



CITY COUNCIL AGENDA

Notice is hereby given that the Draper City Council will hold a **Business Meeting** on **Tuesday, April 15, 2014**, in the City Council Chambers at 1020 East Pioneer Road, Draper, Utah.

The Agenda will be as follows:

5:00 p.m. STUDY MEETING

- 1.0 **Presentation:** Less Lethal Demonstration by Draper City Police at the Draper City Public Works Building.
- 2.0 Dinner at 6:15 p.m. at City Hall
- 3.0 **Council/Manager Reports**

7:00 p.m. BUSINESS MEETING

- 1.0 **Call to Order:** Mayor Troy Walker
- 2.0 **Comment/Prayer and Flag Ceremony** – Prayer will be offered by Pastor Paul Robie of the South Mountain Community Church.
- 3.0 **Citizen Comments:** To be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be restricted to items not listed on the agenda and limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.
- 4.0 **Recognition:** Draper Mayor's Youth Council – 2nd Place at the USU Leadership Conference.
- 5.0 **Consent Items:**
 - a. Approval of April 1, 2014, Minutes.
 - b. **Proclamation** – Arbor Day – April 26, 2014
 - c. **Resolution #14-09**, Authorizing the Application for a Trail Grant for the Corner Canyon Creek/East Jordan Canal Trail.
 - d. **Resolution #14-29**, Approving a Cooperation Agreement with Metro Water Board of Salt Lake and Sandy for Non-District Lands and Interest in Lands for Storm Drain and Access Road Within the Salt Lake Aqueduct.
 - e. **Resolution #14-30**, Amending the Personnel Policy Pertaining to Business Travel.
 - f. **Resolution #14-31**, Appointing Janet Simonich to the Tree Commission.
 - g. **Resolution #14-33**, Adopting the Storm Water Management Plan.

PUBLIC HEARING PROCEDURE AND ORDER OF BUSINESS

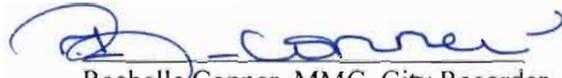
In compliance with the American with Disabilities Act, any individuals needing special accommodations including auxiliary communicative aides and services during this meeting shall notify Rachelle Conner, MMC, City Recorder at (801) 576-6502 or rachelle.conner@draper.ut.us, at least 24 hours prior to the meeting. Meetings of the Draper City Council may be conducted by electronic means pursuant to Utah Code Ann. Title 52-4-207. In such circumstances, contact will be established and maintained by telephone and the meeting will be conducted pursuant to Draper City Municipal Code 2-1-040(e) regarding electronic meetings.

- 6.0 Presentation:** Results of the SunCrest Open House Pertaining to the SunCrest Public Works Substation. Staff presentation by Russ Fox.
- 7.0 Action Item:** Consideration of Allowing an Irrigation Service Connection to the Land Owned by Michel Land LLC . Staff report by David Dobbins.
- 8.0 Action Item: Ordinance #1088,** On the Request of Bryon Prince, Representing Ivory Development for Approval of a Development Agreement and a Zoning Map Amendment Changing the Zoning Designation From A5 to RM1 on 9.02 Acres at Approximately 12052 South 300 East. The application is otherwise known as the *Smith Property Zone Change II – Zoning Map Amendment Request*. Staff report by Keith Morey.
- 9.0 Action Item:** Final Plat Approval for Draper Creekside Townhomes. Staff report by Keith Morey.
- 10.0 Public Hearing: Approving Ordinance #1091 and 1092,** On the Request of Mark Murdock, Representing the Gardner Company, for Approval of a Zoning Ordinance Text Amendment on Approximately 29.63 Acres at About 13392 South 200 West for the Purpose of Creating a Commercial Special District for Office and Retail Uses and a Request for Approval of a Zoning Map Amendment to Rezone the Same Property from DC (Destination Commercial) to CSD-DPOP (Draper Pointe Commercial Special District). The application is otherwise known at the Draper Pointe CSD Zoning Text and Map Amendments Request. Staff Report by Keith Morey.
- 11.0 Public Hearing:** Approving a Plat Amendment for Cove in Corner Canyon Lot 7. Staff report by Keith Morey.
- 12.0 Public Hearing: Resolution #14-26,** Declaring Property Located Generally at 15000 South SunCrest Drive as Surplus Property. Staff report by Glade Robbins.
- 13.0 Public Hearing:** Providing Local Consent for a Full Service Restaurant Alcohol License for Oak Wood Fire Kitchen Located Generally at 715 East 12300 South #A. Staff report by Keith Morey.
- 14.0 Action Item: Ordinance #1093,** Amending Section 3-3-140 of the Draper City Municipal Code Pertaining to the Disposal of Surplus Property. Staff report by Kim Beck.
- 15.0 Action Item: Ordinance #1094,** Amending Title 5 of the Draper City Municipal Code Pertaining to the Depositing of Checks. Staff report by Kim Beck.
- 16.0 Action Item: Resolution #14-34,** Approving the Betterments Agreement for the I-15 Project. Staff report by Glade Robbins.
- 17.0 Action Item: Agreement #14-46,** Approving the Construction Agreement for the 13200 South Widening Project – Phase 2. Staff report by Glade Robbins.
- 18.0 Adjourn to Closed Meeting** to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual.

SALT LAKE COUNTY/UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of the agenda for the **Draper City Council** meeting to be held the **1st day of April, 2014**, were posted on the Draper City Bulletin Board, Draper City website www.draper.ut.us, the Utah Public Meeting Notice website at www.utah.gov/pmn, and sent by facsimile to The Salt Lake Tribune, and The Deseret News.

Date Posted:
City Seal



Rachelle Conner, MMC, City Recorder
Draper City, State of Utah

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CONSENT
ITEM #A

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, APRIL 1, 2014, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.

“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”

PRESENT: Mayor Troy Walker, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Bryan Roberts, Police Chief; Garth Smith, Human Resource Director; and Bob Wylie, Finance Director

Study Meeting

1.0 Field Trip – Granger Medical @ 5:00 p.m.

2.0 Dinner

[6:08:46 PM](#)

3.0 Budget Work Session

[6:09:11 PM](#)

3.1 Bob Wylie, Finance Director, presented the proposed budget as follows:

General Fund - Sources and Uses			
	Actual FY 2013	Budget FY 2014	Requested FY 2015
Property Tax	\$ 7,057,889	\$ 6,615,448	\$ 6,796,629
Sales Tax	\$ 8,009,456	\$ 8,000,000	\$ 8,450,000
Franchise and Other Taxes	\$ 4,665,021	\$ 4,660,000	\$ 4,715,500
Licenses & Permits	\$ 2,767,767	\$ 1,409,500	\$ 1,736,500
Charges for Services	\$ 2,281,193	\$ 2,311,076	\$ 2,063,630
Fines & Forfeitures	\$ 615,704	\$ 587,265	\$ 652,200
Grants	\$ 62,504	\$ -	\$ 139,115
Intergovernmental	\$ 45,426	\$ 46,000	\$ 47,000
Miscellaneous	\$ 241,677	\$ 111,770	\$ 1,123,500
Transfers In	\$ 998,783	\$ 1,421,227	\$ 1,422,140
Totals	\$ 26,745,420	\$ 25,162,286	\$ 27,146,214
General Fund Uses			
	Actual FY 2013	Budget FY 2014	Requested FY 2015
Salaries and Benefits	\$ 10,097,633	\$ 11,703,754	\$ 11,970,397
Operations	\$ 12,003,835	\$ 9,729,404	\$ 10,372,646
Capital Outlay	\$ 851,338	\$ 831,026	\$ 792,500
Debt	\$ 2,995,861	\$ 2,839,772	\$ 3,311,246

Transfers Out	<u>\$ 9,153,581</u>	<u>\$ 2,124,294</u>	<u>\$ 500,000</u>
Totals	\$ 35,102,248	\$ 27,228,250	\$ 26,946,789

Mr. Wiley explained this is a draft of a portion of the tentative budget. The City Council will need to adopt the tentative budget by the first Council Meeting in May. The budget is currently balanced, and staff is still working with the various departments to fine tune the numbers.

David Dobbins, City Manager, indicated they have not talked about new funding sources. Staff has developed this budget with the understanding that there will not be a tax increase this year. They are working on a possible fee increase, but that is still in progress.

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4.0 Council/Manager Reports

[6:37:57 PM](#)

4.1 Councilmember Colbert questioned how the Traverse Ridge Special Service District (TRSSD) could bond for the salt dome and Deer Ridge Drive repairs. He also noted the City needs to show how the B&C Road Funds are contributing to the roads in SunCrest.

Mr. Dobbins expressed that by the next meeting they should have a summary of the comments from the Open House in reference to the salt dome. He agreed that Deer Ridge Drive does need to be repaired. Mr. Dobbins then stated he believes that Traverse Ridge Road was repaired using General Fund dollars.

[6:40:00 PM](#)

4.2 Councilmember Stenquist stated the City has accounted for the expenses coming out of multiple departments for the TRSSD. He said the residents ask for and are given a breakdown each year.

Councilmember Colbert stated they should be able to show the General Funds that are used in this budget discussion. Mr. Dobbins noted staff will have that ready for the Council to review as part of the tentative budget.

Councilmember Stenquist suggested this might be the year for the Council to lower the rate for the TRSSD. The Council then discussed options for repairing Deer Ridge Drive.

[6:42:58 PM](#)

4.3 Councilmember Vawdrey stated she would like to get more information in reference to the road connection the Council received an email about.

Mr. Dobbins noted the City has talked to the developer about the connection, but they do not want to build the connection because it would separate their building from their parking lot. The connection is not a part of the Transportation Plan, and this development

is not changing the Utah Department of Transportation's (UDOT) plan to build a new interchange. The neighbor's are not losing any access they currently have with this development.

[6:49:13 PM](#)

4.4 Councilmember Rappleye noted Councilmember Vawdrey had a good suggestion last meeting in reference to having a Green Waste Program in Draper. He stated they should at least have a spring cleanup with dumpsters. He suggested they do a study for a periodic green waste pickup for the neighborhoods.

Councilmember Rappleye then stated he is not sure how the City disposes of their surplus computers; however, there is a local technical school that takes computers, fixes them, and donates them to families that cannot afford a computer.

Mr. Wiley indicated he has spoken with the IT Manager about this. It is Mountainland Applied Technology that has that program. Staff will look into donating a portion of the surplus computers for this purpose.

[6:54:47 PM](#)

4.5 Glade Robbins, Public Works Director, indicated the construction for the 13200 South Widening Project Phase 2 has gone out for bid. He briefed the City Council on two road closures that will be done in conjunction with the construction. The first is on Fort Street, which will be a hard closure for up to four weeks. The second is on 13200 South. It will be a soft closure and will take up to ten weeks. This will allow the roadway to be ready in time for the Draper Days parade.

Business Meeting

1.0 Call to Order

[7:01:15 PM](#)

1.1 Mayor Walker called the meeting to order and welcomed those in attendance.

[7:01:56 PM](#)

2.0 Comment/Prayer and Pledge of Allegiance

[7:02:22 PM](#)

2.1 The prayer was given by Pastor Bill Young from The Rock Church.

[7:04:09 PM](#)

2.2 The pledge was led by Ashley Lee and Kiyana Luna of the Corner Canyon Girls Softball Team.

[7:04:48 PM](#)

3.0 Citizen Comments

[7:08:51 PM](#)

3.1 Susan Edwards, 13885 Corner Ridge Court, said she is here tonight to speak about the need for softball fields. The City and the Recreation Manager has seen that there is a need for this, and her group is here to add their support and to explain the need even greater. Draper currently has no softball fields available to play on, and there is no recreation or competition league for the Draper girls to play on. The girls have to go to the surrounding cities to play and most of them drop out because of the inconvenience. There are many other sports fields in the city, and Draper has done an amazing job with the recreation opportunities in the community. However, they still need a softball program. Corner Canyon is on moratorium for the near future. Summit and Juan Diego would both benefit from a developmental program in the city. She has spoken with both of those schools, and they would lend their support of the new fields for a new feeder system. She asked as the City Council moves forward with their new park, that they consider this need and build a place for the girls to play ball.

[7:11:37 PM](#)

3.2 BB Carroll, Corner Canyon Softball, advised she has been playing softball since she was seven. She started playing in Murray and then moved to Draper. Draper did not have a program, so she had to go play in Herriman. She expressed her opinion that building the softball fields in Draper would be incredible. Corner Canyon needs a feeder program to build their team.

[7:13:12 PM](#)

3.3 Madeline Healy, Corner Canyon Softball, indicated she has lived in Draper for ten years, and started to play softball about five years ago. When she started playing, they looked for the closest league, which was in Sandy. She played there for a year but then left because it was not competitive or organized. She then played for Oquirrh Mountain, but the commute was a problem. She has two younger sisters that want to play, but her mom does not have to time to drive them that far. Building a complex in Draper will help increase the chances for the girls in the community to play softball. It would also help the school in the future. She expressed her opinion that making feeder programs will help the students and coaches in representing Corner Canyon High School.

[7:15:05 PM](#)

3.4 Garrett Hone, 12084 Heron Ridge Circle, advised he is the coach for the Corner Canyon girls softball team. He stated he is from Spanish Fork, and that community is all about baseball and fields. He stated he needs a recreation program for girl's softball to help with his program. He said he plays competitive men's fast pitch, and he is committed to the sport. There is a need for a youth program, and it will start with these two fields. He is willing to do what is needed to make this program succeed.

[7:19:54 PM](#)

3.5 Councilmember Summerhays asked Mr. Hone what he plans to bring to the City as far as tournaments go if the City constructs those fields. Mr. Hone indicated he is very well connected throughout the State, and he can bring teams in. He gives a lot of pitching lessons, so a lot of people know him. He foresees building the program and bringing in teams.

[7:22:26 PM](#)

- 3.6 Councilmember Rappleye stated his daughter-in-law's niece is a fast pitch player, and he follows her playing. She is in college on a full-ride scholarship. This brings far more value to the community than just a sport. It brings educational opportunities to the youth in terms of scholarships.

[7:18:12 PM](#)

4.0 Consent Items

- a. Approval of March 25, 2014, Minutes
- b. **Proclamation** – Fair Housing Month in April
- c. **Proclamation** – National Child Abuse Prevention Month in April
- d. **Resolution #14-27**, Amending the Personnel Policy Pertaining to Personnel Files and Records.
- e. **Resolution #14-28**, Amending the Personnel Policy Pertaining to Equal Employment Opportunity (EEO).

[7:18:18 PM](#)

- 4.1 **Councilmember Stenquist moved to approve the Consent Items. Councilmember Rappleye seconded the motion.**

[7:18:27 PM](#)

- 4.2 **A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[7:18:40 PM](#)

- 5.0 **Action Item: Consideration of Allowing an Irrigation Service Connection to the Land Owned by Michel Land LLC.**

[7:18:52 PM](#)

- 5.1 Mr. Dobbins advised the applicant would like to continue this item to the next meeting.

[7:19:06 PM](#)

- 5.2 **Councilmember Rappleye moved to continue this item to April 15, 2014. Councilmember Summerhays seconded the motion.**

[7:19:25 PM](#)

- 5.3 **A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[7:23:02 PM](#)

- 6.0 **Public Hearing: For Approval of a Full Service Restaurant Alcohol License for Toscano.**

[7:23:21 PM](#)

6.1 Keith Morey, Community Development Director, advised Toscanos is applying for a full service restaurant alcohol license. Staff has done all of the necessary reviews for the license, and this business clearly meets all of the requirements. Staff is recommending approval of the license.

[7:24:24 PM](#)

6.2 Mayor Walker opened the public hearing. No one came forward to speak, so Mayor Walker closed the public hearing.

[7:24:56 PM](#)

6.3 Councilmember Rappleye moved to suspend the rules. Councilmember Stenquist seconded the motion.

[7:25:13 PM](#)

6.4 Councilmember Rappleye stated this is a great area for a new restaurant, and the City has found that they need a full service alcohol license in order to have a good quality restaurant.

[7:25:34 PM](#)

6.5 Mayor Walker noted he has eaten there a number of times. The food is good, and he is excited for it to come to Draper.

[7:25:56 PM](#)

6.6 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

[7:26:03 PM](#)

6.7 Councilmember Rappleye moved to approve a full service restaurant alcohol license for Toscano Restaurant. Councilmember Vawdrey seconded the motion.

[7:26:21 PM](#)

6.8 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

[7:26:37 PM](#)

7.0 Public Hearing: Ordinance #1088, On the Request of Bryon Prince, Representing Ivory Development for Approval of a Zoning Map Amendment Changing the Zoning Designation From A5 to RM1 on 9.02 Acres at Approximately 12052 South 300 East. The application is otherwise known as the Smith Property Zone Change II – Zoning Map Amendment Request.

[7:27:18 PM](#)

7.1 Mr. Morey gave a history of this property. He noted it came before the Council with a different project with some increased density, and there was concern expressed by the surrounding neighbors with that proposal. Ivory Homes has come forward with a different project. They have worked pretty closely with the surrounding community to address concerns. Mr. Morey reviewed the development proposal for the Council. The developer and staff have been working on a development agreement. Although the zone change would allow more density than Ivory is planning, the development agreement shows that the desire is not to maximize the density on this property. The entire project will be single-family homes. It will have 34 lots, which is 4 dwelling units per acre. They could have a maximum of 8 units per acre in the proposed zone. The minimum square footage of the lots is 7,200 square feet with setbacks of 25 feet in the front, 6 feet in the sides, and 20 feet in the rear yard. Mr. Morey then displayed pictures of the parking problem when the school has events.

[7:31:04 PM](#)

7.2 Councilmember Colbert stated this concept is a big improvement from the proposal they had before. He asked whether the developer needs the rezone to do what they are asking for.

Mr. Morey explained they do need the rezone in order to get the density they need. The City Council has different options this evening. They could approve the zone change if they wanted with the “handshake” agreement that Ivory will come back with the development agreement. If they are concerned with that, the Council could take public comment tonight, and continue this item to the next meeting and approve the development agreement and the zone change at the same time. The developer understands the Council may want to continue this item.

[7:33:57 PM](#)

7.3 Councilmember Summerhays asked what the setback is for the driveways. Mr. Morey noted they are 25-foot front setbacks and 6-foot side yards. They are public roads.

[7:34:28 PM](#)

7.4 Chris Gamvroulas, Ivory Development, expressed appreciation for Mr. Morey’s presentation. He said he does not have a lot to add; however, he is happy to come to the next meeting with a signed development agreement. Ivory plans to construct thirty-four single-family lots, and in order to do this, they need to change the setbacks. He expressed appreciation for the Council’s consideration of this application.

[7:37:28 PM](#)

7.5 Councilmember Rappleye noted there is a history in this area, and there are a lot of problems that do not have anything to do with the development of this property. He asked whether the neighbors gave the developer feedback in the neighborhood meetings and questioned whether that is why the proposal changed. Mr. Gamvroulas indicated they had originally planned to build townhomes; however, they listened to the neighbors and came

up with this concept. The traffic is an issue, but it is an issue that predates the development of this property. They cannot fix a preexisting condition. The parking problem is there because 300 East does not bisect the campus. They are trying to help mitigate some of the problems, and when they finish this development, the road will be widened.

[7:39:49 PM](#)

7.6 Councilmember Summerhays said he has received a lot of calls from the neighbors in support of this project. His concern is the twenty-five foot setback. If they can do a ten-foot setback from the back and leave a thirty-five foot setback in the front, that would be better. A large truck would hang over the sidewalk and many people park cars back to back in the driveway, which could also cause a problem. The City has created a similar problem in other areas of Draper, and he does not want to create another one.

Mr. Gamvroulas joked that anyone who has a super-cab truck that needs that deep of a driveway could buy a home in Draperville Farms, which is two blocks away from this subdivision. The typical parking space length is nineteen feet. A twenty-five foot setback is pretty standard and is more than sufficient for two cars being parked in the driveway. The setbacks at Bellevue vary from twenty-three to twenty-eight feet, and they have not seen those kinds of parking problems. He stated he was doing an analysis for the neighbors, and there are thirty-two of his house plans that have three-car garages that would fit on more than half of these lots. He expressed his opinion that a ten-foot rear yard setback is just too small.

[7:44:05 PM](#)

7.7 Mayor Walker opened the public hearing.

[7:44:24 PM](#)

7.8 Jeff Hansen, 12057 South 300 East, noted this plan is completely different from the Garbett Homes proposal. He indicated there are currently no zones in the City Code that would allow for this type of development. He suggested the City look into establishing the R4 or R5 zone. He also recommended the Council continue this until April 15th to allow the development agreement to be finalized. Mr. Hansen stated the road is very narrow so anything that could be done to make this road wider would be appreciated. He would also like speed enforcement in the area, because the high school students speed all the time.

[7:47:10 PM](#)

7.9 Richard Lewis, 86 Cranberry Drive, said he would like the quarter-acre lots implemented rather than increasing the density. That could really make the area crowded. The plan itself is a good idea for this area.

[7:48:03 PM](#)

7.10 Karen Tsujimoto, 441 East 12100 South, advised she was not able to attend the Thursday meetings in reference to this request. She said she likes that the lots are bigger, but she is

concerned with the traffic and school activities. She would like larger lots with fewer homes; however, she likes this proposal better than the Garbett Homes application.

[7:49:10 PM](#)

7.11 Mayor Walker closed the public hearing.

[7:49:19 PM](#)

7.12 Mayor Walker asked what the home prices would be. Mr. Gamvroulas noted they will start at the low-\$300,000s and up to the mid-\$500,000s, which is similar to Galena Grove.

[7:50:09 PM](#)

7.13 Councilmember Colbert stated he looks forward to seeing the development agreement, so the Council can take action on this at the next meeting.

[7:50:27 PM](#)

8.0 Public Hearing: Ordinance #1090, Vacation and Realignment of Upper Corner Canyon Road.

[7:50:45 PM](#)

8.1 Doug Ahlstrom, City Attorney, displayed the area on an overhead map. He gave a brief history of the Upper Corner Canyon Road and the SunCrest area.

[7:59:50 PM](#)

8.2 Councilmember Colbert asked what the road width will be. Mr. Ahlstrom replied it is fifty-six feet wide, and is called a mountain collector.

[8:00:48 PM](#)

8.3 Mr. Ahlstrom advised tonight the action is to vacate the old alignment and dedicate the new one.

[8:01:03 PM](#)

8.4 Mayor Walker opened the public hearing.

[8:01:18 PM](#)

8.5 Joe Orlet, 15077 South Eagle Crest, noted he knows where they are putting this road, but it seems to be on top of the old landslide area that was discovered five years ago. He wondered whether this was taken into account. He noted that his home and five other homes are on top of that newly found geological feature, and that causes him a lot of concern. Mr. Orlet expressed his opinion that this seems like a lot of work for such a small piece of land. There is a lot of recreation that takes place in this area, and he is not sure this small amount of land is worth the money that will be put into this project.

[8:04:00 PM](#)

8.6 Mayor Walker closed the public hearing.

[8:04:06 PM](#)

8.7 Councilmember Summerhays explained the City has a commitment to DJ Investments and Zion's Bank to finish this. Hansen, Allen, & Luce is a professional firm, and he trusts their opinion.

[8:04:54 PM](#)

8.8 Councilmember Colbert stated DJ investment has vested rights to build on their property, and they already have a preliminary plat. This shift in the road is not significant enough to be a problem. There are outstanding issues up there, and he is concerned about some of the slide areas. He noted the residents need to make sure they do not over water their property. This project should address some of the storm drainage areas and increase the safety of the area.

[8:06:18 PM](#)

8.9 Mr. Dobbins pointed out that all of this is on private property, which is owned by DJ Investment. The Council will just be moving the dedication within the development, which has been planned for ten years.

[8:07:06 PM](#)

8.10 Councilmember Stenquist noted the City is involved in quite a bit of litigation with this area, and it has been complex and difficult to deal with. Anything the City can do to come to a resolution on some of the litigation issues is a relief for everyone involved.

[8:07:40 PM](#)

8.11 Mr. Ahlstrom clarified that there are no new channels being created with this project. Everything will be piped down Hog Hollow where it has always gone.

[8:08:11 PM](#)

8.12 Mayor Walker noted the water drainage has been an issue up there because the water has been on the road. That erodes the edges of the road. This is an opportunity to fix some design issues with the road in terms of water drainage, and it should improve the situation.

[8:08:49 PM](#)

8.13 Councilmember Rappleye noted he would like to make sure this project is done by professional engineers, and he would like all of these concerns addressed.

[8:09:21 PM](#)

8.14 Councilmember Colbert moved to suspend the rules. Councilmember Rappleye seconded the motion.

[8:09:31 PM](#)

8.15 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

[8:09:42 PM](#)

8.16 Councilmember Colbert moved to approve Ordinance #1090, which vacates and realigns Upper Corner Canyon Road. Councilmember Rappleye seconded the motion.

[8:09:56 PM](#)

8.17 Councilmember Colbert noted the staff presentation documented the benefits of moving forward with this action. This is good for the City and the property owners in the area.

[8:10:24 PM](#)

8.18 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

[8:10:43 PM](#)

9.0 Adjournment to a Closed-Door Meeting to Discuss the Character and Professional Competence or Physical or Mental Health of an Individual.

[8:10:55 PM](#)

9.1 A motion to adjourn to a Closed-Door Meeting was made by Councilmember Rappleye and seconded by Councilmember Summerhays.

[8:11:34 PM](#)

9.2 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

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CONSENT

ITEM #B

PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the National Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable source giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in Draper City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Draper City has been recognized as a Tree City USA by the National Arbor Day Foundation and seeks to continue its tree-planting practices.

NOW, THEREFORE, I Troy Walker, Mayor of Draper City, State of Utah, along with the members of the Draper City Council do hereby proclaim April 26, 2014 as Arbor Day in Draper City, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

SIGNED THIS 15th DAY OF APRIL, 2014.

DRAPER CITY

By _____
Troy Walker, Mayor

ATTEST:

Rachelle Conner, City Recorder

[Return to Agenda](#)

CONSENT ITEM #C

REQUEST FOR COUNCIL ACTION

To:	Mayor & City Council
From:	Brad Jensen, Engineering
Date:	April 7, 2014
Subject:	RESOLUTION 14-09, AUTHORIZING THE CITY ENGINEER TO SUBMIT AN APPLICATION WITH THE UTAH DIVISION OF PARKS AND RECREATION FOR FEDERAL RECREATIONAL TRAILS PROGRAM FUNDS FOR THE CORNER CANYON CREEK/EAST JORDAN CANAL TRAIL
Applicant Presentation:	N/A
Staff Presentation:	Glade Robbins, Public Works Director
RECOMMENDATION: Approve Resolution 14-09, and authorize the mayor to sign the resolution.	
BACKGROUND AND FINDINGS: The Corner Canyon Creek Trail will be a 10' wide asphalt trail which will extend east from the Smith Fields Park to the East Jordan Canal. The East Jordan Canal Trail will extend from Corner Canyon Creek to the existing Willow Creek Trail, which provides trail access to the Draper City Park.	
PREVIOUS LEGISLATIVE ACTION: Approval of the 5-year CIP Approval of Parks, Trails, and Recreation Master Plan	
FISCAL IMPACT: Finance Review: <u>SW</u> The total project cost is estimated at \$350,000. Currently, \$130,000 (General Fund = \$66,300, Park Impact Fee = \$63,700) is budgeted for the Corner Canyon Creek Trail project. If the city is successful in obtaining the federal funds, city may obtain up to \$100,000 in Recreational Trails Programs Funds. An additional \$120,000 (General Fund = \$12,200, Park Impact Fee = \$107,800) would need to be budgeted to provide the full funding for the construction of both trails.	
SUPPORTING DOCUMENTS: <ul style="list-style-type: none">• Resolution 14-09	

RESOLUTION NO. 14-09

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO SUBMIT AN APPLICATION WITH THE UTAH DIVISION OF PARKS AND RECREATION FOR FEDERAL RECREATIONAL TRAILS PROGRAM FUNDS FOR THE CORNER CANYON CREEK/EAST JORDAN CANAL TRAIL

WHEREAS, the Draper City Council has approved a Parks and Trails Master Plan which outlines specific park and trail needs in the community; and

WHEREAS, one of the projects included in the Master Plan is a trail connection between the Smith Fields Park and the Willow Creek Trail, which provides a trail connection to the Draper City Park; and

WHEREAS, it is recognized that Draper City's 5-year Capital Improvements Plan identifies funds to construct the trail improvements and the potential for obtaining federal recreational trail program funds for these improvements of up to a potential of \$100,000; and

WHEREAS, the Corner Canyon Creek/East Jordan Canal Trail is consistent with the type of projects funded by the Recreational Trail Program funds and allows for an effective use of the funds by achieving the States' goal of advancing recreational opportunities; and

WHEREAS, Draper City has demonstrated it is a viable candidate to be awarded this special grant by programming funds in advance for the construction of the trail improvements in the 5-year Capital Improvement Plan and will have met the required local match of 50% of the grant award; and

WHEREAS, Draper City will be responsible for the operational and maintenance needs of this new trail once built and will address funding needs during annual budget review processes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Adoption. The City Council hereby authorizes the City Engineer to apply for a grant with the Utah Division of Parks and Recreation for federal Recreational Trails Program Funds for constructing the Corner Canyon Creek/East Jordan Canal Trail improvements.

