

Development Review Committee 1020 East Pioneer Road Draper, UT 84020

STAFF REPORT

February 1, 2021

To: Jennifer Jastremsky, Zoning Administrator

Approved Date

From: Todd A. Draper, AICP, Planner III 801-576-6335, todd.draper@draperutah.gov

Re: Juan Diego Tennis Court – Site Plan Amendment Request

Application No.:	SPR-0122-2021
Applicant:	Joe Colosimo, representing Juan Diego Catholic High School and
	the Catholic Diocese of Salt Lake City
Project Location:	Approximately 402 E. Kimballs Ln.
Current Zoning:	A5 (Agricultural, 5 acre minimum lot size) Zone
Acreage:	37.15 Acres (Approximately 1,618,254 ft ²)
Request:	Request for approval of a Site Plan Amendment in the A5 zone
	regarding construction of new tennis courts on the property.

SUMMARY AND BACKGROUND

This application is a request for approval of a Site Plan Amendment for an approximately 37.15 acre parcel located south of Kimballs Lane, and northeast of the intersection of 11950 S. and 300 E., at 402 E. Kimballs Ln. (Exhibit B). The property is currently zoned A5. The applicant is requesting that a Site Plan Amendment be approved to allow for the construction of new tennis courts on the property.

The property is also known as the campus of Juan Diego Catholic High School, built in 1999. The overall High School site encompasses two parcels, however this Site Plan Amendment application affects only the larger easternmost parcel. Four tennis courts were built on the south side of the property as part of the original school construction, with a 5th court being added in about 2005. The existing tennis courts are located directly east of the



southernmost parking lot on the property. The new tennis courts have been proposed for installation northeast of the existing baseball diamond. Upon completion of the new tennis courts the old courts are to be removed.

<u>ANALYSIS</u>

<u>General Plan and Zoning</u>. The Land Use Map of the General Plan calls for the Cultural and Institutional land use designation for the subject property (Exhibit C). This category is characterized as follows:

LAND USE DESCRIPTION		
CHARACTERISTICS	 Major entry points and features Well-landscaped perimeter and public spaces Limited traffic access to major streets Uniform design standards and aesthetics Common off-street traffic circulation and parking areas Pedestrian-friendly design 	
LAND USE MIX	 Government and municipal buildings Schools Fire and police stations Hospitals 	
COMPATIBLE ZONING	 Public Facilities (PF) Public Open Space (OS) Public Institutional (PI) 	
OTHER CRITERIA	 Zoning for these uses should be based on a demonstration that the project can be successfully completed and has good transportation access Such operations should be subject to City review and imposition of conditions deemed necessary to keep the land use compatible with its neighbors and with the community in general 	

Cultural and Institutional

The property has been assigned the A5 zoning classification, supporting approximately one dwelling unit per five acres (Exhibit D). According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of the A5 zone is to "maintain the status of large tracts of agricultural land by allowing most commercial agricultural uses. Typical uses include farming, dairy, and cattle production." The RA2 (Residential Agricultural, 20,000 ft²minimum lot size) zone abuts the subject property on the west, and RA1 (Residential Agricultural, 40,000 ft²minimum lot size) abuts on the south and east. A mix of RA1, RA2, and R3 (Residential 13,000 ft²minimum lot size) zoning abuts to the north, inclusive of the properties across Kimballs Ln.

<u>Site Plan Layout</u>. The site, grading, and demolition plans (Exhibit E) show the location of the new proposed tennis courts on the eastern side of the property, east of the main baseball



field. As part of the installation of the tennis courts two existing baseball diamonds will be removed. The new courts will be setback from property lines between twenty to twenty-five feet (20' – 25') and will include ten feet tall fencing (10') surrounding each series of courts with wind/privacy screens attached to the fence.

Landscaping. The proposed landscaping plans (Exhibit F) include the protection of most nearby existing trees, but does include the removal of one existing eight inch (8") caliper tree and the relocation of another existing four inch (4") caliper tree approximately 15 feet east and 3 feet north of its current location. Per DCMC Section 9-27-210(G), four (4) two inch (2") replacement trees will be planted in compliance with the caliper for caliper requirements of the ordinance. These trees will be planted generally east of the new tennis courts between the courts and the adjacent property lines. The tree placement of the replacement trees will increase site conformance to current standards of DCMC Chapter 9-23 for perimeter landscape screening of the site.

Lighting. There are no lights proposed to be added to the site as part of this application.

Fencing. The proposed fencing around the tennis courts consists of new ten feet (10') tall chain link fencing. The Conditional Use Approval for that fencing was granted by the Planning Commission on December 9, 2021 under a separate application request, file number USE-0147-2021.

