consolidated into one area on the site
 - *Staff Note:* No, this is not allowed by the current zoning.
- Whether the east side of 2200 West will be improved and concerns with impacting east side property owner's rights
 - *Staff Note:* It will not be improved, only the west half adjacent to the site is required to be improved. Some improvements may need to be made to existing pavement on the east side of the road to tie into the new pavement on the west side of the road.
- Whether new water connections will be required
 - *Staff Note:* Yes, new water lines are required.
- When the 2900 West bypass through Airport property would be built
 - *Staff Note:* Applicant has noted they intend to construct it as a construction road for the initial phase. However, the road is not a City requirement.

Early Notices

For subdivisions, when a complete application is received, the property is posted with public notices and mailers are sent out to adjacent property owners. These notices were mailed out on August 11th, 2021. Noticing included property owners outside of City boundaries and properties across public streets from the property on 2200 West and 3200 West.

Notices were also provided to parties with an ownership interest in the canal that the City was able to determine based on records provided to the City and State in compliance with 10-9a-

603(3)(d). These include the Rudy Reclamation and Sportsman's Club, which is an adjacent property owner, and the Brighton and North Point Irrigation Company (also referred to as North Point Canal Company).

Public Hearing Notice

The Planning Division provided the following notices for the Planning Commission meeting:

- Mailed notice sent March 10
- E-mailed notice to listserv sent March 10
- Public hearing notice signs posted on the property March 11

Public Input Received

All written public comments received to date are attached on the following pages of this attachment. Staff received multiple informal e-mails with questions about the development through the review process, but those are not included here.

Public input included comments from the following individuals/groups (attached in the following order). Some key concerns provided are noted below for ease of reference, but please see the associated letters for full details.

- **Audubon representatives (Heidi Hoven, Gillmor Sanctuary; Heather Dove, Great Salt Lake Audubon; Wayne Martinson, Great Salt Lake Audubon Conservation Committee)**
 - Concerns regarding the impact of development of the site and impacts on wetlands and bird populations to the west of the property, including recommended mitigation measures to reduce such impacts.
- **Rudy Reclamation and Sportsman's Club**
 - Provided similar comments as the above regarding wildlife and mitigation measures
 - Concerns regarding canal and water quality impacts from the site
 - Support for not improving 3200 West
- **Ella Sorensen, Gillmor Sanctuary Manager**
 - Supports not improving 3200 West due to potential impacts on wildlife
- **Christopher Souther, property owner and resident on 2200 West**
 - Application should be put on hold until updated Northpoint plan is adopted
 - Property should not be accessed from 2200 West
 - Additional buffering should be required for development
 - Any allowed uses will create nuisances
 - Does not support approval of the subdivision
- **Westpointe Community Council**
 - Similar concerns as those above from Christopher Souther
 - Also noted preference that open space be consolidated
 - Maximum water use compliance should be ensured
 - Does not support approval of the subdivision
- **Steven Keyser**
 - Provided comments in support, no formal letter provided at time of report publication

- **Nearby property owner, requested that name not be used**
 - Noted his support of commercial development of the property.
- **Steve McCutchan, representative of potential nearby development**
 - Provided comments requesting that one of the proposed roads align with a road on a potential future development on the east side of 2200 West outside of Salt Lake jurisdiction.
 - **Staff Note:** As there were no formal plans approved by Salt Lake County or North Salt Lake for the referenced property, Staff was unable to require any shift in the Swaner subdivision roadway intersection with 2200 West to coordinate.

Planning Staff Note:

Several comments were provided regarding imposing additional conditions or limits on future developments or buildings beyond those required by the current Zoning code. These include imposing special requirements for wildlife buffers, fencing, paint colors, building and site lighting (not public street lighting), building heights, windows, and open space areas, as well as limiting the uses allowed for the property. The subdivision process does not include standards that would allow Staff or the Planning Commission to impose these special requirements on development. The scope of subdivision review is limited to property lines, right of ways, and associated infrastructure improvements. Such conditions on private development can only be imposed when a use is going through a special approval process, such as a Conditional Use or Planned Development process. Alternatively, such conditions as regulations could be incorporated into the zoning code through a Zoning Amendment if the property were going through such a process.

August 24, 2021



Salt Lake City Planning Commission
P.O. Box 145476
Salt Lake City, UT 84114-5476

Sent via e-mail
% Daniel Echeverria, Senior Planner
Planning Division
Salt Lake City Corporation
(daniel.echeverria@slcgov.com)

Re: **Comments on the Swaner Commercial Subdivision Application**

Dear Members of the Salt Lake City Planning Commission:

We are members of the conservation community, including National Audubon Society, owners and managers of nearly 4000 acres of wetlands of the south shore of Great Salt Lake, and Great Salt Lake Audubon, the local chapter of citizens concerned with birds of Great Salt Lake. We have worked closely with Salt Lake City Planning Division for the last 15 – 20 years or more regarding the Northwest Quadrant Master Plan, zoning amendments, and conditional use permitting process over establishing protections for the nearly 20,000 acres of managed wetlands from future land use development of the adjacent area. The Swaner Commercial Subdivision Application (Commercial Subdivision) is in the same area of the rezone application in 2018, for 439 acres at 2691 North 2200 West, Salt Lake City, which lies directly east and adjacent to these 20,000 acres of wetlands and important uplands along 3200 W, just north of the Salt Lake City International Airport. Comments below are adapted from those we submitted December 18th, 2018 as they are still applicable and relevant.

The Commercial Subdivision is in close proximity to major wetland habitat of Great Salt Lake, and **if the Commercial Subdivision application is permitted, it is critical that the potential direct and indirect impacts of the Commercial Subdivision's future use on Great Salt Lake, its wetlands and birds, be taken into consideration and mitigated.** Additionally, development of the Commercial Subdivision may set a precedent for other developable land in the immediate vicinity, which could have long-lasting effects for Great Salt Lake habitats and wildlife as well. The Planning Commission has an important opportunity to ensure that development of the Commercial Subdivision is undertaken in a way that mitigates those impacts resulting from a carefully thought-out planning process.

Without a carefully planned approach, development in the area could be potentially ecologically damaging. Consequently, this letter explains the negative development related impacts that could affect these highly productive and globally important wetlands and provides suggestions for reducing those impacts. If a permitted Commercial Subdivision provides for re-evaluation of permitted conditional uses with respect to negative impacts to the nearby wetlands and wildlife described below, we encourage it. We also request that impact mitigation planning is required as part of the permitted conditional use process.

Great Salt Lake wetlands provide hemispherically and globally important bird habitat as they are designated Important Bird Areas (IBA) and Global IBA by National Audubon Society and BirdLife International, respectively, and they are recognized by the Western Hemispheric Shorebird Reserve Network (WHSRN). Birds migrate to the lake and its wetlands by the millions to feed, rest, and for some, to breed before moving to northern destinations or returning southward.

Considerable focus on the effects of the proximity of development adjacent to globally important Great Salt Lake wetlands and wildlife went into the Northwest Quadrant Master Plan. We believe that protections laid out in the Northwest Quadrant should be looked upon as a model for protections from development of the Commercial Subdivision to those same wetlands. The September 3, 2015 draft the Northwest Quadrant Master Plan reflected a healthy respect for the importance of Great Salt Lake as a globally important habitat for the millions of birds that use it. The plan's 4th goal (provided below) outlines protective strategies that we recommend:

"GOAL 04: Protect Global Flyways

Plan Salt Lake initiatives supported by this action: **Natural Environment**

- Preserve natural open space and sensitive areas to sustain biodiversity and ecosystem functions.

Policy NA-4.1. Require appropriate buffers for development that is adjacent to natural lands.

Policy NA-4.2. Encourage the protection of the natural areas as a critical location of the global flyway for migratory birds. A flyway is the route between breeding and wintering areas.

- Continue to work at local, regional, and international levels to protect ecosystems along flyways.
- Support a collaboration of mechanisms for flyway conservation, both regionally and globally.
- Discourage loss and degradation of high-functioning Great Salt Lake wetlands within the Northwest Quadrant.
- Incorporate bird-friendly building design guidelines for the areas where development is allowed."

Establishing a buffer between highly productive wetland areas and adjacent land use

Disturbances inherent with Commercial Subdivision uses will have detrimental effects on birds and their habitat in the immediately adjacent and neighboring wetlands. The following excerpt from the Functional Assessments of Wetlands and Wildlife in the Salt Lake County Shorelands SAMP Area describes the sensitivity of different wetland-associated birds and their varying behavioral responses to varying degrees of disturbance (Hoven et al. 2006). The wildlife functional assessment in the SAMP provided a scientific basis for the Natural Area (non-developable) that is now part of the Northwest Quadrant / Inland Port zoning.

"Waterbirds [including shorebirds, wading birds and waterfowl] associated with wetlands are generally sensitive to human activity, disturbance, and physical infrastructure. The degree of sensitivity and its consequences varies by species (Klein

1993; Rodgers and Smith 1995) and even individuals (Runyan and Blumstein 2004), depending on disturbance type, frequency, and duration, particularly when combined with annual life cycle considerations. For example, waterbirds are generally more sensitive when nesting than when migrating ... (Rodgers and Schwikert 2002). Activities such as a human approaching on foot ..., human-induced noise, or a vehicle driving nearby can cause short-term disturbances to waterbirds that range from the seemingly benign (e.g., taking flight, modifying behavior, disruption of foraging, etc.) to disruptive (e.g., abandoning nests, young, or entire nesting colonial sites). ... [T]he cumulative influence of repeated, seemingly benign disturbances has strong potential to become disruptive in the long term. ...

Generally, the thresholds at which such long-term or permanent disruption happens are poorly understood for most waterbirds. Nonetheless, we know that the development of human infrastructure facilities has the potential to render adjacent wetlands less productive and even unusable by some sensitive waterbirds after a certain threshold has been exceeded. Examples of these developments include roads, houses, urbanization, outbuildings, trails, recreation sites, commercial structures and storage, and air transportation facilities. Habitat fragmentation and loss resulting from infrastructure development have been documented to significantly increase mortality and decrease food intake and energy reserves in some species of non-nesting shorebirds (Durell et al. 2005).

Human activity buffers (i.e., activity protection zones) and human infrastructure setback distances have been used to prevent future disturbance in areas where waterbird habitat and human development were likely to intersect, and zones and setback distances have been established for many waterbirds based on scientifically derived disturbance criteria (cf. cf. Rodgers and Smith 1995; Rodgers and Schwikert 2002)."

While establishment of an adequate human infrastructure setback distance is unlikely due to the Commercial Subdivision size and the pre-existing infrastructure (3200 W), there are other modifications to a human activity buffer and mitigation actions (listed in more detail below) that can help reduce negative impacts relevant to bird species. For example, a large earthen berm with a sound barrier installed on top (eg., a sound barrier wall) located between the outer, western region of the Commercial Subdivision would diminish the impacts of various disturbances to the birds and their habitat. Requirement of this barrier would help protect wetland-associated birds from visual and noise disturbances. Additionally, requiring higher impact activities (see discussion on disturbances below) to be located further away from adjacent wetlands, can help reduce impacts. Furthermore, to the degree that it would be possible, it would be helpful to develop a natural areas boundary for this area, similar to which was developed in the Northwest Quadrant Plan.

Discussion on disturbances to birds and their habitat

Example disturbances associated with a Commercial Subdivision to wetland-associated birds include (but not limited to): noise and motion associated with increased traffic, industrial machinery, trucks and other heavy equipment; noise and motion associated with rail freight and repair; noise and presence of humans; and lighting at night.

Other disturbances associated with a Commercial Subdivision are related to fatal bird collisions with tall structures, buildings with reflective glass, or other reflective surfaces such as solar panel arrays.

Additional disturbances to birds and their habitat are related to stormwater and air pollution, as well as attractants (e.g., food waste) for invasive animals that may prey on birds and eggs, and the introduction of invasive plants.

Background on bird-friendly buildings and planning:

Tall structures such as cranes, communication towers, power transmission lines, guy wires, commercial wind turbines, solar power towers, grain elevators, and buildings produce unfamiliar obstacles and pose life-threatening risk to birds. Up to 80% of birds migrate at night and most of these structures are not visible to birds. These tall structures should not be permitted in the Commercial Subdivision area as they can be lethal to migrating birds. Even worse, lit structures act as a beacon, attracting birds, which subsequently collide with the structure (or other birds) or circle the light and fall from exhaustion because they are unable to break away (Manville 2009). Because Great Salt Lake and its wetlands attract millions of birds during spring and fall migration, the proximity of the Commercial Subdivision to the lake and its wetlands should be taken into consideration for permitted and conditionally permitted uses that would negatively affect migrating birds. Most collisions with buildings occur in the daytime and are usually with reflective glass. Collisions that occur at night are usually associated with birds circling brightly lit structures and consequent collision with guy wires, other structures, and other birds (Sheppard 2011).

Lighting

Use of lighting systems that are energy and cost efficient, while ensuring safety and security and protects wildlife are possible. Artificial light at night is detrimental to the health of humans and wildlife, particularly blue light emission thus low impact lighting should be implemented. As listed in IDA's LED guide in choosing recommended lighting systems (<https://www.darksky.org/our-work/lighting/lighting-for-citizens/led-guide/>):

- "Always choose fully shielded fixtures that emit no light upward
- Use "warm-white" or filtered LEDs (CCT < 3,000 K; S/P ratio < 1.2) to minimize blue emission
- Look for products with adaptive controls like dimmers, timers, and motion sensors
- Consider dimming or turning off the lights during overnight hours
- Avoid the temptation to over-light because of the higher luminous efficiency of LEDs.
- Only light the exact space and in the amount required for particular tasks"

Bird-friendly buildings

Collision with glass and other reflective surfaces is known to kill hundreds of millions of birds annually, a figure that is believed to be conservative (Sheppard 2011). Mortality from colliding with glass is indiscriminant of health and age, and strikes individual birds of thriving populations as well as those from declining populations. Buildings with reflective glass are the most lethal threat to birds in the United States, yet almost all collisions are avoidable (Sheppard 2011). We recommend implementing bird-friendly design conditions – regardless of final zoning allocation. The following from Sheppard (2011) summarizes a bird-friendly building:

- “At least 90% of exposed façade material from ground level to 40 feet (the primary bird collision zone) has been demonstrated in controlled experiments to deter 70% or more of bird collisions
- At least 60% of exposed façade material above the collisions zone meets the above standard
- There are no transparent passageways or corners, or atria or courtyards that can trap birds
- Outside lighting is appropriately shielded and directed to minimize attraction to night-migrating [birds]
- Interior lighting is turned off at night or designed to minimize light escaping through windows
- Landscaping is designed to keep birds away from the building’s façade
- Actual bird mortality is monitored and compensated for (e.g., in the form of habitat preserved or created elsewhere, mortality from other sources reduced, etc.)”