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON ___ OF _____, 2014.

DRAPER CITY

By: _____
Mayor

ATTEST: _____
City Recorder

[Return to Agenda](#)

CONSENT

ITEM #D

REQUEST FOR COUNCIL ACTION

To:	<u>Mayor & City Council</u>
From:	<u>Troy Wolverton, City Engineer</u>
Date:	<u>March 26, 2014</u>
Subject:	<u>Resolution 14-29 – A Resolution Approving the Cooperation Agreement For Non-District Use of District Lands And Interest In Lands Between Draper City and Metropolitan Water District Of Salt Lake & Sandy</u>
Applicant Presentation:	<u>N/A</u>
Staff Presentation:	<u>N/A</u>
RECOMMENDATION:	Approve Resolution 14-29 – A Resolution Approving the Adoption of Cooperation Agreement for Non-District Lands and Interest in Lands between Draper City and Metropolitan Water District of Salt Lake & Sandy (“MWDSL&S”) for Storm Drain and Access Road within the Salt Lake Aqueduct (“SLA”) Corridor.
BACKGROUND AND FINDINGS:	Draper City is proposing to construct a regional detention basin and storm drain system to resolve issues related to existing storm drainage facilities. The project contemplates a concrete storm drain pipe to cross the SLA with a 15’ wide maintenance access road to convey flows from Suncrest Drive to the proposed detention basin.
FISCAL IMPACT: Finance Review:	<u></u> <ul style="list-style-type: none">• MWDSL&S Review Cost is \$2000.00• Cost of Described Use of SLA Corridor is \$1000.00• The \$3000.00 will paid for out of the Suncrest Regional Detention Project Fund GL 52-53-0510
SUPPORTING DOCUMENTS:	<ul style="list-style-type: none">• Resolution 14-29• Exhibit “A” – Cooperation Agreement

RESOLUTION NO. 14-29

A RESOLUTION APPROVING THE COOPERATION AGREEMENT FOR NON-DISTRICT USE OF DISTRICT LANDS AND INTEREST IN LANDS BETWEEN DRAPER CITY AND METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY (“DISTRICT”) FOR A STORM DRAIN AND ACCESS ROAD WITHIN THE SALT LAKE AQUEDUCT (“SLA”) CORRIDOR

WHEREAS, the District owns and operates the SLA Corridor and certain improvements located within or on the SLA Corridor; and

WHEREAS, Draper City has requested permission for the non-exclusive use of a portion of the SLA Corridor to construct a storm drain pipeline and access road as described in Exhibit “A”; and

WHEREAS, This Agreement grants a non-exclusive right to Draper City for only the uses of the SLA Corridor described in Exhibit “A”:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Cooperation Agreement For Non-District Use Of District Lands And Interests In Lands Approved. The Draper City Council hereby approves that certain Cooperation Agreement between Draper City and District, which Agreement is attached hereto as Exhibit “A” and incorporated herein by reference. The Mayor of Draper City is hereby authorized to sign the agreement on behalf of the City.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of the Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS ___ DAY OF _____, 2014.

ATTEST:

DRAPER CITY

CITY RECORDER

TROY K. WALKER

When Recorded Return to:
Metropolitan Water District of Salt Lake & Sandy
Attn: General Manager
3430 East Danish Road
Cottonwood Heights, Utah 84093-2139

Application No.: S-14-1263
Version: 06-18-13

PARCEL NO.: 110020063

**COOPERATION AGREEMENT FOR NON-DISTRICT USE OF DISTRICT
LANDS AND INTEREST IN LANDS
(SLA)**

THIS COOPERATION AGREEMENT ("Agreement") is entered into effective this _____ day of _____, 2014, between METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY ("District") and DRAPER CITY ("Applicant").

AGREEMENT PURPOSES

District owns and operates the Salt Lake Aqueduct ("SLA") Corridor and certain improvements located within or on the SLA Corridor. (As used in this Agreement "improvements" is intended to include all manner of works, equipment, facilities and infrastructure.) District is a subdivision of the State of Utah responsible for transporting and treating public water, and as such District has regulatory authority to protect the SLA, SLA Corridor, District improvements and operations, and District water.

Applicant has requested permission for the non-exclusive use described below of that portion of the SLA Corridor also described below. District is willing to permit the described use of the described portion of the SLA Corridor, without representation or warranty whatsoever. Without intending to limit the scope of the immediately preceding disclaimer of **all** warranties, District specifically disclaims any representation or warranty of title, and any representation or warranty regarding the condition or fitness of the SLA Corridor for the intended use by Applicant.

District owns portions of the SLA Corridor in fee, and holds easements in other portions. This Agreement is intended to document the fact that Applicant's described use of the described portion of the SLA Corridor is acceptable to District and consistent with District regulations. Applicable District regulations are available to Applicant for review.

This Agreement grants a non-exclusive right to Applicant for only those uses of the SLA Corridor described herein. District has no authority to grant Applicant any right of use that is valid as against others who have title interests in the SLA Corridor lands in question, and this Agreement does not purport to do so. For example, where District holds an easement, any use by

someone other than the fee title holder likely requires the consent of the fee title holder, which District cannot give and does not purport to give. Nor does this Agreement purport to satisfy any legal requirement other than District regulations. Applicant is solely responsible to obtain and maintain all other required agreements, permits, licenses, etc., including any necessary planning or zoning approvals. District has not agreed to provide any assistance to Applicant in understanding or meeting these other requirements.

AGREEMENT TERMS AND CONDITIONS

The parties agree as follows:

I. APPLICANT'S USE OF SLA CORRIDOR.

Notwithstanding anything written in this Agreement, no permission is intended to be given to: 1) adversely impact in any respect District improvements; or 2) introduce any substance into District improvements or water; or 3) adversely impact in any respect District's operations.

(A) Description of Applicant's Use of SLA Corridor:

Applicant will install a 48-inch RCP Class III storm drain across the SLA Corridor. The storm drain will be installed at a depth of approximately 11 feet.

Applicant will maintain a 15-foot wide, 6-inch deep gravel (untreated base course) access road along the centerline of the storm drain.

(B) Term:

Twenty-five (25) years. At or just prior to expiration of the term of this Agreement, the parties will discuss in good faith whether a new or renewed cooperation agreement may be in their respective interests. As used in this provision "good faith" means only that both parties will meet at reasonable times, with a view toward reaching a consensus and does not impose an obligation to act on either party in such a way that may then be contrary to that party's own best interests as seen by that party.

(C) Location by Stationing:

SLA Station 1306+56
Project Station 5+75 to 6+25

(D) Legal Description of SLA Corridor Lands Applicant Will Be Using:

That portion of SLA Tract 348 as shown on Exhibit A. Tract 348 is more accurately described as:

A strip of land 50 feet wide and included between two lines 25 feet on each side of that portion of the following described center line known as the Alpine-Draper Tunnel between

Station 86+60.5 (SLA Station 1305+60.5) to Station 114+90.2 (SLA Station 1333+90.2) measured at right angles thereto; said center line is more particularly described as follows:

Beginning at Station 86+60.5 a point in the Southwest Quarter of Section 10, Township 4 South, Range 1 East, S.L.B. & M. from which point the Northwest corner of said Section 10 bears North 5,078.2 feet and West 2,667.8 feet; thence North 30°30' West 2,829.7 feet to Station 114+90.2 from which point the Northwest corner of said Section 10 bears North 2,640 feet and West 1,231.6 feet.

(E) Plans, Drawings, Maps, Plats, etc. Attached and Incorporated Into This Agreement:

Exhibit A: Suncrest Regional Detention, Sheets G-3, SD-1, SD-2. Dated January 2014.

II. REIMBURSEMENT OF COSTS.

In the event that Applicant is required to reimburse District for costs pursuant to this agreement, Applicant shall reimburse District for all costs reasonably incurred by District within thirty (30) days of receipt of an itemized invoice from District for such costs. If Agreement authorizes Applicant improvements which provide a public utility service, or similar public service, and except in times of emergency, removal or correction work will be accomplished by District with an appropriately skilled and licensed contractor, and reasonable steps will be taken to minimize disruption of public service.

III. WORK.

(A) Applicant warrants and agrees that no earthwork, construction work or other work performed by or for Applicant on the SLA Corridor or close enough to the SLA Corridor to present risk to District improvements or operations will take place except as expressly described in plans and specifications approved in writing by District. Any modifications to such plans and specifications must be approved in writing by District.

(B) Applicant warrants that all earthwork, construction work and other work will:

(i) strictly comply with plans and specifications approved in writing by District;

(ii) meet or exceed all applicable codes, ordinances, other legal requirements, and all applicable generally recognized written trade and industry standards and recommendations;

(iii) be performed by skilled, experienced, competent and properly licensed contractors and workers;

- (iv) be conducted in a timely, careful, safe, workmanlike and professional manner;
- (v) be conducted so as not to damage District improvements;
- (vi) be consistent with *District Standard Specifications*, as they may from time to time change. *District Standard Specifications* are available to Applicant for review, and are incorporated herein by reference.

(C) District shall have the right, but no obligation, to inspect the progress of the work or to inspect materials at all times. District may also reasonably require inspection or testing by others of any work or materials. District shall have the right to stop work and require correction of any work, or replacement of any materials, which in its reasonable judgment does not comply with any term or condition of this Agreement. If, after notice from District which is reasonable under the circumstances, Applicant fails to remove or correct unacceptable work or materials, correction or removal of unacceptable work or materials may be accomplished by District, or its contractor, and Applicant shall reimburse District as described in Article II. District shall have no obligation whatsoever to review or supervise the method or manner in which the work is accomplished. District shall have no obligation whatsoever for the safety of workers or others on or adjacent to the job site. No approval, observation, inspection or review undertaken by District is intended to be for the benefit of Applicant, its contractors, suppliers, subcontractors, or their respective employees. Unless expressly stated in writing, any approval, observation, inspection or review by District shall not constitute an acceptance of work or materials that do not comply with the approved plans or specifications or this Agreement.

IV. MAINTENANCE OF APPLICANT'S IMPROVEMENTS.

(A) All of Applicant's improvements on the SLA Corridor, or close enough to the SLA Corridor to present risk to District improvements or operations, shall be maintained in a condition which:

- (i) is reasonably satisfactory to District;
- (ii) does not interfere with the ability of District to use, operate, repair, reconstruct, maintain, improve or modify the SLA, SLA Corridor or any District improvements for District's purposes, as those purposes may from time to time change;
- (iii) is reasonably safe and attractive;
- (iv) complies with all applicable codes, ordinances, other legal requirements, as well as generally recognized written trade and industry standards and recommendations; and
- (v) complies with all applicable written regulations and policies of District including, but not limited to, *District Policies and Procedures* and *District*

Standard Specifications as those policies and specifications may change from time to time.

(B) District may from time to time and as is reasonable have any or all of Applicant's improvements which are on the SLA Corridor inspected by qualified professionals. Applicant shall reimburse District as described in Article II above.

(C) If after notice from District that is reasonable under the circumstances, Applicant fails to correct any unacceptable condition of any of Applicant's improvements on the SLA Corridor, or close enough to the SLA Corridor to present risk to District improvements or operations, correction may be accomplished by District, and Applicant shall reimburse District as described in Article II above.

V. COSTS ADVANCED.

Applicant agrees to pay the sum of \$2,000.00 to District to cover some or all of the costs to District for its initial engineering and/or other costs incurred for the review of plans and specifications, preparation of documents, inspection of work and materials, and administration of this Agreement. Applicant further agrees to pay the sum of \$1,000.00 to District at the time of the signing of this Agreement for the described use of District lands. Applicant further agrees to reimburse District for any additional costs which District reasonably incurs as a result of Applicant's use of the SLA Corridor or enforcement of this Agreement.

VI. RIGHTS RESERVED.

(A) Any and all rights of Applicant under the terms of this Agreement shall be limited by, subject to, and subordinate to, any and all rights of District and District Trustees, employees, agents, and permittees to enjoy, manage, supervise, use, operate, occupy, enter, exit, inspect, repair, maintain, replace, improve or modify the SLA Corridor and any District improvements or operations. To the extent Applicant's use of the SLA increases the cost of District's exercise of its rights, Applicant may be required to reimburse the District as described in Article II above.

(B) District will make reasonable efforts to provide reasonable advance notice to Applicant of any work District reasonably recognizes as materially adverse to Applicant's authorized use of the SLA Corridor. District may implement electronic notice procedures. Applicant will be responsible to timely provide District with current contact information. Applicant accepts all risks that any or all of Applicant's improvements installed on the SLA Corridor may be modified, destroyed or reconstructed at Applicant's sole cost and expense to accommodate District's exercise of District rights to use the SLA Corridor. This provision is not intended to provide District with new or additional property rights to use the SLA Corridor.

(C) District reserves the right to issue additional licenses or permits for uses of the SLA Corridor. District will not provide a conflicting license without a finding that doing so is necessary for public purpose after reasonable efforts to notify the Applicant. District will make reasonable efforts to provide advance notice that is reasonable under the circumstances to

Applicant of additional licenses that District reasonably recognizes may be temporarily or permanently disruptive to Applicant's authorized use of the SLA Corridor. District may implement electronic notice procedures. It is acknowledged that District claims no right to grant permission for uses of the SLA Corridor except as to District's interests in the SLA Corridor. For example, where District holds only an easement for the SLA, District could not grant permission for uses by others that would be effective as to the fee title holder. This provision is not intended to provide District with new or additional property rights for licensing third party uses of the SLA Corridor.

(D) District and its officers, Trustees, employees and contractors shall have no liability for any damage to, or interference with Applicant's works or improvements as a result of the exercise by District of any of its rights.

(E) It is acknowledged that the District may support the construction of public, non-motorized trails on the SLA Corridor by public entities other than the District. It is acknowledged that District claims no right to grant permission for the construction or use of a public trail except as to District's interests in the SLA Corridor. For example, where District holds an easement District could not grant permission for public trail uses that would be effective as to the fee title holder. This provision is not intended to provide District with new or additional property rights to authorize trail uses.

(F) All reservations of rights by District under this Agreement are in addition to any and all other rights which District may have by operation of law or otherwise.

VII. CONTRACTORS, INSURANCE, BONDS.

Applicant shall be jointly and severally liable for any act, fault, error, omission or non-compliance with this Agreement by Applicant or any of Applicant's contractors, employees or subcontractors. Applicant warrants that all persons or entities performing earthwork or construction work on the SLA Corridor on behalf of Applicant will provide insurance and bonds in strict compliance with Exhibit B attached hereto and incorporated herein. Applicant, itself, shall maintain a broad form general liability policy of insurance in a form reasonably acceptable to the District in strict compliance with Exhibit B.

VIII. DEFENSE, INDEMNITY.

Applicant shall defend, indemnify and hold District and its officers, trustees and employees harmless, including costs and attorneys' fees, from any claim, demand, action or cause of action: (i) alleging that District was at fault in allowing Applicant's use of the SLA Corridor; or (ii) alleging that District was at fault in failing to supervise, inspect, direct, instruct, warn or otherwise manage or control Applicant's use of the SLA Corridor, or (iii) alleging that District knew of, should have known of, or had constructive knowledge of a dangerous condition created by Applicant or any employee, agent or contractor of Applicant; or (iv) alleging District is vicariously liable for acts of Applicant or any employee, agent or contractor of Applicant (under the Peculiar Risk Doctrine or otherwise), or (v) challenging in any manner Applicant's use of the SLA Corridor. This defense and indemnity obligation is not intended to hold District

or its officers, trustees, or employees harmless from any claim that is not derivative of Applicant's use of the SLA Corridor. In no event shall any fault of Applicant or Applicant's employees or contractors be reapportioned to District, its officers, trustees or employees. Applicant shall indemnify and hold District and its officers, trustees and employees harmless from any such reapportionment of fault. The described duty to defend and indemnify is not intended to run to the benefit of any District liability insurer to the extent such insurer would be responsible for defense costs or indemnity beyond District's deductible or self insured retention.

IX. TERMINATION.

(A) Applicant's right to use the SLA Corridor under this Agreement shall expire completely upon the expiration of the term described in Article I above, absent a new agreement or written extension signed by both parties.

(B) Either party may, at their sole option, terminate this Agreement upon ninety (90) days written notice to the other party.

(C) District may, at its sole option, terminate this Agreement and Applicant's right to use the SLA Corridor for nonuse for a period of one (1) year.

(D) Should District reasonably determine Applicant is in breach of any of the terms and conditions of this Agreement, and if Applicant has not made diligent progress toward correcting that breach within a time set by District and reasonable under the circumstances, after Applicant receives written notice describing the breach and time for correction, then this Agreement may be terminated by District.

(E) The following, as described in this Agreement, shall survive any termination of this Agreement:

(i) All of Applicant's obligations to reimburse any costs incurred by the District;

(ii) All of Applicant's obligations to remove Applicant's improvements and make restoration;

(iii) All of Applicant's obligations to defend and indemnify District and its officer, trustees and employees, as described in this Agreement; and

(iv) All provisions regarding remedies, and limitations of warranties or representations.

(F) Notwithstanding termination, Applicant's use of the SLA Corridor following termination shall not be considered adverse and shall not cause any adverse possessory right or prescriptive right of Applicant to begin to accrue.

X. REMOVAL OF FACILITIES.

(A) District will reasonably determine what portion of Applicant's improvements, if any, on the SLA Corridor will be removed upon termination of this Agreement and set a deadline and specifications for removal and restoration. Such removal and restoration will be at the sole expense of the Applicant.

(B) If, after reasonable notice from District, Applicant fails to remove improvements or restore lands as directed by District, removal may be accomplished by District or its contractor, and Applicant shall reimburse District as described in Article II above.

XI. REMEDIES.

Applicant will first submit any claim or dispute to the authorized District representative. If the matter is not resolved satisfactorily, Applicant may submit the dispute or claim in concise written form with any supporting documentation to District's Board of Trustees, or committee assigned by the Board to hear the matter. If the matter is not resolved satisfactorily the dispute or claim will be submitted to non-binding mediation, with a qualified mediator selected by the parties, with each party sharing the cost of that non-binding mediation. After and only if these processes are first followed and Applicant's dispute or claim remains unresolved, an action may be brought in the Third Judicial District Court of the State of Utah In and For Salt Lake County. The prevailing party shall be awarded reasonable costs, including engineering, witness and attorneys' costs and fees. Under no circumstances shall District or its officers, trustees or employees be liable for any consequential damages resulting from interruption of Applicant's use of the SLA Corridor.

XII. INTERPRETATION.

Because the SLA is critical public infrastructure, any ambiguity in this Agreement shall be interpreted in favor of District's full use and enjoyment of the SLA and SLA Corridor, with a minimum of delay, restriction or expense resulting from Applicant's use of the SLA. In the event of conflict between this Agreement and District written rules, regulations or policies, as the same may change from time to time, such District rules, regulations and policies shall control.

XIII. PRESUMPTION.

As against the Applicant, any calculation, determination or interpretation made by District in good faith with respect to this Agreement shall be *prima facie* correct, subject to rebuttal by a preponderance of the evidence.

XIV. SUCCESSORS, ASSIGNS.

Applicant's rights and obligation may not be assigned or transferred without the prior written consent of District, which District is under no obligation to give. Any bankruptcy filing by Applicant, other purported assignment by operation of law, or appointment of a receiver, shall be grounds for immediate termination of this Agreement. Any attempt to assign without the

prior written consent of District shall be considered null and void and shall be grounds for immediate termination of this Agreement.

XV. AUTHORITY.

The person(s) signing on behalf of Applicant represents and warrants that they have been duly authorized by formal action of the governing body of Applicant to execute this Agreement on behalf of Applicant. Certifications of the authority of persons signing on behalf of Applicant are attached at Exhibit C.

XVI. NO WARRANTY.

(A) District makes no warranty or representation, either express or implied, as to the extent or validity of any grant or license contained in this Agreement.

(B) District makes no warranty or representation as to the condition of the SLA Corridor or any District improvements, or the fitness or compatibility of any of the same for use as described by Applicant.

XVII. COMPLIANCE WITH APPLICABLE LAWS.

(A) Applicant shall strictly comply with all applicable Federal, State, and local statutes, rules, regulations, codes, ordinances and other laws.

(B) Applicant shall strictly comply with all of District's Regulations for Non-District Use of Salt Lake Aqueduct and Point of the Mountain Aqueduct Rights of Way, as those regulations may change from time to time. Copies of those regulations have been made available to Applicant, which terms are incorporated into this Agreement as if restated here.

(C) If after reasonable notice from District, Applicant fails to bring Applicant's use of the SLA Corridor into compliance with this Agreement and any applicable Federal, State, and local statutes, rules, regulations, codes, ordinances and other laws, including, but not limited to, District's Regulations for Non-District Use of Salt Lake Aqueduct and Point of the Mountain Aqueduct Rights of Way, District may, at its sole option, effect such compliance and Applicant shall reimburse District as described in Article II above.

XVIII. NOTICES.

Any notice required by this Agreement shall be deemed given when mailed or delivered to:

Metropolitan Water District of Salt Lake & Sandy
Attn: General Manager
3430 East Danish Road
Cottonwood Heights, Utah 84093
Phone: (801) 942-1391
Email: rightsofway@mwdsls.org

APPLICANT:

Troy K. Walker, Mayor

Rachelle Conner, City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the ___ day of _____, 2014, personally appeared before me Troy K. Walker and Rachelle Conner and being first duly sworn, acknowledged that they are the Mayor and City Recorder, respectively, of Draper, Utah, and that they have been duly authorized through an affirmative vote of the City Council of Draper, Utah to execute the above Cooperation Agreement for and on behalf of Draper, Utah, for the purposes stated therein.

NOTARY PUBLIC

EXHIBIT A
DRAWINGS

EXHIBIT B
INSURANCE/BOND REQUIREMENTS

**INSURANCE AND BOND REQUIREMENTS FOR
PARTIES ENTERING INTO AGREEMENTS WITH METROPOLITAN WATER
DISTRICT OF SALT LAKE & SANDY**

Last Update: January 29, 2014

Applicant shall maintain, at no cost to the District, the following insurance, and provide evidence of compliance satisfactory to District.

A. MINIMUM LIMITS OF INSURANCE

Except as approved in writing by District in advance, Applicant and all of Applicant's contractors and subcontractors shall maintain limits no less than:

1. **GENERAL LIABILITY (including claims arising from: premises-operations, independent contractors, products-completed operations, personal and advertising injury, and liability assumed under an insured contract.):**
 - i. Combined Single Limit (Bodily Injury and Property Damage):
 1. \$2,000,000 Per Occurrence
 - ii. Personal Injury (including completed operations and products liability):
 1. \$2,000,000 Each Occurrence
 - iii. General Aggregate:
 1. \$3,000,000
 - iv. Products - Comp/OP Aggregate:
 1. \$3,000,000
 - v. Limits to apply to this project individually.
2. **AUTOMOBILE LIABILITY:**
 - i. \$2,000,000 Per Occurrence
 - ii. "Any Auto" coverage required.
3. **WORKERS' COMPENSATION and EMPLOYERS LIABILITY:**
 - i. Workers' compensation statutory limits.
 - ii. Employers Liability statutory limits.
4. **CONTRACTORS POLLUTION LIABILITY:**
 - i. \$1,000,000 Per Claim
 - ii. \$1,000,000 Aggregate
 - iii. Coverage applies to this project individually.

B. DEDUCTIBLES AND SELF-INSURED RETENTIONS

Any deductibles or self-insured retentions (SIRs) must be declared to and approved by the District in writing. At the option of the District, either; the insurer may be required to reduce or eliminate such deductibles or SIRs as respects the District, its

trustees, officers, and employees as additional insureds; or the Applicant may be required to procure a bond or other instrument guaranteeing payment of losses and related investigations, claim distribution, and defense expenses of the District, its trustees, officers, and employees as additional insureds.

The District does not ordinarily approve deductibles in an amount exceeding 2.5% of the required minimum limits described above or \$50,000, whichever is less. The District does not ordinarily approve SIRs in an amount exceeding 1.0% of the required minimum limits described above or \$20,000, whichever is less. With respect to any deductible or SIR, the Applicant shall pay for costs related to losses, investigations, claim distribution, and defense expenses of the District, its trustees, officers, and employees as additional insureds that would otherwise be covered by an insurer under the coverages described in these insurance requirements if no deductible or SIR existed.

C. OTHER INSURANCE PROVISIONS

The General Liability, Automobile Liability, and Pollution Liability Coverages are to contain, or be endorsed to contain, the following provisions:

1. District, its trustees, officers, and employees are to be covered as additional insureds as respects: claims arising out of any activities conducted on District lands or interests in lands. The coverage shall contain no special limitations on the scope of protection afforded to District, its trustees, officers, and employees.
2. Additional insured coverage shall be on a primary basis for ongoing and completed work.
3. Waiver of General Liability and Worker's Compensation subrogation.

D. ACCEPTABILITY OF INSURERS

Insurance and bonds are to be placed with insurers admitted in the State of Utah with a Bests' rating of no less than A-, IX, and in the limits as listed in this document, unless approved in writing by the District.

E. VERIFICATION OF COVERAGE

Applicant and all of Applicant's contractors and subcontractors shall furnish District with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be provided on forms acceptable to the District before work commences. District reserves the right to require complete, certified copies of all required insurance policies, with all endorsements, at any time. Applicant shall provide an insurance certificate and an endorsement evidencing compliance with this provision at least annually. From time to time District may increase the requirement for a liability limit by providing reasonable written notice to Applicant of such a change.

F. APPLICANT STRICTLY LIABLE FOR COMPLIANCE OF CONTRACTORS

Applicant shall see that each of Applicant's contractors, and each of their subcontractors, complies with these insurance requirements, and Applicant shall be strictly liable for any failure of such contractors and subcontractors to meet these requirements.

G. PERFORMANCE AND PAYMENT BONDS

All persons and entities performing any work on District lands or District's interest in lands will provide performance and payment bonds for the full sum of their contracts, naming the District as co-obligee.

EXHIBIT C
AUTHORITY RESOLUTION

[Return to Agenda](#)

CONSENT ITEM #E

REQUEST FOR COUNCIL ACTION

To:	Mayor & City Council
From:	Garth Smith
Date:	April 15, 2014
Subject:	Amending the Business Travel and Training Expenses Section of the Personnel Policies and Procedures Manual
Applicant Presentation:	N/A
Staff Presentation:	Garth Smith, Human Resources & Emergency Svcs. Director

RECOMMENDATION:

Adopt Resolution No. 14-30, which amends Section 9010 of the Personnel Policies and Procedures Manual, which is the business travel and training expenses section.

BACKGROUND AND FINDINGS:

The changes being proposed to the City's business travel and training expenses section of the personnel manual are being made to reflect the City's practice of using and reimbursing employees for the most economical forms of transportation for business travel and training.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT: Finance Review: _____

- None

SUPPORTING DOCUMENTS:

- Proposed Resolution No. 14-30.

RESOLUTION NUMBER 14-30

A RESOLUTION OF THE DRAPER CITY COUNCIL AMENDING SECTION 9010 – BUSINESS TRAVEL AND TRAINING EXPENSES OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the City Council from time to time reviews, amends and adopts personnel policies and procedures to assist in the efficient utilization of scarce City resources and the fair and uniform application of requirements regarding City operations and City employees; and

WHEREAS, the City Council has reviewed Section 9010 and has determined a need to amend the Business Travel and Training Expenses section of the Manual Policy; and

WHEREAS, the City Council finds the amendment of this policy is in the best interest of Draper City and the employees of Draper City.

NOW, THEREFORE, be it resolved by the City Council of Draper City, State of Utah as follows:

Section 1. Amendment. The Draper City Council hereby amends and adopts Section 9010 of the Personnel Policies and Procedures Manual to read as attached hereto as Exhibit “A.”

