

PLANNING COMMISSION STAFF REPORT

Rocky Mountain Power- Donner Way Conditional Use 410-07-04

located at 900 S, 910 S, 913 S, 925 S, and 939 S. Donner
Way, 895 S. Donner Circle;
3075 E. and 3125 E. Kennedy Drive
October 10, 2007



Planning and Zoning Division
Department of Community
Development

Applicant:

Staff:

Marilynn Lewis 535-6409
marilynn.lewis@slc.gov

Tax ID: N/A

Current Zone: RMF-45

Master Plan Designation:

Council District: 6

Acreage: Varies

Current Use: Multi-Family
Residential

Applicable Land Use

Regulations:

- Section: 21A.24.190
Table Of Permitted And
Conditional Uses For
Residential Districts
- Section: 21A.02.050B
Exemptions - 2. Utility
Installations

Attachments:

- A. Department Comments
- B. Site Plan and photos of
proposed equipment
- C. Letter from East Bench
Community Council

REQUEST

Due to excessive power outages in this East Bench neighborhood, Rocky Mountain Power is requesting a Conditional Use to install new above ground utility cabinets to replace the failing below ground facilities, and replace one existing above ground switcher cabinet. The project also involves replacing 1000 feet of underground cable.

PUBLIC NOTICE

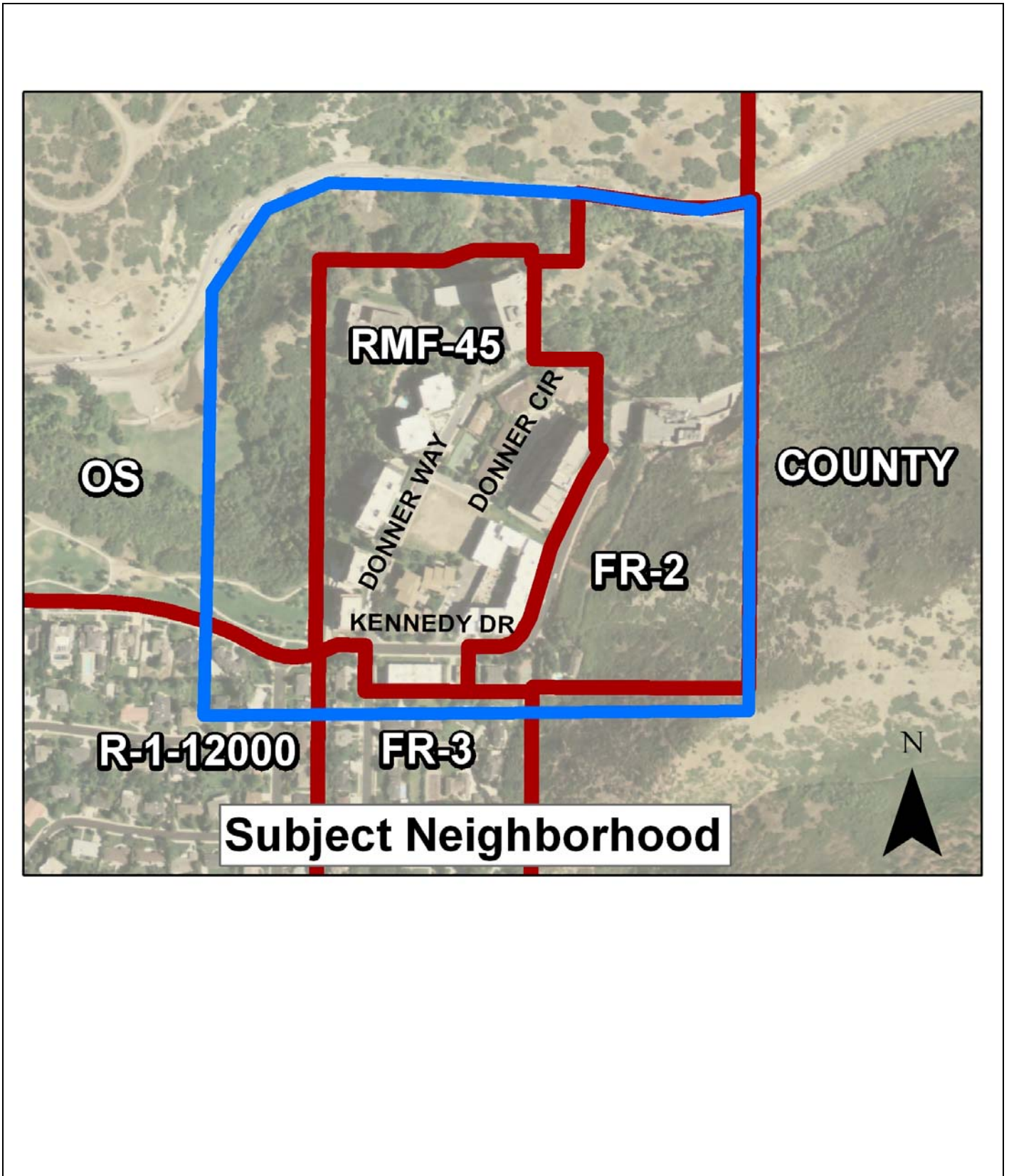
The applicant attended the East Bench Community Council on September 19, 2007. Staff also attended the meeting to gather input. The East Bench sent a letter of support for the project. Notice for the Planning Commission hearing was mailed on September 25, 2007.