Water Quality

The Rudy Drain flows diagonally through the Commercial Subdivision area before entering into adjacent wetlands. Another irrigation ditch flows along the western edge of the Commercial Subdivision area – both providing important source water to wetlands in the vicinity. Runoff from parking lots and buildings carrying oil, antifreeze and other pollutants, fertilizers and herbicides from adjacent vegetation, wastewater from wash areas, etc. may collect in the Rudy Drain and irrigation ditch if not properly managed and monitored.

Pulses of stormwater flows during the nesting season can also have devastating effects on the birds. The following excerpt from the Utah State Correctional Facility Site Assessment Report (Sorensen et al. 2016) discusses the ecological issues of improperly managed stormwater near sensitive wetlands of Great Salt Lake and presents solutions:

“One of the primary concerns with respect to impacting adjacent sensitive ecological areas is degraded water quality related to stormwater runoff from the USCF site. Stormwater is water that collects from impervious surfaces (roads, rooftops, parking lots, etc.) during precipitation events. How stormwater runoff is managed will directly influence the quality of water being dispersed to adjacent ecologically sensitive areas. Further, water quality degradation is directly related to the amount of increase in impervious surfaces and proximity of those impervious surfaces to ecologically sensitive areas (Brabec et al. 2002). If not managed properly, runoff can be a significant source of heavy metals, hydrocarbons, and other pollutants that will be transported into the ecologically sensitive areas (Yang and Li 2010; Virginia Cooperative Extension 2015).

An additional concern related to stormwater is that the intermittent storm-related flows are amplified relative to natural hydrological cycles. The amplification is due to reduced permeable surfaces that ordinarily would attenuate flows naturally. The increased, irregular flows could directly affect birds in adjacent ecologically sensitive areas. Because hydrologic condition and vegetative cover of South Shore wetlands change between the time of arrival of birds through nesting and brood rearing periods, breeding birds need to select nesting sites in a predictive manner (Conway et al. 2005). Some birds select nesting sites that are slightly higher than typical spring runoff levels to protect eggs from being inundated by

water and to be situated in close proximity to water for food and water sources for their young (e.g., nest site selection for Snowy Plovers was positively influenced by percent surface water availability among other factors, Saalfeld et al. 2011). Many species place nests on islands or piles of vegetation or other debris, effectively creating a miniature island, to protect from predation and provide good access to food and water. Artificially enhanced flooding from impervious surfaces during storm events can quickly raise water to high levels, potentially flooding nests, which drown developing embryos and put nestlings at risk.

... [Rather than install retention basins, which would likely propagate mosquitoes, there are alternatives] that reduce the volume of runoff and improve water quality. Potential options include, but are not limited to use of: green-roofing, consisting of a waterproofing membrane, soil and vegetation overlying a traditional roof; vegetated swales; and pervious surfaces for light-traffic roads, parking lots and walkways (provided underlying soils have an infiltration capacity of >0.5 in/hr.). Note that design engineers should analyze the additional load related to green roofing and its impact on other load bearing criteria (e.g., snow, seismic; and intentional rainwater retention; GSA 2011)."

Air Quality

Although M-1 activities may be considered typically non-emission uses, we are concerned that increase activity of diesel motors from trucking and heavy equipment traffic will increasingly contribute to poor air quality – both locally and regionally, which is bad for human and wildlife health.

Nuisance insects

Wetlands are notorious for hosting biting insects, which likely could become an issue when human activities are planned in their vicinity. Insects, particularly in the aquatic larval form, are a vital food source for many birds and are part of the natural ecosystem. We are concerned that placing human activity so close to the wetlands will be cause for complaints and concerns for biting insects that occur in their natural habitat. Permitted uses in the Commercial Subdivision that will include activity or increased presence of humans outside or in parking areas should be located furthest away from wetlands adjacent to the Commercial Subdivision.

Invasive species

Minimizing the potential of introducing invasive plant species is critical for protecting adjacent high quality wetland habitat. From Sorensen et al. (2016), we recommend consideration of the following actions:

- "Landscape ... using plants native to the Shadscale-Dominated Saline Basins ecoregion of Utah to align with the site's context and increase the likelihood that the landscaping survives installation and thrives under local climatic and soil conditions. This will save money on maintenance and management.
- Design landscaping to protect adjacent habitat areas. In addition to aesthetics, plant selections and placement should consider functional value to the surrounding ecosystem, including erosion/dust control, filtration of stormwater runoff, and water conservation (use of drought-resistant plants).

G.1. Audubon Public Comments.pdf

- All plants on the landscaping list and plantings should be inspected for the presence of invasive plant material prior to installation.”

Attraction of invasive fauna are also a concern that can be somewhat mitigated. Invasive species such as raccoon, skunk, and red fox are all predators of birds and / or bird eggs, which if drawn to the Commercial Subdivision, will easily expand out into the adjacent wetlands and pose major threats to nesting birds. Use of animal-proof solid waste containers, removal of solid waste regularly, and keeping area around waste containment clean will discourage animal attraction.

Summary

Many of these disturbances can be mitigated to a degree, which would greatly decrease potentially harmful impacts to certain bird populations. The links provided in the references below give a thorough background of the issues associated with bird collisions, lighting, stormwater, invasive species, etc., and provide a variety of mitigation solutions that are relevant a Commercial Subdivision adjacent to ecologically sensitive wetlands of Great Salt Lake.

We appreciate your consideration of our concerns and the opportunity for additional input and transparent discussions.

Sincerely,

Heidi M. Hoven, PhD
Gillmor Sanctuary Assistant Manager, National Audubon Society

Heather Dove
Great Salt Lake Audubon President

Wayne Martinson
Great Salt Lake Audubon Conservation Committee

References

Hoven, H., B. Brown, C. Chatfield, B. Nicholson, and S. Martin. 2006. Functional Assessments of Wetlands and Wildlife in the Salt Lake County Shorelands SAMP Area; SWCA, Salt Lake City, 160 pages.

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G.1. Audubon Public Comments.pdf

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G.2. Rudy Reclamation Public Comments.pdf

To: Salt Lake City Planning Division (daniel.echeverria@slcgov.com)

February 15, 2022

Re: Comments of Rudy Reclamation and Sportsmen's Club and North Point Fur and Reclamation to Swaner Subdivision Application – PLNSUB2021-00740

Rudy Reclamation and Sportsman's Club ("Rudy") and North Point Fur and Reclamation ("North Point") submit the following comments to the latest version of the documents from Scannell and posted online as of February 7, 2022. The first section of comments below addresses the newer documents while original comments from our August 24, 2021 letter are appended to the end. Unfortunately, some of the serious concerns mentioned in that letter have not been addressed by the most recent developer plans.

Please be aware that we are awaiting additional information and may supplement these comments in the near future.

Ditch Relocation Agreement and Easement Amendment

These documents have not been formally presented to Rudy and North Point for review and approval. Rudy, North Point, and Lake Front Duck Club have easement rights in the Rudy Drain and each receives their North Point water shares through the Rudy Drain, which is significant and vital for managing their wetlands. These documents should not be approved until they have been formally presented to Rudy, North Point, and Lake Front and they have an opportunity for a detailed response, their concerns have been addressed, and they have agreed to an amended easement.

As a preliminary matter, please note that the corporate name of Rudy on your documents is incorrect and should be Rudy Reclamation and Sportsman's Club. Also, please note that these documents contain nothing to protect Rudy or North Point, as well as Farmington Bay Waterfowl Management Area and other private owners of the surrounding thousands of acres in the event of contamination from the Swaner/Scannell development. It is also important to note that this water (and any contaminants in it) eventually reaches Great Salt Lake. While the documents provide the City with rights of indemnification, none of the other potentially affected parties are accorded similar rights. There are also no rights of access to repair and maintain the Drain, which is necessary to maintain water flow.

There is no provision in any of the documents that we have reviewed regarding who will be responsible for ensuring that there is no contamination and who will be obligated for any cleanup in the event of contamination. Please let us know if we have missed this. Otherwise, such obligations should be incorporated in the relevant documents.

Scannell's Responses to the City's Comments

1. Swales: Rudy and North Point will be the recipient of the storm runoff from 430 acres of industrial buildings and parking lots and roads. We continue to have serious concerns about the adequacy of the swales to capture and treat the water. Just as important, there is no consideration of groundwater contamination. The geotechnical study found groundwater as shallow as four feet. Any contaminants filtered into the ground by the swales or that are not captured by the swales will leach into the groundwater. The flow of groundwater is to the west and north, which is the Rudy and Northpoint Properties that largely consist of marshes. A system needs to be required that will not only treat surface water but that will also not contribute to groundwater contamination.

In some locations, there are outflows to the swale that are very close to where the swale will enter the Rudy Drain and the Rudy property. In these locations in particular, it seems unlikely that the swale will serve any treatment function.

Similarly, the City should not permit uses of the property that are likely to result in contamination and debris. There should be toxic substance use, emission, storage, and event response requirements that protect surrounding landowners and ground and surface water.

Design of the swales should also take into consideration the likelihood that, at some point, the Ivory Foundation property will be developed and will contribute to the flow and discharge of contaminants into the drain.

2. Rudy Drain: The current Rudy Drain easement is 200'. Some documents even suggest this may be fee title owned by the City. The new plan calls for a partially relocated drain that will make right angle turns within a 50' easement. The more recent documents also call for piggybacking a 20' public utility easement within that 50'. This is inadequate to ensure unimpeded water flow, access, and maintenance. Significant storm events may cause flooding. The 20' easement should be in addition to the drain easement. The trash rack should be sufficient to prevent detritus from washing into Rudy and North Point property. The rack pictured in the developer's materials would still permit a wide variety of trash to make its way to our properties. This is unacceptable. The volume of that trash will be significant given the scale of the development and the nature of the activities. The developer should be obligated to maintain and regularly clean the trash rack.

Requirements are necessary to prevent discharge of contaminants and trash rather than to simply treat them after they have left the site. Surface water and ground water should be protected from leaks, discharges, and fugitive dust. Waste, trash, debris, fill, or other materials and substances should not be allowed to enter either of the water conduits or otherwise go onto the Rudy and North Point properties. Storage tanks, oil and gas transfer and other liquids should not be permitted where a leak may occur into

G.2. Rudy Reclamation Public Comments.pdf

wetlands or into waterways that lead to wetlands. An incident response plan should be required. After completion of the development, what entity will hold the obligation to prevent contamination and how will that obligation be enforced?

Please be aware, as noted above, that Rudy, North Point, and Lake Front Duck Club all have an interest in the drain and should all be included in discussions regarding its realignment with the City and developer.

3. Item #17: The preliminary plat approval (the current process) apparently expires in two years, which may be before the developer gets to phases 2 and 3. Commitments arrived at now, such as not improving 3200 West, should be structured so as to survive that two-year period.
4. p. 8: While 3200 W south of 3300 North will be remain unpaved according to these documents (which we agree with), the developer proposes to pave the eastern half of 3200 W north of 3300 North. 3200 West should remain unpaved both south and north of 3300 North. We also request that 3300 North not be improved past the western most access to the development as such improvements are unnecessary and will increase activity that is disruptive to the wetland areas.

Request to Modify Block Dimensions - Letter from Durham, Jones & Pinegar

1. We agree with the elimination of the cross-street requirement.
2. Page 2 of this letter notes "moreover Salt Lake City supports future vacation of 3200 West" and "Salt Lake City Airport's expansion and roadway master plan rely on vacation of 3200 West". Rudy and North Point have formally petitioned the City to have the portion of 3200 West adjacent to Rudy's property abandoned. As a result, we strongly agree with the desire of the City and airport to abandon it.
3. It should be noted that the 1950 right of way agreement with Swaner and Gillmor is not valid at least as to the western half of 3200 West adjacent to the Rudy property and possibly not to any of 3200 West south of 3300 North. The Swaners and Gillmors had no right to give an easement on Rudy property. They would have known this, which suggests that the dedication only referred to 3500 North and the portion of 3200 West between 3500 North and 3300 North.

Proof of Wetland Mitigation Credits - Letter from RP Wetlands & Waterfowl

1. This letter is from the Machine Lake mitigation bank by Corinne. Mitigation should occur close to the project to fulfill a meaningful replacement within the same area. Mitigation should be done so that it benefits the south shore habitats where there is a significant existing need.

Survey - ALTA

G.2. Rudy Reclamation Public Comments.pdf

1. Exception 21: A 1936 deed gives SLC a 200' strip of land for a canal. The wording doesn't say it's only an easement.

GSH Geotech/Seismic Study for Building 1

1. Would lowering groundwater on the Swaner property lower our groundwater? If so, it causes a considerable negative effect on our property.
2. This uses an outdated site plan.

Wetland Delineation

1. There are 9.81 acres of wetlands and another 2.6 acres related to the Rudy Drain. Mitigating the impacts of this development results in a net impact to adjacent and proximate wetlands. Mitigation near Corinne provides no benefit or actual mitigation of the marshes where the damage will occur.
2. There should also be consideration for mitigating the impacts to the playa area in the center of the project area (formerly the University property and now owned by Ivory Foundation). Playas serve a critical ecological role around GSL and are becoming increasingly rare.