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This resolution shall become effective immediately upon passage by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS ____ DAY OF APRIL, 2014.

DRAPER CITY

BY: _____
Draper City Mayor

ATTEST:

Draper City Recorder

EXHIBIT "A"

Section 9010 - BUSINESS TRAVEL AND TRAINING EXPENSES

General Policy Statement:

Actual and reasonable business travel and training expenses, including transportation, registration fees, meals, and lodging costs, provided such travel is incurred in the authorized conduct of City business, will be paid by the City. The city will not bear or reimburse any costs associated with a person(s) accompanying an employee on business travel. Business travel must be approved in advance and employees are responsible for securing reasonable and cost effective travel arrangements.

Guidelines Policy:

1. Expenses. All employees must obtain prior approval from their Department Director before incurring business related travel expenses. Employees, as a condition of employment, may be required by the City to attend essential education. With the approval of a Department **Head** Director and the Finance Director an employee may receive a cash advance prior to the anticipated travel. Costs resulting from the following activities are generally paid:
 - A) Attending meetings and conventions; or
 - B) Participating in job-related education functions.
All travel must be related to and within the scope of an employee's work activities.
2. Mode of Travel. Employees are responsible for using the most efficient, direct and economical form of transportation available, given the circumstances. If an employee voluntarily chooses to use a more expensive form of travel, the City will compensate the employee only for the least expensive available travel option, with the employee being responsible for paying the difference in cost.
 - A) Airlines. Employees are expected to:
 - (i) Fly coach or economy class;
 - (ii) Book fares 14 days in advance to take advantage of reduced rates;
 - (iii) Fly during non-peak times if scheduling permits and lower fares are available;
 - (iv) Fly the least expensive airline.
 - B) Use of Personal or City Vehicles. Transportation by car may be required if travel time is less than one day, scheduling permits and the expense is more economical than air travel. Generally, an employee should use a City vehicle for travel. If a City vehicle is not available and the employee must use a private vehicle, the City will reimburse at the mileage rate established by the IRS. If an employee chooses to use a private vehicle when a city vehicle is available, the City will compensate at half the mileage rate established by the IRS for tax purposes. If a City vehicle is used, no mileage compensation will be made, but the City will pay fuel costs and any repairs needed to the vehicle while traveling. Employees with vehicle allowances are expected to use the vehicle at no additional cost to the City for City related travel within a 50 mile radius of City Hall. Employees with vehicle allowances, who use their personal vehicle and who travel beyond a 50 mile radius of City Hall for City related business will be compensated at the mileage rate established by the IRS for tax purposes, less 50 miles.
 - C) Car Rentals. Car rentals are compensated only when other less costly forms of transportation are unavailable. Employees are required to rent compact cars unless only a larger car is available or circumstances necessitate a larger car. Employees are encouraged to use public transportation, complimentary shuttles, and/or share taxi expenses with a group whenever possible.

3. Lodging. Employees are responsible for using the most efficient and economical accommodations with the best combination of location and price.
 - A) Convention or Special Rates. Whenever possible, employees should use hotels where a corporate or convention rate has been established. Asking for special or better rates is also advised when checking in at hotels.
 - B) Reimbursement. Lodging will be reimbursed at actual cost on a single rate basis or divided rate basis if more than one employee shares the room. Employees will be reimbursed according to the rates allowable for each locality in the United States as specified in the per diem schedule issued periodically by the U. S. Government Office of Personnel Management. In some instances, actual expenses in excess of the maximum rate for lodging may be allowed, e.g., where a conference or meeting hotel has been designated and scheduling does not reasonably permit alternative lodging, or where no other rooms are available. Prior approval must be obtained from the employee's Department Head Director under these circumstances. When obtaining lodging, employees should notify the hotel of their tax-exempt status as a City government employee and provide tax exemption forms available from the Finance Department. All lodging receipts must be submitted with travel voucher. Use of personal accommodations will not be reimbursed.
4. Meals. The City will compensate employees for per diem consistent with the maximum rates allowable for each locality in the United States as specified in the per diem schedule issued periodically by the U. S. Government Office of Personnel Management. The schedule applies to all travel, which extends more than 12 hours, and overnight lodging is required. Allowances for seasonal rates may be considered.
 - A) Adjustments. The suggested rate may be altered depending upon the destination and the typical expenses.
 - B) Receipts Required. Receipts evidencing actual meal expenses for the entire period of travel must be submitted if an adjusted rate is requested.
5. Frequent Flyer and Hotel Club Programs. Employees may retain accrued frequent flyer and hotel club program credits, however, any cash rebates must be returned to the City. Employees should ensure that they continue to make the most economical travel arrangements, uninfluenced by potential airline or hotel travel awards.
6. City Credit Cards. Employees who travel frequently on business may be provided City credit cards.
 - A) For Business Travel Only. City credit cards may be used only for actual and necessary business related charges and not for any personal expenses.
 - B) Inappropriate Use. Employees are responsible for inappropriate credit card charges. Such improper use may also subject an employee to corrective action.
7. Entertainment Expenses. No reimbursement will be made for entertainment expenses during a business trip unless the entertainment is business related and pre-approved by the Department Head Director. The employee must pay any cost for personal magazines, movies, books, and newspapers.
8. Miscellaneous Travel Expenses. The following expenses may be compensated when incurred for approved business travel:
 - A) Transit fares at the travel destination site only. Transit fares to and from Salt Lake City transportation terminals are not reimbursable.
 - B) Tolls;
 - C) Baggage handling;
 - D) Up to two telephone calls daily to the employee's home area code are reimbursable while in travel status, in addition to calls related to City business. The amounts of personal telephone calls are not to exceed \$7.50 in aggregate daily total. The City may supply prepaid phone cards as an alternative;
 - E) Parking fees with receipts;

- F) Necessary and reasonable transit fares at the destination site, maid service, including gratuities not to exceed 15% (or 20% in major markets) are reimbursable with receipts.
9. Personal Travel. Generally, employees are permitted to combine personal travel with business travel as long as annual leave is approved. Additional expenses arising from such non-business travel are the employee's responsibility.
10. Compensation of Nonexempt Employees for Travel Time.
- A) Regular Work Hours. Nonexempt employees will be compensated for travel time during regular working hours while on approved City business.
- B) Regular Work Hours on Non-Work Days. Travel during regular working hours on non-work days (e.g., Saturday, Sunday or holidays) is treated as "hours worked" only when the City mandates such travel.
- C) Outside of Regular Work Hours. Time traveling, (e.g., on a plane, bus, or in a car) outside of normal working hours, is not considered "hours worked".

ADOPTION – AMENDMENTS – REVISIONS

Amended 05/27/2008

Resolution No. 08-30

Return to Agenda

CONSENT
ITEM #F

RESOLUTION NO. 14-31

**A RESOLUTION APPOINTING JANET SIMONICH TO THE
DRAPER CITY TREE COMMISSION**

WHEREAS, the City is authorized to establish boards, commission and committees within the city as deemed appropriate by the City Council; and

WHEREAS, the City has created a Draper City Tree Commission to act as an advisory board to the City Council and other City departments on all matters relating to tree culture including the establishment, maintenance, and upkeep of all trees, shrubs, and other plant life located on City property; and

WHEREAS, the Mayor desires to appoint and the Council hereby consents to the appointment of Janet Simonich to the Tree Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH AS FOLLOWS:

Section 1. Appointment. Janet Simonich is hereby appointed to serve on the Draper City Tree Commission from April 15, 2014, to May 31, 2018.

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE 15th DAY OF APRIL, 2014.

ATTEST:

DRAPER CITY

City Recorder

Mayor

[Return to Agenda](#)

CONSENT

ITEM #G

REQUEST FOR COUNCIL ACTION

To:	<u>Mayor & City Council</u>
From:	<u>Robert Markle, Engineering</u>
Date:	<u>April 3, 2014</u>
Subject:	Resolution 14-33 – A Resolution Adopting the Storm Water Management Plan for Utah Pollutant Discharge Elimination System Permit No. UTS000001
Applicant Presentation:	<u>N/A</u>
Staff Presentation:	<u>N/A</u>
RECOMMENDATION: Approve Resolution 14-33 – A Resolution Approving the Adoption of the Storm Water Management Plan for Utah Pollutant Discharge Elimination System Permit No. UTS000001 and authorize Glade Robbins, Public Works Director, to execute the document as a principal executive office of Draper City.	
BACKGROUND AND FINDINGS: This Storm Water Management Plan (SWMP) has been developed to meet the terms of the Utah Pollutant Discharge Elimination System (UPDES) permit and consists of the six “minimum control measures” established by the United States Environmental Protection Agency (EPA) for Phase II storm water discharges. There is a requirement that the plan be updated every five years. The plan is a living document.	
FISCAL IMPACT: Finance Review: <u></u>	
SUPPORTING DOCUMENTS: <ul style="list-style-type: none">• Resolution 14-33• SWMP	

RESOLUTION NO. 14-33

A RESOLUTION ADOPTING THE STORM WATER MANAGEMENT PLAN FOR UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NUMBER UTS000001

WHEREAS, the United States Environmental Protection Agency (US EPA) created the National Pollutant Discharge Elimination System (NPDES) as authorized by the Federal Water Pollutant Control Act also known as the Clean water Act; and

WHEREAS, in Utah the NPDES program is implemented and permitted by the Utah Department of Environmental Quality (DEQ) Utah Pollutant Discharge Elimination System (UPDES); and

WHEREAS, the UPDES Phase II permit requires Draper City as a Small Municipal Separate Storm Sewer System (MS4) to develop, implement, enforce and update a Storm Water Management Plan (SWMP); and

WHEREAS, the SWMP is implemented to reduce to the maximum extent practicable the discharge of pollutants from the storm water system; and

WHEREAS, the SWMP must be updated every five years;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Adoption. The attached Storm Water Management Plan to be implemented and active from April 15, 2014 through December 31, 2018 is hereby adopted and authorized for presentment as part of Draper City's UPDES permit.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of the Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS ____ DAY OF _____, 2014.

ATTEST:

DRAPER CITY

CITY RECORDER

TROY K. WALKER

Storm Water Management Plan

Permittee: Draper City

Permit Number: UTS000001

Location of MS4: Southeast Corner of Salt Lake County

Submitted with this permit is the following:

- A map of the MS4 location
- Information Regarding the overall quality concerns, priorities, and measurable goals specific to the Permittee that were considered in the development and/or revisions to the SWMP document
- A description of the program elements that will be implemented in each of the six minimum control measures
- A description of any modifications to ordinances or long-term/ongoing processes implemented in accordance with the previous MS4 general permit for each of the six minimum control measures
- A description of how the Permittee intends to meet the requirements Permit as described in Part 4.0 by either referencing existing program areas that already meet the Permit requirements or a description and relevant measurable goals that include, as appropriate, the year by which the Permittee will achieve required actions, including interim milestones.
- If applicable indication of joint submittal of Co-Permittees and the associated responsibility in meeting requirements of the SWMP

Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations"

Authorized Signature

Date

DELEGATION OF AUTHORITY

Utah Department of Environmental Quality
Division of Water Quality
195 North 1950 West
DEQ 3rd Floor
Salt Lake City, Utah 84116

Dear Executive Director:

As the principal executive officer (or ranking elected official) of Draper City, I hereby authorize Glade Robbins, acting as the Draper City Public Works Director, to act on my behalf relative to documents, reports, notices or activities pertaining to our City's Small MS4 UPDES Storm Water Discharge Permit.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Respectfully Submitted,

Name: _____

Signature: _____

Title: _____

Date: _____

**DRAPER CITY
STORM WATER
MANAGEMENT PLAN**

INTRODUCTION

Polluted storm water runoff is often transported to municipal separate storm sewer systems (MS4s) and ultimately discharged into local rivers and streams without treatment. EPA's Storm Water Phase II Rule establishes an MS4 storm water management program that is intended to improve the Nation's waterways by reducing the quantity of pollutants that are introduced into storm sewer systems during storm events. Common pollutants include oil and grease from roadways, roadway salts and deicing materials, pesticides and fertilizers from lawns, sediment from construction sites, and carelessly discarded trash, such as cigarette butts, paper wrappers, and plastic bottles. When deposited into nearby waterways through MS4 discharges, these pollutants can impair the waterways, thereby discouraging use of the resource, contaminating water supplies, and interfering with the habitat for fish, other aquatic organisms, and wildlife.

In 1990, EPA promulgated rules establishing Phase I of the National Pollutant Discharge Elimination System (NPDES) storm water program. The Phase I program for MS4s requires operators of "medium" and "large" MS4s, that is, those that generally serve populations of 100,000 or greater, to implement a storm water management program as a means to control polluted discharges from these MS4s. The Storm Water Phase II Rule extends coverage of the NPDES storm water program to certain "small" MS4s but takes a slightly different approach to how the storm water management program is developed and implemented.

Storm Water Management Program

A Storm Water Management Program should:

- Reduce the discharge of pollutants to the "maximum extent practicable" (MEP);
- Protect water quality;
- Satisfy the appropriate water quality requirements of the Clean Water Act; and
- Be phased in over a five year period.

Storm water management programs must include:

- Best Management Practices (BMPs) for each of the six minimum control measures;
 1. Public Education and Outreach
 2. Public Participation/Involvement
 3. Illicit Discharge Detection and Elimination

4. Construction Site Runoff Control
 5. Post-Construction Runoff Control
 6. Pollution Prevention/Good Housekeeping
- Measurable goals for each minimum control measure (i.e., narrative or numeric standards used to gauge program effectiveness);
 - Estimated months and years in which actions to implement each measure will be undertaken, including interim milestones and frequency; and
 - The person or persons responsible for implementing or coordinating the storm water program.

Permit Application and Notice of Intent

Phase II Rule encourages the development of a storm water management program by requiring a Notice of Intent (NOI) describing the storm water management program to be submitted to the NPDES permitting authority. The Notice of Intent becomes the permit application.

Cities required to permit under Phase II are allowed to cooperate and work together with neighboring cities in the application process. The permittee may join with a Phase I city or another Phase II city in applying for a permit. The individual MS4s may share responsibility for program development with neighboring communities and/or take advantage of existing local or state programs.

Permit Requirements

The chosen measurable goals, submitted in the Notice of Intent as a permit application, become the required storm water management program; however, the NPDES permitting authority can require changes in the mix of chosen BMPs and measurable goals if all or some of them are found to be inconsistent with the provisions of the Phase II Final Rule. Likewise, the permittee can change its mix of BMPs if it determines that the program is not effective as it could be.

Reports

The permit requires that the city review the SWMP annually, report on our activities and make any updates that might be required. The annual reports should use the form provided by the State. Generally, the annual report should include the following information:

- The status of compliance with permit conditions, including an assessment of the appropriateness of the selected BMPs and progress toward achieving the selected measurable goals for each minimum measure;

- Results of any information collected and analyzed, including monitoring data if any;
- A summary of the storm water activities planned for the next reporting cycle;
- A change in any identified BMP or measurable goals for any minimum measure; and
- Notice of relying on another governmental entity to satisfy some of the permit obligations (if applicable).

Record Keeping

Records required by the NPDES permitting authority must be kept for at least 5 years and made accessible to the public at reasonable times during regular business hours. Records need not be submitted to the NPDES permitting authority unless the Permittee is requested to do so.

Penalties

The NPDES permit that the operator of a regulated small MS4 is required to obtain is federally enforceable, thus subjecting the Permittee to potential enforcement actions and penalties by the NPDES permitting authority if the permittee does not fully comply with application or permit requirements. This federal enforceability also includes the right for interested parties to sue under citizen suit provision (section 405) of CWA.

This document contains a description of the community-specific Storm Water Management Program for Sample City. The Program includes the following;

- Best Management Practices (BMPs) for each of the six minimum control measures;
 1. Public Education and Outreach
 2. Public Participation/Involvement
 3. Illicit Discharge Detection and Elimination
 4. Construction Site Runoff Control
 5. Post-Construction Runoff Control
 6. Pollution Prevention/Good Housekeeping
- Measurable goals for each minimum control measure (i.e., narrative or numeric standards used to gauge program effectiveness);

- Estimated months and years in which actions to implement each measure will be undertaken, including interim milestones and frequency; and
- The person or persons responsible for implementing or coordinating the storm water program.

This document also contains the following information and documentation in its appendices:

- Appendix A – Supplemental Guide to Storm Water Management for Contractors and Developers
- Appendix B – Supplemental Guide to Storm Water Management for Public Works Departments
- Appendix C – Standard Operating Procedures, Documentation and Elements of the Illicit Discharge Detection and Elimination program
- Appendix D – General program documentation including inspection forms, enforcement logs, training logs, annual reports, maintenance records, observation reports, and other general documentation
- Appendix E – Copies of the most current city ordinances applicable to stormwater
- Appendix F – Copies of State permits and documents regulating the Sample City storm water program
- Appendix G – System maps and inventories

DRAPER CITY CHARACTERISTICS

General Information

The Draper City Storm Drain System falls under the Public Works Department for the City. The Public Works Director can be contacted at the following address and phone number:

Draper City Hall
1020 East Pioneer Road
Draper, Utah 84020
(801) 576-6547

Some general information for Draper City follows:

Population: 42,274

Size: 30.3 square miles
Geographic Description: Located in the southeast corner of the Salt lake Valley, set against the Wasatch Mountain Range
Receiving Waters: Jordan River

Annual Precipitation: 15.69 inch

Steering Committee

A steering committee was formed in 2011, which includes a Storm Water Specialist.

Ongoing Documentation Process

With this revised SWMP our program has been restructured. The SWMP itself has been reorganized to make it more of a working document with multiple appendices to help the City do a better job in record keeping and documenting our activities. Much of the documentation is or will be included in Appendix D. As part of this update, the Steering Committee has reviewed existing BMPs and measurable goals and assessed them for their effectiveness and contribution in helping us achieve our desired results. We have completed evaluation worksheets to document our review and our assessment of our current program. These evaluation sheets are found in Appendix D. This evaluation provided the foundation for this update. We have tried to build off of the positive things that have been accomplished and renewed our commitment to improve in areas where our program has been lacking. We feel the revised program is more focused.

Our plan is to document our activities and to keep better track of what is happening within our community. This updated SWMP includes many new forms and reports to help us in these documentation efforts. Report forms, logs, evaluation forms and backup information is spread throughout the applicable appendices.

PUBLIC EDUCATION AND OUTREACH

Permit Requirements

The permit requirements for Public Education and Outreach on Storm Water Impacts can be found in Section 4.2.1 of the permit. A copy of the permit is included in Appendix F for reference. The permit outlines in general the following requirements.

1. The MS4 must promote behavior change by the public to reduce water quality impacts associated with pollutants in storm water runoff and illicit discharges. This is a multimedia approach targeted to specific audiences. The four audiences are: (1) residents, (2) businesses, institutions, and commercial facilities, (3) developers and contractors (construction), and (4) MS4 industrial facilities.
2. Target pollutants and pollutant sources and their potential impacts relating to storm water quality.
3. Provide and document information given to the four focus audiences.
4. Provide documentation or rationale as to why particular BMPs were chosen for its public education and outreach program.

Summary of Existing Efforts

Educational Materials

The city plans to publish a newsletter annually

City used Media

Draper City has a website that is located at www.draper.ut.us

Message Board

The city currently owns and maintains a message board in City Hall. The purpose of the board is to post announcements and items of general interest to the community.

Plan and Implementation Measures

In order to help meet the goals and objectives of this SWMP, Draper City has chosen to adopt the following BMPs. Each BMP is cross referenced alphabetically by code in the indicated appendix to a fact sheet that describes the BMP, its applicability, its limitations, and its effectiveness. Only those BMPs listed below will be utilized by Draper City as part of their SWMP at the present time.

BMP	Code	Appendix
Classroom Education On Storm Water	CESW	B
Educational Materials	EM	B
Employee Training	ET	B
Public Education/ Participation	PEP	B
Using Media	UM	B

Goals

In order to more fully realize the benefit of the BMP the city has set the following goals. The goals set along with the existing efforts fulfill the requirements of the Final Storm Water Phase II Rule for Education and Outreach.

The following table includes the goals for MCM 1.

DRAPER CITY STORM WATER MANAGEMENT PROGRAM
PUBLIC EDUCATION AND OUTREACH

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone Date	Associated BMPs	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)					
1	BOD ₅ , Copper, Lead, TP, TDS, TSS, Zinc	Residents and Businesses	4.2.1.1 To educate audiences about impacts from storm water discharge	Continue supporting TV ads	Ongoing	PEP and UM	Ads continue to run
1	BOD ₅ , Copper, Lead, TP, TDS, TSS, Zinc	Residents (4th graders)	4.2.1.1 To educate audiences on ways to avoid, minimize, and reduce impacts of storm water discharge	Continue storm water fair annually	Annually	PEP and CESW	Fair occurs annually
1	BOD ₅ , Copper, Lead, TP, TDS, TSS, Zinc	Residents and Businesses	4.2.1.1 To educate audiences on actions individuals can take to improve water quality	Continue supporting TV ads	Ongoing	PEP and UM	Ads continue to run
1	See list in "Desired Result" column	General Public	4.2.1.2 Information is provided to target audience on prohibitions against illicit discharges and improper disposal of waste including: maintenance of septic systems; effects of outdoor activities, such as lawn care; benefits of on-site infiltration of storm water; effects of automotive work and car washing on water quality; proper disposal of swimming pool water; and proper management of pet wastes.	Include information on the website and include information in utility bills or city newsletter.	Ongoing	PEP and UM	Information is current on website and included in utility bills or city newsletter.(must do)

DRAPER CITY STORM WATER MANAGEMENT PROGRAM
PUBLIC EDUCATION AND OUTREACH

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone Date	Associated BMPs	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)					
1	See list in "Desired Result" column	Business and Institutions	4.2.1.3 Information is provided to target audience on prohibitions against illicit discharges and improper disposal of waste including: Proper lawn maintenance Benefits of appropriate on-site infiltration of storm water Building and equipment maintenance Use of salt or other deicing materials Proper storage of materials Proper management of waste materials and dumpsters Proper management of parking lot surfaces.	Include information on the website and produce and distribute a brochure that is targeted to specific types of businesses.(must do)	Ongoing	PEP and UM	Information is current on website and included and brochures are distributed.(must do)
1	Illicit discharge and waste	Contractors, Developers, and plan review staff	4.2.1.4 Reduce adverse impacts from development sites	Assemble packets of information on SWPPP and BMPs that the contractor must read and sign.(must do)	By December 2014	EM	Information packets are signed for every new development.

DRAPER CITY STORM WATER MANAGEMENT PROGRAM
PUBLIC EDUCATION AND OUTREACH

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone Date	Associated BMPs	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)					
1	Illicit discharge and waste	Employees	4.2.1.5 Information is provided to target audience on prohibitions against illicit discharges and improper disposal of waste including: Equipment inspection to ensure timely maintenance Benefits of appropriate on-site infiltration of storm water Minimization of use of salt or other deicing materials Proper storage of industrial materials Proper management of waste materials and dumpsters Proper management of parking lot surfaces.	Have training every 5th Tuesday on illicit discharges.(must do)	First 5th Tuesday in 2015	ET	Training occurs every 5th Tuesday
1	All pollutants	Permittee engineers, development and plan review staff, land use planners	4.2.1.6 Training on LID, Green Infrastructure, and post construction BMPs	Require an annual meeting with all engineers, development and plan review staff, and land use planners to review the city's LID goals. Discuss what has been done in the past year to meet the goals, and define the upcoming year's goals.(must do)	By January 2015		Annual meeting occurs
1	All pollutants	All Audiences	4.2.1.7 Evaluate the effectiveness of the public education program by a defined method.	Research evaluation methods and select the best one (2014). Implement the selected evaluation method (2016)	Research by Jan 2015 Implementation by Jan 2016		Evaluation method chosen (2015) and implemented (2016)
1	All pollutants	All Audiences	4.2.1.8 Document why certain BMPs were chosen for public education program (over others)	Include an explanation in the SWMP.	January 3, 2014		Documented rationale included in the SWMP.

PUBLIC PARTICIPATION / INVOLVEMENT

Permit Requirements

The permit requirements for Public Participation and Involvement on Storm Water Impacts can be found in Section 4.2.2 of the permit. A copy of the permit is included in Appendix F for reference. The permit outlines in general the following requirements.

1. Comply with applicable State, and local public notice requirements to involve interest groups and stakeholders for their input on the SWMP.
2. Make available to the public a current version of the SWMP document for review and input for the life of the permit. This should be posted on the City's website.

Summary of Existing Efforts

Steering Committee

A "Storm Water Steering Committee" consisting of city members was formed in 2011 and has taken an active role in selecting the BMPs and developing the initial SWMP for the city.

Storm Drain Labeling Program

The city has begun a storm water stenciling program utilizing volunteer groups to place the stencils. To date approximately 1/10 of the community has been labeled.

Household Hazardous Waste Collection

Once a year the city provides a location for residents to bring household hazardous waste to a location for collection and proper disposal.

Service Groups

There are local scout and church groups that have participated in street cleanup and litter reduction.

Plan and Implementation Measures

In order to help meet the goals and objectives of this SWMP Draper City has chosen to adopt the following BMPs for use within our city as applicable. Each BMP is cross referenced alphabetically by code to a fact sheet that describes the BMP, its applicability, its limitations, and its effectiveness in the indicated appendix.

BMP	Code	Appendix
Public Education/ Participation	PEP	B

Goals

In order to more fully realize the benefit of the BMP the city has set the following

goals. The goals set along with the existing efforts fulfill the requirements of the Final Storm Water Phase II Rule for Public Involvement and Participation.

The following table summarizes the goals for MCM 2.

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone Date	Associated BMPs	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)					
2	All pollutants	General public	4.2.2.1 Have a program or policy in place that allows for the public to provide input	Notify the public 7 days in advance of the city council meeting when the SWMP update will be reviewed.	By January 3 2014	PEP	The program or policy is in place
2	All pollutants	General public	4.2.2.2 Have SWMP document available for public review before it's submitted to the state	Have a hard copy of the draft of the permit available at the city offices within a week of the public hearing	Week before city council meeting (in order to be complete by Jan. 3)	PEP	SWMP document is available for public review a week before public hearing
2	All pollutants	General public	4.2.2.3 Have SWMP document available to the public at all times	Post the SWMP on the website	By April 1, 2014	PEP	SWMP is updated and posted on the website
2	All pollutants	General public	4.2.2.3 Make updated SWMP document available to the public annually	Post updated SWMP annually	Ongoing	PEP	SWMP is updated and posted on the website annually
2	All pollutants	General public	4.2.2.4 Comply with State and Local public notice requirements	Research and document what the State and Local public notice requirements are. Set goals to comply with them.	By January 3, 2014	PEP	Understand what the state and local public notice requirements are.

ILLICIT DISCHARGE DETECTION AND ELIMINATION

Permit Requirements

The permit requirements for Illicit Discharge Detection and Elimination on Storm Water Impacts can be found in Section 4.2.3 of the permit. A copy of the permit is included in Appendix F for reference. The permit outlines in general the following requirements.

1. Maintain a storm sewer system map of the MS4, showing the location of all outfalls and the names and location of all State waters that receive discharges from those outfalls.
2. Through an ordinance, or other regulatory mechanism, a prohibition (to the extent allowable under State, or local law) on non-storm water discharges into the MS4, and appropriate enforcement procedures and actions.
3. Develop and implement a plan to detect and address non-storm water discharges, including spills, illicit connections, and illegal dumping to the MS4.
4. Develop and implement standard operating procedures (SOPs) for:
 - a. tracing the source of an illicit discharge.
 - b. characterizing the nature of, and the potential public or environmental threat posed by, any illicit discharges found or reported.
 - c. ceasing the illicit discharge, including notification of appropriate authorities, property owners, and technical assistance for removing the source and follow-up inspections.
5. Inform public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste.
6. Promote or provide services for the collection of household hazardous waste.
7. Publicly list and publicize a hotline or other local number for public reporting of spills and other illicit discharges.
8. Develop a written spill/dumping response procedure, and a flowchart for internal use, including various responsible agencies and their contacts.
9. Adopt and implement procedures for program evaluation and assessment.
10. Train employees, at a minimum, annually on the IDDE program.

Summary of Existing Efforts

Ordinances

Draper City has an ordinance designed to specifically prohibit illicit discharges to the storm sewer system. It can be found in Chapter 16-2 Storm Water Utility of the Draper City Municipal Code.

Illicit Spills

Currently, reports of spills are handled by Draper City, the Fire Department, and County Health Department.

