



JAMES SORENSEN COMMUNITY DEVELOPMENT DIRECTOR
MONICA ZOLTANSKI MAYOR
CLIFFORD STRACHAN CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

July 7, 2022

To: Planning Commission
From: Community Development Department
Subject: Badger Cove Trailhead (Preliminary Site Plan Review and Conditional Use Permit)
1651 East Badger Cove [Community #22]
SPR05132022-006320
CUP05132022-006321
4.63 Acres
Zone: OS

HEARING NOTICE: This item has been noticed to property owners within 500 feet of the subject area. A physical sign was also posted on the property.

Table with 2 columns: Case Number, Case Summary. Title: PROPERTY CASE HISTORY

REQUEST

Mr. Daniel Sonntag, representing Salt Lake County Parks and Recreation, has submitted an application for a conditional use permit and preliminary site plan review for an improvement project of the proposed Badger Cove Trailhead.

BACKGROUND

The proposed project is located adjacent to Badger Cove, a private road. The property is zoned SD(OS) (Special Development District, Open Space Zone). 'Public and private parks and recreation areas' are a conditional use within the zone.

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject property to notify them of the Planning Commission meeting. Additionally, a physical sign was posted on the property. The applicant also held a neighborhood meeting on June 15, 2022. Concerns were voiced during the meeting about the ability of equestrian users to use the parking facilities, the view being disturbed for nearby residents, concerns with more people using the trailhead once improvements are installed, and concerns with unwanted vehicular and pedestrian traffic and behavior. A full summary from the neighborhood meeting is attached to this staff report. An email in opposition to the project was received from a nearby resident who lives directly across the street from the access to Badger Cove and has headlights sweeping across his living room windows when vehicles exit Badger Cove. He also stated concern about horses already having close calls with vehicles. His email has been attached to this staff report.

CONDITIONAL USE ANALYSIS

Conditional Use consideration for: ‘Public and private parks and recreation areas’ in the SD(OS) Special Development District.

Under the Sandy City Development Code, the Planning Commission, through the Conditional Use process, can: **approve** Conditional Uses if no mitigation of reasonably anticipated detrimental impacts is necessary; **approve** Conditional Uses, subject to reasonable conditions designed to mitigate or eliminate reasonably anticipated detrimental impacts; or **deny** Conditional Uses, if it is determined that reasonably anticipated detrimental impacts cannot be adequately mitigated. The burden of mitigating these impacts or effects is the responsibility of the applicant and not of the municipality or adjacent property owners (Section 21-33-04).

Compliance with Section 21-33-04 Conditional Use Permit:

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address these standards:

1. Size, configuration and location of the site and the proposed site plan layout.

The layout is properly designed and located. The site is adequately sized for the proposed new parking lot and amenities.

2. Proposed site ingress and egress to existing and proposed roads and streets.

The ingress and egress to and from the site will be adequate for use by these facilities.

3. The adequacy, provision, relocation or protection of public facilities and amenities, including roads and street, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities.

The public facilities that already exist at the site will support the additional amenities that have been proposed with this application.

4. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas.

Adequate vehicle parking will be provided by the surface parking on the site. 18 public parking spaces are being proposed.

5. Site circulation patterns for vehicular, pedestrian and other traffic.

Site circulation will be sufficient for the use as designed on the site plan. Badger Cove serves as the single access to the trailhead area. The drive aisle between parking stalls is 24 feet wide, which is sufficient for cars to pull into available stalls and then turn around.

6. Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities.

The proposed restrooms will be constructed of CMU block and will be painted a light concrete color with gray doors and door frames. They will be located on the northwest corner of the parking area and will be available with accesses on the south side. There are also two (2) pavilions that are proposed to be constructed to the west of the parking area and restrooms.

7. The location and design of all site features, including proposed signage, lighting, and refuse collection.

Site signage is not included in this review but must be by separate application. There is no lighting proposed for the site. Because the trailhead is not adjacent to a public road Sandy City cannot require lighting. However, staff recommends that lighting be installed to increase safety and visibility in the early mornings and evenings.

8. The provision of useable open space, public features, and recreational amenities.

The proposed additional parking lot will make available 18 parking spaces for public use of the trailhead. Two (2) new pavilions and new restroom facilities will be available to the public. A trailhead kiosk and horse hitching post are also planned.

9. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining owners from noise, visual and other impacts.

The site landscaping will be installed as part of the corresponding site plan approval as shown on the landscape plan attached to this staff report.

Staff considers the lack of proposed lighting to be an area of concern regarding public safety. We recommend that the applicant work with staff to mitigate this concern. Should lighting not be incorporated in the design at this time, then the site will be reviewed upon legitimate complaint.

10. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.

This facility will be subject to the noise limits imposed by the County Health Department. There will not be any unusual vibration, smoke, dust, and debris or plant materials nuisance factors after development of the site.