Roadway Exhibit

1. Lots 13 and 14 on either side of the west end of 3300 N could serve as consolidated open space. If so, there would then be no need to improve the west half of 3300 North or the eastern half of 3200 W north of 3300 North. Lots 13 and 14 are in Phase 3. If they are developed, buildings should be oriented so that the front and entrances face to the east (away from the marsh areas) to minimize the disruptive effects of activity, windows, noise, and lighting.

Swaner Subdivision Preliminary Plat

1. This shows a 50' easement for the new Rudy Drain. As mentioned above, this needs to be expanded and separate from the public utility easement.

Infrastructure

1. See comments above about swales, Rudy Drain, and roads.
2. West facing building sides on the western most lots should be painted in an earth tone scheme that minimizes the visual footprint and visual disruption of the buildings.
3. No lighting should be permitted on 3200 West and all lighting within the project should meet strict "bird-friendly" lighting and dark sky standards.

Traffic Study

G.2. Rudy Reclamation Public Comments.pdf

1. The study shows only very minimal use of 3200 West (about 2 vehicles/hour during “rush hour”), which reflects that the customary use has been as a slightly used rural road for farm and marsh access.
2. P. 11 of the study refers to “Access is also planned for 3200 W, once that roadway has been improved.” This is inconsistent with the intention to vacate 3200 W and needs to be explained.

Rudy’s and North Point’s August 24, 2021 Comments (Updated)

Please see our earlier comments on the background and ecological function of these properties. Specific concerns from those comments that are not addressed above or in the current plans are below.

Health, Safety, and Welfare

Rudy Reclamation and North Point have shown steadfast dedication to the perpetuation of a marvelous environmental resource and the way of life that surrounds it. The Rudy and North Point Properties are an absolutely essential component of the remaining south shore habitat particularly given the historic low elevations of the Great Salt Lake and continual decline of habitat for migratory birds in Utah. Several hundred acres of playas and alkali knolls are immediately adjacent to the Swaner/Scannell Parcel. This area is vital nesting and migratory habitat to dozens of bird species, most of which do not tolerate high levels of development, traffic, and artificial light according to the United States Fish and Wildlife Service. (See our original comments)

For over 100 years, Rudy and North Point have engaged in migratory bird production area management and associated recreational activities. Some examples of these activities include (a) distributing and impounding water and managing wetland water levels, (b) managing vegetation including spraying and burning undesirable vegetation, (c) wildlife management including hunting, shooting, fishing, and trapping, (d) wildlife monitoring by the State of Utah Division of Wildlife Resources. These activities generate noise, odors, smoke, and insects. Salt Lake City has no jurisdiction over these activities and cannot require Rudy or North Point to modify their activities. MBPAs are also protected from landowners claiming that the activities pose a nuisance and also immunizes the activities on MBPAs from criminal nuisance statutes. In short, the buildings on the Parcel should be set back at least 600 feet from the Rudy boundary. Salt Lake County is statutorily barred by the MBPA Act from requiring Rudy and North Point to cease or modify any of these activities. These statutory protections have been granted in recognition of the critical environmental and cultural role played by these lands for more than a century.

State Legislative Recognition of the Importance of the South Shore Wetlands

The State has recognized the value of these privately managed areas by enacting the MBPA Act that provides them with various protections and classifies them under Utah law as “migratory bird production areas.” (MBPAs) Rudy and North Point are MBPAs. As such, they are

entitled to certain protections and their traditional activities cannot be restricted or prohibited. If development occurs adjacent to an MBPA, the adjacent landowner's complaints cannot alter the management of the MBPA. The MBPA also requires recognition of adjacent MBPAs in deeds of conveyance and plat maps on lands within 1,000 feet of an adjacent MBPA (see Utah Code Ann. 23-28-303(3)).

Salt Lake City has Recognized the South Shore Natural Values

At various times, the City has undertaken efforts to plan for the development of the Northwest Quadrant ("NWQ"). While the Swaner/Scannell Parcel is not in the common boundaries of the NWQ or Inland Port, it shares the same values that were important features of planning in that area. A key component of the eventual plan was the creation of a "Natural Area" that arced across the northern margin of the NWQ. The Natural Area reflected a consensus agreement of the NWQ landowners, City, NGOs, and other surrounding landowners. This was intended both to preserve the environmentally sensitive and low-lying areas within the Natural Area as well as to provide an essential buffer to the adjacent migratory bird production areas. Other design features were also incorporated to reduce the development's impact on surrounding wetland complexes. These were largely incorporated into Inland Port planning and zoning. **The proposed subdivision will be far closer to critical GSL habitat than the Inland Port is.**

Few of these values are reflected in the plan documents that have been submitted to date. There is no buffer, no lighting requirement, no restriction on toxic or disruptive uses, and water quality remains an open question.

The Proposed Subdivision Undermines Ongoing City and County Planning Efforts

Over a year ago, Salt Lake County initiated a master planning process for unincorporated areas including the portion of the county that includes Rudy and North Point and the surrounding unincorporated area, including 3200 West. It variously calls this the Shoreline Area or Shoreline Heritage Area. The master plan is nearing completion. The plan as it relates to the Shoreline Heritage Area anticipates preservation of the traditional uses of the area, environmental values, open spaces, and not improving 3200 West. The proposed subdivision is inconsistent with the main goals of this plan including deemphasizing 3200 West.

More recently, Salt Lake City has begun a North Point Small Area Planning Process. (North Point in this sense refers to the broader area roughly bounded by I-215, the Rudy property, and the airport property.) While early in the process, it is clear that this subdivision, as proposed, would seriously impair the City's planning process.

Resolution of the Status of 3200 West

More than a year ago, Rudy and North Point discussed with Salt Lake City their concerns about 3200 West and the possibility of petitioning to vacate the road. That petition was filed a few months ago.

Vacating 3200 West or limiting its use is consistent with the ongoing planning efforts of the City and County. It is also consistent with the historic and protected uses of Rudy and North Point properties. Paving and increasing use of 3200 West is not.

Given the competing outcomes of the subdivision application and petition to vacate, the subdivision approval process should be stayed until the petition can be determined or the City can otherwise resolve the status of 3200 West.

Additional Considerations Relating to the Subdivision Request

1. Building surfaces: Building surfaces facing 3200 West should have no windows in order to avoid bird impacts and be finished in earth tones to minimize disruption to bird activity and to be consistent with the natural character of the area. 3200 West is a designated “Birding Hotspot” by the local birding community.
2. Location of tall and high impact development away from wetlands and MBPAs: High impact uses such as freight terminals, high structures, and natural resource storage should be distant from the Rudy boundary. Development in the portion of the Parcel close to the Rudy boundary should be reserved for uses that are lower in elevation and most compatible with uses on surrounding land.
3. SLC Ch. 20.12.010.B. “Preservation Of Natural Features: Trees, native ground cover, natural watercourses, and topography shall be preserved when possible, and the subdivision shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with this title.” There is no indication that this section will be complied with regarding native ground cover or natural watercourses. Also, the Rudy Drain is surrounded by a natural watercourse. The drain will be straightened, channeled and reconfigured.
4. SLC Ch. 20.12.010.D. “Buildable Lots: All subdivisions shall result in the creation of lots which are developable and capable of being built upon, unless a different purpose for the lot is clearly intended and approved by the planning commission or its designee. No subdivision shall create lots, and no building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions.” A number of the lots will be significantly constrained by the presence of high-capacity transmission lines, pipelines, and watercourses. The City needs to determine whether such lots are buildable within the general represented character of the development.
5. SLC Ch. 20.12.010.F.2. “Whenever, in the opinion of the planning commission or its designee, the cuts and fills created by the subdivision are of sufficient size or visibility to

demand special treatment, the subdivider shall be required to landscape such areas with suitable permanent plant materials and to provide for their maintenance.” Suitable permanent plant materials are those that are compatible with and native to the surrounding environment.

6. Ch. 20.12.010.H. “Watercourses: The subdivider shall dedicate a right of way for storm drainage conforming substantially with the lines of any natural watercourse or channel, stream, creek, or floodplain that enters or traverses the subdivision.” See the comments above regarding the Rudy Drain, 3200 West canal, and relating to watercourses on the property in general. This remains an unresolved issue.

7. Set Back and Consolidation of Open Space:

- a. Given the sensitivity of the wetland areas, the species dependent on them, and other reasons explained earlier, buildings should be 600’ from 3200 West. This can be accomplished by consolidating the required open space percentage of land or consolidating open space in areas such as lots 13 and 14. Thousands of pairs of shore birds, waterfowl and raptors nest on the Rudy property, including by the playas adjacent to 3200 West. Noise, lighting, increased traffic and other activity will likely drive many birds from their nests. Nesting habitat on the south shore is limited.
- b. Rudy supports allowing for open space to be consolidated and placed on a development wide basis rather than on a lot-by-lot basis. This would allow the open space to serve a useful purpose rather than a merely cosmetic one. It will probably also reduce water use and reliance on non-native landscaping.
- c. Roads are a source of polluted runoff and litter that would threaten the adjacent wetlands. This is even more important as a Rudy water source runs along the west side of 3200 West. (Citations to scientific literature are included with our August 24 letter.)
- d. A noise/visual barrier between development and Rudy Reclamation should be required. Playas extend on lands adjacent to 3200.
- e. The U.S. Fish and Wildlife Service has recently reminded the State of Utah of the serious nature of these indirect impacts in the context of the West Davis Corridor. As noted in a November 7, 2018 letter, these serious impacts to birds and their habitat extend far beyond the 300 feet to which the State was hoping to limit its responsibility. The same effects will occur with this development. The letter reads in part:

We have consistently commented that our greatest concern with the West Davis Corridor is the indirect effect to the wetland and wildlife habitats on the shore lands of the Great Salt Lake. We believe the applicant has underestimated the level and extent of indirect effects to migratory birds by limiting the study area to a 300 foot buffer of the

ROW. A variety of factors influence the likelihood for wildlife to use habitat adjacent to roadways. These factors include weed introduction, barriers to movement, visual disturbance, and edge effects. Specific to migratory birds, impacts include lowered occupancy, reduced breeding density, and increased mortality in habitats adjacent to roadways; we previously provided you with a literature review of these impacts in a whitepaper (USFWS 2013). Based on this available science, we expect impacts to extend over a kilometer (3,900 feet) from roadways for some species, with greater impacts occurring in closer proximity to roads. A copy of the letter is included as Attachment C in Rudy's prior comments on the original rezone.

- f. Spatial separation is a well-accepted planning mechanism for shielding sensitive areas from the effects of development. The nearest examples are the 3,000 acre Natural Area associated with the Inland Port and the 2,200 acre Legacy Preserve associated with the Legacy Highway.
8. Utility and transportation corridors: Development that requires a utility corridor, power lines and associated roads through or adjacent to MBPAs and similar areas should be modified, changed in location or not be permitted. They are directly incompatible with and do not complement uses on MBPAs. The MBPA Act prohibits the placement of roads on MBPAs and only permits transmission lines across MBPAs if they are buried.
9. Noise pollution: Development should minimize noise disruption. Development that is likely to have considerable noise should be sited away from wetland areas such as deliveries, garbage, transportation, etc.
10. Bug abatement: In conjunction with development, higher levels of mosquito abatement will likely be requested. Also, more toxic pesticides may be needed for deer flies and other biting insects. Both of these will adversely affect the macroinvertebrates that form the nutritional backbone of the marshes for many bird species. Alternatives should be explored regarding this issue.
11. Bird friendly design: Best practices should be required. For instance, the buildings adjacent to 3200 West should avoid west facing windows in order to reduce bird impacts. Also, guy wires on towers should be avoided.
12. Invasive plant species: Plant species that might become invasive in the wetland areas should be avoided.
13. Trespass prevention: Fencing, gates or other barriers should be considered to minimize the risk of trespass.

SUMMARY

We respect the rights of a landowner to develop its property within applicable zoning laws. However, Rudy and North Point respectfully request that in its consideration of this proposal the City also carefully considers, in addition to the issues raised above, the unique natural values and importance of the adjacent lands (MBPA's) along the west border of the development that have occurred and have been carefully managed for over the past 100 years. These lands are vital to the conservation and survival of migratory birds and their habitat. If approved, we ask that the City impose such standards and restrictions that eliminate or reduce the impacts to the MBPA's and potential conflict with existing uses and the proposed development.

REQUEST FOR NOTICE OF DECISION

We request immediate notice of any decision regarding the application for subdivision. Notice should be given to Jeff Richards at [REDACTED] and to Jack Ray at [REDACTED].

Respectfully,

Justin Dolling, president

Rudy Reclamation

Jeff Richards, Board Member

North Point Reclamation

Echeverria, Daniel

From: Sorensen, Ella [REDACTED]
Sent: Tuesday, February 8, 2022 2:00 PM
To: Echeverria, Daniel
Cc: Otto, Rachel; Mendenhall, Erin; Briefer, Laura; Jack Ray [REDACTED]
Subject: (EXTERNAL) Swaner/Scannell Proposal - Letter in Support of NOT Paving 3200 West

Mr. Echeverria,

I am the manager of the Audubon Gillmor Sanctuary in Salt Lake County. I have managed south shore wetlands, studied their bird life, and fought for their preservation for decades. During that time, I have also authored books, book chapters, and other publications detailing and explaining the varied bird life of Great Salt Lake generally and the south shore wetlands specifically. Those wetlands have never been at greater risk and the planning decisions made by Salt Lake City and other jurisdictions have never been more important. Those decisions will determine the fate of this rich but beleaguered ecosystem.

Salt Lake City is considering a development proposal by Swaner/Scannell to build over 6,000,000 square feet of light industrial space between 2200 West and 3200 West. While there are many important environmental considerations (from water to lighting to vegetation to building color and more) to a development of this scale, none may be more important than how human activity and disturbance are managed and mitigated. Paved streets with their attendant motion, noise, pollution, and lighting degrade habitat hundreds of yards deep into the adjacent area. In this instance, that high quality habitat lies hard against 3200 West.