Illicit Connections

The City has not generally experienced problems with individuals or businesses illicitly connecting their sanitary waste water piping to storm drains. More-common types of illicit discharges include spills from accidents, concrete truck wash out water, residential yard waste and debris being washed into the gutters, and carpet cleaner waste. There are other industrial businesses in town that are regulated directly by the state. These businesses are a concern.

Mapping

The city has a fairly comprehensive, GIS based, storm drain map showing the storm drain system and its points of discharge. A copy of this map is included in Appendix B.

Plan and Implementation Measures

In order to help meet the goals and objectives of this SWMP Draper City has chosen to adopt the following BMPs for use within our city as applicable. Each BMP is cross referenced alphabetically by code to a fact sheet that describes the BMP, its applicability, its limitations, and its effectiveness in the indicated appendix.

BMP	Code	Appendix
Community Hotline	CH	B,C
Employee Training	ET	B,C
Hazardous Waste Management	HWM	B,C
Illegal Dumping Control	IDC	B,C
Identify Illicit Connections	IIC	B,C
Illegal Solids Dumping Controls	ISDC	B,C
Map Storm Water Drains	MSWD	B,C
Non-Storm Water Discharge to Drains	NSWD	B,C
Ordinance Development	OD	B,C
Public Education/ Participation	PEP	B,C
Used Oil Recycling	UOR	B,C

Goals

In order to more fully realize the benefit of the BMP the city has set the following goals. The goals set along with the existing efforts fulfill the requirements of the Final Storm Water Phase II Rule for Illicit Discharge Detection and Elimination.

The following table includes the goals for MCM 3.

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone Date	Associated BMPs	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)					
3	All Pollutants	Contractors, Developers, City Council	4.2.3 Enforcement ability for storm water rules	Review and update the ordinance to conform with new permit	Adopted March 2013	OD	Ordinance is in place and meets the permit requirements
3	N/A	Public Works	4.2.3.1 Maintain Storm Water Map	A Storm Drain System Map exists on the City's GIS and is updated per development or project.	Ongoing	MSWD	If policy is in place and meets the permit requirements
3	All Pollutants	All Audiences	4.2.3.2 Develop, implement, and prepare in writing a plan to detect and address non-SW discharges	Do Dry weather screening 20% of all outfalls each year	1 July of each year	NSWD	Successful if all screens are done
3	"	"	"	Have SOP in place and training to Staff	Complete by July 1, 2014	NSWD	Successful if completed by that date and staff is following SOP. Continue ongoing training.
3	All Pollutants	All Audiences	4.2.3.4 Develop and implement standard operating procedures for tracing the source of illicit discharge	Purchase a portable unit for pH, DO, Conductivity, & Temp. for finding Illicit Discharges	Complete by July 1, 2015	IIC	Successful if purchased by that date
3	All Pollutants	All Audiences	4.2.3.5 Develop and implement standard operating procedures for characterizing the nature of any illicit discharges found or reported to the Permittee by the hotline developed in 4.2.3.9	Create the Incidence Response Flow Chart and train personnel	Completed by July 1, 2014	IIC, CH	Successful if completed by that date and staff is following Flow Chart
3	"	"	"	Review flow chart and SOP with staff and provide training annually.	Ongoing	IIC, CH	Successful if training is completed annually for all staff involved in incident reporting.
3	All Pollutants	All Audiences	4.2.3.6 Develop and implement standard operating procedures for ceasing the illicit discharge	Create the Incidence Response Flow Chart and train personnel	Completed by July 1, 2011	IDC, ISDC	
1	All Pollutants	Public Employees, Businesses and Residents	4.2.3.7 Inform public employees, businesses, and general public of hazards associated with illicit discharges and improper disposal of waste	See MCM 1		PEP, ET	See MCM 1
3	Household Hazardous Waste	Residents	4.2.3.8 Promote or provide services for the collection of household hazardous waste	Put the HHW Address and Phone number on City Web Site	Completed by July 1, 2014	UOR, HWM	Successful if complete by that date

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone Date	Associated BMPs	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)					
3	Household Hazardous Waste	Residents	4.2.3.9 Publicly list and publicize a hotline or other telephone number for public reporting of spills and other illicit discharges	Put the HHW Address and Phone number on City Web Site	Completed by July 1, 2014	CH	Successful if complete by that date
3	All Pollutants	All Audiences	4.2.3.10 Adopt and implement procedures for program evaluation and assessment. Include a database for mapping, tracking of the spills or illicit discharges identified and inspections conducted	Create a spreadsheet for tracking illicit Discharges	Completed by January 1, 2014	IIC, MSWD	Successful if complete by that date
3	"	"	"	Incorporate the spreadsheet into a GIS Database	Completed by July 1, 2014	MSWD	Successful if complete by that date
3	"	"	"	Train Storm Water Personnel on GIS Mapping uses	Completed by July 1, 2015	ET	Successful if complete by that date

CONSTRUCTION SITE RUNOFF CONTROL

Permit Requirements

The permit requirements for Construction Site Runoff Control can be found in Section 4.2.4 of the permit. A copy of the permit is included in Appendix F for reference. The permit outlines in general the following requirements.

1. Develop, implement and enforce a program to reduce pollutants in any storm water runoff to the MS4 from construction sites with land disturbance of greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development.
2. Develop and adopt an ordinance that requires the use of erosion and sediment control practices at construction sites that is equivalent to the UPDES Storm Water General Permit.
3. Develop a written enforcement strategy and implement the enforcement provisions of the ordinance.
4. Develop and implement standard operating procedures (SOPs) for pre-construction SWPPP review for construction sites:
5. Develop and implement SOP's for construction site inspection and enforcement of construction storm water pollution control measures.
6. Ensure proper training to staff whose duties relate to the construction storm water program with proper training records kept.
7. Implement procedures to maintain records of all projects disturbing one acre, including projects less than one acre that are a part of a larger common plan of development..

Summary of Existing Efforts

Ordinance

Draper City has an ordinances designed to specifically reduce pollutants in any storm water runoff from construction sites by requiring all projects to submit all information and install all sediment and erosion control measures prior to performing any land disturbance, on any project of any size. They can be found in Chapter 18 Land Disturbance and Chapter 16-2 Storm Water Utility of the Draper City Municipal Code.

Inspections, Enforcement and Records

The City has had in place for many years an inspection and enforcement system. The City also requires a Draper City NOI for any project less than one acre so smaller projects are tracked and inspected as well.

Plan and Implementation Measures

In order to help meet the goals and objectives of this SWMP Draper City has chosen to adopt the following BMPs for use within our city as applicable. Each BMP is cross referenced alphabetically by code to a fact sheet that describes the BMP, its applicability, its limitations, and its effectiveness in the indicated appendix.

BMP	Code	Appendix
Ordinance Development	OD	B,C
Erosion Control Plan	ECP	B,C
Zoning	ZO	B,C
Land Use Planning/ Management	LIP	B,C
Contractor Certification and Inspector Training	CCIT	B,C

Goals

In order to more fully realize the benefit of the BMP the city has set the following goals. The goals set along with the existing efforts fulfill the requirements of the Final Storm Water Phase II Rule for Construction Site Runoff Control.

The following table includes the goals for MCM 4.

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
4	Sediment, Construction Site Debris, Hydrocarbons	Contractors and Developers	4.2.4.1 Raise awareness of contractors and developers on what is expected on construction sites	Require a SWPPP for every construction site over one acre	2005	OD	Successful if 95% of all active construction sites have a working SWPPP
4	Sediment, Construction Site Debris, Hydrocarbons	Contractors and Developers	4.2.4.2 Develop a written enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism	Draft ordinance to include escalating enforcement provisions	Adopted March, 2013	OD	Successful if completed by milestone
4	"	"	4.2.4.2 Documentation and tracking of all enforcement actions	Develop and begin using a construction site enforcement action log/database	Mar-14	OD	Successful if we have a log and are using it
4	Sediment, Construction Site Debris, Hydrocarbons	Contractors and Developers	4.2.4.3 Develop and implement SOP's for pre-construction SWPPP review for construction sites	Develop checklist and begin to do preconstruction reviews of SWPPP	Feb. 2012	ECP	Successful if we are conducting SWPPP reviews
4	"	"	4.2.4.3.1 Conduct a pre-construction meeting	Hold Pre-con meetings on all sites greater than 1 acre or as part of common plan of development	Ongoing		Successful if we are conducting Pre-con meetings
4	"	"	4.2.4.3.2 Incorporate into the SWPPP review procedures the consideration of potential water quality impacts and procedures for pre-construction review which shall include the use of a checklist.	Develop a policy to consider potential water quality impacts on all projects - private or municipal	Mar. 2015	ZO	Successful if we have post construction BMPs on 50% of projects

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
4	"	"	4.2.4.3.3 Incorporate into the SWPPP review procedures for an evaluation of opportunities for use of Low Impact Development (LID) and green infrastructure and when the opportunity exists, encourage such BMPs to be incorporated into the site design.	Develop a policy to consider Low Impact Development practices on all projects - private or municipal	Feb. 2015	ZO	Successful if we have post construction BMPs on 50% of projects
4	"	"	4.2.4.3.4 Identify priority construction sites, including at a minimum those construction sites discharging directly into or immediately upstream of waters that the State	Develop a "sensitive area" map showing areas within the city where "additional" protection may be desired	July, 2011	LIP	Successful when map is completed and ready for use
4	Sediment, Construction Site Debris, Hydrocarbons	Contractors and Developers	4.2.4.4.1 Inspections of all new construction sites ... at least monthly by qualified personnel	Conduct monthly inspections of all construction sites - Emphasize self inspections - sensitive areas to be inspected twice monthly	Ongoing	CCIT	Successful if 100% of all active construction sites are inspected monthly
4	"	Contractors, developers and MS4 staff	4.2.4.5 Provide training to city staff and 3rd party designers	Develop a city policy to require all SWPPP inspectors to be RSI inspectors within 6 months	July, 2011	CCIT	Successful if completed by milestone

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
4	"	Contractors, developers and MS4 staff	4.2.4.4.2 ...The Permittee must include in its SWMP document a procedure for being notified by construction operators/owners of their completion of active construction so that verification of final stabilization and removal of all temporary control measures may be conducted.	Develop a written Notice of Termination process for use within the city	Feb. 2012	ECP	Successful if 95% of all active construction sites are terminated appropriately
4	"	Contractors, developers and MS4 staff	"	Train SWPPP inspectors, their supervisors, and any personnel who grant final occupancy permits on the NOT process	Jul. 2014	ECP	Successful if 95% of all active construction sites are terminated appropriately
	"	"	4.2.4.4.3 Conduct Bi-weekly inspections on high priority construction sites	Inspect high priority sites	Ongoing	ECP	Successful if all high priority sites are inspected bi-weekly
	"	"	4.2.4.6 Maintain a log of active construction sites	Establish a log	Ongoing	ECP	Successful if active construction sites are recorded in the log

LONG-TERM STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

Permit Requirements

The permit requirements for Long-Term Storm water Management in New Development and Redevelopment can be found in Section 4.2.5 of the permit. A copy of the permit is included in Appendix F for reference. The permit outlines in general the following requirements.

1. Develop, implement and enforce a program to address post-construction storm water runoff to the MS4 from new development and redevelopment construction sites.
2. Develop and adopt an ordinance that requires long-term post-construction storm water controls at new development and redevelopment sites.
3. Develop an enforcement strategy and implement the enforcement provisions of the ordinance.
4. Post-construction program must have requirements to ensure that any storm water controls or management practices will prevent or minimize impacts to water quality:
 - encourage LID practices
 - include non-structural BMPs
 - retrofit existing developed sites that are adversely impacting water quality, retrofit plan should include:
 - proximity to waterbody
 - status of waterbody to improve impaired waterbodies and protect unimpaired waterbodies
 - Hydrologic condition of the receiving waterbody
 - proximity to sensitive ecosystem or protected area
 - any upcoming sites that could be further enhanced by retrofitting storm water controls
 - Define specific hydrologic methods for calculating runoff
5. Adopt and implement procedures for site plan review which incorporate consideration of water quality impacts.
6. Adopt and implement SOPs for site inspection and enforcement of post-construction storm water control measures. Procedures must ensure adequate ongoing long-term operation and maintenance of approved storm water control measures.

7. Provide all staff involved in post-construction program proper training.
8. Maintain an inventory of all post-construction structural storm water control measures installed and implemented at new development and redeveloped sites.

Summary of Existing Efforts

Draper City Drainage Design Criteria

The Draper City Drainage Design Criteria was adopted in October 2012 and includes specific criteria for use in the design of stormwater facilities. They are presented in two sections: Hydrologic Criteria and Design Criteria. Hydrologic Criteria includes precipitation, drainage design frequency, design storm distribution and duration, and the storm drainage modeling method. Design Criteria includes street drainage, storm inlets, storm drains, stormwater quantity control facilities, and easements.

A copy of the Draper City Design Criteria can be found on the Draper City website at:

<http://www.draper.ut.us/DocumentCenter/View/855>

Plan and Implementation Measures

In order to help meet the goals and objectives of this SWMP Draper City has chosen to adopt the following BMPs for use within our city as applicable. Each BMP is cross referenced alphabetically by code to a fact sheet that describes the BMP, its applicability, its limitations, and its effectiveness in the indicated appendix.

BMP	Code	Appendix
Ordinance Development	OD	B,C
Infrastructure Planning	IPL	B,C
Education Materials	EM	B,C
Land Use Planning/ Management	LIP	B,C
BMP Inspection and Maintenance	BMPIM	B,C

Goals

In order to more fully realize the benefit of the BMP the city has set the following goals. The goals set along with the existing efforts fulfill the requirements of the Final Storm Water Phase II Rule for Construction Site Runoff Control.

The following table includes the goals for MCM 5.

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Permit Reference/Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
5	All Pollutants	All Audiences	4.2.5.1. Develop and adopt an ordinance or other regulatory mechanism that requires long-term post-construction storm water controls at new development and redevelopment sites. (4.2.5.3.1 for flood control structure issues and 4.2.5.3.2 for LID)	Draft ordinance revisions	June, 2014	OD	If review is complete
5	"	"	"	Adopt updated ordinance	Sept. 2014	OD	If ordinance has been passed
5	"	"	4.2.5.2.2 Documentation on how the requirements of the ordinance or other regulatory mechanism will protect water quality and reduce the discharge of pollutants to the MS4.	Draft a standard to require contractors and developers to submit documentation on: how long-term BMPs were selected, pollutant removal expected from the BMP, and technical basis supporting performance claims	Jun. 2014	IPL	If draft is completed by the milestone date
5	"	"	"	Adopt revised standard	Sep. 2014	IPL	
5	"	MS4 Staff, City Council	4.2.5.3.3 The Permittee must develop a plan to retrofit existing developed sites that are adversely impacting water quality.	Update Storm Drain Master Plan and Capital Improvement Plan to include Water Quality	Oct. 2012	IPL	Adopted

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Permit Reference/Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
5	"	MS4 Staff, Contractors and Developers	4.2.5.3.4 Each Permittee shall develop and define specific hydrologic method or methods for calculating runoff volumes and flow rates...	Review existing design standards to see if they meet new permit requirements - see section 4.2.5.3.4	Oct. 2012	IPL	Adopted
5	"	"	"	Update design standards	Ongoing	IPL	If updated standards have been adopted
5	"	"	4.2.5.4.1 Review Storm Water Pollution Prevention Plans (SWPPPs)	See goals for MCM 4			
5	"	"	4.2.5.4.2 Permittees shall provide developers and contractors with preferred design specifications to more effectively treat storm water for different development types...projects located in, adjacent to, or discharging to environmentally sensitive areas.	Locate environmentally sensitive areas within the MS4	Jul. 2014	IPL	Completed map identifying environmentally sensitive areas
5	"	"	"	Review map of sensitive areas and identify preferred method(s) of treating storm water to discharge to those areas	Ongoing	IPL	List of preferred method(s)

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Permit Reference/Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
5	"	"	4.2.5.4.3 Permittees shall keep a representative copy of information that is provided to design professionals;...the dates of the mailings and lists of recipients.	Keep a revision log for information in Appendix A - Supplemental Guide to Contractors and Developers	Jan. 2015	EM	If revision log is filled out for all revisions
5	"	"	"	Log name and date of distribution of Supplemental Guide to Contractors and Developers	Jan. 2015	EM	If log is up to date and current
5	"	"	4.2.5.5. All Permittees shall adopt and implement SOPs or similar type of documents for site inspection and enforcement of post-construction storm water control measures.	Review and customize SOPs for inspection and enforcement of post-construction control measures	Jan. 2015	LIP	If inspection and enforcement SOPs are current and being utilized?
5	"	"	4.2.5.5.1 ... require private property owner/operators or qualified third parties to conduct maintenance and provide annual certification that adequate maintenance has been performed and the structural controls are operating as designed to protect water quality. In this case, the Permittee must require a maintenance agreement addressing maintenance requirements for any control measures installed on site.	Draft a maintenance agreement template	Jul. 2015	BMPIM	If draft is completed by the milestone date

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Permit Reference/Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
5	"	"	"	Adopt a maintenance agreement template	Sep. 2015	BMPIM	If template is adopted and being used by milestone date
5	"	"	4.2.5.5.3 Inspections and any necessary maintenance must be conducted annually by either the Permittee or through a maintenance agreement, the property owner/operator. On sites where the property owner/operator is conducting maintenance, the Permittee shall inspect those storm water control measures at least once every five years, ...	Inventory post-construction BMPs - see 4.2.5.7.1 for inventory inclusion items	Sep. 2015	BMPIM	If inventory is complete
5	"	"	"	Identify who is responsible to inspect and/or maintain each post-construction BMP	Jul. 2015	BMPIM	If list identifies person responsible for inspections/maintenance
5	"	"	"	Develop inspection report form for post-construction BMPs	Jul. 2015	BMPIM	If form is completed
5	"	"	"	Conduct inspections annually for city owned BMP's	Ongoing	BMPIM	If completed inspection reports are properly filed

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Permit Reference/Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
5	"	"	"	Conduct inspections on privately owned BMP's at least 20% per year	Ongoing	BMPIM	If completed inspection reports are properly filed
5	"	MS4 staff	4.2.5.6. Permittees shall provide adequate training for all staff involved in post-construction storm water management, planning and review, and inspections and enforcement.	Schedule and conduct training for appropriate personnel	Annually	BMPIM	If all appropriate personnel are trained
5	"	"	4.2.5.7 Maintian an inventory of post construction BMP's	Inventory log updated annually	Ongoing		If log is updated

POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

Permit Requirements

The permit requirements for Pollution Prevention and Good Housekeeping for Municipal Operations can be found in Section 4.2.6 of the permit. A copy of the permit is included in Appendix F for reference. The permit outlines in general the following requirements.

1. Develop and implement an operations and maintenance program for Permittee-owned or operated facilities, operations and structural storm water controls that includes SOPs and a training component that have the goal of preventing pollutant runoff.
2. Shall develop and keep current a written inventory of Permittee-owned or operated facilities and storm water controls.
3. Must initially assess the written inventory of Permittee-owned or operated facilities, operations and storm water controls for their potential to discharge to storm water the following pollutants:
 - sediment
 - nutrients
 - metals
 - hydrocarbons
 - pesticides
 - chlorides
 - trash
 - additional pollutants associated with permittee facilities
4. Identify "High Priority" facilities that have a high potential to generate storm water pollutants.
5. Develop facility specific SOPs for each "high priority" facility which include BMPs and LID
 - SOP shall also include pollution prevention for all of the following:
 - Buildings and facilities
 - Material storage areas, heavy equipment storage areas and maintenance areas
 - Parks and open space
 - Vehicle and Equipment
 - Roads, highways, parking lots
 - Storm water collection and conveyance systems
 - Other facilities and operations

6. If a third party conducts municipal maintenance or if private developments are allowed to conduct their own maintenance, the contractor shall be held to the same standards as the permittee.
7. An O & M program for city owned facilities shall include the following inspections:
 - Weekly visual inspections of "high priority" facilities
 - Quarterly comprehensive inspections
 - Quarterly visual observation of storm water discharges
8. Develop and implement a process to assess water quality impacts in the design of all new flood management structural controls.
9. Adopt and implement SOPs for site inspection and enforcement of post-construction storm water control measures. Procedures must ensure adequate ongoing long-term operation and maintenance of approved storm water control measures.
10. Public construction projects shall comply with the requirements applied to private projects.
11. Provide training to all employees who have primary construction, operation, or maintenance job functions likely to impact storm water quality

Summary of Existing Efforts

Draper City Operated Facilities

Draper City has completed an inventory of all owned and operated facilities, including identifying storm drain systems, floor drain systems and any potential sources of pollutant runoff. Visual observations and inspections are conducted in accordance with 4.2.6.6 of the permit.

Draper City Drainage Design Criteria

The Draper City Drainage Design Criteria was adopted in October 2012 and includes specific criteria for use in the design of stormwater facilities. They are presented in two sections: Hydrologic Criteria and Design Criteria. Hydrologic Criteria includes precipitation, drainage design frequency, design storm distribution and duration, and the storm drainage modeling method. Design Criteria includes street drainage, storm inlets, storm drains, stormwater quantity control facilities, and easements.

A copy of the Draper City Design Criteria can be found on the Draper City website at:

<http://www.draper.ut.us/DocumentCenter/View/855>

Plan and Implementation Measures

In order to help meet the goals and objectives of this SWMP Draper City has chosen to adopt the following BMPs for use within our city as applicable. Each BMP is cross referenced alphabetically by code to a fact sheet that describes the BMP, its applicability, its limitations, and its effectiveness in the indicated appendix.

BMP	Code	Appendix
Housekeeping Processes	HP	B,C
Infrastructure Planning	IPL	B,C
Employee Training	ET	B,C

Goals

In order to more fully realize the benefit of the BMP the city has set the following goals. The goals set along with the existing efforts fulfill the requirements of the Final Storm Water Phase II Rule for Construction Site Runoff Control.

The following table includes the goals for MCM 6.

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
6	All pollutants	MS4 staff	4.2.6 ...All components of an O & M program shall be included in the SWMP document and must identify the department (and where appropriate, the specific staff) responsible for performing each activity described in this section...	Complete Org chart and define specific responsibilities for all departments shown	Mar. 2014	HP	If org chart is complete and up to date by milestone date
6	"	"	4.2.6.1. Permittees shall develop and keep current a written inventory of Permittee-owned or operated facilities	Complete listing of MS4 owned/operated facilities	Dec. 2012	HP	If list is completed by milestone date
6	"	"	4.2.6.2. All Permittees must initially assess the written inventory of Permittee-owned or operated facilities, operations and storm water controls identified in Part 4.2.6.1. for their potential to discharge to storm water the following typical urban pollutants:	Complete assessments and identify "high priority" facilities	Feb. 2012	HP	If assessments are completed and documentation recorded in SWMP
6	"	"	4.2.6.4. Each "high priority" facility identified in Part 4.2.6.3. must develop facility-specific standard operating procedures (SOPs) or similar type of documents.	Review, customize and update appropriate SOPs	Mar. 2014	HP	If SOPs are updated and current by milestone date

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
6	"	"	4.2.6.6.1 Weekly visual inspections: The Permittee must perform weekly visual inspections of "high priority" facilities in accordance with the developed SOPs to minimize the potential for pollutant discharge.	Develop weekly inspection form and log	Feb, 2012	HP	Completed inspection form and log
6	"	"	"	Conduct weekly inspections	Ongoing	HP	If at annual review all weekly inspections are logged and reports completed
6	"	"	4.2.6.6.2 Quarterly comprehensive inspections: At least once per quarter, a comprehensive inspection of "high priority" facilities, including all storm water controls, must be performed	Develop quarterly inspection form(s) and log	July, 2012	HP	Completed inspection form and log
6	"	"	"	Conduct quarterly comprehensive inspections	Ongoing	HP	If at annual review all quarterly inspections are logged and reports completed

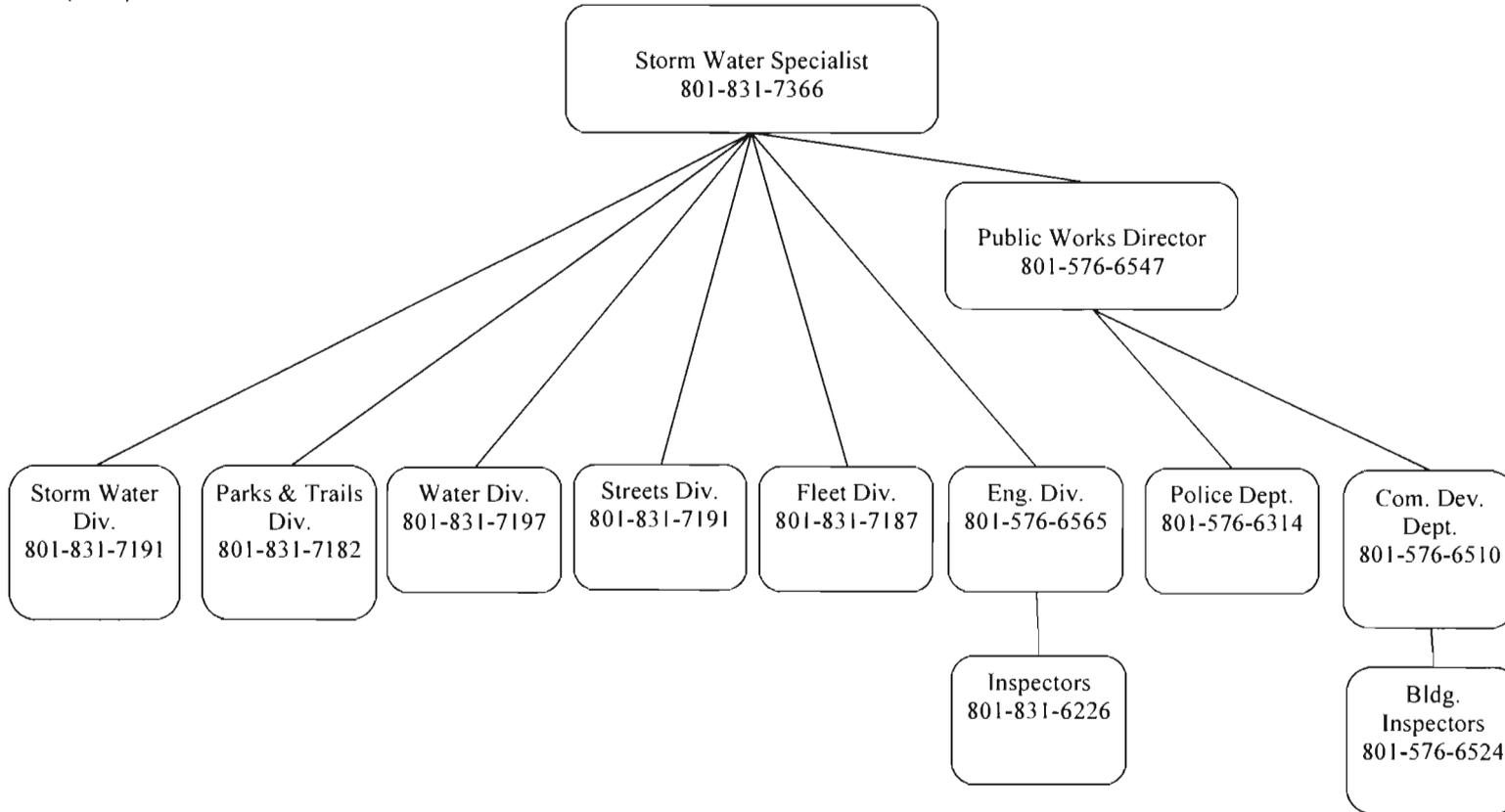
**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
6	"	"	4.2.6.6.3 Quarterly visual observation of storm water discharges: At least once per quarter, the Permittee must visually observe the quality of the storm water discharges from the "high priority" facilities	Conduct quarterly visual observations of storm water discharges at high priority facilities	Ongoing	HP	If at annual review all quarterly visual monitoring is completed and logged and reports completed
6	"	MS4 Staff, Contractors and Developers	4.2.6.7. The Permittee must develop and implement a process to assess the water quality impacts in the design of all new flood management structural controls that are associated with the Permittee or that discharge to the MS4.	Draft a policy/process to assess water quality impacts on all new flood control projects	Aug, 2012	IPL	If draft is prepared and ready for internal review process by milestone date
6	"	"	"	Get policy approved	Oct. 2012	IPL	If policy is approved and adopted by milestone date
6	"	MS4 staff	4.2.6.7.1 Existing flood management structural controls must be assessed to determine whether changes or additions should be made to improve water quality.	See MCM 5 for goals (part of the retrofit program)			