11. Measures designed to protect the natural features of the site, including wetlands and drainage ways, ground water protection, soils, wildlife and plant life.

This standard is not generally applicable.

12. The regulation of operating hours for activities affecting normal schedules and functions;

The trailhead opens at 6:00 a.m. daily, and closes at 10:00 p.m. Closing is enforceable by the police who patrol the area. The operating hours are reasonable for the area.

13. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.

The conditional use will be reviewable upon legitimate complaint, and any new impacts arising can then be addressed by the Planning Commission, through the imposition of additional mitigating measures.

14. Measures to ensure compliance with all conditions and requirements of approval including but not limited to bonds, letters of credit, improvement agreements, the agreements to conditions, road maintenance funds, and restrictive covenants.

Measures to ensure compliance will be enforced by the Sandy City staff through detailed site plan review, upon citizen complaint or by staff observance and will be adequate to mitigate potential violations of approval conditions.

15. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

To mitigate any potential negative impacts to the City and the neighborhood, staff suggest the conditions listed at the bottom of this report in the Staff Recommendation for the Conditional Use Permit, numbers 1 to 2.

SITE PLAN ANALYSIS

Overview:

The proposed Badger Cove Trailhead improvements include a new parking lot, a trailhead kiosk, two (2) new pavilions, new restrooms, a new drinking fountain, two (w) new picnic tables, and a horse hitching post.

Access:

Existing access to the project area is via Badger Cove, which is a private road.

Parking:

The proposed parking lot will create 18 public parking spaces. The new parking stalls will be 18 feet long and 9 feet wide. A typical parking stall is 20 feet long, but 18 feet is acceptable by ordinance when it is adjacent to landscaping or a six-foot sidewalk. The parking dimensions proposed are adequate.

Landscaping:

The applicant has submitted a full landscape plan for the site. Staff has found that it generally meets the requirements of Chapter 21-25 entitled Landscaping Standards. The plans reflect the planting of six trees and a variety of bushes.

CONCERNS

Staff has the following concerns regarding this proposal as submitted by the applicant:

1. Lighting. There is no lighting proposed for the trailhead project. Sandy City cannot require lighting because the project area is not adjacent to a public road. However, the staff does recommend that lighting be installed to increase visibility and safety, especially during early morning and late evening hours.

STAFF RECOMMENDATION #1 (CONDITIONAL USE PERMIT):

Staff recommends that the Planning Commission grant the Conditional Use Permit request to allow the expansion of “Public and private parks and recreation areas” in the SD(OS) Zone for the Badger Cove Trailhead project located at 1651 East Badger Cove, based on the findings and subject to the following conditions:

FINDINGS:

1. That the various City Departments and Divisions, including the City Engineer and the Transportation Engineer, have preliminarily approved the proposed related site plan.
2. That the proposed land use request has been reviewed by staff considering the 15 standards contained in the Sandy City Development Code, 21-33-04, Conditional Use Process, and appropriate and adequate mitigation measures will be implemented or will be imposed as deemed necessary to minimize impacts to the surrounding community, subject to the following conditions:

Conditions:

1. That the Conditional Use Permit for expansion of an existing “Public and private parks and recreation areas”, be reviewed upon future legitimate citizen complaint or staff observation of non-compliance with conditions.
2. That the applicant be responsible to meet all provisions of the Sandy City Development Code and all conditions of approval that are included in this report and as may be

imposed by the Planning Commission to mitigate the reasonably anticipated detrimental effects of the proposed uses.

STAFF RECOMMENDATION #2 (SITE PLAN):

Staff recommends that the Planning Commission determine that preliminary site plan review is complete for the proposed Badger Cove Trailhead project, located at approximately 1651 East Badger Cove, based upon the following findings and conditions:

Findings:

1. That the proposed project meets or will meet all the applicable requirements of the Sandy City Development Code.
2. That the construction of an additional parking lot will serve more residents wishing to use the trail system and associated amenities.

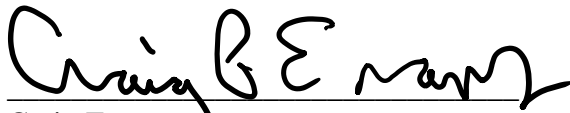
Conditions:

1. That the applicant complies with each department's comments and redlines throughout the preliminary and final review process and that all issues be resolved before final site plan approval.
2. That all City provisions, codes and ordinances are adhered to during the review, construction and operations process of this building.
3. That all signage be reviewed and approved under a separate permit and be in conformance with City code.
4. That "no parking" signs be placed along the existing hammerhead to prohibit parking within the required turn-around area.

Optional:

5. That the applicant work with staff to add site lighting to improve visibility and safety of this trailhead.

Planner:



Craig Evans