Improving 3200 West would be catastrophic for the dozens of bird species that nest, rest, and feed in the area that abuts 3200 West. I have been to this area several times and can affirm that: 1. This is critical habitat; 2. It is used by many, many bird species (I can provide a list of over 100); 3. It is comprised of a mixed playa/upland habitat that is increasingly rare on the south shore and that serves a unique ecological function; 4. It is a type of habitat used by birds that are often intolerant of human activity; 5. While a few bird species may be tolerant of human activity, most are not.

As you must know, high quality wetland habitat away from human commotion is a scarce commodity in Salt Lake County and is more imperiled with each passing day. Allowing improvement of 3200 West would effectively destroy the ecological utility of many acres of habitat. The portion of 3200 West adjacent to the Rudy Duck Club is also a rare location where the public can enjoy a view into a treasured natural habitat. Keeping it unpaved would permit the orientation of nearby buildings and windows in a way that would be less disruptive. Keeping it unpaved would minimize (though not eliminate) the effects of this colossal development. Finally, keeping it unpaved would give the public a remarkable view into a natural world and a sense of openness in a congested city.

We strongly encourage Salt Lake City to keep 3200 West unpaved so that many future generations of birds (and the people who care about them) can enjoy this unique area.

Thanks,

Ella Sorensen
Manager National Audubon Society Gillmor Sanctuary

Public Comment Provided by Chris Souther

Master Plan Update:

My first concern is with the timing of approving such a large subdivision. The city is in the middle of updating the grossly outdated master plan for this area specifically. The master plan is grossly out of date and does not reflect the current state and future of the area. Just because the property was zoned BP decades ago does not mean it is currently the most appropriate development type given what has been, and is currently, living around it. Thus, any subdivision, re-zoning, etc... applications should be put on hold until the Master Plan is finished being updated. Accepting this application undermines the entire Master Plan process and purpose.

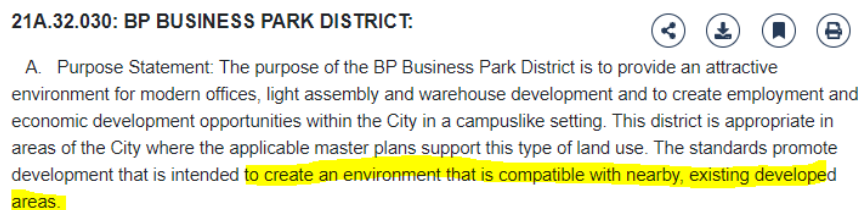


Master Transit Plan:

The master transit plan has a new road (2800W) spurring off of 2200W down by 2300N that is supposed to be a 2200W bypass in the event any of the Swaner property is developed. Though the subdivision acknowledges this road, it still puts a large portion of the development in a position to rely on 2200W. ALL of the parcels need to be exclusively accessible from the new interior road system and sent to 3200W or 2800W, not 2200W. If approved as-is the properties on 2200W will develop first, noever attaching to 2800W or 3200W, creating excess truck and commuter traffic on 2200W. A road that is, and never will be, capable of such traffic. There is plenty of land to mitigate this now and to prohibit access to 2200W for commercial developments.

Non Conformances:

The current easements and property lines for the properties bordering 2200w do not allow for the proper road and buffer easements. Also, anything they build in a BP zone will not conform to the neighboring properties and should require an elevated buffer zone or zone change all together (which is why the master plan is being updated).



There is nothing in a BP zone they can build that will not produce at least one of the following...

G.4. Chris Souther Public Comments.pdf

1. Enclosed Operations: All principal uses shall take place within entirely enclosed buildings.
2. Outdoor Storage: Accessory outdoor storage shall be screened with a solid fence and approved through the site plan review process.
3. Nuisance Impacts: Uses and processes shall be limited to those that do not create a nuisance to the use and enjoyment of adjacent property due to odor, dust, smoke, gases, vapors, noise, light, vibration, refuse matter or water carried waste. The use of explosive or radioactive materials, or any other hazardous materials, shall conform to all applicable State or Federal regulations.
4. Property Zoned Business Park: When a property zoned Business Park abuts, or is across the street from, an AG-2 or AG-5 Zoning District the following standards shall apply:
 - a. Buildings shall be prohibited within one hundred feet (100') of the adjacent property line;
 - b. Parking lots shall be prohibited within fifty feet (50') of the adjacent property line; and
 - c. The portion of the lot located between the adjacent property line and the parking lot or building shall be improved in the form of a landscaped buffer with a minimum five foot (5') berm and shall comply with the provisions of subsection 21A.48.080D3 of this title. (Ord. 13-19, 2019: Ord. 9-16, 2016: Ord. 66-13, 2013: Ord. 12-11, 2011: Ord. 61-09 § 20, 2009: Ord. 14-00 § 2, 2000: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(16-2), 1995)

21A.32.040: FP FOOTHILLS PROTECTION DISTRICT:



A. Purpose Statement: The purpose of the FP Foothills Protection District is to protect the foothill areas from intensive development in order to protect the scenic value of these areas, wildlife habitats and to minimize flooding and erosion. This district is appropriate in areas where supported by applicable master

Summary:

I do not approve of Salt Lake City approving this sub division for the aforementioned reasons. Once the Master Plan is updated the applicant can re-apply with better clarity as to it's conformance with the Master Plan.

Best,
Chris Souther



August 24, 2021

Nick Norris
Director, Planning Division
451 South State Street | Room 406
Salt Lake City, UT 84114-5480
P.O. Box 145480

Dear Nick Norris:

The Westpointe Community Council Board of Directors is submitting this letter on behalf of the Westpointe Community and residents along 2200W, in response to the subdivision application (Petition Number: PLNSUB2021-00740) for the Swaner Property at 2691 N 2200 West.

Northpoint Small Area Master Plan

The Westpointe Community was surprised by the timing of such a large subdivision proposal given Salt Lake City is in the process of spending \$100,000 with Logan Simpson to update the Northpoint Small Area Master Plan. This plan has not been updated since 2000 and no longer accurately represents the current state or needs of the surrounding community. With the Swaner property comprising of approximately 30% of the Northpoint Small Area Master Plan, it is difficult to understand how the approval of 22 subdivisions will not directly undermine the planning process that is currently underway.

Funding to update the Northpoint Small Area Master Plan was first approved by the City Council in January 2020. Yet it took the City Council until June 2021, 18 months later, to enter into a contract with Logan Simpson to do the work. Despite Salt Lake City postponing the updating of the Northpoint Small Area Master Plan, land use and zoning applications were not postponed and the Westpointe Community continued to receive numerous requests. Subdividing the proposed land means the Westpointe Community will continue to be bombarded with unnecessary re-zoning and development applications at a time when the Master Plan is uncertain. Salt Lake City missed previous opportunities to proactively advocate for the residents of Northpoint and it is only appropriate that city representatives now take responsibility for the impact on the community of delaying the Northpoint planning process.

The original Master Plan came about as a result of circumstances similar to what our community faces today. According to the Plan's introduction, it was developed when residents spoke out against the proposed development for fear of being pushed out of the area. In response, the City Council adopted "a six-month moratorium to allow the creation of a small area plan for Northpoint." More than twenty years later, the residents of this unique area again seek a moratorium to ensure the development of the area reflects our best, most thoughtful and creative efforts. Westpointe Community believes it is in the best interest of Salt Lake City and the



surrounding community to place all Northpoint Area land subdivision, re-zoning, etc. requests on a moratorium until the new Master Plan is approved and in use.

We are still in a pandemic that requires everyone to examine our choices in a new light and to make sacrifices. This applies to developers, not just residents. Delaying action on this subdivision proposal does not deny the developer rights; they can reapply at a later date. But it does ensure that the pandemic is not used to divert civic attention away from harmful land use decisions.

Master Transit Plan

The Westpointe Community is also concerned about the increased traffic this type of development will bring to 2200W, a road that is already minimally maintained by the multiple jurisdictions it intersects. With the recent developments to the north and south of the area, 2200W has already sustained increased traffic without necessary infrastructure updates, making it less safe for residents.

The Master Transit Plan shows a new road (2800W), off of 2200W near 2300N, that is meant to be a 2200W bypass in the event any of the Swaner property is developed. Though the subdivision acknowledges this road, a large portion of the development will still rely on 2200W. There is plenty of land to proactively mitigate and prohibit access to 2200W for commercial developments. We request that, if approved, Salt Lake City require ALL of the parcels be exclusively accessible from the new interior road system and redirected to 3200W or 2800W instead of 2200W. This would ensure the approved developments along 2200W attach to 2800W or 3200W, preventing excess truck and commuter traffic on 2200W; a road that is, and never will be, capable of safely sustaining such traffic for residents of the area.

Non-Conformances

Compatible Environment

According to **21A.32.030**, business park developments must “create an environment that is compatible with nearby, existing developed areas”. There are residential homes along 2200W and the current easements and property lines for the properties bordering 2200W do not allow for the proper road and buffer easements. Therefore, the business park development will not conform to the neighboring properties and should require an elevated buffer zone or zone change all together, which is why the master plan is being updated.

Water Consumption Standards

The pending zoning modification regarding “Significant Water Consuming Land Uses” Section 21A.33.010, effective as of July 8, 2021, would also apply to this property. It states that any new or expanding land use “that consumes more than an annual average of 300,000 gallons of potable water per day is prohibited in all zoning districts.”

- We are in an extreme drought and the planning review needs to ensure that the 470-acre development does not exceed this water saving limitation.
- Developers should not be able to get around it by subdividing into 22 areas thereby allowing each one to consume up to 299,999 gallons of water/day.



Landscaping/Open Space Requirement:

21A.32.030 item E requires Business Park zoning to have a minimum of 15 % of their lot area devoted to open space and at least a third of such required open space be covered with vegetation. It also outlines minimum yard requirements sizes and requires that such yards “shall be maintained as landscaped yards.”

- This requirement applies to each subdivision and does not allow the required open space from each of the 22 subdivisions to be combined into a manner that would better meet the needs of the residents, duck clubs, bird habitats, etc.
- Additionally, the requirement wastes precious water.
- Developers do not want Business Park zoning for this reason and it is likely that anyone who purchases one of these subdivisions will request a zoning change to M-1 as soon as possible.

Previous Planning Commission Letter

Lastly, we are linking to a copy of the October 23, 2019 letter the Westpointe Community Board of Directors submitted to the Planning Commission regarding the Ivory proposal for this property. The letter is supportive of the zoning overlay proposal and illustrates that “we can do better.” The Northpoint Small Area Master Plan was funded after the community and the developers agreed to a number of changes to the Business Park zoning in the proposed overlay. These recommendations should be part of the discussions in the Northpoint Small Area Master Plan.

Therefore, Westpointe Community does not support approval of this subdivision amendment. The applicant may re-apply after the Northpoint Small Area Master Planning process is complete, and Salt Lake City has more clarity as to the conformance of the request.

Thank you in advance for your time and consideration.

Sincerely,

Westpointe Community

Westpointe Community Council Board of Directors

info@westpointecc.org

www.westpointecc.org



References

1. Excerpt from 1999 Northpoint Small Area Plan:

“As developers have begun to propose business park developments along 2200 West, residents of the area are becoming increasingly concerned that they are being pushed out for business park development. They believe their rural lifestyle will be jeopardized by the eventual encroachment of business park uses. In response, in 1999, the City Council adopted a six-month moratorium to allow for the creation of a small area plan for Northpoint. This moratorium decision was based on the fact that many of the assumptions made in the Jordan River/Airport Area Plan would probably never materialize and the desire to try to preserve the agricultural lifestyle in the area”

(<http://www.slcdocs.com/Planning/MasterPlansMaps/NP.pdf>).

2. https://codelibrary.amlegal.com/codes/saltlakecityut/latest/saltlakecity_ut/0-0-0-65785
3. http://www.slcdocs.com/Planning/Online%20Open%20Houses/2021/07_2021/Water%20Uses/2.%20Draft%20Ordinance.pdf
4. https://codelibrary.amlegal.com/codes/saltlakecityut/latest/saltlakecity_ut/0-0-0-65785
5. Link to Westpointe Community Council October 2019 Letter to Planning Commission:
https://drive.google.com/file/d/1ORqnEOJRX_ak9a8rLYH2qiv4QMUIS3_S/view?usp=s_haring

Echeverria, Daniel

From: [REDACTED]
Sent: Thursday, March 17, 2022 6:12 PM
To: Echeverria, Daniel
Subject: (EXTERNAL) Swaner Preliminary Subdivision

Hello Daniel,

My name is [REDACTED]
I am a resident of this area .

I want to comment about the zoning and potential development proposed to SLC Corp.
I have lived out here for almost 20 years and have enjoyed every minute except for the mosquito's...
I am in the frame of mind that this area should be Commercial/Industrial land. Residential should stay away from runways and Airports..
A commercial development should be able to manage wetlands and be sensitive to the nature of this Land..
COEXIST
The economy of the Airport requires lots of commercial land to support the logistics for its needs, and a growing City..
Therefore, I am in favor of this Commercial development.

please don't use my name

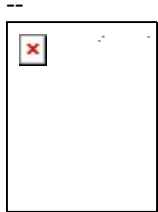
Thank You

Echeverria, Daniel

From: Steve McCutchan [REDACTED]
Sent: Wednesday, October 6, 2021 11:05 AM
To: Dave Tolman; Bob Elder; [REDACTED] Echeverria, Daniel
Subject: (EXTERNAL) Realignment of Proposed 2900 North on Swaner Property Preliminary Plat
Attachments: 10-06-2021 Swaner Road Realignment Detail.pdf; 10-06-2021 Swaner Road Realignment Overall.pdf

We need Salt Lake City to have the Swaner Property Preliminary Plat to realign the Proposed 2900 North to line up with our Loop Road entrance. See the two exhibits for conceptual centerline locations.

Steve



Stephen G. McCutchan

PO Box 382

Draper, UT 84020



Website - <https://www.stevemplanddevelopment.com/>



ATTACHMENT H: Property Photographs



Panoramic view of the site, looking east from 3200 West



View of the site, looking east from 3200 West



View of the Rudy Drain from 3200 West, looking south-east



View looking north along 3200 West from the south end of the site. The Swaner site is on the right (east), Airport property is on the left (west)



View looking north along 3200 West from near the middle of the site. The Swaner site is on the right (east), the Rudy Reclamation property is on the left. You can see a pond (which may be a “wetland”) on the left.