**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Measurable Goals**

MCM	Target		Desired Result	Measurable Goal	Milestone	Assoc.	Measure of Success (Effectiveness)
	Pollutant(s)	Audience(s)			Date	BMP	
6	"	"	4.2.6.9. Permittees shall provide training for all employees who have primary construction, operation, or maintenance job functions that are likely to impact storm water quality.	See individual training goals within other MCMs			
6	"	"	"	Develop a training schedule	July, 2014	ET, HP	If schedule is complete by milestone date
6	"	"	"	Conduct ongoing training according to schedule	Ongoing	ET, HP	If training is completed and documented according to schedule at annual evaluation
6							
6							

MS4 ORGANIZATION CHART
Draper City 2014



**General Permit for Discharges from Small Municipal
Separate Storm Sewer Systems (MS4s)
Organization Chart Department Responsibilities – Draper City**

Storm Water Specialist

- Oversee Storm Water Management Program specifics and work with department heads
- Responsible for shared facilities and general work areas including:
 - o Large equipment wash area
 - o Salt and materials storage stockpile areas
 - o Storm drain system maintenance
 - o General BMP maintenance
 - o Small vehicle wash area
- Annual report
- Updating SWMP
- Coordinates SWMP through City Departments
- Tracking and documentation of activities and actions
- Database updates
- Engineering support
- Help with all reporting
- Storm Drain mapping
- Supervises Assistant Storm Water Manager

Public Works Director

- Liaison with administration and City Council
- General coordination of the Storm Water Management Program (SWMP)

Parks and Trails Division

- Parks division maintenance work area
- Pesticide, Herbicide, and Fertilizer (PHF) program
- Training parks personnel
- Chemical and fertilizer storage in work area
- Parks division equipment operation
- Oversees building and grounds maintenance

Water Division

- Water division maintenance work area
- Training water division personnel

- Chemical storage in work area
- Water division equipment operation
- Equipment maintenance for water division equipment

Streets Division

- Streets division maintenance work area
- Streets division equipment operation
- Equipment maintenance for streets division
- Training streets division personnel
- Chemicals storage in work area
- Snow plowing program
- Street sweeping program
- Salt and materials storage stockpile areas
- Metal fabrication area

Fleet Division

- Fleet division maintenance work area
- Training fleet division personnel
- Chemicals, fluids, and oils in work area, waste oils/fluids
- Metal fabrication area

Engineering Division

- Annual report
- Database Updates
- Engineering Support
- Aid in Reporting
- Review and inspect SWPPP associated with NOI's and construction activities
- Storm Drain Mapping
- Updating Storm Drain Ordinances

Community Development Department

- Low impact development coordinator

Police Department

- Assists in IDDE program
- Ordinance Support
- Aid in Reporting

Sample Shared Responsibilities

Activity	Target Pollutants	Target Audiences	Measurable Goal	Document/Data/Proof of Completion	Document Location	Responsible Person/Party
TV Advertisements	1-17	1-4	Purchase annually	Invoice	Coalition Documentation Binder	Coalition Chairman
Monthly Coalition Meeting	1-17	1-4	Meet 10 times annually	Agenda, Minutes, Attendance List	Binder	Coalition Chairman
4th Grade Lessons	1-7,15	1	Teach all public 4th grade classes annually	Invoice, Teacher's lesson plan, school visitation schedule	Binder	Coalition Chairman
Purchase Education Materials						
Booklets & Balls	1-7,15	1	Purchase enough for all 4th grade classes annually	Invoice	Binder	Coalition Chairman
BMP Manual	3,8	3,4	Review annually	Finished document	Binder	Coalition Chairman
Pamphlets	2,3,6,9-14,16	1-4	Develop 1 pamphlet annually	Invoice, finished document	Binder	Coalition Chairman
Stickers (gas station)	17	1,2	Purchase when supply is depleted	Invoice, finished products	Binder	Coalition Chairman
Pencils & Magnets	1-17	1	Have continually available	Invoice, finished products	Binder	Coalition Chairman
Curb Markers	1-17	1	Have continually available	Invoice, finished products	Binder	Coalition Chairman
Water Fair	1-7,15	1	Hold one event annually	Invoices	Binder	Coalition Chairman
Trainings	1-17	3,4	Hold one training annually	Invoice, Invitation, Agenda, Attendance List	Binder	Coalition Chairman
County Drainage Map	15	4	Request updates annually	Minutes of Coalition meeting	Binder	Coalition Chairman
Spill Report Hotline	15	1-4	Get reports semi-annually	Report on calls received	Binder	Coalition Chairman
Standard Operating Procedures	1-17	4	Review & update annually	Finished document	Binder	Coalition Chairman
StormCon Conference	1-17	4	Send 3 coalition members annually	Invoices	Binder	Coalition Chairman
SWAC Meeting Attendance	1-17	4	Have 1 voting member and 1 alternate assigned and present 90%	Attendance sheet, minutes	Binder	Coalition Chairman
Interlocal Agreement	1-17	1-4	Execute once per permit cycle	Executed document	Binder	Coalition Chairman



STORM WATER FUND

STORM WATER FUND

City of Draper, Utah

	Actual FY 11-12	Estimate FY 12-13	Budget FY 12-13	Budget FY 13-14
BALANCE SUMMARY				
BEGINNING FUND BALANCE				
Utility	\$1,013,822	\$1,216,307	\$1,216,307	\$3,847,849
Impact Fee	2,596,073	2,833,219	2,833,219	2,420,297
	\$3,609,895	\$4,049,526	\$4,049,526	\$6,268,146
Revenues				
Utility	\$1,220,267	\$3,260,185	\$3,172,150	\$3,530,625
Impact Fee	\$269,894	\$395,558	\$112,000	\$135,000
Total Revenues	\$1,490,161	\$3,655,743	\$3,284,150	\$3,665,625
Expenditures				
Utility	\$1,017,783	\$628,643	\$3,787,684	\$6,408,268
Impact Fee	\$32,748	\$808,480	\$2,618,480	\$1,810,000
Total Expenditures	\$1,050,531	\$1,437,123	\$6,406,164	\$8,218,268
ENDING FUND BALANCE				
Utility	1,216,307	3,847,849	600,773	970,206
Impact Fee	2,833,219	2,420,297	326,739	745,297
	\$4,049,526	\$6,268,146	\$927,512	\$1,715,503

UTILITY

BALANCE SUMMARY

Beginning Fund Balance	\$1,013,822	\$1,216,306	\$1,216,306	\$3,847,848
Net Change in Fund Balance	\$202,484	\$2,631,541	\$(615,534)	\$(2,877,643)
Ending Fund Balance	\$1,216,306	\$3,847,848	\$600,772	\$970,205

REVENUE

52-30-0001	Storm Water Utility Fee	\$1,174,889	\$1,254,257	\$1,175,000	\$1,695,625
52-30-0003	Contributions from Developers	1,300	1,962,000	\$1,962,000	
52-30-0010	Intergovernmental Agreement	1,431			
52-30-0011	Emergency Watershed Grant				\$1,800,000
52-30-1074	Restitution - Storm Water		2,596		
52-30-1201	Late Fees	33,173	32,534	30,000	\$30,000
52-30-2001	Interest Income	9,474	8,798	5,150	\$5,000

STORM WATER FUND

City of Draper, Utah

	Actual FY 11-12	Estimate FY 12-13	Budget FY 12-13	Budget FY 13-14
Total - Revenues	1,220,267	3,260,185	3,172,150	\$3,530,625
EXPENDITURES				
<i>Salaries & Benefits</i>	436,806	451,077	471,883	477,787
<i>Operations</i>	459,484	393,192	616,818	676,457
<i>Capital Outlay</i>	121,493	-215,625	2,698,983	5,254,024
52-40-1101 Benefits				
Total Expenditures	1,017,783	628,644	3,787,684	\$6,408,268
Net Change in Fund Balance	202,484	2,631,541	(615,534)	(2,877,643)

STORM WATER FUND

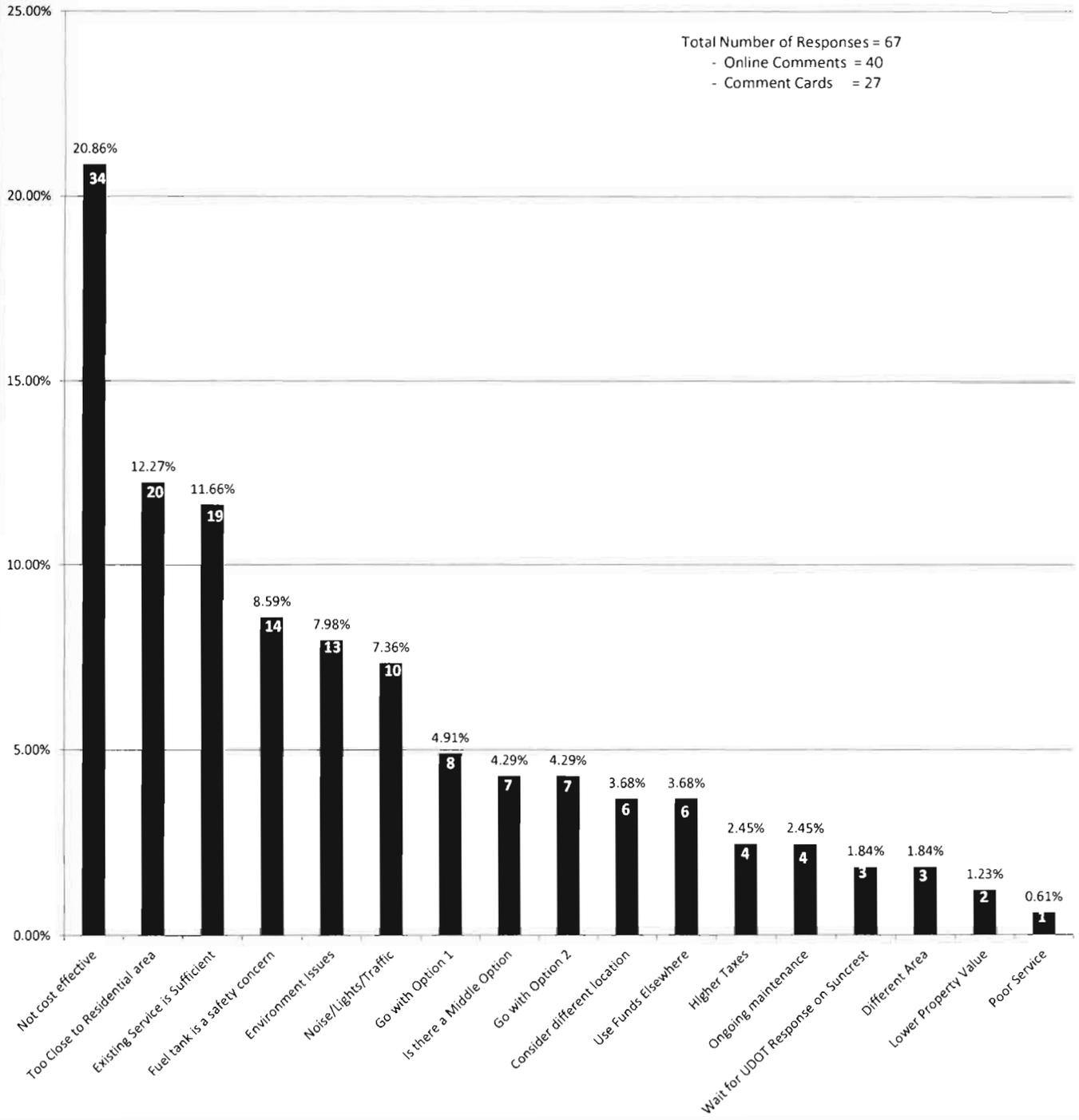
City of Draper, Utah

	Actual FY 11-12	Estimate FY 12-13	Budget FY 12-13	Budget FY 13-14
IMPACT FEES				
BALANCE SUMMARY				
	\$2,596,073	\$2,833,219	\$2,833,219	\$2,420,297
Audit Adjustment				
Beginning Fund Balance	\$2,596,073	\$2,833,219	\$2,833,219	\$2,420,297
Net Change in Fund Balance	\$237,146	\$(412,922)	\$(2,506,480)	\$(1,675,000)
Ending Fund Balance	\$2,833,219	\$2,420,297	\$326,739	\$745,297
REVENUE				
92-30-0001 Storm Water Impact Fees	\$244,616	\$375,269	\$100,000	\$120,000
92-30-2001 Interest Income	25,277	20,289	12,000	\$15,000
92-39-9541 Transfer from CIP Fund				
Total - Revenues	269,894	395,558	112,000	135,000
EXPENDITURES				
92-40-2402 Misc Flood Control Engineering		(7,378)	(7,378)	
92-40-7050 Southpoint Access Drainage		(40,000)	(40,000)	
92-41-5063 Draper Canal - Deerhollow / Willow		355,213	355,213	
92-41-6032 Bellevue Subdivision		164,220	164,220	
92-41-6033 North Draper Drainage Outfall		16,604	16,604	
92-41-8010 TK Acres Storm Drain Improvement		30,000	30,000	
92-41-8011 Willow Creek Channel		46,000	46,000	
92-45-8011 Storm Water Master Plan	32,748	(206,179)	(206,179)	
92-52-0411 300 East - Phase III		450,000	450,000	
92-53-0892 13200 South Widening		-00	350,000	350,000
92-53-0992 13490 South - Corner Creek		-00	925,000	925,000
92-53-1192 Coyote Hollow / Traverse Ridge Rd		-00	535,000	535,000
Total - Expenditures	\$32,748	\$808,480	\$2,618,480	\$1,810,000
Net Change in Fund Balance	237,146	(412,922)	(2,506,480)	(1,675,000)

[Return to Agenda](#)

ITEM #6

Compiled Comments on SunCrest PW Substation



First Name	Last Name	Address1	Email Address	Comments
David	Dillon	1864 E. Clover Leaf	sean_dillon@progressive.com	<p>Why are we only given 2 options. One that looks like a giant circus tent for \$290K and then there is the \$1.7 million dollar Huntsman vacation get-away chateau. C'mon ! Isn't there anyway to build something that looks like it will belong in the neighborhood for under 1 Million ?</p>
Brittney	Hansen	1883 Chimney Stone Road	brittney.hansen@gmail.com	<p>It seems like there ought to be a middle ground between these two options. Option 1 is certainly much nicer looking, but not \$1.4 million nicer looking. Option 2 would stick out like a sore thumb in our lovely wilderness-y neighborhood, the color scheme would not match at all. Even if it were at least painted brown it seems like it could be a more viable option. If these really are the only two options I would personally vote for option 2 as I don't feel that the value is there to justify the expenditure of an extra \$1.4 million of taxpayer dollars.</p> <p>ABSOLUTELY NOT!!!</p> <ol style="list-style-type: none"> 1. This construction and heavy traffic will destroy all beauty and peacefulness of this wild area. 2. This type of business should NOT be placed in residential area. <p>There are so many empty deserted spaces in the southern slope of Traverse mountain, where this substation can be built. I think, this is very antienvironmental and antihuman decision.</p>
Elmira	Webb	2038 eagle crest dr	elmira@brucewebb.net	
Tiffanie	Hoffmann	14926 Saddle Leaf Court	tjstar75@live.com	<p>I looked at the two choices and was horrified by how absurd the choices were. One is the ugliest building it's possible to make, and the other is a completely over the top luxury home. Is there no happy medium? No middle ground? What kind of choice is this?</p> <p>Thanks for sending out the two building design proposals, and their costs. PLEASE don't spend an extra \$1.4M to get a pretty looking building. If a \$300k building is just as functional (or even half as functional!) don't even consider spending over 5x more money on looks. I would consider that a completely irresponsible use of the money that I and my taxpaying neighbors have paid (and will pay) to Draper City or the TRSSD.</p>
Mac	Newbold	15149 Holly Grove Ct	mac@macnewbold.com	<p>Sincerely, Mac Newbold</p>
Rick	Lake	14977 S Eagle Crest Dr	ricklake@subzeroeng.com	<p>Commenting on the proposed "salt dome" for Suncrest - two choices, the obvious selection (if needed at all) is the simple structure for \$290,000 - this should be viewed as a seasonal use facility not an addition to the Draper Kingdom</p> <p>I have a hard time approving any spend through the TRSSD fund, due to the fact that since Draper City has taken over the clearing of the roads in Suncrest their condition has worsened - not improved. I feel that I am being excised an extra tax with the promised benefits never being delivered. While I agree that a station in Suncrest would be beneficial to operations, I lack all confidence that the City will manage it in our best interest. If I am forced to choose an option I would elect the cheapest one possible - until Draper City has successfully been able to comply with their burden of proof responsibility that it is adding direct value to those citizens that pay for it, and they are able to manage it effectively.</p>
Tyron	Bennion	14971 Winged Bluff Ln	unwantedjunk@gmail.com	
Laura	Romin	1925 Heather Oaks Court	wildlifereflections@comcast.net	<p>There is no comparison - Option 1 for the Salt Building is the one that should be selected. We maintain a beautiful community in Suncrest, and the Building spec in Option 1 will blend in perfectly! The other will look like a sore thumb and should be dismissed from consideration.</p>

I'm sorry that I'm unable to attend the public meeting about the future of the location in Suncrest, but thank you for providing an online option for submitting comments.

At a meeting a few months ago in Suncrest with Draper City officials in attendance, and in response to an outcry about constructing a "Quonset hut" style building for the purpose of salt storage and snow-removal vehicle storage, we were all assured by Draper City representatives, in no uncertain terms, that such a thing would not ever be considered, because even though the building would be constructed on city property, because the property is within the boundaries of the Suncrest Development, it would still be subject to Suncrest covenants and restrictions.

If that is the truth, then how can building option #2 even be an option? The owners in Suncrest paid a premium (and continue to pay monthly HOA fees) to protect the development from precisely the outrageous eyesore that the "quonset hut" style building would create.

I left that meeting a few months ago with a huge increase in confidence in city leaders; but seeing this 2nd option is quickly eroding that confidence.

Option #2 will never adhere to community architectural guidelines, so how can it even be considered? Such a building would destroy the integrity of the entire community and development. I'd rather have NO building than a gigantic eyesore that will be so completely out of place as to ruin the entire aesthetic of the community. Just keep the salt pile and the vehicles wherever they are currently being housed.

Having said all that, the first option is tasteful and perfectly blends into the community; I would gladly support that option.

Thank you.

Sincerely,

Why now? Why there? What are the benefits for suncrest residents? Is the suncrest park land public land owned by government? How much traffic will it increase?

After looking at the 2 building options, I much prefer the brick/stone (more expensive) option, which fits in nicely with the existing buildings in Suncrest. The cost is a concern, as I haven't seen how it will be paid for. If it's an assessment of Suncrest residents, I would protest, as we already pay additional taxes each year for living in this area of Draper. I'm unable to attend the meeting Wednesday due to my job, but trust that our city representatives will do what's best for Suncrest. If this building is necessary, then please make it aesthetically pleasing and please DON'T place additional financial requirements on the Suncrest residents. Thank you for your time!

If forced to choose of vote, I'll vote for the more expensive project. I believe that building fits the community better. As the proposed site of construction is just down from my house, I have concerns about property values, noise pollution, and impact to the value of the community in general. All in all, I don't understand what current problem either of these buildings will solve, and I'm sure the money could be used to enhance the community and the city in a different way.

I want option 2. There is no need to spend such a large amount for the storage. I would rather you use the money to continue to build out the trails etc.

If option # 2 is used to save \$\$\$....couldn't the structure be more in earth tones... green and brown or tan instead of stark white. Perhaps a mural on the side, painted by a couple of volunteer artists from the area. Have a competition for what it would be.

Craig	Steiner	14768 Paddington Road	outandproud@mac.com
Kevin	Shen		kevin.shen.xw@gmail.com
Tricia	Van Hecke	1885 E Aspen Leaf Place	triciavanhecke@yahoo.com
Jeff	Alcorn	1994 e eagle crest dr	Jalcorn@me.com
Jonathan	Tuttle	15039 Eagle Crest Dr	jon@caroltuttle.com
Don	Cronk	15777 Rolling Bluff Dr.	yukon8888@gmail.com

Tim	Woods	1680 amber crest lane	Timboskidude@yahoo.com	<p>I do not see the need to spend my tax money on this project. Snow removal is not the issue here. The issue is you want to spend tax money because you have it to spend. If you don't spend it you could loose it on next years budget! How about taking the surplus and give it back to the tax payers!</p> <p>I much prefer the building over the "tent" looking cheesy looking building. Even though the cost is much more it looks much more in character to our neighborhood. And, for the millions of dollars that Draper spends on all of it's efforts for the open spaces and trails etc., etc. it seems but a drop in the bucket for what they ever do for us as the residence in Suncrest considering all of the tax money they receive from the residence in Suncrest. Besides that they if they can build a building like that up here why can't they put residences in that location? I am personally tired of the "Old Draper" attitude we receive in Suncrest. I would appreciate it if Draper would give Suncrest the same consideration it gives to the "Old School" Draper attitude. So much for all of the money they spend on the trails and open spaces. Give us the same consideration. We are not just your "ugly step children". We contribute a lot to your community.</p>
Marcia	Cowley	14848 Village Vista Dr.	mhkeen@yahoo.com	
Jill	Lighten	15437 s winged Trace ct	Grammajill@gmail.com	<p>I hope you build something that fits our community. The one like a tent looks so temporary, and commercial. I hope we build something that is fitting our neighborhood, and function as well.</p> <p>I am opposed to building a substation of nay kind in the Suncrest neighborhood. I believe that the substation at the bottom of the hill by the liquor store serves our purposes very well. If more building are needed to store equipment I suggest building them at the bottom of the hill. I think is FAR TO LARGE AN EXPENDITURE FOR SOMETHING THAT IS NEITHER WANTED OR NEEDED IN OUR COMMUNITY. As I have spoken to my neighbors all of them feel the same way and are willing to sign a petition in that regard. Hopefully we can renegotiate this project and put it on hold until the people who are paying for it can have a say in the project, namely the Suncrest residents.</p> <p>Also, if we own the building it seems this will require a significant cost to keep it up and staff it in the future, again not necessary.</p>
Christa	Muller	1842 Longbranch Drive	chrismuller53055@mail.com	<p>Thank you for allowing me to voice my comments.</p> <p>My suggestion of the project is to move the location. I know there has been a lot of fight about the location. I think there would be less of a fight if you used the location on the Utah County side of Suncrest where all of the cement is piled up. It solves two problems one being the blight that the cement area is and the substation. I think residents in that area would be more willing to approve there as it is already an unusable area and it would just be beautifying that and making the area useful rather than just a dump.</p> <p>Where is the money coming from to fund option 1 vs option 2? Will the Suncrest Homeowners have to pay for either option in the form of an assessment?</p>
Jonathan	Haering	1858 E. Chimney Stone Ct.	haeringjm@gmail.com	
Judy	Haun	2126 Village Crest Drive	jdhaun@comcast.net	
Stephen	Kroes	15281 Falcon Crest Ct.	steve@kroes.us	<p>If this is to be built, I do not think the low-cost option is acceptable for our community. It would be an eyesore and would represent a lack of keeping faith with the people whose homes border the parcel and never expected to overlook a semi-permanent tent-like structure. I am not one of them but I sympathize with them. However, my main concern is about the cost and the alternative uses of these funds. Our roads up the mountain are in need of better maintenance, repair, and probably complete repaving (especially on the Utah County side). I would like to know if spending \$1 million-plus on the public works structure would set back significantly our ability to save up the funds for fixing the roads. In other words, what is the opportunity cost of spending our TRSSD money on this structure? I would be willing to pay a higher property tax to the TRSSD to have our roads repaired. I see that as a higher priority than this structure, unless the structure were to create enough operating cost savings to enable the special district to still save up for the road repairs within an adequate timeframe.</p>

Cabot	Curtis	14811 Maple Park Court	caboalta@yahoo.com	<p>I live on Maple Park drive which is not in Suncrest, it is about 1/3 mile past Mike Wier Drive. I don't see how the street I live on is included in this TRSSD. It seems that Draper city is unjustified in leaving this additional tax and now they are looking for something to spend the money on to justify themselves. How is storing salt and a truck in Suncrest going to be of any benefit to the Suncrest residents or those of us who live down where I am. Now the driver will drive up to start then plow down vs starting at the bottom.</p> <p>I'm disappointed with our choices for a salt dome. Obviously the more expensive one is a beautiful building that would not detract from our community. I just don't want to pay 1.7 million for the construction of it. How much money is going to be saved by storing salt and fuel up here? How many years of savings would it take to recoup the 1.7 million dollar investment? The cheaper option is ugly. Is white the only option or could we go with a nice tan and brown? Again though, I'd like to see the financial savings vs. cost of construction to see how this is a smart financial move. If this is being paid out of our TRSSD fund, I'd rather spend the money on the cheaper one, in a tan and brown color.</p>
Allison	Plummer	15142 Eagle Crest Dr	allison.plummer@yahoo.com	
Rebecca	Garzella	1871 Longbranch Drive	bgarzella@gmail.com	<p>I am a little disappointed in the choices presented for the Salt Dome. It looks like you've presented the cheapest option and also the most expensive option. Isn't it possible to have something in between? Also I feel like a white and green building is going to stand out like an eyesore. Why can't that be painted a brown/tan color so that it would blend in more with the surroundings? Also it seems like Draper is planning to spend all of our TRSSD funds on this. Shouldn't the city need to contribute to at least some of the costs? If a new salt storage area was needed, then this to me is at least in part a city responsibility. I'm sorry that I cannot make it to this meeting this evening. I hope that some kind of middle ground can be reached as I am not very happy about either of these choices. In general if we really need this, then I'm hoping something simple and serviceable will be chosen. Please pick better colors though so it does not stand out and look awful. Also I think considering some landscaping so that this is not super visible from the street would be nice.</p> <p>My home backs up to this property for the proposed substation and I am greatly concerned with how this will impact my property value and the aesthetics of Suncrest. I am all for having a substation in Suncrest since it would meet our needs with snow removal of our roads, however, the substation should conform with the Suncrest bylaws to keep our community beautiful. The Option # 2 large white building estimated to cost around \$290,000 absolutely does not conform to Suncrest standards and would negatively impact property values and be quite the eye-sore for our community. The Option #1 would be perfect for our community if our budget would allow for it. If we cannot afford something that conforms to Suncrest standards, then we shouldn't even be building a substation yet. This property is right in the middle of a residential neighborhood and anything built there should look like the surrounding residential buildings. Please, Please do not build the eye-sore option #2 just because of the cost.</p> <p>The current method of snow removal exceeds expectations for the Suncrest area. There is absolutely no justification or need to spend money on the salt dome. The ROI is not substantial enough to warrant a 2million dollar project. The proposed site has many concerns including, landslides, fire hazards, noise pollution and light pollution to neighbors, as well as a very high risk of decreasing home values. No SunCrest residents want or need this building!!! Please do not move forward with this project!</p>
Rachel	Van Otten	1944 E Longbranch Dr	rwvanotten@yahoo.com	
Michele	Wright	1864 E Longbranch Drive	Michelewright44@gmail.com	

1. There are no quantified resident complaints about the existing snow removal service being provided. In fact, residents are extremely complimentary about longtime existing service.
2. The above grade fuel storage tank is a major fire hazard in a high wildfire prone area. Installation on a designated landslide plot is a significant city liability.
3. The ROI of 20 years in no way justifies the expenditure. Adding 1 additional truck to the system will achieve objectives at a fraction of the cost and add a job in the city.
4. The center of an affluent neighborhood is no place for an industrial site.
5. The environmental impact on wildlife patterns, nighttime sky, noise pollution, etc. is significant.

Chris	Wright	1864 Longbranch Dr	ccwright@hotmail.com
Tiffany	Pratt	1862 Clover Leaf Ln	tiffanypratt@hotmail.com
Ryan	McLelland	15102 Eagle Crest Drive	mcllland@gmail.com

Do not approve this project.

There has got to be a middle ground option. Those two price ranges are the extremes. We should be able to get something that looks nice, but isn't over a million dollars. Its basically a large garage.

Please do not waste money on the more expensive option. It is wasteful and pointless. I can't imagine there are not other color options of the cheaper version. Find one in brown or green and go with it. If there are no other color options, then the white option is still better than wasting a huge portion of budget on a such a building that will function nearly the same regardless of looks.