STAFF RECOMMENDATION:

Based on the findings of fact identified in this report, staff recommends that the Planning Commission approve the conditional use with the following conditions:

1. The applicant proposes to feed new cable through the existing conduit system. However, if excavation has to occur the applicant will need to provide the following information to Engineering and closely coordinate: location and run of proposed excavation, running line and footage of any trenches, and any additional information pertinent to this proposal.
2. The finished construction must not interfere with Public Utilities ability to maintain and operate their utilities.
3. The finished construction will not cause impacts to transportation corridors for sight distance setbacks or pedestrian traffic
4. The applicant will be required to work closely with Engineering, Transportation and Public Utilities to coordinate the proposed work and provide ample opportunity for review and inspection of construction drawings and work at the aforementioned locations. The applicant will provide any additional information to Transportation, Public Utilities and Engineering for them to determine if there are any other impacts.
5. The applicant must obtain a permit to perform the proposed work in the public right of way.
6. The applicant must negotiate the necessary easements on private property.

VICINITY MAP



COMMENTS

Public Comments:

Staff attended the East Bench Community Council on September 19, 2007 with the applicant. The community's offered various comments on: the need to remove graffiti as quickly as possible, to make sure the cabinets are secured from vandalism, and place them so that they are not frequently hit by vehicles. One neighbor commented that this was done in University Park, and it has work well for that neighborhood. The East Bench Community Council voted unanimously to support the petition provided the applicant coordinated the location of the utility cabinets, easements on private Home Owner's Association property and compensated them justly and as required. A letter from the community is included in Attachment C.

City Department Comments:

Information of the petition was routed to all of the pertinent City Departments and Divisions. The Department comments focused on requiring further information to have a full assessment of the potential impacts to the right of way, easements and other utilities. Therefore, as is typical, the applicant will be required to work closely with Engineering, Transportation and Public Utilities to coordinate the proposed work. At this point it is the City's understanding new cable will be fed through the existing conduit system. However, if excavation has to occur the applicant will need to provide the following information to Engineering:

1. location and run of proposed excavation
2. running line and footage of any trenches
3. any additional information pertinent to this proposal.

Public Utilities stated that the finished construction must not interfere with their ability to maintain and operate their utilities. Transportation also stated that the installation of this equipment may not create any line of sight issues for vehicles or obstruct pedestrian traffic. The applicant will be required to provide any additional information to Transportation to determine if there are any other impacts to the transportation corridor. Comments from all of the Departments are included in Attachment A.

ANALYSIS and FINDINGS

Project History

Residents in this multi-family zoned East Bench neighborhood are experiencing frequent power outages that last for long periods of time. This community has experienced over 67 hours of outage in the last 2 years. The existing underground vaults are no longer water tight. Cables are exposed to rust. Connections within the vaults have rusted. There are burn marks on cables due to multiple "flash overs". (See Attachment B)

Rocky Mountain Power has chosen preferred and alternate locations along the aforementioned streets to ensure the best connections. Replacing load break connections inside the existing underground vaults with above ground connections inside ground sleeve cabinets will increase reliability and improve outage response time. The existing switcher cabinet will also be replaced. The new above ground cabinets have a lower profile than previous designs and will be less obtrusive visually and physically. They are made from aircraft grade materials so they are extremely durable.(See Attachment B)

Master Plan Discussion

The East Bench Master Plan states the goal for Public Utilities and Facilities as: To provide and maintain adequate and functional street, storm drainage, public utility, park, and public safety systems.