This is a view north on 2200 West, showing the widening of the road on an adjacent property that was recently subdivided. This shows the same widening that will be required of the Swaner property. The Swaner site is in the distance behind the wall on the left.



Panoramic view showing the north area of the site, looking east from 3200 West



Panoramic view showing agricultural properties across the street from the north area of the site, looking west from 3200 West



Panoramic view showing the properties to the west, from the intersection of the 3200 West and 3300 North. The Rudy Reclamation entrance gate is in the middle of the photo.



Panoramic view showing the Swaner site, looking south from the middle of 3300 North.



View of the northern area of the site along 2200 West, looking west



View of the middle of the site along 2200 West, looking west. The existing private driveway and existing structures can be seen in the distance.



Google Street View photo looking north on 2200 West, near the south end of the site. Shows Swaner site on the west and residential homes on the east side of the road. (Credit: Google Street View, April 2021)



Google Street View photo looking north on 2200 West, at the intersection of 2670 N and 2200 West, toward the middle of the Swaner site. (Credit: [Google Street View, April 2021](#))

ATTACHMENT I: City Department Review Comments

Planning/Zoning (Daniel Echeverria at daniel.echeverria@slcgov.com or 801-535-7165)

1. A title report is required to be submitted with the final plat. Any easements or other deed restrictions listed on the title report will need to be shown on the plat. Any location specific easements will need to be drawn on the plat in fine dashed lines with the width labeled and a note added to the plat describing the easement and its recording information.
2. Please add recording reference information to all easements shown on the plat.
3. An avigation easement is required as the property is located within the Airport Flight Path Protection Overlay. Please contact David Miller in the Department of Airports to get that started.
4. Final utility and drainage easements will need to align with final drainage and utility infrastructure plans that are approved by the Public Utilities department.
5. Any unpaved right of way areas between back of curb and front/corner side property line, or back of sidewalk and front/corner side property line shall be landscaped in conformance with the park strip landscaping requirements of 21A.48.060, including installation of street trees as per D.1 of that section subject to Urban Forestry review and approval. (See 20.12.010.F)
6. On the final plat, please add "Salt Lake City" to the top and bottom title blocks of the plat.
7. On final plat, please also indicate the high-water line of the canal/area subject to inundation or stormwater overflow where applicable. (20.16.060.A.12/20.20.030.H)
8. Final plat will need to be on multiple sheets. Maximum scale allowed is 1" = 100'. (20.20.030.A.2)
9. Show adjacent subdivision names on the plat. Recently recorded Dominion subdivision is located in the south-east corner of the subdivision plat. (20.16.060.A.8)
10. Add a specific label for the lot lines to the plat.
11. The top of each final plat sheet shall face North or West.
12. The provided geo-tech study/soils report will need to be referenced in a note on the plat.
13. See 20.20.030 for other requirements for final plat content. All final plat requirements will need to be complied with on the final plat.

Engineering (Scott Weiler at scott.weiler@slcgov.com)

See full Engineering comment document at the end of this attachment.

The plat has also been redlined in the attached Engineering redlined plat.

Public Utilities (Jason Draper at jason.draper@slcgov.com or 801-483-6751)

The following comments do not provide official project review or approval. Preliminary Plat acceptance does not provide building or utility permit approval.

1. The proposed development does not currently have utility service. New water systems, sewer systems, storm drainage and street light plans will be needed and must be approved by SLDPU.

- 2.** The sewer system will require a lift station to be installed by the developer. SLCDPU approval will be required for the location and all construction and technical documents.
- 3.** SLCDPU has coordinated with the Department of Airports to allow a lift station on Airport property as best determined by SLCDPU
- 4.** Because of the sensitive location of this project, a Stormwater Pollution Prevention Plan (SWPPP) and Technical Drainage Study will be required to be submitted for review on all roadway and subdivision work as well as all building permits.
- 5.** Subdivision agreements and main extension agreements will be required prior to construction approval and final plat.
- 6.** The Rudy Drain has significant environmental and ecological requirements. Continued coordination and evaluation will be required.
- 7.** Relocation of the Rudy Drain is not approved as part of this phase.
- 8.** Public Utility permit, connection, survey, and inspection fees will apply.
- 9.** Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.
- 10.** A note should be added that all building lighting must be evaluated and receive recommendation from SLC Audubon society or qualified source to minimize wildlife impacts, specifically migrator birds on the GSL shoreline.
- 11.** Minimum floor elevations must be added to the final plat showing all finished floors above Rudy Drain and GSL flood levels.
- 12.** The preliminary and final plat need to identify adjacent MBPA areas.
- 13.** SLCDPU supports not paving or improving 3200 West, however access for utility and drainage maintenance must be preserved.
- 14.** Stormwater Retention is required. Retention of the 80th percentile storm is required. Stormwater detention is required for this project. The allowable release rate is 0.2 cfs per acre. Detention must be sized using the 100-year 3-hour design storm using the farmer Fletcher rainfall distribution. Provide a complete Technical Drainage Study including all calculations, figures, model output, certification, summary and discussion.
- 15.** Retention may not be possible to the full requirement, however alternate equivalent treatment and routing will be required.
- 16.** The west boundary of the property should provide as much natural area buffer as possible.
- 17.** SLCDPU recommends a condition for development that similar treatment of lighting and landscaping as the Northwest Quadrant overlay applies to this property and other developments in the north pointe area.
- 18.** The stormwater and runoff from this site go directly to the Great Salt Lake. Additional Stormwater management, treatment and controls will be required for site and building development.
- 19.** The final wetland determination and Army Corps approval and any mitigation is not required for preliminary plat but will be required for building permit and final plat.
- 20.** The play area lowlands offsite should have similar setback requirements as the Lowland Conservancy Overlay Zone.
- 21.** Water, Sewer, Street Light and Storm Drain infrastructure will be required for this proposed development. All improvements will be the responsibility of the developers.

22. All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
23. All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18" minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12" vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12" vertical separation from any non-sewer utilities.
24. Contact SLCPU Street Light Program Manager, Dave Pearson (801-483-6738), for information regarding street lights.
25. Utilities cannot cross property lines without appropriate easements and agreements between property owners.
26. Site utility and grading plans will be required for building permit review. Other plans such as erosion control plans and plumbing plans may also be required, depending on the scope of work. Submit supporting documents and calculations along with the plans.
27. One culinary water meter is permitted per parcel. If the parcel is larger than 0.5 acres, a separate irrigation meter is also permitted. Fire lines will be permitted, as necessary. Each service must have a separate tap to the main.
28. Additional requirements will be provided in building permit review.

Jason Draper, PE, CFM

Development Review Manager - Floodplain Administrator

Salt Lake City Department of Public Utilities

Planning Staff Note: Comments 10, 16, 17, and 20 are recommendations for restrictions on future private development of the site and are outside the scope of this subdivision review.

Transportation (Michael Barry at michael.barry@slcgov.com or 801-535-7147)

Planning Staff Note:

- The Transportation Division reviewed the plat, cross-sections, and street plans and did not have any concerns with the preliminary plans.
- Transportation supports the development of a 2900 West bypass road through the Airport property, subject to the Airport determining the preferred alignment through their property. Transportation notes that the 2900 W by-pass road is a reasonable solution to meeting the area Master Plan and the Major Street plan.
- Transportation supports waiving improvements to 3200 West (between at least ~2500 North and 3300 North) if 2900 West is constructed and the subdivision has no desire to use and will not use 3200 West for access.
- A traffic study was submitted to the City with this subdivision. The traffic study recommends various off-site improvements to support projected traffic associated with the proposed subdivision, including additional turning lanes, traffic signals, and additional travel lanes or paving. As per City Code 20.40.010.A, subdividers are required to improve "adjacent streets required to serve the subdivision." As part of the final plat and final infrastructure plan process, off-site improvements beyond those shown on the preliminary plans may be required based on the recommendations in the current traffic study or any supplemental traffic studies and Transportation Division review and

determination. This is also subject to any other applicable City and State regulations on such improvements.

Building Code - Building Services

No concerns.

Planning Staff Note:

Buildings are not part of this subdivision review. Future development will need to follow the recommendations of any final geotechnical study and will be reviewed at permitting by Building Code staff.

Fire Code - Building Services

Regarding the above caption there are no show stopping which the International Fire Code review has. We believe that the normal code requirements would be addressed when construction of facilities commences.

Planning Staff Note: Fire has confirmed that the cul-de-sac/turnaround right of way dimensions shown are acceptable.

Department of Airports

1. [AFPP Airport Flight Path Protection Overlay District:](#)
This proposal is in the Airport Overlay Districts Zone A & B:
 1. [Airport Influence Zone A:](#) The following uses are incompatible in this zone and are prohibited:
 - a. Residential uses;
 - b. Commercial uses, except those constructed with air circulation systems and at least twenty five (25) dBs of sound attenuation;
 - c. Institutional uses such as schools, hospitals, churches and rest homes;
 - d. Hotels and motels, except those constructed with air circulation systems and at least thirty (30) dBs of sound attenuation in sleeping areas and at least twenty five (25) dBs of sound attenuation elsewhere.
 2. [Airport Influence Zone B:](#) The following uses are incompatible in this zone and are prohibited:
 - a. Residential uses, except residences in agricultural zones with air circulation systems and at least twenty five (25) dBs of sound attenuation;
 - b. Institutional uses such as schools, hospitals, churches and rest homes, except those constructed with air circulation systems and at least twenty five (25) dBs of sound attenuation;
 - c. Hotels and motels except those constructed with air circulation systems, and at least twenty five (25) dBs of sound attenuation, in sleeping areas.
2. [Wetlands Delineation](#)
 - a. There are wetlands on the property. It would be up to the property owner for mitigation.

3. FAA Far Part 77 Surfaces

- a. The proposed properties are in the direct flight path to Runway 17/35. The current Part77 approach surface clears a 100' building by approximately 58'±.
- b. The FAA would require the submittal of a Notice of proposed construction, Form 7460 for construction at this location see <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

4. Noise

- a. The FAA has adopted DNL 65 dBA as the threshold of significant noise exposure, below which residential land uses are compatible, but often also shows contours for DNL 65, 70 and 75 dBA noise levels on maps for reference.
- b. Day-night average sound level (DNL) noise metric is used to reflect a person's cumulative exposure to sound over a 24-hour period, expressed as the noise level for the average day of the year on the basis of annual aircraft operations.
- c. While this proposal is beyond the 65 DNL contour, there could be single events that exceed the 65 DNL.

David Miller, C.M.

Airport Senior Planner

Statement from Airports Regarding Proposed Sewer Lift Station and Proposed Bypass Roadway on Airport Property:

We have discussed the sewer lift station with Jason Draper (Public Utilities) in greater length. Base on the information that we have received, the Airport will not object to locating the sewer lift station as shown approximately on the attached plat ("Org. Lift Sta").

In addition, the Airport will not object to the approximate layout for the proposed bypass road (also shown on the attached plat).

As discussed in a previous email regarding the bypass road, we will work jointly with all parties through the appraisal, easement, and letter of understanding processes on both the sewer lift station and the bypass road.

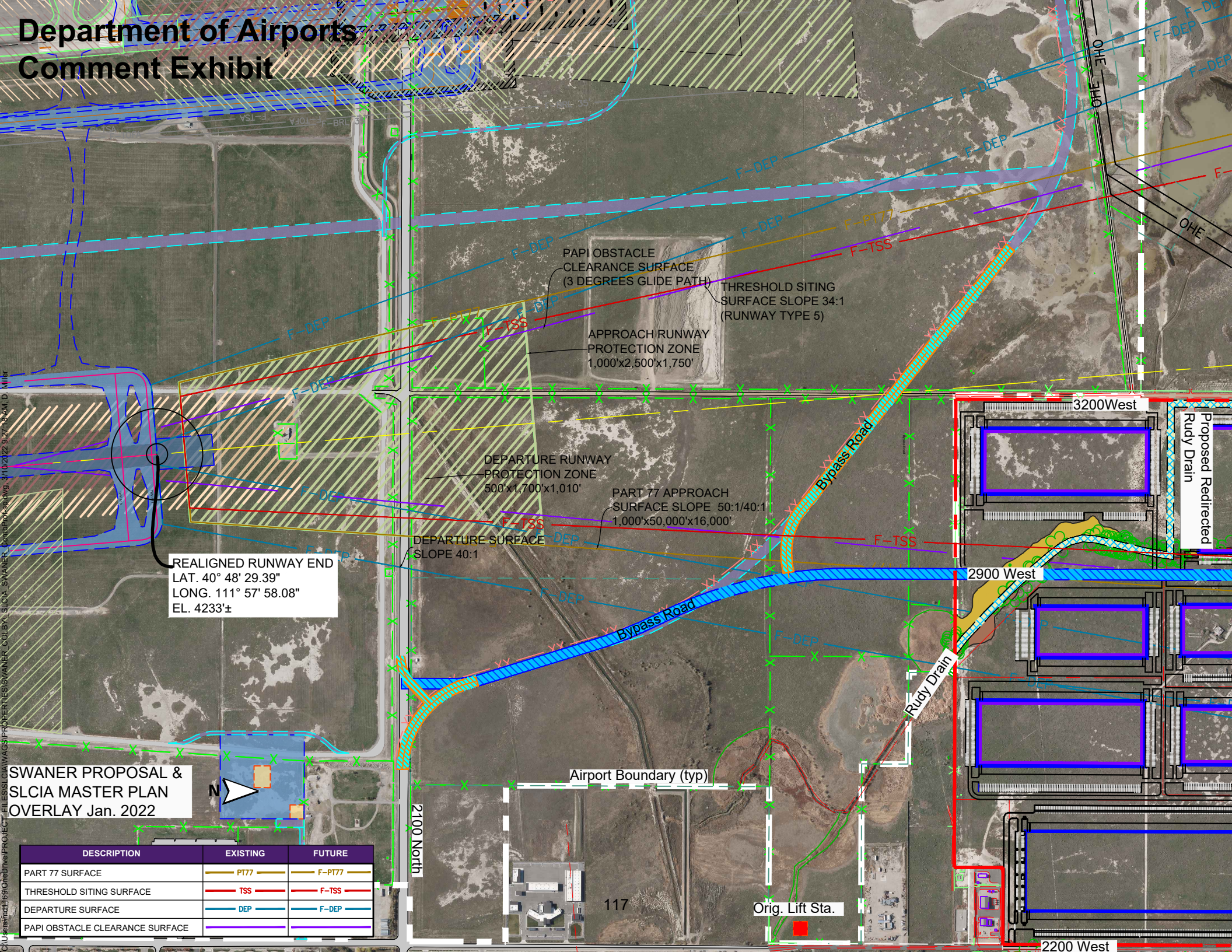
Joel Nelson

Airport Property and Real Estate Manager

Salt Lake City Department of Airports

(Staff Note: The referenced "plat" or site plan is attached. This is a drawing made by Airport staff.)