After attending the 3/25/2014 Suncrest meeting and listening to the presentation about putting up a salt "house" these are my thoughts after considering the question and answers of everyone attending.

I would like to add that everyone one commented that the snow & ice removal preventative service being provided is very adequate and has no complaints. Which brings up the point if it isn't broken, why fix it!

#1 I and my family are very much against this project! Including about 99% of the residents in the Suncrest area.

#2 why can't the city xeriscape with native plants to hold the soil and land intact and just let nature water them, the explanation did not make any logical sense at all about not planting anything because the water would cause land movement. Weather will and does happen on traverse ridge including snow, snow melt & rain but apparently this type of water will not affect the land??? I understand the staff geologists are against putting in a nature park because of using irrigation water, that is not a understandable or reasonable answer and doesn't have the science to back it up. Why not make this area a natural area so that everyone in Draper can enjoy these mountain views?

#3 The "artist rendition" of the project did not show reinforced pavement, type and height of fencing, poles for lighting, what type of lighting, what is the actual height of these proposed buildings, how much area is going to be paved, where the storage area is for the diesel tanks are, and the protection berm needed for spill control. Once you have paved this area it will change the rain and snow run off patterns causing additional types of erosion to this area

#4 There was also no comment on the added cost of the employees needed to man this station either for security or running the equipment to load / unload the salt and other materials needed.

#5 there was also no comment on how much damage the main through way residential street would receive with the added trucks hauling fuel and salt back and forth causing additional costs and possible damage to residential vehicles from the damaged street not being repaired very timely. It is not the weight of each individual truck it is the amount of trips back and forth with the weight of each trucks that cause road damage.

#6 The amount of taxes put into the "snow fund" must be more than enough for taking out 1.7 million dollars to propose this project. This may be time to address the excessive tax amount being unequally levied on citizens of the same city.

Glenn	Olsen	2059 Eagle Crest Dr	Beaglerun@gmail.com
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Using our TRSSD funds for this project is not appropriate. These funds are to be used to cover the additional charges it costs to clear the roads, not build city buildings. We do not want this in our neighborhood. This is a poor use of our money and grossly negligent on the role of the City council approving the use of these funds for this project. This is a firewise zone that we do not want fuel stored on or salt that could contaminate the ground for many years. We do not want trucks hauling fuel and salt up the hill to this facility. This building would be used 4-5 months out the year. This would be outrageous to spend this kind of money for something that has no justification. This started in the planning 8 years ago but at that time the master plan for this community was for 3-4 times the number of homes. We do not want this! Period. Listen to the people, that is why you are elected to the positions you are in.

Doug Fowler 2022 Eagle Crest Drive doug@ilndtym.com

1. What are the results of the Cost Benefits Analysis for this project? Forward a copy of the report to my email.
2. How many bids for this project were submitted?
3. What are the costs for yearly maintenance? Will the TSSRD or Draper City be funding the maintenance costs?
4. The proposed site is in conflict with a previous lawsuit that property owners (whose views will be affected) won in regard to protecting views. Is it legal for Draper City to usurp the previous right the owners won?
5. At a cost of \$1.7M why is the building not multi-use? At the very least, the fueling station(s) could be a source of income. By adding an unleaded fuel tank and a credit card point of sale the community could have an additional source of revenue.
6. Will Draper City be leasing the building from SunCrest Owners? Why or Why not?

Thank you
Jennifer DiMarzio

Jennifer DiMarzio 15373 Falcon Pointe Court jennifex12@aol.com

I'm having a hard time with the necessity of this salt facility. The initial proposal to the citizens of Suncrest was that this will save money. Now with further disclosure it is obvious that is not the case. The more we dig into this proposal the more questions are raised. Rather than solutions, this facility has only caused more confusion and mistrust.

I don't personally feel this facility is necessary. Financially it makes no sense. The financial offers that have been shown to residents are not even complete. They exclude many factors that will dramatically increase costs both immediately and over the life of the complex.

The quality of life in Suncrest will suffer if this "Salt Dome" is built. It will be a physical eyesore in the center of a vibrant outdoor community that prides itself on pristine outdoor living and open mountain space. This industrial site in the middle of a residential community are counter to everything we have tried to build here in Suncrest.

My children will literally play in the shadows of this building if it is built. With fumes from trucks and fuel tanks. The salt damage to the local ecosystem. The barbed wire fencing and paved spaces are more appropriate for an industrial area or at the very least the outskirts of a community. Not where children play.

The argument the City Council has proposed is that it will improve service. I do not know of many if any that have a genuine issue with the quality of snow removal in the Suncrest area. 9 out of 10 times the roads are passable if not clear. The Draper Public Works managers do a great job of allocating the necessary assets to us.

To build this facility now violates the trust of the citizens of Suncrest and will do great damage to our way of life in this little corner of the world.

I hope at the least this can be postponed until greater analysis can be provided to all parties to allay any fears of negative impacts or risks to homeowners as well as assure that tax dollars are being used appropriately.

Sincerely,

Jared Danielson 1958 Longbranch Dr JaredDanielson1@gmail.com

Jared Danielson

1. We don't need this as we think the service as is great. 2. This is just the wrong location. The road is narrow and during snow events most of the time this area is in near whiteout conditions and with the additional lighting it will be worse along with the trucks going in and out. 3. We sacrifice many things to live up here and we like the lack of light pollution and the quiet. 4. We don't want nearly \$2 million of our tax dollars invested in a building built on a mudslide area which could at anytime be destroyed. 5. While I know you want to sell the concrete graveyard off for development, this would be the ideal place for this project as it is on a 4 lane road and not near established developments. 6. Building this project in this area is just a bad idea all around from a quality of life aspect (for which we pay premiums for everything from water to snow removal to taxes) and a safety aspect.

Allert Webb 2038 Eagle Crest Dr nospam@brucewebb.net

In no way shape or form do I (or my family members) want a salt or fuel station ANYWHERE in Suncrest! It does not make sense to me and detracts from beauty of the area...which is why those of us that live here moved up here! How about you put that eye sore down in the valley in front of your homes! Sure...maybe it's "more convenient" for a salt truck/plow driver to re-up if he/she is already up here, but they have to go up and down the hill enough anyway since we get so much snow up here...so leave it down the hill. Do NOT put that ugly commercial tent in the middle of our beautiful community!!! It's that simple. We don't want it here! -Stu Anderson

Stuart Anderson 2173 E. Eagle Crest Dr. stu@stuandersoninsurance.com

Melodie Tolentino 15138 S. Elk Glen Drive OhanaT@comcast.net

We do not want a salt dome in Suncrest. We did not ask for one and feel the snow plows are doing a fine job just the way it is now. The area where the city is proposing to build this substation is a landslide area. It would be extremely dangerous to add a fueling facility at this site. Draper City Council needs to LISTEN to the people who elected them to represent us.

Mikael Greenawald 1782 Longbranch Ct. iupod@me.com
 John Youngblood 2215 E Village Crest DR youngbloodjc@comcast.net

We have lived in Suncrest for 8 years, currently own 2 homes up here and have convinced 3 families to move up here near us. We love Suncrest and we HATE this idea of a substation being built. It is an AWFUL idea in more ways than I can count. It is completely unnecessary - our snow removal is already far beyond sufficient. Our roads are cleared sooner and more thoroughly than anywhere in the valley! It is incredibly expensive no matter who ends up paying for it and cannot possibly be justified financially. The building would be right in the middle of a wildlife area where the deer, elk, and coyotes gather but more importantly, it's a huge industrial complex in the middle of a neighborhood where kids play! We are thankfully not among the two dozen households who will have their view/property values/LIVES completely ruined by this project but I cannot imagine how panicked they must be. The noise, the light, the pollution, the danger, the aesthetics, the expense, the complete lack of necessity, the overwhelming opposition by residents - I am hopeful that this adds up to the city coming to their senses and canceling this plan. Please do not build this substation.

Do not build the salt dome in suncrest. Its an unneeded waste of money.

Carol Sparks 14888 Village Vista Dr fcdobro@aol.com

I am so disappointed regarding the location that has been chosen for the Salt Dome in Suncrest. It is so very unfair to the residents here. Especially those that will live with it in their backyard. Residents that purchased land at premium prices being told there would be no building because of the land being a slide area. Our snow removal service as it is excellent. The trucks have to go up and down the hill anyway. Why would a almost two million dollar building have to be build up here with all the risk in a firewise area. The problem with fuel tanks being behind homes in a slide area. There are just to many reasons not to do this. The majority of residents do not know this is going to happen. They trust our appointed council and boards to see that things like this do not happen in Draper. The decision making has gone wrong and so many residents will be just as alarmed as we are if this Dome, trucks, fuel tanks, and unmanned building and all other problems are brought here to our Suncrest Community. We have been here 10 yrs and love Suncrest. This is just almost unbelievable that a decision like this has been made with out majority vote from Suncrest residents. There should have been a mail sent to each home. Not everyone can come to meetings. I have been to almost all meetings in the 10 yrs I have been here but I know how hard it is for others with families and work to come to meetings. It should be that everyone had a vote via mail. We pay extra tax to live here. We should know where the money is going. I absolutely hate that a decision like this is made by just a few. Please reconsider. This Dome is an awful, awful idea.

Barb Sanders 1311 Maple Park Ct. bsanders1986@hotmail.com

We already have great service, not certain why we are making and changes? Not to mention why we're spending all these \$\$\$\$. If it comes, then we will have fuel trucks running up and down Traverse. A bit of a safety concern

Cards from the Suncrest Open House

Charles Greenawald 2007 E Oak Summit Dr charliegreenawald@gmail.com
 Dan Castle 1938 Eagle Crest Dr minnesotacat@gmail.com
 Elmira Webb 2038 Eagle Crest Dr elmira@brucewebb.net
 Paul Engelman 1932 Longbranch Dr pauldengelman@gmail.com

There is absolutely no problem with snow removal service. No additional facility needed
 No matter your justification in mileage saved, you cannot put an industrial eyesore in the middle of a \$300 to \$900 thousand dollar neighborhood. That is why we have zoning . We already pay higher taxes, higher water bills etc.
 Don't try to stick us with a housing market killer
 Absolutely Not...This two structures are posed hazards to community and environment. Not right place to build
 This is a solution looking for a problem. There are no issues or complaints over service. Improving service is not valid. Similarly there haven't been significant safety, what does improving safety mean?

Samantha	Smith	2062 Eagle Crest Dr	maus_fan@hotmail.com	I fail to see how the benefits of creating the Suncrest Public Works Substation outweighs 1- the financial cost of the project and 2- the irritation of the people who live near the proposed site.
Jeffret	Meek	2062 Eagle Crest Dr	jeffretmeek@mo.com	The proposed construction of a salt dome a fuel depot is the DUMBEST idea I have ever heard. The Dome to NOWHERE this is government spending just to spend. If there is a surplus give it back to the people.
Ray	Meister	1926 E Vista Ridge Ct	cole.meister2@gmail.com	The building is not financially sound. Don't build it
Susan	Crivac	2046 Eagle Crest Dr	crivacsusan@gmail.com	We don't need or want this facility built in Suncrest
Ben	Crandall	2049 Eagle Crest Dr	bencrandall@comcast.net	There are 3 options for this Salt & Truck storage facility . 1-\$1.71 Million 2- \$290,000 or 3-\$0 Don't build this facility.
Christine	McClory	2031 Eagle Crest Dr	crearia@comcast.net	As a taxpayer and resident I choose option #3. DON'T BUILD THIS FACILITY AT SUNCREST
Jared	Danielson	1958 Longbranch Dr	jareddanielson@comax.com	I do not believe this facility is necessary nor has it been justified
Doug	Fowler	2022 Eagle Crest Dr	doug@ilndtym.com	It seems to be more questions than answers in this issue. The services are provided at a high level. There is no need to improve them. So there is no need for a facility.
Karen	Jurgens	15381 S Falcon Pt. Ct	karen.jurgens@comcast.net	We don't want this..There is no cost savings. We don't want this in our neighborhood. We don't want fuel trucks driving up here and all the additional trucks for salt. This is not appropriate use of TRSSD funds. To pay for a city Bldg with ssd funds. These funds are to cover the gaps in additional costs to clear the roads. This is designated landside zone how can you put a 2 million dollar bldg on it. No Cost Benefit. BAD IDEA
Erick	Gerday	1992 Oak Summit Dr	jangerday@comcast.net	No for building. Wait and see if the State is going to take over Traverse Ridge & Suncrest roads
Ronda & Rober Corbett		own two homes in Suncrest	rondacorbett@gmail.com	Why is this project needed when good service is in place? Why is quality of life not factored in the decision? The building restriction from the lot prevents this building to go up.
Ronda & Rober Corbett		own two homes in Suncrest	rondacorbett@gmail.com	I would like some kind of warning system when it is not safe to drive up and down mountain (visibility etc.) I felt my life endangered more than once.
Robyn	Foulger	1562 Granite Brook Ct.	robyn@wincre.com	Sounds like a building or substation is not necessary in Suncrest. Thank you for the excellent service. Please continue what you are doing.
Kent	Wilson	2184 Eagle Crest Dr	kent_wilson56@yahoo.com	In a room of 100 plus Suncrest residents there was no ZERO people in favor of this structure. This was a representation group.
Marc	Weinreich	1928 Eagle Crest Dr	mwfq-etg.com ???	We do NOT NEED this salt dome. It would be an eye sore & it doesn't warrant the cost to the tax payers. Please stop this project for further discussion with the taxpayers.
Joanna	Pincus	1928 Eagle Crest Dr	jp@g-etg.com	City must distribute technical response supporting structure and fuel tanks on area prone to mud slides. Must wait until State decides whether it will take over Traverse Ridge. ROI does not justify project over 20 years. Industrial facility incompatible with residential neighborhood. Service is adequate as is. No safety issue.
Gustavo	Carrillo	1931 E Seven Oaks Ln	gustavo@carrillo ???	Please reassess the site location for this facility. Draper now owns acre upon acre in Suncrest. A different location would be more palatable if we go this route for instance how about across the street in the cleaning off of Lake Bluff Dr.
Glenn	Olsen	2059 Eagle Crest Dr	beaglerun@gmail.com	This facility for salt & truck storage not to be up in in the mountain. Stay as it is at the bottom of the hill.
Larry	Gray	1938 E Longbranch Dr	gray.gail@comcast.net	Why are we putting a industrial site in a home zoned area where it is in homeowners back yards. What is the EPA impact for storing salt & diesel fuel. What is the total weight of salt & diesel as an impact on a slide area?
Gail	Gray	1938 E Longbranch Dr	gray.gail@comcast.net	Effect on neighborhood life, lighting, noise, safety of life with gas tanks, fire danger. This will be in my back yard. I'm worried about the gas held there, the noise, lights all night long. The service so far has been terrific and I don't see a need for this.

Kelly	Sanders	1311 Maple Park Ct.	n/g
Elizabeth	Sweat	15159 Longbranch Dr	elizmartin66@yahoo.com

Why are some homes excluded from paying special tax? The cost assessment is not well defined and appears full of errors. Sorry, but the presenter was poor and frustrated unable to complete the message w/o switching to alt message. A 20 year return (ROI) is to long for this to be a viable project. Life of facility will barely exceed 20 yr term. What is ongoing maintenance cost of facility? What other options were considered? What is the real reason for this proposal since it is NOT a strong economic proposal? The ROI is not worth the cost. The service is fine now, why spend more money on a building that the residents do NOT want?

Will result in additional-new TRSSD taxes – additional new expenses will be required for equipment, such as dedicated loaders, etc., facilities maintenance and up keep, and fuel delivery services. Net new expenses not include in ROI calculations. **ROI numbers not adequate justification** – Option A (Building & Fuel Site) estimated ROI =20.7 years. Option B (Building Only) estimated ROI = 58.5 years. A meaningful ROI should be some number closer 4 or 5 years to justify construction, particularly for a station/service only needed intermittently for 4 months of the year. **Fuel Depot counter to FireWise initiative** – Fuel delivery will require navigation through residential street on Eagle Crest Drive, or up a 12% slope on Traverse Ridge Drive. FireWise is asking SunCrest residents to volunteer to make common areas and areas around SunCrest residents homes free of dead wood, leaves, debris, etc. This would help prevent fire from spreading through the neighborhood in the event of a wildfire. **Longbranch homeowners group settlement agreement** – Binding agreement limiting development on the lot, which was originally based upon suit filed because of view-lot premiums originally paid by Longbranch home owners. **General aesthetic value of suncrest community** – Residents live here because of the quality and aesthetic value of the suncrest mountain lifestyle. Beyond the additional TRSSD taxation/penalty, which few if any other service providers charge suncrest residents, such as FEDEX, US Postal Services, South Valley Sewer, Comcast, CenturyLink, etc., we do not want the smell of diesel fuel, the industrial lighting around and in the facility, the trash that will accumulate around the facility during the routine wind storms, the environmental hazards of a fuel depot, ect. We believe this facility will damage the value of our homes for resale. We believe the lot in question is one of the best lots in the area as far as views and access for any number of better uses, such as a mountain venue, like a park, Sledding hill or perhaps an amphitheater like lower draper, sandy or Thanksgiving point have to offer. The night time views are spectacular and could be great attraction for the city. During the summer it could be a wonderful escape from the heat.

Brady & Laura	Sines	1954 Longbranch Dr	bsines01@gmail.com
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ITEM #7

REQUEST FOR COUNCIL ACTION

To: Mayor Walker & City Council
From: Troy Wolverton, City Engineer
Date: ~~January 13~~ April 15, 2014
Subject: Water Service Request per DCMC 16-1-050
Committee Presentation:
Staff Presentation:

RECOMMENDATION:

Recommend the Mayor & City Council deny the drinking water service connection request to the Michel Land LLC Parcel in Suncrest.

BACKGROUND AND FINDINGS:

Currently the Draper City Drinking Water Distribution System has reached its capacity in service connections for Service Zone 3. The Centennial Pump Station (Pump Station 1) has reached its capacity to entitle or add new service connections. Once additional pumping capacity is added, then the distribution system will have capacity available to continue development or add service connections in Zone 3.

Ollie Michel, of Michel Land LLC., owner of parcel 11:009:0040, shown in the attached exhibit, has requested a drinking water service connection to his parcel per Draper City Municipal Code 16-1-050 (DCMC). The subject parcel is located within the city's Zone 3 adjacent to the Suncrest area. The DCMC indicates that requests are to be presented to the City Council. Mr. Michel would like the service connection to request Utah County to keep his parcel in Greenbelt tax category, per the Utah Farmland Assessment Act.

This service connection would be to irrigate agricultural purposes, such as tree plantings. It would be used during the irrigation season and for only agricultural purposes. At this time it would not be used for a residence or other structure with indoor use. Since it is only for agricultural purposes, it would be subject to limitations specified for outdoor watering should the city require reduction in usage due to supply or other issues. If the city had to prohibit outdoor usage for some reason, this connection would be subject to that order.

If this request is approved, even though it is only an outdoor irrigation service, the city staff would recommend that the applicant pay the \$475 connection fee and impact fee of \$3,533 at the time the applicant constructs the service connection to the city's distribution system.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT: Finance Review: BRN

Applicant to pay the connection fee and impact fee as required by the Consolidated Fee Schedule.

SUPPORTING DOCUMENTS:

- Michel Land LLC Request Letter and Exhibit



November 26, 2013

Regarding an irrigation water connection for "the shoebox" parcel

Dear City Planners:

We would request permission to install a 1 inch connection to the public water system currently in place in Lake Bluff Drive at the property line boarder with our 80 acre parcel (see attached plans). This water connection would be used for the irrigation of sapling pine trees that will be planted in the proximity of the water connection and not for the building of any structures.

Thank you for your consideration of this matter. The plan would be to make this connection and plant the saplings in the spring of 2014 as early as possible.

Sincerely

Ollie Michel

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ITEM #8



MEMORANDUM

To: Mayor and City Council
From: Dan Boles, AICP
Date: April 9, 2014
Re: Smith Property Development Agreement

Subject:

On April 1, 2014, the City Council heard a request by Ivory Development to rezone the property located at 12052 South 300 East from A5 to RM1. At that meeting, the need for a development agreement was discussed and the City Council requested that the applicant bring a development agreement for their review. The applicant has complied with that request now and is seeking approval of the development agreement.

The development agreement can be found attached to this memo. The following is a brief summary of the proposed development agreement:

- Entirely Single Family, No Multi-Family
- 34 Single Family Lots
- 4 Dwelling Units per Acre
 - (8 units per acre would be allowed in RM1 Zone)
- Minimum Square Footage of 7,200 ft² per lot
- Setbacks:
 - 25' Front Yard
 - 6' Side Yard (15' on corner lots)
 - 20' Rear Yard

Ordinance #1095 has also been attached which, if the Council decides to approve the request, would approve the development agreement.

ORDINANCE NO. 1088

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF DRAPER CITY AND APPROVING A DEVELOPMENT AGREEMENT FOR APPROXIMATELY 9.02 ACRES OF PROPERTY FROM A5 AGRICULTURAL TO RM1 RESIDENTIAL, LOCATED AT APPROXIMATELY 12052 SOUTH 300 EAST WITHIN DRAPER CITY, OTHERWISE KNOWN AS THE SMITH FAMILY PROPERTY ZONING MAP AMENDMENT II.

WHEREAS, pursuant to State law, Draper City has adopted a Zoning Ordinance and Zoning Map to guide the orderly development and use of property within the City; and

WHEREAS, from time to time it is necessary to review and amend the Zoning Map to keep pace with development within the City and to ensure the provision of a variety of residential types; and

WHEREAS, the proposed zone change set forth herein has been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with State law to obtain public input regarding the proposed revisions to the Zoning Map; and

WHEREAS, the Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed amendment to the official Zoning Map of Draper City, and the City Council has found the proposed zone change to be consistent with the City's General Plan; and

WHEREAS, State law allows the City to enter into an agreement with a property owner or their representative regarding the development of their property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH:

Section 1. Zoning Map Amendment. The following described real properties located at approximately 12052 South 300 East within Draper City, Salt Lake County, State of Utah, previously zoned A5 as shown on the Draper City Zoning Map, as depicted in Exhibit "A" hereto, are hereby changed and rezoned to RM1:

BEG N 660 FT & W 36 FT FR CEN SEC 30, T3S, R 1E, SLM; W 624 FT; N 630 FT; E 584 FT;
SE'LY 62.83 FT ALG A 40 FT RADIUS CURVE TO R; S 590 FT TO BEG. 9.02 AC M OR L.

Section 2. Development Agreement. The development agreement attached hereto as exhibit "B" is hereby approved pursuant to the legislative powers of the City.

Section 3. Severability Clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective 20 days after publication or posting, or after the development agreement is executed, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS ____ DAY OF _____, 2014.

ATTEST:

DRAPER CITY:

By: _____ By: _____
City Recorder Mayor

EXHIBIT A

SMITH FAMILY PROPERTY ZONING MAP AMENDMENT II

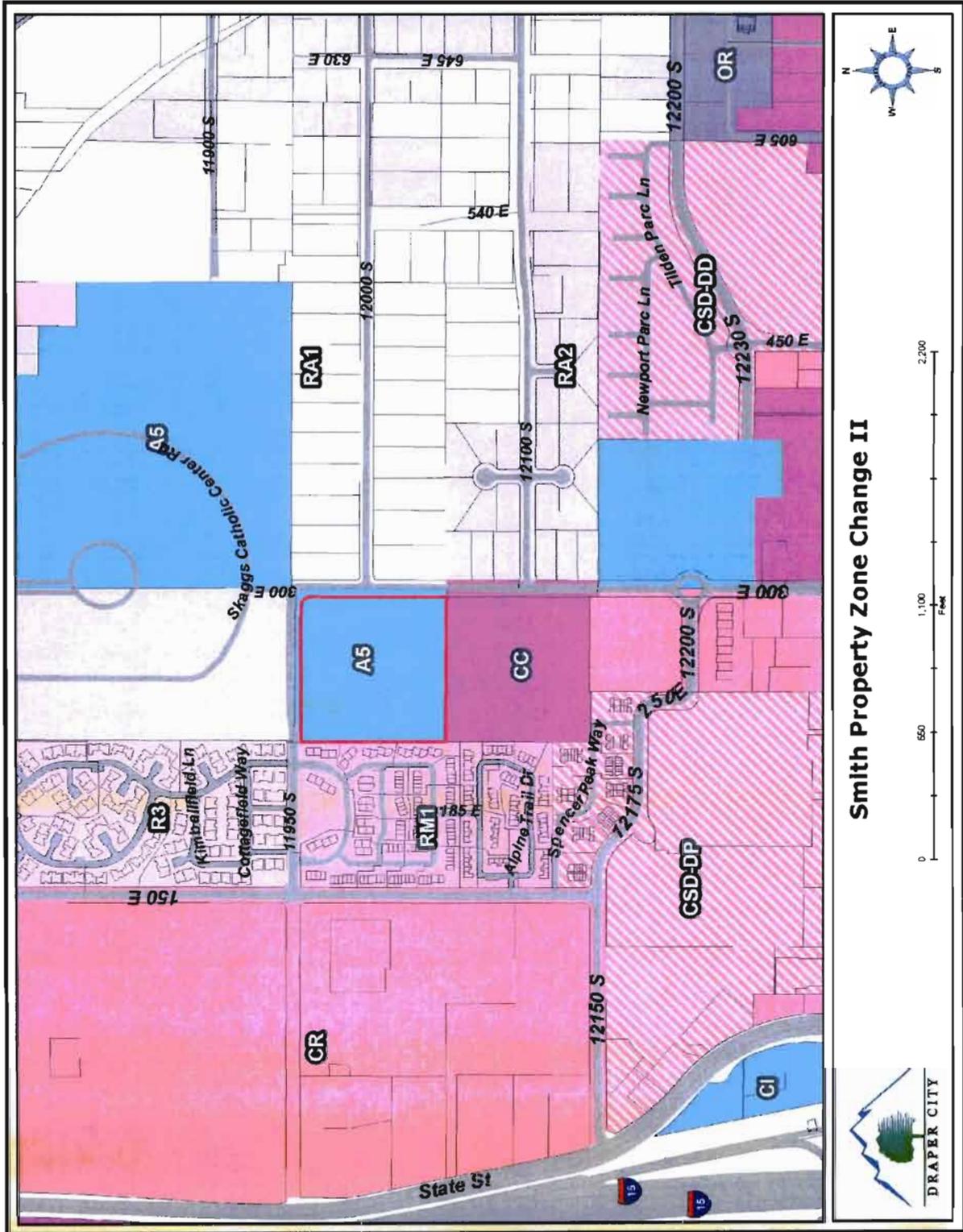


EXHIBIT B
DEVELOPMENT AGREEMENT

When Recorded, Return to:

Affecting Tax Parcel No.: _____

DEVELOPMENT AGREEMENT
[Smith Property—11950 South 300 East]

THIS DEVELOPMENT AGREEMENT (this “Agreement”) is made and entered into as of this ____ day of _____, 2014, by and between IVORY DEVELOPMENT, LLC, a Utah limited liability company (the “Developer”), and DRAPER CITY, a municipal corporation of the State of Utah (the “City”).

RECITALS

- A. Developer owns that certain real property located at approximately 11950 South 300 East, Draper, Utah (the “Property”). The Property consists of approximately 9 acres of land as more particularly described on Exhibit A attached hereto, and by this reference made a part hereof.
- B. The Property is currently zoned A5, subject to the zoning requirements and restrictions described in Chapter 9-9 of the Draper City Municipal Code. Developer cannot develop the Property for its intended use as a 34-lot, single family residential subdivision (the “Proposed Development”) under the A5 Zone. Therefore, prior to seeking approval for the Proposed Development, Developer is required to petition the City for a zone change of the Property.
- C. In January of this year, Developer filed a Zone District, General Plan, & Master Plan Map Amendment Application (the “Application”) with the City requesting a zone change on the Property from the A5 Zone to the RM1 Zone. The Application is currently under review by the City.

- D. In order to address public concerns brought to Developer's attention pertaining to permitted uses in the RM1 Zone, Developer desires to address and resolve such concerns by entering into this Agreement in conjunction with the City's review and approval of the Application and the Proposed Development.
- E. The City, acting pursuant to its authority under Utah Code Annotated 10-9a-101 et seq., and its land use policies, ordinances and regulations has made certain determinations with respect to the Property, the Application and the Proposed Development and, in the exercise of its legislative discretion, has elected to approve this Agreement.