Standards

A. The proposed development is one of the conditional uses specifically listed in this title;

Analysis: Public/private utility buildings and structures are currently listed as a conditional use for the RMF-45 zoning district. Public/private utility facilities or utility structures are exempt from the current temporary land use moratorium that was enacted by the City Council on July 17, 2007.

Finding: Therefore, the conditional use request can go before the Planning Commission for a determination.

B. The proposed development is in harmony with the general purposes and intent of this title and is compatible with and implements the planning goals and objectives of the city, including applicable city master plans;

Analysis: The East Bench Master Plan states the goal for Public Utilities and Facilities as: To provide and maintain adequate and functional street, storm drainage, public utility, park, and public safety systems.

Finding: Therefore, the conditional use request is in harmony with the general purposes and intent of this title, planning goals and the master plan.

C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets;

Analysis: Rocky Mountain Power has stated that there will be minimal disturbance to the road surface or traffic. The old cables will be removed and the new cable replaced through the existing conduit system already in place. As with many utility installations, there can be unforeseen circumstances that occur. The applicant will be required to work closely with City Engineering, Public Utilities and Transportation to avoid or minimize disturbance, as well as repair any damage

Finding: Therefore, the streets and other means of access to the proposed development are suitable and adequate, and the conditional use request will not materially degrade the service level on the adjacent streets.

D. The internal circulation system of the proposed development is properly designed;

Analysis: There is no internal circulation associated with the proposed project. The applicant will be utilizing the public right of way and easements for the proposed installations. The applicant must coordinate with City Departments on all impacts to circulation in the public right of way.

Finding: Therefore, issues relating to an internal circulation system are not applicable.

E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources;

Analysis: The project has been reviewed by the pertinent City Departments and Divisions. These Departments and Divisions will require more information in order to be more specific with the project. The applicant described and identified information that is currently available. However, as with many utility installations, there can be unforeseen circumstances that occur. The applicant will be required to work closely with City Engineering, Public Utilities and Transportation to avoid or minimize any adverse impacts.

Since the existing right of way has no parkstrip, the utility cabinets will be placed on private property. The applicant will have to negotiate with each of the home owner's associations for easements and placement of the new cabinets.

Finding: The applicant will work with the pertinent City Departments, Divisions and home owner's associations to make sure that the proposed project will not create adverse impacts on the adjacent land uses or resources.

F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;

Analysis: The proposed utility vaults after installation, will not produce light or noise. Visual impacts will be greatly reduced, as the new vaults are lower in profile and smaller in overall size than previous above ground vaults. (See Attachment B)

Finding: The applicant will provide some landscaping and strategic placement to reduce visual impacts.

G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;

Analysis: As this petition is for the installation of utility cabinets as above ground vaults, the architectural or specific building materials involved are metal painted dark green.

Finding: Therefore, this standard is not applicable to utility cabinets.

H. Landscaping is appropriate for the scale of the development;

Analysis: Landscaping is not required for this type of development. The applicant is willing to reduce visual impacts on vacant lots with the use of plant materials.

Finding: Therefore, the landscaping is appropriate for the scale of the development.

I. The proposed development preserves historical, architectural and environmental features of the property;

Analysis: The proposed sites are not located within a historical district. All of the proposed locations are in an urban multi-family residential neighborhood.

Finding: Therefore, the proposed development will not impact any historical, architectural or environmental features.

J. Operating and delivery hours are compatible with adjacent land uses;

Analysis: The new above ground utility vaults will provide for continuous utility connection, as the below grade vaults do now. Annual maintenance will be performed and there may also be occasions when emergency repair is required.

Finding: The new vaults will require fewer emergency maintenance calls than do the existing ones. Therefore, the hours of operation are compatible with adjacent land uses.

K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the city as a whole;

Analysis: The need for these East Bench residents in the subject area to have reliable power provided to them in a safe manner offsets many issues of compatibility. However, the applicant will utilize smaller more modern cabinets to reduce the typical impacts that occur with the delivery of reliable power.

Finding: The proposed conditional use is typical and compatible with the neighborhood surroundings and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

L. The proposed development complies with all other applicable codes and ordinances.

Analysis: The applicant is required to coordinate all work with the permitting departments and meet all of their standards for construction and access.

Finding: Therefore, the proposed project complies with all other applicable codes and ordinances.

ATTACHMENT A

ATTACHMENT B

ATTACHMENT C