Department of Airports Comment Exhibit



C:\Users\miller\OneDrive\Documents\PROJECT FILES\SLCIA\MASTER PLAN\SWANER COMMENT EXHIBIT.dwg, 3/10/2022 9:27:18 AM, D. Miller

TO: DANIEL ECHEVERRIA, SLC PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING

DATE: FEBRUARY 22, 2022

SUBJECT: **Swaner Subdivision**
2950 N. 2200 West Street
PLNSUB2021-00740
SUB21053

The City Engineering review comments from December 2, 2021 are updated in red as follows:

1. Street Dedication

- a. Sheet 1 of the preliminary plat proposes to dedicate 33' for 2200 West along the east boundary of the plat but Sheets 4 and 5 propose to dedicate 38.50' for public use. Please make all sheets consistent. South of this plat, a portion of 2200 West has not been annexed into Salt Lake City and is under Salt Lake County jurisdiction.
- b. The preliminary plat proposes to dedicate for public use the 66' wide 2950 North Street corridor between 2200 West and 3200 West.
- c. The preliminary plat proposes to dedicate for public use the 66' wide 3300 North Street corridor between 2200 West and 3200 West.
- d. The preliminary plat proposes to dedicate for public use the 77' wide 2900 West Street corridor between approx. 2700 North and 3500 North. The south segment of 2900 West along the proposed Lot 18 is drawn as a straight alignment. This is in anticipation that this developer will extend (construct) 2900 West south to 2100 North, rather than curve it into 2200 West as shown on the "Roadway Connection Plan Option D Revised" that was submitted by Dominion Engineering in 2021.
- e. A large radius curve proposes to transition 2900 West into an unlabeled corridor at approx. 3500 North at the northern boundary of the plat and dedicate 48.50' for public use. It is unclear why 48.50' has been chosen, leaving 28.50' to be dedicated in the future by the property owner north of the plat boundary.

2. Existing ROW

The 66' wide 3200 West Street corridor between approx. 2800 North and 3500 North is depicted as existing public ROW. However, the plat boundary jogs at the south line of Section 9 such that the plat includes 33' of the extension of this corridor south of this line. On Sheet 2, 43,649 sf of land adjacent to Lot 8 (a 33' width within the plat boundary) is proposed to be dedicated for public use. It is my understanding that this Subdivider desires to vacate/close 3200 West between approx. 2800 North and 3300 North. If so, there is no reason to dedicate 33' adjacent to Lot 8. Conversely, the 3200 West corridor adjacent to Lots 14 & 18 is anticipated to be

improved by this Subdivider to provide two-way travel to the properties on the west side of 3200 West at that location. The subdivider should consult Doug Bateman (SLC Fire Review) regarding the need for fire truck turnaround at the north end of 3200 West.

3. Lots

The preliminary plat proposes to create 20 lots from a huge acreage. Yet, none of the proposed lots is labeled Lot 20. Lot 21 has a depth of only 52', which leads to the question of its intended use.

4. Holding Strip

The 1' holding strip along the northern boundary of 2950 North and along the eastern boundary of 2900 West adjacent to the University of Utah property would not be needed if this subdivider could purchase the University of Utah property and include it in this plat. Assuming that does not happen, SLC Engineering does not object to the proposed 1' holding strip, which would require the University of Utah to compensate this subdivider if it should want to access 2950 North or 2900 West within 20 years of the execution of the Holding Strip Agreement.

5. Requirements prior to recordation of the final plat:

- SLC Corporation will obtain a Phase 1 Environmental Report for this site prior to allowing the proposed public way dedications. The Subdivider will be required to reimburse SLC Corporation for this cost.
- The Subdivider must enter into a Subdivision Improvement Construction Agreement. This agreement requires the Subdivider to provide a security device, such as a Payment & Performance Bond, to guarantee acceptable completion of the public way improvements in each of the six street corridors mentioned in 1. and 2. above, including sewer, water, storm drain, curb, gutter, sidewalk, pavement, and street lighting. The agreement also requires insurance from the subdivider and the general contractor, and the payment of a fee based on the estimated cost of constructing the proposed street improvements (not including sewer, water, storm drain or street light improvements). The fee is calculated as 5% of the first \$100,000 of street improvements and 2% of the amount over \$100,000. A copy of the agreement can be sent to you via email, if requested.

6. Improvements

The design of public improvements for the six proposed streets must comply with the Salt Lake City Engineering (APWA) design standards. Some of the requirements are:

- Plan & Profile sheets must show the profile view for top back of curb grade and centerline grade of the six corridors to receive public way improvements mentioned in 1. and 2. above, with stationing increasing from left to right.
- Minimum longitudinal curb & gutter (Type "A") design grade is 0.50%.
- The minimum size lettering is 1/10" and capital letters shall be used.
- The text shall be readable from one of two directions on a given sheet.

I. Engineering Department Comments.pdf

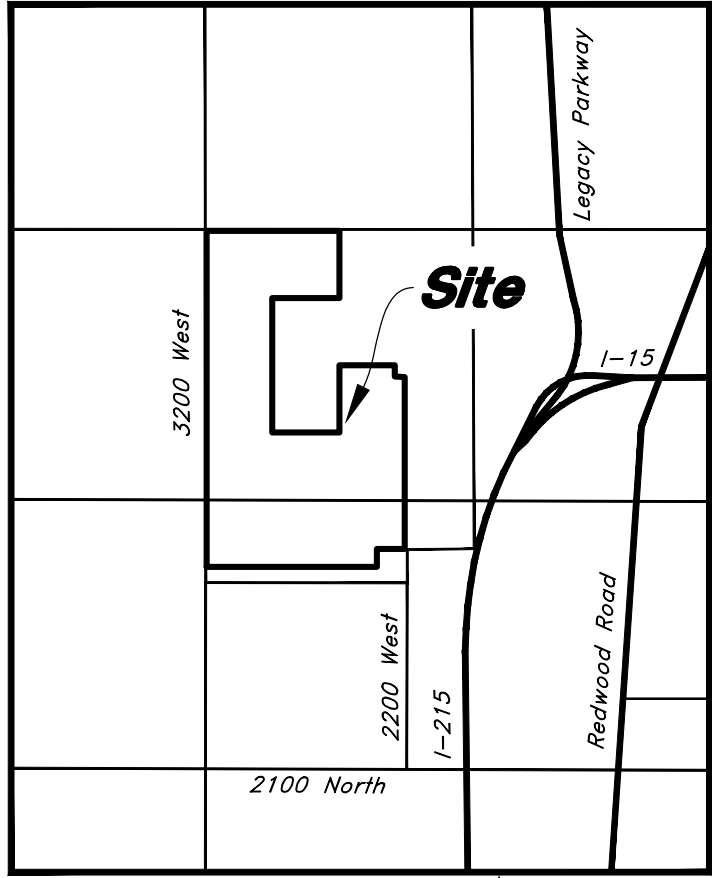
- A Cover Sheet, with approval signatures from SLC Planning, SLC Public Utilities, SLC Fire Review, SLC Transportation and SLC Engineering must accompany the improvement plans.
 - The asphalt to be installed in these new streets shall meet the requirements for Superpave in the 2017 APWA Standard Specification Section 32 12 05 SP-1/2” PG58-28, with 15% max. RAP.
 - Location of curb & gutter, and sidewalk, needs to be determined by SLC Transportation on each of the **six** street corridors. Sidewalk is required on at least one side of each street.
 - If curb & gutter is only installed on the west side of 2200 West along the east boundary of this subdivision, SLC Transportation requires 30’ min. of asphalt width. Similarly, the required width of asphalt to be installed in 3200 West needs to be decided by SLC Transportation.
6. The SLC Surveyor has reviewed and redlined the preliminary plat. Addresses for the proposed **20** lots have been redlined. Two redlined pdfs with this information will accompany the email sent with this memo.
 7. The Subdivider must enter into agreements required by the SLC Public Utility Department and pay the required fees.
 8. At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision.

End of Comments

cc: Chris Donohue, SLC Engineering
Matt Cassel, SLC Engineering
Jason Draper, SLC PU
Karryn Greenleaf, SLC PU
Kevin Young, SLC Transportation
Mike Barry, SLC Transportation
Kurt Larsen, SLC Transportation
Vault

Swaner Subdivision

A Part of the West Half and the Southeast Quarter of Section 9, and the North Half of Section 16,
T1N, R1W, SLB&M, U.S. Survey, in Salt Lake City, Salt Lake County, Utah



Vicinity Map
Not to Scale

Certification

I, Ken B. Hawkes, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold Certificate No. 8707113 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act; I further certify for, and on behalf of Anderson Wahlen & Associates that by authority of the owners I have completed a survey of the property described on this Subdivision Plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as Swaner Subdivision.

Boundary Description

A Part of the West Half and the Southeast Quarter of Section 9, and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey, in Salt Lake City, Salt Lake County, Utah:

Beginning at a Brass Cap monument found marking the Southwest Corner of said Section 9, said monument is located 2645.40 feet North 0°14'35" East from a Brass Cap Monument found marking the West Quarter Corner of said Section 16; and running thence 33.00 feet South 89°44'39" East along the Southerly line of a Dedication for 3200 West Street and 3500 North Street recorded as Entry No. 1222348 in Book L of Plats at Page 25 of the Official Records of Salt Lake County to the Easterly line of said Dedication as it exists at 33.00 foot half-width; thence along said Easterly line the following two courses; North 0°15'18" East 2640.26 feet; and North 0°15'29" East 2640.43 feet to the North line of said Section 9; thence South 89°44'36" East 2607.84 feet to a Brass Cap monument found marking the North Quarter Corner of said Section 9; thence South 0°16'13" West 1320.19 feet along the Quarter Section line to a sixteenth line; thence North 89°44'35" West 1320.28 along said sixteenth line to a sixteenth line; thence along a sixteenth line the following two courses; South 0°15'51" West 1320.20 feet; and South 0°15'45" West 1320.13 feet to a sixteenth line; thence South 89°44'40" East 1319.97 feet along said sixteenth line to the Quarter Section line; thence North 0°16'13" East 1320.13 feet along said Quarter Section Line to the Center of said Section 9; thence South 89°44'40" East 1089.00 feet along the Quarter Section line to the West line of a Deed recorded in Book 4-1 of Deeds at Page 222 of the Official Records of Salt Lake County; thence South 0°15'20" West 219.95 feet to the North line of a Quit Claim of a 1/6 Rod wide strip described in Entry Numbers 3404734, 3404735 & 3404736 of the Official Records of Salt Lake County; thence South 89°43'48" East 198.00 feet along said North line to the East line of said strip; thence South 0°15'20" West 2.75 feet along said East line; thence South 89°44'05" East 32.54 feet to a sixteenth line; thence along said sixteenth line the following two courses; South 0°15'20" West 2417.46 feet; and South 0°15'44" West 969.89 feet to the Northerly Line of Dominion Energy Rose Park Subdivision recorded as Entry No. 13148720 in Book 2019P at Page 350 of the Official Records of Salt Lake County; thence along the Northerly and Westerly lines of said Subdivision the following two courses; North 89°45'08" West 582.45 feet; and South 0°15'33" West 350.88 feet to a sixteenth line; thence along said sixteenth line the following two courses; North 89°46'40" West 737.50 feet; and North 89°46'35" West 2639.43 feet to the West Line of said Section 16; thence North 0°14'35" East 1322.70 feet along said West line to said Brass Cap monument found marking the Southwest Corner of said Section 9 and the point of beginning.

APN: 08-09-100-003

Contains 18,745,054 sq. ft.

Or 430.327 acres

20 Lots

Signed this _____ day of _____, 20____.

8707113

Licensed Professional Land Surveyor

Ken B. Hawkes

Owner's Dedication

Know all by these presents that we, the undersigned owners of the described tract of land hereon, having caused the same to be subdivided into lots and streets to hereafter be known as Swaner Subdivision, do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, and do warrant, defend, and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, operation, and maintenance of the streets and do further dedicate the easements as shown for the use by all suppliers of utility or other necessary services.

In witness whereby I have hereunto set my hand
This _____ Day of _____ AD, 20____.

Scannell Properties, LLC

by: _____

its:

Acknowledgment

State of _____ } ss
County of _____

On the _____ day of _____, 20____, personally appeared before me, the undersigned Notary Public, _____, who being by me duly sworn did say that they are the _____ of _____ by authority of its members or its articles of organization, and they acknowledged to me that said limited liability company executed the same.

Notary Public Full Name: _____

Commission Number: _____

My Commission Expires: _____

A Notary Public Commissioned in Utah

(If above information is provided, no stamp required per Utah Code, Title 46, Chapter 1, Section 16)

A Notary Public

Swaner Subdivision

A Part of the West Half and the Southeast Quarter of Section 9,
and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey,
in Salt Lake City, Salt Lake County, Utah

Recorded

State of Utah, County of Salt Lake, Recorded and Filed at the Request of

Date _____ Time _____ Book _____ Page _____

Fee \$ _____ Salt Lake County Recorder

NUMBER

ACCOUNT

SHEET **1**

OF **5** SHEETS

Narrative

This Subdivision Plat was requested by Scannell Properties, LLC for the purpose of creating 20 commercial lots.