TERMS AND CONDITIONS

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer hereby agree as follows:

1. **Incorporation of Recitals.** The recitals are hereby incorporated as part of this Agreement.
2. **Direct and Tangible Benefits to City.**
 - a. **Development of Single Family Homes.** Notwithstanding multi-family dwelling units are permissible on the Property as zoned, the Proposed Development will consist entirely of single family homes (34 dwelling units), to be located on the lots depicted on the concept plan attached hereto as Exhibit B. No multi-family dwelling units will be constructed in the Proposed Development.
 - b. **Density.** Notwithstanding the maximum dwelling unit density per acre in the RM1 Zone of 8 dwelling units per acre, Developer agrees, and the City concurs, that the Proposed Development shall consist of no more than 4 dwelling units per acre. The reduction in density, along with the single family product to be constructed in the Proposed Development (referenced in Section 2 above), will provide a buffer between the multi-family housing to the west of the Proposed Development and the half-acre and one-acre lots to the east of the Proposed Development. Both the density

reduction and the housing product have garnered the support of the neighboring landowners.

- c. **Minimum Lot Area.** The RM1 Zone requires a minimum lot area of 10,000 square feet. To develop for the City and surrounding property owners an aesthetically pleasing neighborhood design and layout with the proposed housing product, several of the lots in the Proposed Development will be less than 10,000 square feet. However, as set forth in the concept plan attached hereto as Exhibit B, Developer and the City agree that the minimum lot area for each single family dwelling unit shall be no less than 7,200 square feet.
 - d. **Setback Standards.** To further ensure the City uniformity with surrounding development, pursuant to Chapter 9-10 of the Draper City Municipal Code, the rear, front and side yard setback standards under the RM1 Zone are to be determined at the time of site plan approval. In an effort to address this issue at the outset of the City's review of the Proposed Development, the City acknowledges that Developer will implement the following minimum setback standards in the Proposed Development: front yard—25 feet; rear yard—20 feet; side yard—6 feet; and side yard (corner lot)—15 feet. The aforementioned set back standards are depicted on the concept plan attached hereto as Exhibit B.
3. **Compliance with City Design and Construction Standards.** Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to otherwise comply with all applicable laws and requirements of the City necessary for the development of the Property.
 4. **Reserved Legislative Powers.** Nothing in the Agreement shall limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Property as provided herein.

5. **Agreement to Run with the Land.** This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, shall encumber the same, and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.
6. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the assignment, sale or transfer of the Property, or any portion thereof, by Developer.
7. **No Joint Venture, Partnership or Third Party Rights.** This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto nor any rights or benefits to third parties, except as expressly provided herein.
8. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for who intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

Developer: Ivory Development, LLC
Attn: _____
978 East Woodoak Lane
Salt Lake City, Utah 84117

City: Draper City
Attn: City Manager
1020 E. Pioneer Road
Draper, Utah 84020

9. **Counterparts; Electronic Signatures.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which when taken together shall constitute one and the same document and agreement. A copy or electronic transmission of any part of this Agreement, including the signature page, shall have the same force and effect as an original.

10. Governing Law. To the fullest extent possible, this Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of Utah, without regard to any conflicts of law issues.

11. Entire Agreement. This Amendment contains the entire understanding of the City and Developer and supersedes all prior understandings relating to the subject matter set forth herein and may only be modified by a subsequent writing duly executed and approved by the parties hereto.

[Signatures on following page.]

IN WITNESS WHEREOF, this Agreement is executed as of the date first written above.

Developer:

IVORY DEVELOPMENT, LLC,
a Utah limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

On this ____ day of _____, 2014, personally appeared before me _____, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the _____ of Ivory Development, LLC, a Utah limited liability company, and acknowledged to me that said limited liability company executed the same.

Notary Public

City:

DRAPER CITY

By _____

Troy K. Walker, Mayor

Attest and Countersign:

Dated:

City Recorder

STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2014, by Troy K. Walker, Mayor.

Notary Public

Exhibit A

The East half of the Southeast quarter of the Northwest quarter of Section 30, Township 3 South, Range 1 East, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM: The South 660 feet of the East half of the Southeast quarter of the Northwest quarter of Section 30, Township 3 South, Range 1 East, Salt Lake Base and Meridian.

ALSO LESS AND EXCEPTING THEREFROM: Beginning at the Southeast corner of Grantor's property, said point lying North 660.00 feet, more or less, from the center of said Section 30, Township 3 South, Range 1 East, Salt Lake Base and Meridian and running thence North along the East line of said property 660.00 feet, more or less, to the Northeast corner of said property; thence West along the North line of said property 660.00 feet, more or less, to the Northwest corner of said property; thence South along the West line of said property 30.00 feet; thence East parallel to the North line of said property 584.00 feet, more or less; thence Southeasterly along the arc of a 40 foot radius curve to the right 62.83 feet, more or less, (chord bearing South 45°00'00" East 56.57 feet); thence South parallel to the East line of said property 590.00 feet, more or less; thence East parallel to the North line of said property 36.00 feet to the point of beginning.

Parcel Identification Number 28-30-178-001 (for reference purposes only)

Exhibit B

[See Attached]



CONCEPT 9

LOCATED AT: 12200 SOUTH 300 EAST, DRAPER

ORIGINAL PROPERTY 9.11 ACRES
 SINGLE FAMILY LOTS 34
 TOTAL DENSITY 3.73 UNITS/ACRE

ZONE REQUIREMENTS

ZONE: RM-2
 CUL-DE-SAC RADIUS: 50'
 ROW WIDTH: 60'

SETBACKS:
 FRONT: 25'
 REAR: 20'
 SIDE: 6'
 SIDE (CORNER LOT): 15'

DRAINAGE NOTES

AREA OF SMITH PROPERTY 9.11 ACRES
 AREA OF PARCEL TO SOUTH 10.00 ACRES
 ESTIMATED STORAGE REQUIRED FOR BOTH PROPERTIES WHEN DEVELOPED 7,290 CF

BASED ON LAND USE, THE SMITH PROPERTY WOULD CONTRIBUTE 47.7% OR 3481 CF, TO THE DETENTION POND

Curve Table						
CHORD	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD LENGTH
C1	23.06'	18.00'	090°00'00"	18.00'	S48°00'00"W	21.21'
C2	23.06'	18.00'	090°00'00"	18.00'	S48°00'00"E	21.21'
C3	23.06'	18.00'	090°00'00"	18.00'	S48°00'00"W	21.21'
C4	40.76'	30.00'	048°34'07"	21.80'	S87°37'38"W	39.88'
C5	38.48'	30.00'	044°08'03"	20.85'	S21°12'31"W	27.84'
C6	66.17'	30.00'	078°49'17"	38.84'	S38°44'48"E	61.44'
C7	20.07'	15.00'	078°28'27"	11.88'	S38°18'44"E	18.87'
C8	42.50'	40.00'	090°30'44"	23.08'	N29°27'52"E	46.89'
C9	23.06'	18.00'	090°00'00"	18.00'	S48°00'00"E	21.21'
C10	23.06'	18.00'	090°00'00"	18.00'	S48°00'00"E	21.21'



SMITH PROPERTY		12200 SOUTH 300 EAST	
Area	9.11	Area	10.00
Volume	47.7%	Volume	3481 CF
Storage	7,290 CF	Storage	7,290 CF
Detention	47.7%	Detention	3481 CF
Retention	47.7%	Retention	3481 CF
Evaporation	47.7%	Evaporation	3481 CF
Percolation	47.7%	Percolation	3481 CF
Seepage	47.7%	Seepage	3481 CF
Transpiration	47.7%	Transpiration	3481 CF
Interception	47.7%	Interception	3481 CF
Evaporation	47.7%	Evaporation	3481 CF
Percolation	47.7%	Percolation	3481 CF
Seepage	47.7%	Seepage	3481 CF
Transpiration	47.7%	Transpiration	3481 CF
Interception	47.7%	Interception	3481 CF

GENERAL NOTE:

INFORMATION PROVIDED IS THE FROM THE BEST AVAILABLE DATA AT TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. PLAN SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY.

DESIGNED BY:



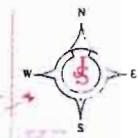
Return to Agenda

ITEM #9

REQUEST FOR COUNCIL ACTION

To:	<u>Mayor & City Council</u>
From:	<u>Dennis Workman</u>
Date:	<u>4-8-14 for 4-15-14 CC Agenda</u>
Subject:	<u>Draper Creekside Final Subdivision Plat</u>
Applicant Presentation:	<u>Eric Saxey</u>
Staff Presentation:	<u>Dennis Workman</u>
RECOMMENDATION: To approve the final subdivision plat for Draper Creekside Townhomes.	
BACKGROUND: This application is a request for final plat approval for Draper Creekside Townhomes, a 44-unit townhome project on 3.9 acres located near the south terminus of Minuteman Dr. On February 18, 2014 the City Council approved the preliminary plat.	
PREVIOUS LEGISLATIVE ACTION: January 9, 2014: Planning Commission reviewed and recommended approval of the preliminary plat. February 11, 2014: City Council reviewed preliminary plat and let it follow normal course of action. February 18, 2014: City Council approved the preliminary plat.	
FISCAL IMPACT: Finance Review: <u>BW</u> <ul style="list-style-type: none">• The plat will divide the property into 44 privately-owned townhome lots with the remainder of the area held in common ownership. As such, the Creekside HOA may contract with the City for garbage/recycle pick-up. Storm water service will be provided by the City, but water service will be through WaterPro.	
SUPPORTING DOCUMENTS: <ul style="list-style-type: none">• Final Plat• Staff Report to Planning Commission with maps• Minutes from City Council meetings of February 11 and 18, 2014	

DRAPER CREEKSIDE TOWNHOMES
 PLANNED UNIT DEVELOPMENT 44 UNITS
 13485 SOUTH MINUTEMAN DRIVE
 DRAPER CITY, UTAH



SURVEYOR'S CERTIFICATE
 I, Richard K. Johnson, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate no. 152956 as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as Liberty Park Place.

DATE _____ SIGNATURE _____

PROJECT PROPERTY DESCRIPTION

Beginning at a point which is South 89°51'15" East along the section line 162.5 feet and 02°00'45" West, 64.85 feet from the Witness Monument marking the Northwest Corner of S. 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian 1943 witness monument, on being North 89°55'45" East, 124.94 feet from the said Witness Monument to the intersection of the boundary of the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the record line (Lot 1052796 in Book 1031 at Page 409) the following to corner East, 81.50 feet, thence South, 5.00 feet, thence East, 565.77 feet to a point on a w. curve along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the following course: South 82°52'15" East, 201.00 feet, thence North 89°37'14" West, 37.74 feet, thence South 20°18'39" East, 774.50 feet, thence North 88°49'59" West, 110.00 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" West, 31.60 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" East, 20.27 feet, thence South 4°17'00" West, 17.80 feet, thence North 87°02'07" West, 45.35 feet, thence North 17°40'07" West, 13.91 feet, West, 410.00 feet, thence North 37°05'07" West, 8.24 feet, thence South 36°49'07" West, 24.6 feet, thence North 84°59'00" West, 13.40 feet to a point of intersection with UDOT (near Every 664, Book 7918 at Page 267) thence along said UDOT right-of-way for the following three (3) or North 17°00'07" East, 13.35 feet, thence North 22°46'27" East, 26.00 feet, thence North 87°11'07" West, 45.50 feet to a point of intersection with UDOT (near 164042) in Book 7815 at 670' and running thence along said UDOT right-of-way the following three (3) corners: 1) 17°14'17" West, 105.45 feet to a point on a 340.42 foot radius curve to the right, thence 19.13 feet along said curve through a central angle of 10°20'00" (shortly before North 89°12'17" West, 162.5 feet) to the point of beginning.

Contains 3.99 Acres

OWNER'S DEDICATION

Consent all men by these presents that I, a Utah limited liability company, the owner of the above-described tract of land hereby consent the same to be subdivided into Planned Unit Developments to be known as Draper Creekside Side, thence, hereafter, to be known as the subdivision of the Salt Lake County Plat, in accordance with the Salt Lake County Rules.

DRAPER CREEKSIDE

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

This dedication is made this _____ day of _____ A.D. 20____.

ACKNOWLEDGEMENT

THE UNDERSIGNED TRUSTEE THE OWNER OF AN EQUITABLE OR LEGAL INTEREST IN THE ATTACHED HAWKINS PLACE PLUD, DOES HEREBY CONFIRM TO THE DEDICATION BY THE OWNER INTEREST ALL STREETS AND ALLEGATIONS AS SHOWN HEREON FOR THE PERPETUAL USE OF THE PUBLIC. THE UNDERSIGNED DOES HEREBY DEDICATE ITS INTEREST IN AND TO THE LAND INCLUDED WITHIN SUCH PUBLIC STREETS AND ALLEGATIONS TO SALT LAKE CITY CORPORATION FOREVER.

TRUSTEE _____

STATE OF UTAH _____
 County of Salt Lake _____

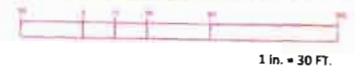
Date: _____ day of _____ A.D. 20____, personally appeared _____ before me, _____ as a Notary Public in and for the State of Utah, and acknowledged to me that she is the owner of the above-described tract of land and that she executed the foregoing instrument as her free and voluntary act and deed.

MY COMMERCIAL EXPIRES _____

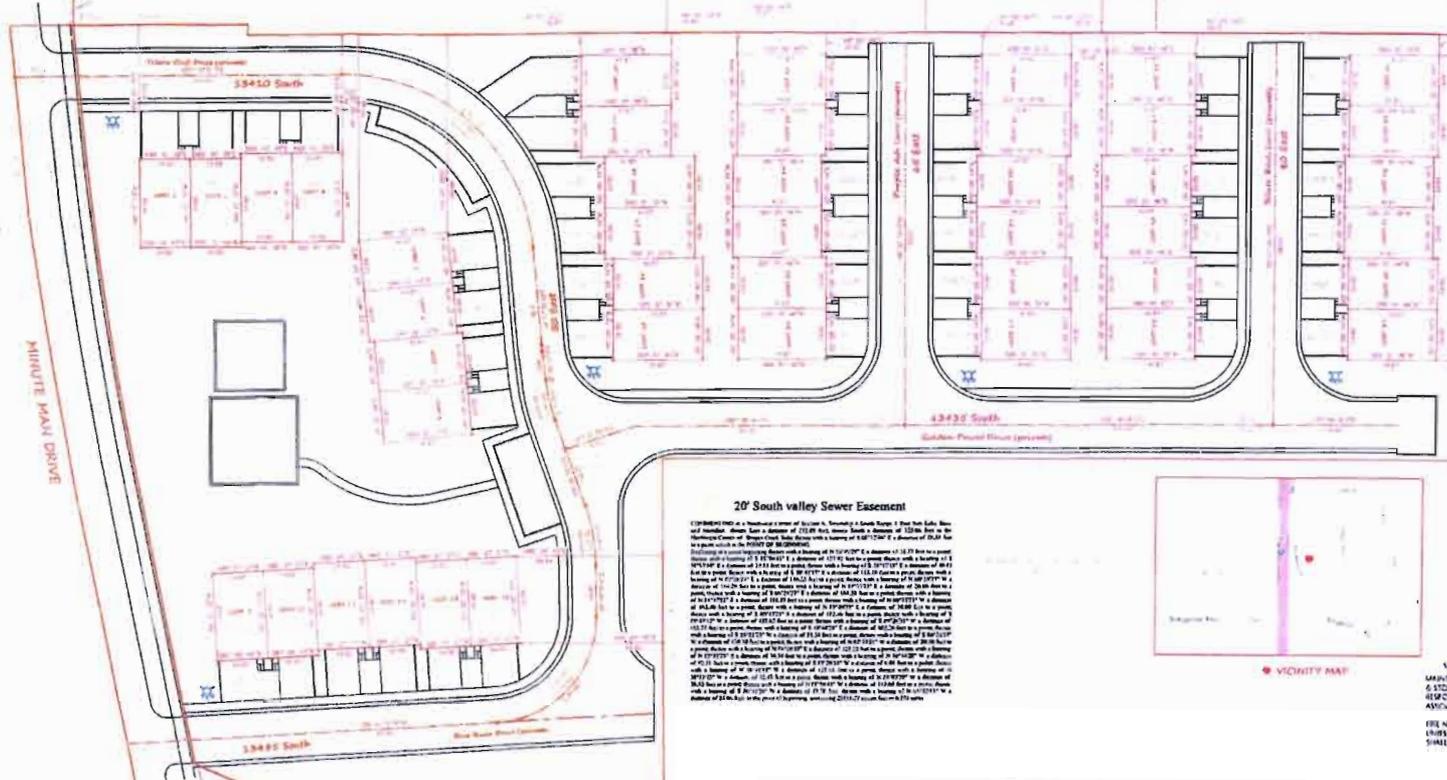
NOTARY PUBLIC STATE OF UTAH
 RICHARD K. JOHNSON

DRAPER CREEK SIDE

LOCATED IN THE NORTHWEST CORNER OF SECTION 06, TOWNSHIP 04 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DRAPER CITY, SALT LAKE COUNTY, UTAH



1 in. = 30 FT.



20' South Valley Sewer Easement

CONVEYING to the Beneficial Owners of Section 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian, North 89°55'45" East, 124.94 feet, South 89°51'15" East, 162.5 feet, North 82°52'15" East, 201.00 feet, North 89°37'14" West, 37.74 feet, South 20°18'39" East, 774.50 feet, North 88°49'59" West, 110.00 feet, North 82°12'57" West, 20.27 feet, South 72°38'07" West, 31.60 feet, North 82°12'57" West, 20.27 feet, South 72°38'07" East, 20.27 feet, North 84°59'00" West, 13.40 feet, North 17°00'07" East, 13.35 feet, North 22°46'27" East, 26.00 feet, North 87°11'07" West, 45.50 feet, along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the record line (Lot 1052796 in Book 1031 at Page 409) the following to corner East, 81.50 feet, thence South, 5.00 feet, thence East, 565.77 feet to a point on a w. curve along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the following course: South 82°52'15" East, 201.00 feet, thence North 89°37'14" West, 37.74 feet, thence South 20°18'39" East, 774.50 feet, thence North 88°49'59" West, 110.00 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" West, 31.60 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" East, 20.27 feet, thence South 4°17'00" West, 17.80 feet, thence North 87°02'07" West, 45.35 feet, thence North 17°40'07" West, 13.91 feet, West, 410.00 feet, thence North 37°05'07" West, 8.24 feet, thence South 36°49'07" West, 24.6 feet, thence North 84°59'00" West, 13.40 feet to a point of intersection with UDOT (near Every 664, Book 7918 at Page 267) thence along said UDOT right-of-way for the following three (3) or North 17°00'07" East, 13.35 feet, thence North 22°46'27" East, 26.00 feet, thence North 87°11'07" West, 45.50 feet to a point of intersection with UDOT (near 164042) in Book 7815 at 670' and running thence along said UDOT right-of-way the following three (3) corners: 1) 17°14'17" West, 105.45 feet to a point on a 340.42 foot radius curve to the right, thence 19.13 feet along said curve through a central angle of 10°20'00" (shortly before North 89°12'17" West, 162.5 feet) to the point of beginning.

20' Water Pro Service Easement

CONVEYING to the Beneficial Owners of Section 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian, North 89°55'45" East, 124.94 feet, South 89°51'15" East, 162.5 feet, North 82°52'15" East, 201.00 feet, North 89°37'14" West, 37.74 feet, South 20°18'39" East, 774.50 feet, North 88°49'59" West, 110.00 feet, North 82°12'57" West, 20.27 feet, South 72°38'07" West, 31.60 feet, North 82°12'57" West, 20.27 feet, South 72°38'07" East, 20.27 feet, North 84°59'00" West, 13.40 feet, North 17°00'07" East, 13.35 feet, North 22°46'27" East, 26.00 feet, North 87°11'07" West, 45.50 feet, along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the record line (Lot 1052796 in Book 1031 at Page 409) the following to corner East, 81.50 feet, thence South, 5.00 feet, thence East, 565.77 feet to a point on a w. curve along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the following course: South 82°52'15" East, 201.00 feet, thence North 89°37'14" West, 37.74 feet, thence South 20°18'39" East, 774.50 feet, thence North 88°49'59" West, 110.00 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" West, 31.60 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" East, 20.27 feet, thence South 4°17'00" West, 17.80 feet, thence North 87°02'07" West, 45.35 feet, thence North 17°40'07" West, 13.91 feet, West, 410.00 feet, thence North 37°05'07" West, 8.24 feet, thence South 36°49'07" West, 24.6 feet, thence North 84°59'00" West, 13.40 feet to a point of intersection with UDOT (near Every 664, Book 7918 at Page 267) thence along said UDOT right-of-way for the following three (3) or North 17°00'07" East, 13.35 feet, thence North 22°46'27" East, 26.00 feet, thence North 87°11'07" West, 45.50 feet to a point of intersection with UDOT (near 164042) in Book 7815 at 670' and running thence along said UDOT right-of-way the following three (3) corners: 1) 17°14'17" West, 105.45 feet to a point on a 340.42 foot radius curve to the right, thence 19.13 feet along said curve through a central angle of 10°20'00" (shortly before North 89°12'17" West, 162.5 feet) to the point of beginning.

20' WATER PRO SERVICE EASEMENT

CONVEYING to the Beneficial Owners of Section 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian, North 89°55'45" East, 124.94 feet, South 89°51'15" East, 162.5 feet, North 82°52'15" East, 201.00 feet, North 89°37'14" West, 37.74 feet, South 20°18'39" East, 774.50 feet, North 88°49'59" West, 110.00 feet, North 82°12'57" West, 20.27 feet, South 72°38'07" West, 31.60 feet, North 82°12'57" West, 20.27 feet, South 72°38'07" East, 20.27 feet, North 84°59'00" West, 13.40 feet, North 17°00'07" East, 13.35 feet, North 22°46'27" East, 26.00 feet, North 87°11'07" West, 45.50 feet, along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the record line (Lot 1052796 in Book 1031 at Page 409) the following to corner East, 81.50 feet, thence South, 5.00 feet, thence East, 565.77 feet to a point on a w. curve along the Smith Property Survey (Plat No. 105-04-02-01) and running thence easterly along the following course: South 82°52'15" East, 201.00 feet, thence North 89°37'14" West, 37.74 feet, thence South 20°18'39" East, 774.50 feet, thence North 88°49'59" West, 110.00 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" West, 31.60 feet, thence North 82°12'57" West, 20.27 feet, thence South 72°38'07" East, 20.27 feet, thence South 4°17'00" West, 17.80 feet, thence North 87°02'07" West, 45.35 feet, thence North 17°40'07" West, 13.91 feet, West, 410.00 feet, thence North 37°05'07" West, 8.24 feet, thence South 36°49'07" West, 24.6 feet, thence North 84°59'00" West, 13.40 feet to a point of intersection with UDOT (near Every 664, Book 7918 at Page 267) thence along said UDOT right-of-way for the following three (3) or North 17°00'07" East, 13.35 feet, thence North 22°46'27" East, 26.00 feet, thence North 87°11'07" West, 45.50 feet to a point of intersection with UDOT (near 164042) in Book 7815 at 670' and running thence along said UDOT right-of-way the following three (3) corners: 1) 17°14'17" West, 105.45 feet to a point on a 340.42 foot radius curve to the right, thence 19.13 feet along said curve through a central angle of 10°20'00" (shortly before North 89°12'17" West, 162.5 feet) to the point of beginning.

WATER PRO
 D THIS _____ DAY OF _____
 A.D. 20____

ROCKY MOUNTAIN POWER
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

COMCAST CABLE
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

SOUTH VALLEY SEWER DISTRICT
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

LEGEND

- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP
- PROPERTY LINE
- FIELD SURVEY
- PROPERTY CORNER
- STREET MONUMENT
- SECTIONAL MONUMENT
- 20' SEWER EASEMENT
- 20' WATERLINE EASEMENT



STAR GAS
 _____ DAY OF _____
 A.D. 20____

QWEST COMMUNICATIONS
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

S.L.C. BOARD OF HEALTH
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

PLANNING COMMISSION
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

DRAPER CITY ENGINEER
 APPROVED THIS _____ DAY OF _____
 A.D. 20____

CITY ATTORNEY
 APPROVED AS TO FORM THIS _____ DAY OF _____
 A.D. 20____

DRAPER CITY UTAH
 PRESENTED TO SALT LAKE CITY THIS _____ DAY OF _____
 A.D. 20____
 AND IT IS HEREBY APPROVED

Recorded #
 State of Utah, County of Salt Lake, recorded and filed in the presence of _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FILE # _____ SALT LAKE COUNTY RECORDER

NUMBER _____
 ACCOUNT _____
 SHEET _____
 OF 15

Approved February 18, 2014

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 11, 2014, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.

“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”

PRESENT: Mayor Troy Walker, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Garth Smith, Human Resource Director; and Bob Wylie, Finance Director

7.0 Public Hearing: For Approval of a Preliminary Plat for a 44-Unit Townhome Development on 3.9 Acres in the RM2 (Residential Multi-Family) Zone Located at 13433 South Minuteman Drive.

7:26:47 PM

7.1 Dennis Workman, Planner, noted this request is for preliminary plat approval. Draper Creekside is a 44-unit townhome development located just north of the Bella Monte development. The Planning Commission has forwarded a positive recommendation to the City Council. The final plat will come to the Council for consideration at a later date.

7:28:57 PM

7.2 Councilmember Summerhays asked whether there is adequate room for snow plows and snow removal. Mr. Workman indicated these are private streets, so the City will not be plowing these roads.

7:30:00 PM

7.3 Mayor Walker opened the public hearing.

7:30:13 PM

7.4 Todd Godfrey, Attorney, noted his office represents the adjacent property owner. They forwarded a letter to the City Council earlier that day. They are concerned about the configuration of the project and the elimination of his client's access. The objections are stated in his letter, and he would like that letter to be part of the record.

7:31:00 PM

7.5 Councilmember Colbert asked what the concerns are with the access. Mr. Godfrey explained the historic access for this property comes off the bowl at the end of Minuteman. It is right next to the existing access for Bella Monte. They were advised by City staff that the access will not be available to them for development access due to their close proximity, and that is what has created this concern. They have tried to negotiate with Mr. Saxey, and they would prefer to not even be here tonight. However, they have

not been able to work anything out. The preliminary plat does not show their access. The normal street standards will not allow them to have access, and that is what is causing their concern.

7:32:27 PM

7.6 Mike Kelly, Attorney for the developer, stated he also sent an email to the City Council, and he would like to make that email a part of the record. He pointed out that the adjacent property owner was at the Planning Commission meeting, and he spoke in favor of this plat. If he wanted to appeal that decision, he had two weeks to do that.

7:33:34 PM

7.7 Councilmember Summerhays stated it disturbs him that the individual would not have access. Mr. Kelly indicated it is his understanding that there is access; however, it might not be located where the adjacent property owner desires.

7:34:33 PM

7.8 Eric Saxey, developer, noted Mr. Workman covered his application really well. It follows all of the City's ordinances, and this will not eliminate the adjacent property owner's access. There is a 12.5 foot right-of-way access through the property to the south, and that has been there for decades. It is the same access that was there when the property was purchased two years ago. In reference to having the two access points that close to each other, he has prepared a traffic report that was part of the Planning Commission approval. It shows it would allow another access point at the end of Minuteman as long as traffic was shown where to go. Mr. Saxey stated his application is entitled to approval because it does comply with the ordinance. He then read various emails from Draper City employees in reference to this request.

7:40:58 PM

7.9 Mayor Walker closed the public hearing.

7:41:07 PM

7.10 Councilmember Colbert expressed concern about the access. He questioned whether it would prohibit the adjacent property owner from access if this is approved as proposed.

Troy Wolverton, City Engineer, noted the holding strip that is being referred to is a means by which the adjacent property owner can assist in the cost to construct access through those roads. The City is not part of this agreement because they are not public roads. There would need to be a variance request by the adjacent property owner. It is difficult to speak on the adjacent property because there is not an application submitted, and staff does not know what is being proposed. He stated staff directive would be to process the application before them, and when they receive an application for the adjacent property, staff would review that in accordance with the current Code.

7:43:02 PM

7.11 Councilmember Colbert expressed concern that this application does not have sufficient access for the adjacent neighbor, and the City has no way of enforcing that this property owner would allow access. He asked how the adjacent property owner would gain access without a variance request. Mr. Wolverton said the City is not in the position to deny access for the development of a property. This is a private matter, and they would need to work out the access issues amongst themselves.

7:44:20 PM

7.12 Councilmember Colbert advised he is not comfortable approving this plat when it hurts the adjacent property owner. He would like this application to run the normal course in order for the property owners to get together to work on the access issues before next week.