This Subdivision retraces the underlying aliquot parts descriptions as mapped with VRS methods on the NAD 1983 Utah Central Zone State Plane datum.

Record Area Reference Plat bearings have been rotated 0°18'01" clockwise to match said State Plane datum.

A line between monuments found for the West Quarter Corner of Section 16 and the Southwest Corner of Section 9 was assigned the bearing of North 0°14'35" East as the Basis of Bearings to place the Survey on said State Plane datum.

Property corners were recovered or set as shown hereon.

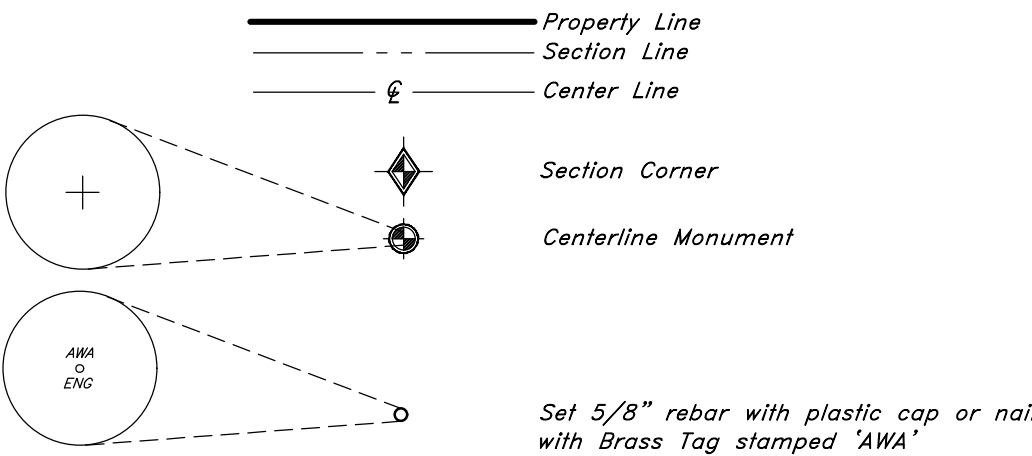
Notes

- This property lies entirely within Flood Zone X as designated on FEMA Flood Insurance Rate Map for Salt Lake County, Utah and Incorporated Areas Map Number 49035C0129C dated 5 September, 2005. Flood Zone X is defined as "Areas of minimal flood hazard", with the exception of a Flood Zone A depicted hereon. Flood Zone A is defined as "without base flood elevation".
- The Subject Property is Zoned BP (Business Park). No changes are anticipated in the zoning. Front and side setbacks are 20 feet.
- Water service is to be provided by Salt Lake City Corporation.
- Sewer service is to be directed to Salt Lake City Sewer trunkline.
- Minimum Finish Floor Elevation for each Lot is 4220.00

Benchmark

Brass Cap Monument for the Northeast Corner of Section 9, T1N, R1W, SLB&M Elevation = 4214.88 feet (NAVD 88, 1284.70 meters) Salt Lake County Surveyor Tie Sheet, Published July 26, 2001 Observed October 11, 2001

Legend



Owner / Developer

Scannell Properties, LLC
8801 River Crossing Blvd, Suite 300
Indianapolis, Indiana 46240
Phone: (317) 843-5959



2010 North Redwood Road, Salt Lake City, Utah 84116
801 521-8529 - AWAengineering.net

City Attorney

Approved as to form this _____ day
of _____, 20____.

Salt Lake City Mayor

Salt Lake City Attorney

City Approval

Presented to Salt Lake City this _____ day of
_____, 20____, and it is hereby approved

Salt Lake City Mayor

Salt Lake City Recorder

City Engineering Division

I hereby certify that I have had this plat examined by this
office and it is correct in accordance with information on file.

City Surveyor _____ Date _____

City Engineer _____ Date _____

City Planning Director

Approved this _____ day
of _____, 20____ by the
Salt Lake City Planning Commission.

Planning Director

City Public Utilities Director

Approved as to sanitary sewer
and storm water details
this _____ day of _____
_____, 20____.

Salt Lake City Public Utilities Director

Salt Lake County Health Department

Approved this _____ day of
_____, 20____, and is hereby approved

Salt Lake County Health Department

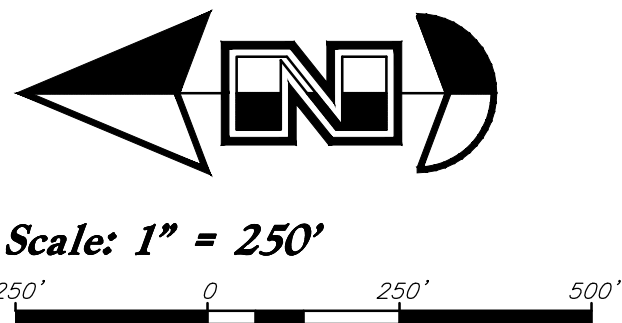
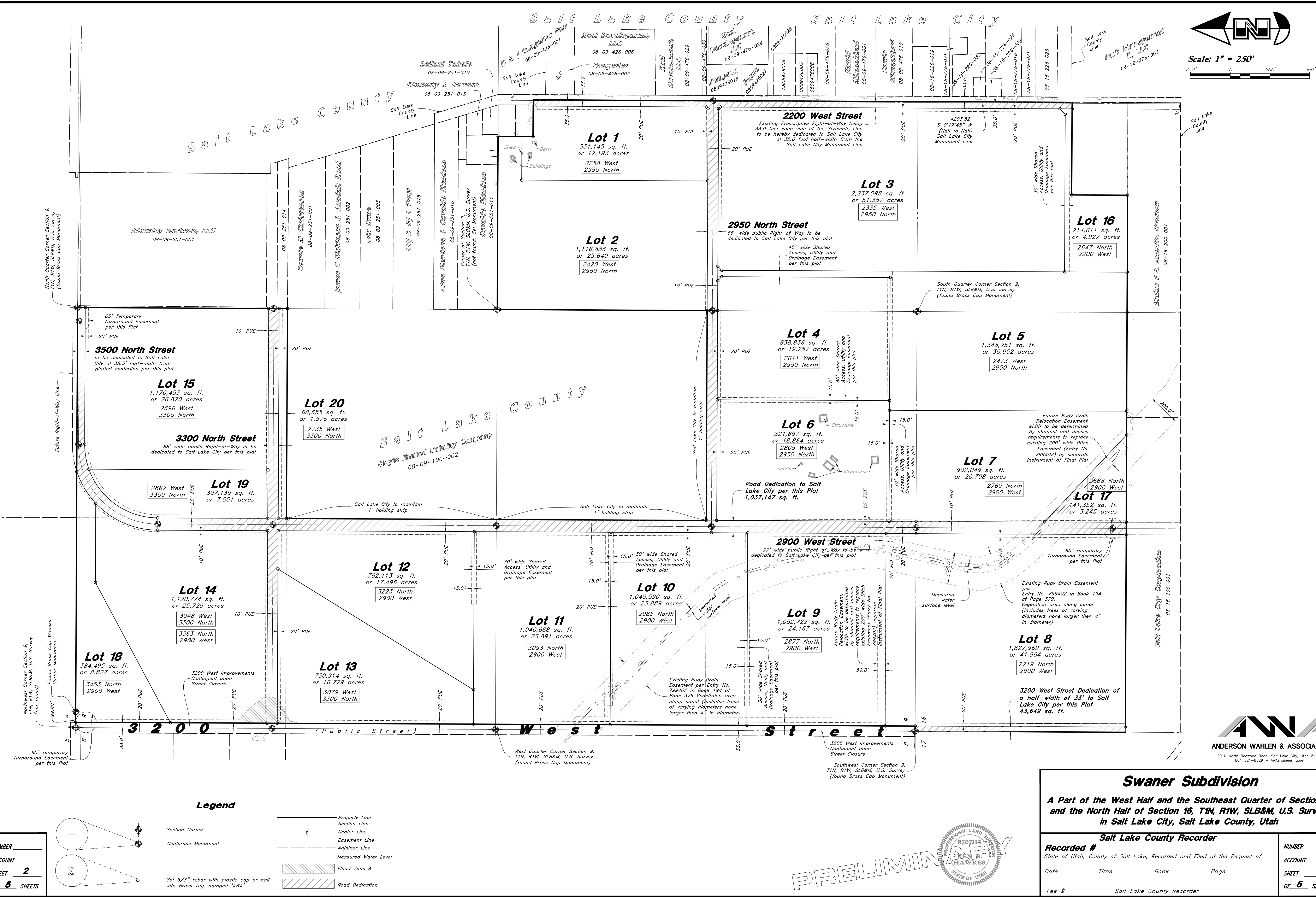
NUMBER

ACCOUNT

SHEET **1**

OF **5** SHEETS

21-18244b



NUMBER

ACCOUNT

SHEET **2**

OF **5** SHEETS

Section Corner

Centerline Monument

Set 5/8" rebar with plastic cap or nail with Brass Tag stamped 'AWA'

Property Line

Section Line

Center Line

Easement Line

Adjolner Line

Measured Water Level

Flood Zone A

Road Dedication

Swaner Subdivision

A Part of the West Half and the Southeast Quarter of Section 9, and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey, in Salt Lake City, Salt Lake County, Utah

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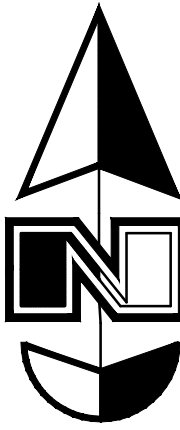
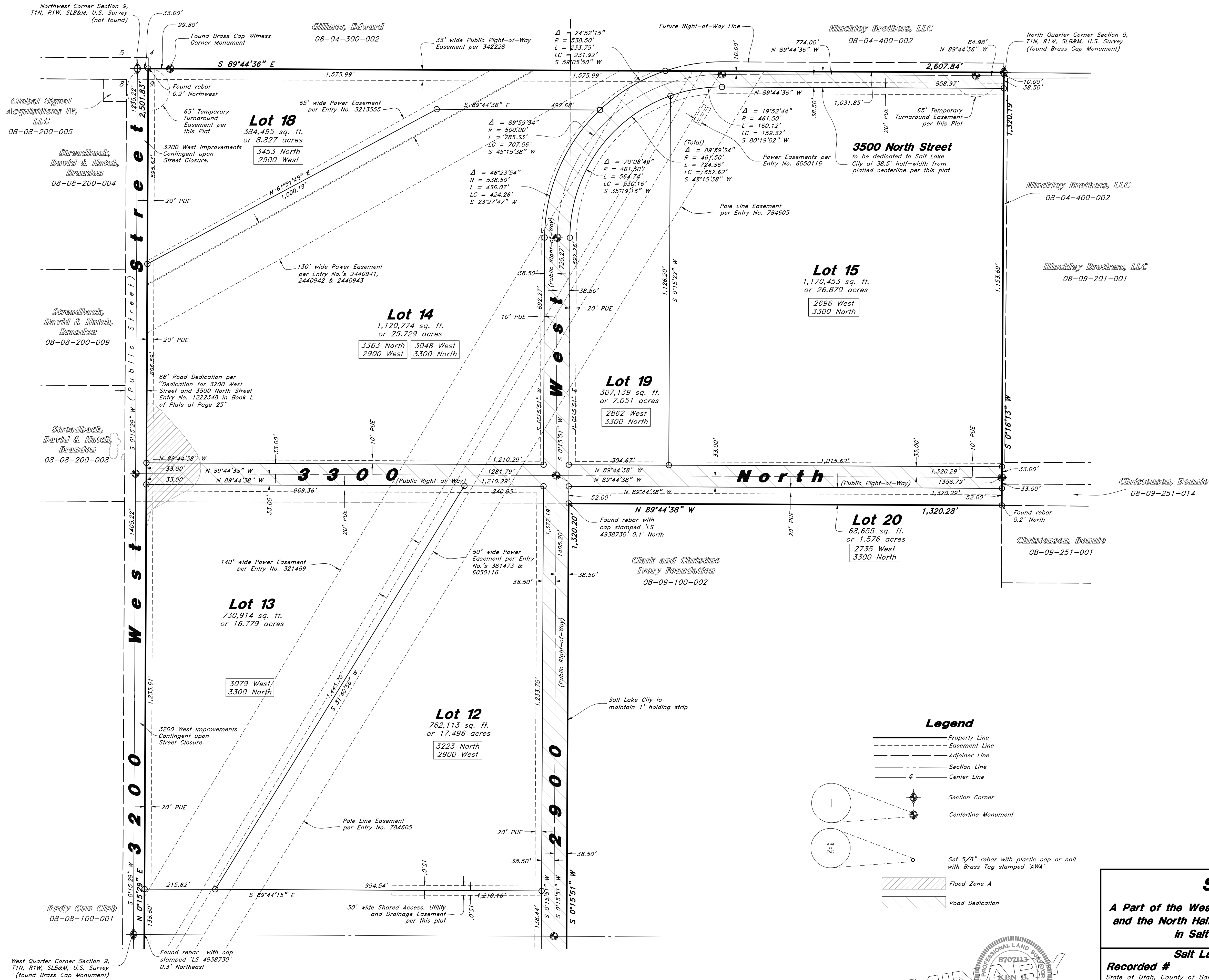
ACCOUNT

SHEET **2**

OF **5** SHEETS

122

21-180246



Scale: 1" = 150'

Legend

- Property Line
- Easement Line
- Adjoiner Line
- Section Line
- Center Line
- Section Corner
- Centerline Monument
- Set 5/8" rebar with plastic cap or nail with Brass Tag stamped 'AWA'
- Flood Zone A
- Road Dedication

AWA
ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
801.521-8529 - AWAengineering.net

Swaner Subdivision

**A Part of the West Half and the Southeast Quarter of Section 9,
and the North Half of Section 16, T1N, R1W, SLB&M, U.S. Survey,
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ACCOUNT

SHEET **3**

OF **5** SHEETS

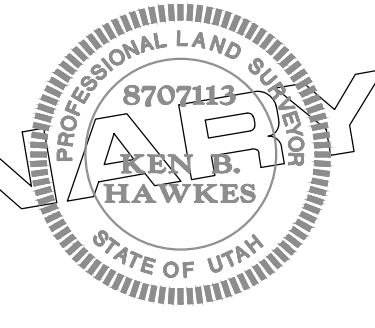
NUMBER

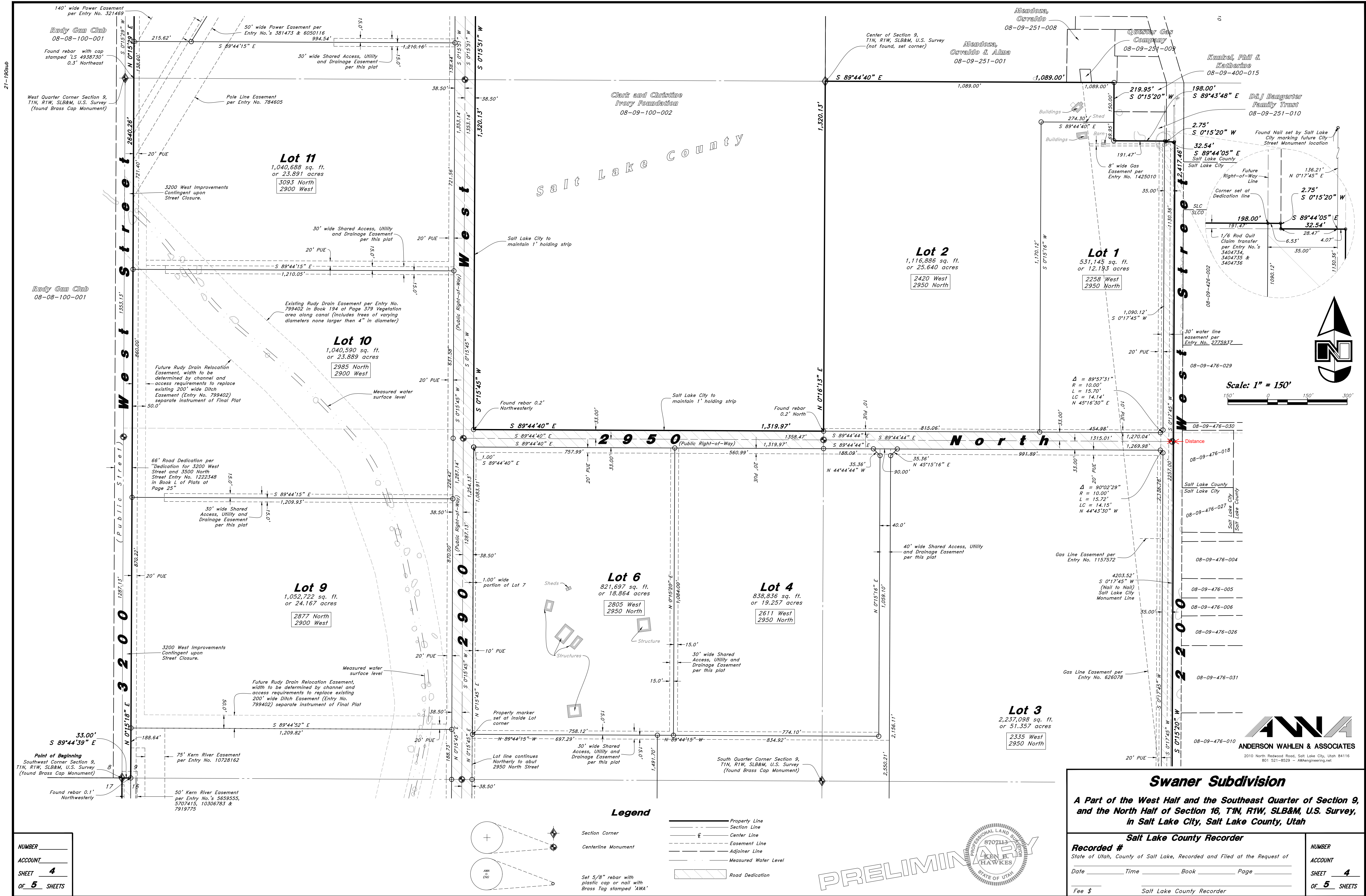
ACCOUNT

SHEET **3**

OF **5** SHEETS

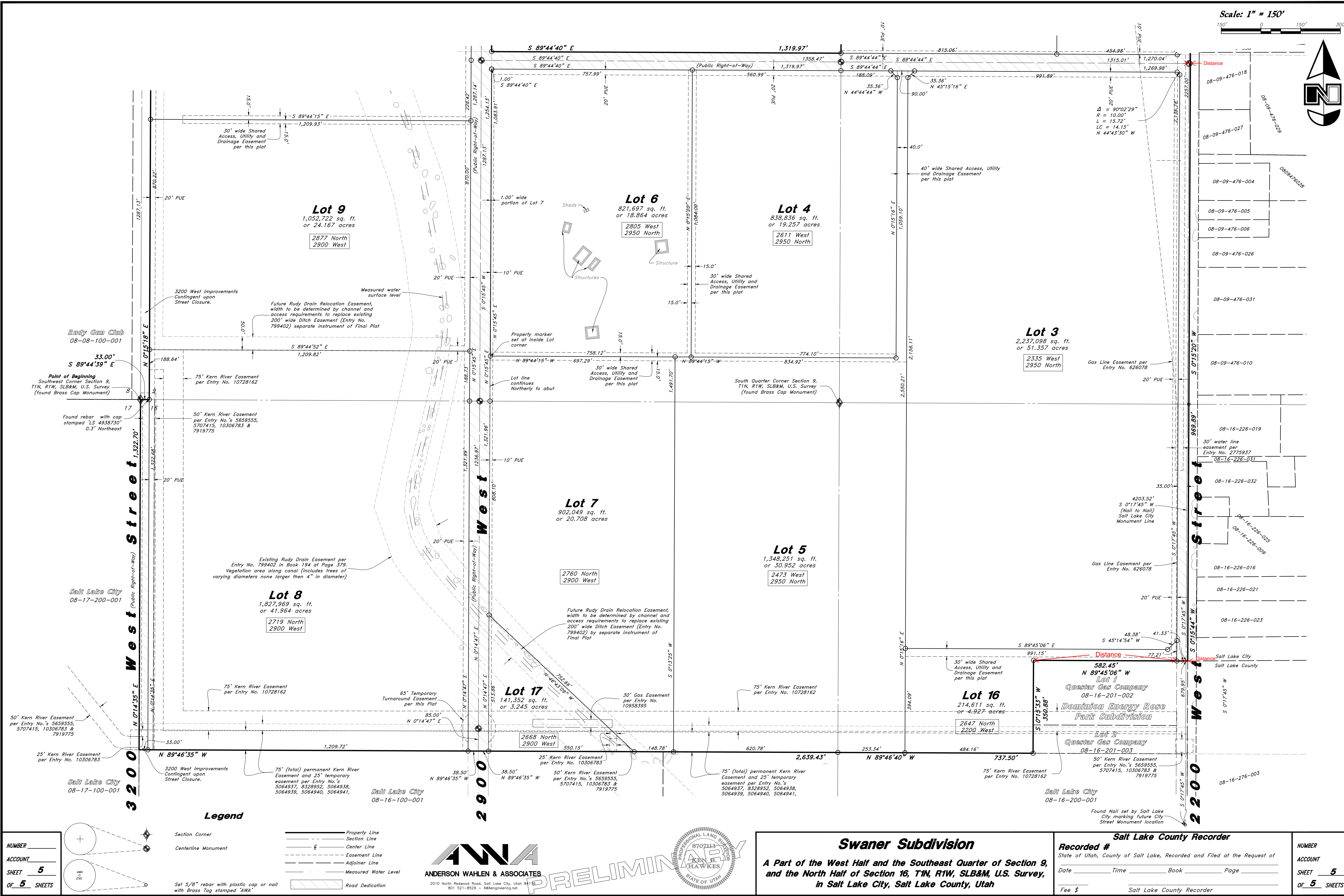
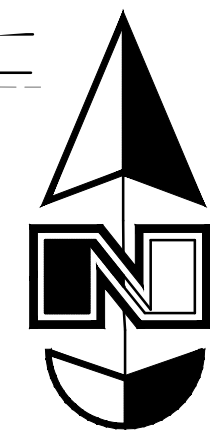
PRELIMINARY





21-180sub

Scale: 1" = 150'



NUMBER _____
ACCOUNT _____
SHEET **5**
OF **5** SHEETS

Legend

- Section Corner
- Centerline Monument
- Property Line
- Section Line
- Center Line
- Easement Line
- Adjoiner Line
- Measured Water Level
- Road Dedication
- Set 5/8" rebar with plastic cap or nail with Brass Tag stamped "AWA"



ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
801-521-8529 - AWKengineering.net

PRELIMINARY

Swaner Subdivision
A Part of the West Half and the Southeast Quarter of Section 9,
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Fee \$ _____ Salt Lake County Recorder

NUMBER _____
ACCOUNT _____
SHEET **5**
OF **5** SHEETS

ATTACHMENT J: Zoning and Planning History of Site

(Note: The below background information is adapted from a prior staff report pertaining to this property and is included to provide zoning and planning effort context for the property and area.)

For development context, below is a zoning history of the property beginning with its annexation into the City:

1976: Annexed by the City and given designation, **C-3A, General Business Activity**

1995: Zoning changed as part of citywide zoning map changes to **BP, Business Park**

2000: City adopts *Northpoint Small Area Plan* for the property and surrounding area. Plan was initiated due to residence concerns with development pressures.

2001: City makes changes to **BP** regulations, establishing 50' to 100' buffer when next to and across the street from agricultural properties. The purpose of this change was to implement the *Northpoint Small Area Plan*.

2017: City approves changes to **BP, Business Park** regulations, reducing open space requirement from 30% to 15%

2018: A developer requests changes to the zoning for the property. Proposal was later dropped.

2021: City begins public process to update the Northpoint Small Area Plan

2021: Current developer proposes to subdivide the property

The property has been zoned for commercial development since 1976 when it was annexed into the City as part of the “Airport Amended Annex No.3.” As part of that annexation, a zoning district was assigned to the property. That zoning district was Commercial designation “C-3A, General Business Activity.”

The C-3A zone prohibited uses that had any open storage of merchandise, vehicles, or equipment to be sold, rented or stored and also generally prohibited more intensive industrial uses. Most general commercial uses and a limited number of light industrial uses were allowed, including shops, storage warehouse, wholesale distribution, and printing plants. Height was limited to 1.5 times the height of the adjacent street, which would have allowed a height around 90 feet. A 15' landscape buffer/front yard was required along the street.

In 1995 the zoning of the subject property was changed to BP, “Business Park,” as part of a Citywide zoning amendment. That zone was nearly identical to the current BP regulations, including dimensional and use standards, except for the current open space and agricultural buffering requirements.

In 2001, the *Northpoint Small Area Plan* was completed for the area. The policies in that plan generally relate to reducing the potential impact of future development on the agricultural and residential uses adjacent to the property. Specifically, the primary policies included requiring

landscape buffers to screen the agricultural properties from more intensive commercial/industrial development and policies related to roadway development and vehicle access to divert vehicles from the street frontage in front of the residential properties and toward the interior of the site.

Following the adoption of that plan, the City incorporated 50' landscape buffer and 100' building buffer requirements into the BP zone to buffer the agricultural/residential properties located along 2200 West from future development. These requirements apply to the development of this site. At the same time, the City adopted regulations for those adjacent agricultural zones that increased the lot area minimums to better ensure that these properties were primarily used for agriculture, rather than residential development. The City also adopted a change into its official street plan, that would require any development on the subject property to dedicate a north-south roadway through the middle of the property to, in the long term, reduce commercial traffic on 2200 West in front of the residences. Although the plan also calls for restricting vehicle access from 2200 West into the property, the zoning changes did not include such a restriction.

Recent Zoning Text Changes to BP

In 2016 (Ordinance 9) the City adopted changes to the BP zone that reduced the required amount of open space from 33% to 15% of each developed lot. The requirement was changed as it was resulting in large areas of developed lots sitting vacant and unutilized on large BP properties, particularly on 2200 West, and this undeveloped open space was not providing any public or visual benefits.

Current Process to Update the Northpoint Plan

In 2021, the City began the public process to update the Northpoint plan. This process is being run by a third-party consultant. Initial public outreach to community members and property owners occurred in late 2021. The consultant has published an existing conditions report. Ultimately the consultant will produce a new plan for the area.

Although this planning process started prior to the applicant proposing their subdivision, the planning process does not put a hold on or a moratorium on development within the planning area. The City also cannot legally hold up their application until the conclusion of that planning process. The City is legally required to process the subdivision application against the existing adopted standards that apply to the property.

County Zoning Context - Properties Under County Jurisdiction

Much of the surrounding property in this area is within Salt Lake County jurisdiction. The map in [Attachment A](#) identifies the City boundary and land under County jurisdiction. Although most of the County land is zoned “Agricultural” (A-2), property on 2200 West just 300 feet to the south of the subject property is zoned the County’s M-1 zoning designation. The County M-1 zone has development allowances similar to the City’s M-1 Light Manufacturing zone, allowing for commercial and industrial uses.

ATTACHMENT K: Miscellaneous Studies

This attachment includes the following additional studies that are utilized by City departments in their analysis of the development's compliance with their regulations:

- 1.** Traffic Study
- 2.** Wetland Reports
 - a.** Wetland Delineation Report
 - b.** Wetland Proof of Mitigation Credits
 - c.** Wetland Report Submittal E-mail to Army Corps
- 3.** Rudy Drain Study
- 4.** Geotechnical Study
 - a.** Geotechnical Report
 - b.** Geotechnical Supplement Regarding Groundwater Level Impacts
 - c.** Seismic Study for Buildings
- 5.** Lift Station Analysis (Associated with off-site Sewer Lift Station on Airport Property)
 - a.** Lift Station Study
 - b.** Lift Station Exhibits