7:45:10 PM

7.13 Councilmember Summerhays asked whether there is enough property for them to have two accesses. Mr. Wolverton indicated he does not have that information available at this time to answer that question.

Approved 03/04/14

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 18, 2014, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.

“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”

PRESENT: Mayor Troy Walker, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Bryan Roberts, Police Chief; Garth Smith, Human Resource Director; and Bob Wylie, Finance Director

8:31:44 PM

9.0 Action Item: Considering the Approval of a Preliminary Plat for a 44-unit Townhome Development on 3.9 acres in the RM2 (Residential Multi-Family) Zone Located at 13433 S. Minuteman Drive.

8:32:18 PM

9.1 Councilmember Vawdrey indicated she made a motion and voted on this issue when she was on the Planning Commission. She recused herself from the discussion and vote.

Councilmember Vawdrey left the meeting at 8:32 p.m.

8:32:44 PM

9.2 Mr. Dobbins indicated Councilmember Summerhays had some questions about the access, but he had to step out of the meeting. Mr. Dobbins asked the Council to take a short break to allow Councilmember Summerhays to be a part of the discussion.

8:32:53 PM

9.3 *Mayor Walker called for a break at 8:32 p.m.*

8:40:22 PM

9.4 *The meeting resumed at 8:40 p.m.*

8:41:04 PM

9.5 Keith Morey, Community Development Director, indicated this item is back on the agenda for Council consideration. He displayed a map showing the overall concept plan of the area. At this point, staff feels the adjacent property owner does have access to his property.

8:42:33 PM

- 9.6 Councilmember Summerhays asked how wide the access section is. Mr. Morey noted it is twelve feet. There are other potential accesses; however, that is not part of this discussion. This plat meets the requirements of the City Code, and the Planning Commission has forwarded a positive recommendation to the City Council.

8:43:21 PM

- 9.7 Mr. Dobbins noted staff has looked at this item. He wanted to clarify that the City is not changing any access nor are they taking away an access. Ideally when someone purchases property, they have all the access they need for the future to accommodate whatever project they plan on having. In this case, the adjacent property owner does have access, and this action is not changing what they currently have. He does not feel that the City would be changing the value of the property because they are not changing anything.

8:44:26 PM

- 9.8 Councilmember Stenquist moved to approve the preliminary plat for the Draper Creekside Townhomes. Councilmember Summerhays seconded the motion.**

8:44:44 PM

- 9.9 Councilmember Stenquist stated he understands the concerns of the adjacent property owners; however, after consulting with the City Attorney, it is not the City's responsibility to require access to the adjacent property through this one. The plat meets all of the standards, and he does not have a problem with it.

8:45:14 PM

- 9.10 Mayor Walker clarified that Mrs. Vawdrey recused herself from this item because prior to her being on the City Council she actually voted on this item as a Planning Commission member. She does not have a personal or professional conflict with the applicant or this property.

8:45:45 PM

- 9.11 A roll call vote was taken with Councilmembers Rappleye, Stenquist, and Summerhays voting in favor. Councilmember Colbert voted no. The motion carried with a majority vote.**



Development Review Committee
1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539 Fax (801) 576-6526

STAFF REPORT
December 27, 2013

To: Planning Commission
Business Date: January 9, 2014

From: Development Review Committee
Prepared by Dennis Workman, Planner II

Re: Draper Creekside Townhomes – Site Plan and Preliminary Plat

Application No.: 131010-13433S
Applicant: Eric Saxey with Everest Builders
Project Location: 13433 S. Minuteman Dr.
Zoning: RM2
Acreage: 3.9 acres
Request: Site plan and preliminary plat approval for a 44-unit townhome development

BACKGROUND

This application is a request for site plan and preliminary plat approval on 3.9 acres located near the south terminus of Minuteman Dr. The property is zoned RM2, which allows a density of up to 12 units per acre. The applicant is requesting site plan approval for a 44-unit townhome development, yielding 11.28 units per acre. In addition, the applicant seeks approval of a townhome subdivision plat to allow the sale of the units. The authority to approve or deny the site plan portion of this application is vested with the Planning Commission. The authority to approve or deny the preliminary plat portion, however, is vested with the City Council, with the Planning Commission being a recommending body.

ANALYSIS

General Plan and Zoning. The General Plan currently identifies the subject property as High-Density Residential, which allows up to 12 units per acre. The property is zoned RM2 which is consistent with this land use classification. The stated purpose of the RM2 zone district is to “permit well-designed apartments, townhouses, twin homes and condominiums at relatively high densities that are appropriately buffered from and compatible with surrounding land uses.” The subject property is typical of a multi-family project location, bordered by a collector street and positioned between two high density housing projects. The proposed use is consistent with both the General Plan and the zoning district.

Site Plan. Located on the south end of Minuteman Drive, the development has no potential to connect to the adjacent I-15 or Bangerter Parkway corridors. The site is surrounded by Bella Monte Condos to the south, I-15 to the west, and Pinnacle Apartments to the north. The proposed site plan shows 44 units on 3.9 total acres creating an overall density of 11.28 units per acre. RM2 zoning allows for up to 12 units per acre. Access will be from two separate points on Minuteman Drive. The private right-of-way is proposed to be 26’ wide drivable surface with a four-foot sidewalk on one side. Sub. 9-32-030(d)(4) of the DCMC states that sidewalks shall be installed on both sides of the street, but that the Planning Commission may modify this requirement if it finds: 1) that the second sidewalk...does not facilitate



pedestrian connectivity; 2) that ample pedestrian circulation has been provided and is otherwise satisfied; and 3) that the purpose and intent of the development standards set forth in Chapter 9-32 are met. Staff's opinion is that all three of these findings can be made. (There is a separate model motion at the end of this staff report to approve/deny this requested modification of the sidewalk standard.) A nicely-landscaped playground and pavilion area will be on the west side near the project's entrance, which satisfies the need for "visual relief from the street through open space" as stated in 9-32-030(e)(3). Staff has verified that the pavilion and playground areas comply with Section 9-32-030(f) which outlines the standards for amenities in a multi-family project. All units will front directly onto the private streets, and will have a minimum 20 foot long driveway to allow for tandem parking, as required by Sub. 9-23-030(c)(2)(ii). The project will include two unit sizes, the smaller of which will have a 168 square foot limited common area in the rear of the unit which the owner has the option to enclose with a fence. Visitor parking stalls will be located near the amenities area on the west and at the end of Golden Privet Lane on the east, which staff regards as an acceptable effort to meet the requirement set forth in Sub. 9-32-030 (c)(6) that visitor parking stalls be centrally located.

Landscaping and Open Space. The site contains 61,272 square feet of open space along the boundaries of the property and throughout the site, providing an open space calculation of 36% which exceeds the 30% minimum required by Sub. 9-32-030(e). The applicant has not included any roads, sidewalks, limited common or private areas in the calculation of the open space. As stated above, staff is pleased that there is a substantial amount of open space at the project's entrance, which satisfies the need for "visual relief from the street through open space" as required by 9-32-030(e)(3). This area will contain a substantial number of trees, namely, Autumn Purple Ash, Norway Maple, European Columnar Aspen, and Colorado Spruce. The dwelling units in this area, as well as throughout the project, will have Spring Snow Crabapple and Bird Cherry trees in the landscaped area separating the driveways. Numerous varieties of shrubs and grasses will be planted along the sides of all structures and near the visitor parking stalls. With few exceptions, sod will be planted on all open space areas. One exception is south of the south access road where Corner Canyon Creek meanders across a small portion of the subject site; this area will be planted with a native seed mix in four-inch deep topsoil.

Parking. According to Table 9-25-1 of the City Code, a multi-family use is required to provide one visitor parking space for every four units. With a total of 44 proposed units, the development would need to provide 11 visitor spaces. In addition to the visitor parking, each unit is required to provide two spaces for resident parking. Sub. 9-25-050(G)(6) states that, "*Multi-family dwellings designed to include enclosed garages may count the number of spaces within the garage towards the parking requirement when the garage is designed in compliance with Section 9-25-070(A)(3) and approved as a part of a site plan or site plan amendment.*" Sub. 070(A)(3) states that garages are to have a minimum of ten feet in width and twenty feet in depth and eight feet of garage door opening per car space. Each of the garages within the development meet those design criteria and therefore can count toward the two spaces needed for resident parking. Sub. 060(F) states that "[t]andem parking spaces shall count towards required parking as only a single parking space per pairing. As such, the site meets and even exceeds the parking requirements for a multi-family development.

Housing Types/Architecture. As discussed in the City's General Plan, design excellence is critical to maintaining the integrity of a multi-family neighborhood. Staff has verified that the buildings proposed for this project meet the multi-family dwelling development standards contained in Chapter 9-32. The site plan shows six 6-plexes and two 4-plexes, for a total of 44 units. Unit sizes will vary, as required by Sub. 9-32-030(a), with 16 units that will be 24x40, and 28 units that will be 24x34. Table 9-10-3, *Development Standards in Residential Zones*, requires that the minimum lot area for a townhome is 1000 square feet, which each lot satisfies. All buildings will be two stories over a two-car garage. The middle units of each building will be taller than the side units, which will break up the horizontal plane of the building. No roofline will exceed 50 feet in length without a visual break, as required by Sub. (a)(2)(i).

There will be a variety of building colors and materials, as required by Sub. (a)(4). The applicant will display a materials/color board at the Planning Commission hearing. The buildings will be 32'5" tall on 64% of the units and 38' tall on the other 36%, as measured from average finished grade to midpoint of highest roof. The standard height limitation of 35' in the RM2 zone, as set forth in Table 9-10-3, may be exceeded by five feet for multi-family structures for the purpose of encouraging height variation, as set forth in Sub. 9-32-030(a)(2)(ii). The type of structure being proposed does not lend itself well to the requirement in Sub. (b)(4) that "[s]treet oriented facades shall protrude beyond the garage door by at least five feet." Staff is pleased with the applicant's efforts to modify the original architectural plans in order to satisfy this requirement. As stated in Sub. (b)(3), "building materials for multiple family structures shall consist of a least fifty percent brick, stone or synthetic stone on all sides of the structure." The proposed building materials consist of 16% stone, and 80% wood/fiber composite siding, both of which are considered primary materials for commercial construction. But since the brick/stone requirement of Chapter 9-32 is not met, the applicant seeks the Planning Commission's approval to deviate from strict compliance with the standard, as described in the following section.

Architectural Design Standards Modification. Chapter 9-32-030(b) of the Draper City Municipal Code makes provisions for the Planning Commission to authorize deviations to strict compliance with the terms of the code regarding development design standards for architecture where materials are concerned. It states:

- (3) Building materials for multiple family structures shall consist of at least fifty percent (50%) brick, stone, or synthetic stone on all sides of the structure.
 - (i) The Planning Commission may grant a special exception from this clause to allow accumulation or clustering of brick, stone, or synthetic stone on the most publicly visible sides of the structure. This exception is dependent on compliance with the following standards:
 - (1) The use of brick, stone, or synthetic stone is equal to a gross calculation of square footage of fifty percent (50%) or more of all structure sides.
 - (2) Structure design meets 9-32-030(b)(2): 'Side and rear elevations that are visible to the public shall match the architectural detailing of the front façade.
 - (ii) Windows are excluded from the gross calculation of exterior building materials.
 - (iii) The Planning Commission may also grant a special exception from this clause if a predominant building material exists in the project vicinity and the use of the material will uphold the existing character and style of the given neighborhood. The project developer may present the proposed building material (and color) to the Planning Commission to substantiate the quality and durability of the proposed dominant material.

The applicant invokes paragraph (iii) of the above citation to justify the deviation and to show that his request is reasonable. At the Planning Commission hearing, he will present photos of existing multi-family structures in the vicinity, namely projects built by Candlelight Homes and Holmes Homes. The photos will show that the architecture under review is consistent with the predominant building materials of existing construction in the area.

Lighting. The photometric plan shows ten 42" bollards distributed throughout the site, located near the sidewalk. It also shows a wall fixture on the front elevation of each unit. All bollards and fixtures will have cut-off shields to minimize glare. This project will contain no light poles.

Preliminary Plat. The applicant has submitted a preliminary plat for the 44 townhomes. The plat depicts areas of private, limited common and common use. All units in the RM2 zone are to have a minimum size of 1,000 square feet. All resulting lots in the proposed plat will exceed the required 1,000 ft². The applicant will form an HOA to maintain all detention areas, landscaping, snow removal, etc. which will need to be recorded against the plat.

Criteria For Approval. The criteria for review and approval of a site plan is found in Sections 9-5-090(e) of the DCMC. They are as follows:

- (e) Standards for Approval. The following standards shall apply to the approval of a site plan.
 - (1) The entire site shall be developed at one time unless a phased development plan is approved.
 - (2) A site plan shall conform to applicable standards set forth in this Title. In addition, consideration shall be given to the following:
 - (i) Considerations relating to traffic safety and traffic congestion:
 - (A) effect of the site development plan on traffic conditions on abutting streets and neighboring land uses, both as existing and as planned;
 - (B) layout of the site with respect to location and dimensions of vehicular and pedestrian entrances, exits, driveways, and walkways;
 - (C) arrangement and adequacy of off-street parking facilities to prevent traffic congestion and compliance with the provisions of City ordinances regarding the same;
 - (D) location, arrangement, and dimensions of truck loading and unloading facilities;
 - (E) vehicular and pedestrian circulation patterns within the boundaries of the development;
 - (F) surfacing and lighting of off-street parking facilities; and
 - (G) provision for transportation modes other than personal motor vehicles, including such alternative modes as pedestrian, bicycle, and mass transit.
 - (ii) Considerations relating to outdoor advertising:
 - (A) compliance with the provisions of Chapter 9-26 of this Title. Sign permit applications shall be reviewed and permits issued as a separate process. Action may be taken simultaneously with or following site plan review.
 - (iii) Considerations relating to landscaping:
 - (A) location, height, and materials of walls, fences, hedges, and screen plantings to provide for harmony with adjacent development, or to conceal storage areas, utility installations, or other unsightly development;

- (B) planting of ground cover or other surfaces to prevent dust and erosion;
 - (C) unnecessary destruction of existing healthy trees; and
 - (D) compliance with the Draper City General Plan guidelines to promote consistent forms of development within the districts of the City as identified in the General Plan.
- (iv) Considerations relating to buildings and site layout:
- (A) the general silhouette and mass, including location on the site and elevations, in relationship to the character of the district or neighborhood and the applicable provisions of the General Plan; and
 - (B) exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on the street, line and pitch of roofs, the arrangement of structures on the parcel, and appropriate use of materials and colors to promote the objectives of the General Plan relating to the character of the district or neighborhood.
- (v) Considerations relating to drainage and irrigation:
- (A) the effect of the site development plan on the adequacy of the storm and surface water drainage; and
 - (B) the need for piping of irrigation ditches bordering or within the site.
- (vi) Other considerations including, but not limited to:
- (A) buffering;
 - (B) lighting;
 - (C) placement of trash containers and disposal facilities; and
 - (D) location of surface, wall and roof-mounted equipment.
- (3) In order to assure that the development will be constructed to completion in an acceptable manner, the applicant shall enter into an agreement and provide a satisfactory letter of credit or escrow deposit. The agreement and letter of credit or escrow deposit shall assure timely construction and installation of improvements required by a site plan approval.
- (4) In a planned center, individual uses shall be subject to the following requirements:
- (i) The overall planned center shall have been approved as a conditional use which shall include an overall site plan, development guidelines and a list of allowable uses in the center.
 - (ii) The City and the developer of the planned center shall enter into a development agreement governing development of the center. The agreement shall include a provision to the effect that staff review and approval of uses and the site plan is typically sufficient.
 - (iii) Development guidelines for a center shall, as a minimum, address the following topics:

- (A) general site engineering (e.g., storm drainage, provision of utilities, erosion control, etc.);
 - (B) architectural guidelines, including building setbacks, height, massing and scale, site coverage by buildings, materials, and colors;
 - (C) landscaping and open space standards;
 - (D) signage;
 - (E) exterior lighting;
 - (F) parking, pedestrian and vehicular circulation, and access to the site;
 - (G) rights of access within the center (use of cross-easements, etc.);
 - (H) development phasing and improvements/amenities to be completed with each phase;
 - (I) outdoor sales, storage and equipment;
 - (J) fencing and walls; and
 - (K) maintenance standards and responsibilities.
- (5) Building permits for individual uses with an approved planned center shall be reviewed by the Zoning Administrator for compliance of the proposed use to the overall site plan, development guidelines and approved use list for the planned center. The Zoning Administrator shall approve, approve with conditions, or deny the permit based on compliance with applicable conditions of the site plan and provisions of this Title.

Preliminary Plat. The criteria for review and approval of a preliminary plat are found in Section 17-3-040(a) of the Draper City Municipal Code. They are as follows:

The Planning Commission shall make findings specifying any inadequacy in the application, non-compliance with City regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat. The Planning Commission may review all relevant information pertaining to the proposed development including but not limited to the following: fire protection; sufficient supply of culinary and secondary water to the proposed subdivision; sewer service; traffic considerations and the potential for flooding; etc. The Planning Commission shall submit its findings and recommendations regarding approval or disapproval of the Preliminary Plat to the City Council for review and decision.”

STAFF REVIEWS

Planning Division Review. The planning staff issues a recommendation for approval with the following comments and conditions:

1. That a deviation from strict compliance with the sidewalk standard is justified because pedestrian connectivity is adequate as proposed.
2. That a deviation from strict compliance with the requirement that building materials consist of at least 50% brick or stone is justified because the proposed architecture upholds the existing character and style of the neighborhood.
3. That a final plat application is submitted in accordance with section 17-4 of the DCMC.
4. That all buildings are constructed as shown in the exhibits attached to this staff report.
5. That all landscaping is installed in accordance with the landscape plan attached to this staff report and chapter 9-23 of the Draper City Municipal Code.

6. That approval of the site plan or plat does not constitute approval of any signage. All signage shall be required to receive separate sign permit approval.
7. That all utility and mechanical equipment will be hidden by landscaping, and that this will be field verified prior to a certificate of occupancy being granted.

Engineering Review. In a memo dated January 2, 2014, Carolyn Prickett with Draper City Engineering states:

We have reviewed the subject preliminary plat and site plan application and recommend approval subject to conditions. Accordingly, we have provided the following comments for your consideration:

Plat

1. The references to other developments on the plat shall be removed or amended to indicate the Draper Creekside development.

Site Plan

2. A Development Permit shall be obtained before construction within any area of special flood hazard through the Flood Plain Administrator in accordance with Title 12 of the Draper City Municipal Code.
3. Multiple Family Projects shall install sidewalks on both sides of all private streets in accordance with Section 9-32-30(d)(4) of the Draper City Municipal Code.

Grading and Drainage Plan

4. The Tideflex Valve may create a maintenance issue and shall not be located in the public drainage system. If the engineer determines such a valve is necessary for the site's drainage system, the valve shall be placed inside a structure that is located within and maintained by the Draper Creekside Development.
5. The proposed retaining wall will require a building permit in accordance with the Draper City Municipal Code Section 9-27-085.
6. Copies of the Stream Alteration Permit and Salt Lake County Flood Control Permit or corresponding approval letters for the proposed construction adjacent to Corner Canyon Creek are required prior to issuance of a Land Disturbance Permit.

Building Division Review. In a memo dated October 22, 2013, Keith Collier states that he has no concerns at this stage.

Unified Fire Authority Review. In a memo dated December 12, 2013, Don Buckley with the Unified Fire Authority recommends approval with the following conditions and comments:

1. Fire Department Access is required. An unobstructed minimum road width of twenty-six (26) feet and a minimum height of thirteen (13) feet six (6) inches shall be required. The road must be designed and maintained to support the imposed loads of emergency apparatus. The surface shall be able to provide all weather driving capabilities. The road shall have an inside turning radius of twenty – eight (28) feet. There shall be a maximum grade of 10%. Grades may be checked prior to building permits being issued.
 - a. 2012 International Fire Code Appendix D requirements on street widths:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305mm) wide by 18 inches (457mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.



Signs are 12 X 18 inches, metal, and/or made of all weather resistant materials. (D103.6)

D103.6.1 Roads 20 to 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20-26 feet wide (6096-7925 mm).

D103.6.2 Roads more than 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).

2. 104.8 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the *fire code official* shall have the authority to grant modifications for individual cases, provided the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention. A fire code modification has been submitted and approved with comments that notification will also be required.
3. Fire Sprinklers are Required in units 26, 32, 38, and 44 Only. Deferred submittal for fire sprinkler shop drawings are to be sent directly to the following address: Unified Fire Authority, 3380 South 900 West, Salt Lake City, Utah 84119. Attention: Stewart Gray. A minimum of two sets of plans, complete with manufacturer cut sheets, and hydraulic calculations. Plans must be ink signed by a NICET level III or better in Auto Sprinkler Layout. (There needs to be a hydrant with-in a 100 feet of the FDC.) FDC is required to have KNOX Locking Caps. ALL FIRE PROTECTION PLANS REQUIRE 3rd PARTY REVIEW PRIOR TO BE SUBMITTED TO THE UNIFIED FIRE AUTHORITY.
4. Fire Alarm is Required for units 26, 32, 38, and 44 Only. Deferred submittal for fire alarm shop drawings are to be sent directly to the following address: Unified Fire Authority, 3380 South 900 West, Salt Lake City, Utah 84119. Attention: Stewart Gray. A minimum of two sets of plans, complete with manufacturer cut sheets, and battery calculations. Plans must be ink signed by a

NICET level III or better in Fire Alarm Systems. ALL FIRE ALARM PLANS REQUIRE 3rd PARTY REVIEW PRIOR TO BE SUBMITTED TO THE UNIFIED FIRE AUTHORITY.

5. Fire Hydrants are required there shall be a total of 5 hydrants required spaced on average at 300ft. increments. Hydrants are to be protected with bollards if susceptible to vehicle damage. The required fire flow for this project is 3000GPM for full 3 hour duration.
6. Hydrants and Site Access. All hydrants and a form of acceptable temporary Fire Department Access to the site shall be installed and APPROVED by the Fire Department prior to the issuance of any Building Permits. If at any time during the building phase any of the hydrants or temporary Fire Department Access becomes non-compliant any and all permits could be revoked.
7. No combustible construction shall be allowed prior to hydrant installation and testing by water purveyor. All hydrants must be operational prior to any combustible elements being received or delivered on building site.
8. Knox Boxes Required. Fire Department “Knox Brand” lock box to be mounted to exterior walls, near the door serving the access to the fire sprinkler riser room. (At a height of 5 feet to the top of the box) Lock box purchase can be arranged by the General Contractor. See attached information form.
9. Visible Addressing Required. New and existing buildings shall have approved address numbers plainly legible and visible from the street fronting the property. These numbers shall contrast with their background.
10. Street Signs required and are to be posted and legible prior to building permits being issued. All lots to have lot number or address posted and legible.
11. All plans pertaining to fire protection and/or life safety are to be made available upon request at the construction site.
12. Plan approval or review shall not be construed to relieve from or lessen the responsibility of any person designing, owning, operating or controlling any building. Damages to persons or property caused by defects, fire, improper installation, or other emergency conditions that occur in or on the building property shall not hold the Unified Fire Authority as assuming any liability.

Parks and Trails Committee. In a memo dated November 6, 2013, Clark Naylor with the Parks and Trails Committee states: “Development shall accommodate future trail along creek per Parks and Trails Master Plan.” On Sheet C-02 of the civil drawings the developer shows a future 12-foot trail, but only a small portion of the trail will actually be on the subject site. The developer’s share of the cost for the trail will be worked out when the properties to the south and east develop. As part of his site plan improvements, the developer will clean up all the brush and debris on the south side of the creek.

Tree Commission. In a memo dated October 24, 2013, Laura Bakker with the Tree Commission recommends that the landscape plan be modified to break up the Spring Snow into three or more varieties, such as Chionanthus Virginicus, Amelanchier, Syringa Reticulata, or some other three of similar size, but no flowering pear.

Noticing. Public noticing for both site plan and preliminary plat have been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends approval of the site plan and preliminary plat by Eric Saxey, representing Everest Builders, application 131010-13433S, subject to the following conditions:

1. That all requirements of the Draper City Engineering Department are satisfied throughout development of the site.
2. That all requirements of the Draper City Building Department are satisfied throughout development of the site.
3. That all requirements of the Unified Fire Authority are satisfied throughout development of the site.
4. That a deviation from strict compliance with the architectural standard set forth in Sub. 9-32-030(b)(3) is granted by the Planning Commission.
5. That a final plat application is submitted in accordance with section 17-4 of the Draper City Municipal Code.
6. That all buildings are constructed as shown in the exhibits attached to this staff report.
7. That all landscaping is installed in accordance with the landscape plan attached to this staff report and chapter 9-23 of the Draper City Municipal Code.
8. That approval of the site plan and plat does not constitute approval of any signage. All signage shall be required to receive separate sign permit approval.
9. That all utility and mechanical equipment shall be clustered and screened by compatible architectural materials or by appropriate vegetation, as required by 9-32-030(b)(6), and that this is field verified prior to issuance of a certificate of occupancy.
10. That, unlike the submitted architectural renderings, there is a variety of garage door colors throughout the project, as required by Sub. 9-32-030(b)(8).
11. That all geotechnical issues outlined in Alan Taylor's memo dated October 23, 2013 are addressed prior to issuance of the first building permit.
12. That grading between the subject property and adjacent property shall be sufficient to accommodate emergency vehicle access.

This recommendation is based on the following findings:

1. That the proposed site plan is for a use that is permitted within the RM2 zone.
2. That the proposed site plan meets the Draper City ordinances pertaining to site plan approval, namely those contained in Section 9-32.
3. That the proposed site plan conforms to the requirements of the General Plan.
4. That the site plan will not be detrimental to the health, safety or general welfare of those persons working or residing in the area.
5. That a deviation from strict compliance with the architectural standards of Sub. 9-32-030(b)(3) is justified because the proposed elevations uphold the existing character of the neighborhood.
6. That a landscaping plan was produced and submitted that is in compliance with section 9-23 of the Draper City Municipal Code.
7. That tandem parking is appropriate for this project and is allowed by ordinance.
8. That the proposed parking meets the requirements of the Draper City Municipal Code.
9. That pedestrian connectivity and circulation is adequately provided for with a sidewalk on only one side of the street.
10. That the proposed architecture is consistent with the existing style and character of the neighborhood, which justifies a special exception from the requirement that building materials must consist of at least 50% brick or stone.

MODEL MOTIONS

Deviation from Strict Compliance

Sample Motion to Approve Modification of the Sidewalk Standard. “I move we approve the request by Eric Saxey to modify the sidewalk standard, as explained in this staff report, based on Finding #9 stated herein.”

1. List additional findings if any.

Sample Motion to Deny Modification of the Sidewalk Standard. “I move we deny the request by Eric Saxey to modify the sidewalk standard, based on the following findings:”

1. List findings.

Sample Motion to Approve Special Exception from the Architectural Standard. “I move we approve the request by Eric Saxey to be granted a special exception from the architectural standard as explained in this staff report, based on Finding #10 stated herein.”

2. List additional findings if any.

Sample Motion to Deny Deviation from Strict Compliance with the Architectural Standard. “I move we deny the request by Eric Saxey to be granted a special exception from the architectural standard, based on the following findings:”

2. List findings.

Site Plan

Sample Motion to Approve Site Plan. “I move we approve the site plan request by Eric Saxey for a 44-unit townhome development, as outlined under application 131010-13433S, based on the findings and subject to the conditions listed in the staff report dated December 27, 2013 and as modified by the following:”

1. List any additional findings and conditions.

Sample Motion to Deny Site Plan. “I move we deny the site plan request by Eric Saxey, as outlined under application 131010-13433S, based on the following findings:”

1. List findings.

Preliminary Plat

Sample Motion to Recommend Approval of Preliminary Plat. “I move we forward a positive recommendation to the City Council regarding the Draper Creekside Townhomes plat, as requested by Eric Saxey, application 131010-13443S, based on the findings and subject to the conditions listed in the staff report dated December 27, 2013 and as modified by the following:”

1. List any additional findings and conditions.

Sample Motion to Recommend Denial of Preliminary Plat. “I move we forward a negative recommendation to the City Council regarding the Draper Creekside Townhomes plat, as requested by Eric Saxey, application 131010-13443S, based on the following findings:”





**Aerial Map for Draper Creekside Townhomes
Subdivision Plat and Site Plan**