<u>Criteria For Approval</u>. The criteria for review and potential approval of a Site Plan Amendment request is found in Sections 9-5-060(E) and (H) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

- *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, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
 - 3. The proposed development plans meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
 - 4. The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.
 - 5. The proposed development plans comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of this code, including traffic, storm water drainage, and utilities concerns.



- H. Amendments: Except as may be provided for in this section, no element of an approved site plan shall be changed or modified without first obtaining approval of an amended site plan as follows:
 - 1. Alteration or expansion of an approved site plan may be permitted by the Zoning Administrator upon making the following findings:
 - a. The proposed use is consistent with uses permitted on the site;
 - b. Existing uses were permitted when the site plan was approved, or have received a conditional use permit;
 - c. The proposed use and site will conform to applicable requirements of this Code;
 - *d.* The proposed expansion meets the approval standards of subsection E of this section;
 - e. The site can accommodate any change in the number of people on the site or any change in impact on surrounding infrastructure; and
 - 2. If the Zoning Administrator cannot make the findings required in this subsection H, the amended site plan may only be approved by the Planning Commission. The Planning Commission may only approve an amended site plan after a public hearing that complies with all requirements of this code, including section 9-5-045.
 - 3. If the Zoning Administrator can make all findings required in this subsection H the Zoning Administrator may approve the proposed amendment without a public hearing and without notice.
 - 4. Properties that do not conform to the standards found within this code may be required to come into compliance, subject to the standards in 9-6-040, 9-6-050, 9-6-060, and 9-6-070 of this title.

REVIEWS

<u>Planning Division Review</u>. The Draper City Planning Division has completed their review of the Site Plan Amendment submission. Comments from this division, if any, can be found in Exhibit A.

<u>Engineering and Public Works Divisions Review</u>. The Draper City Engineering and Public Works Divisions have completed their reviews of the Site Plan Amendment submission. Comments from these divisions, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the Site Plan Amendment submission. Comments from this division, if any, can be found in Exhibit A.

<u>Geotechnical and Geologic Hazards Review</u>. Taylor Geo-Engineering, LLC and Simon Associates LLC., in working with the Draper City Building and Engineering Divisions, have completed their reviews of the geotechnical and geologic hazards report submitted as a part of the Site Plan Amendment. Comments from Taylor Geo-Engineering, LLC, if any, can be found in Exhibit A.



<u>Fire Division Review</u>. The Draper City Fire Marshal has completed his review of the Site Plan Amendment submission. Comments from this division, if any, can be found in Exhibit A.

STAFF RECOMMENDATION

Staff finds that the application complies with the DCMC and recommends that the Zoning Administrator review the request and approve the application based on the findings listed below and the criteria for approval, as listed within the staff report.

If the Zoning Administrator decides to approve the request, staff recommends they include the following conditions of approval:

- 1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
- 2. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all buildings on the site.
- 3. That the existing trees that will remain be protected during construction of the tennis courts and that the required replacement trees be installed along the perimeter of the property as indicated on the submitted landscape plan.

The findings for approval as are follows:

- 1. The proposed use is consistent with uses permitted on the site.
- 2. Existing uses were permitted when the site plan was approved, or have received a conditional use permit.
- 3. The proposed use and site will conform to applicable requirements of this Code.
- 4. The proposed expansion meets the approval standards of DCMC subsection 9-5-090(E).
- 5. The site can accommodate any change in the number of people on the site or any change in impact on surrounding infrastructure.



DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.



Don Buckley Marshal. CN-Don Buckley Dis C=US, E=don.buckley@draper.ut.us, O-Draper City Fire Department, OU=Fire Marshal. CN-Don Buckley Date: 2022.02.11 12:38:07-07'00'

Draper City Fire Department



Draper City Building Division

Jennifer Jastremsky O-Planinfer Jastremsky O-Planinfer Jastremsky Jastremsky Dear 2022.02.14 17:19:41-0700'

Draper City Planning Division

Mike Barker Date: 2022.02.11 12:43:48 -07'00'

Draper City Legal Counsel

EXHIBIT A DEPARTMENT REVIEWS

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

Planning Division Review.

1. No additional comments.

Engineering and Public Works Divisions Review.

- 1. Once site plan has been approved, a Land Disturbance Permit is required prior to construction activities onsite. Permit is obtained through the Engineering Division and is required prior to Building Permit issuance. *Informational comment. No action required.*
- 2. Drainage report is not required due to the small acreage of interest within the entire Juan Diego High School site. *Informational comment. No action required.*

Building Division Review.

1. No additional comments.

Geotechnical and Geologic Hazards Review.

1. Taylor Geotechnical recommends Draper City consider the CMT submittal acceptable from a geotechnical engineering perspective for the construction of proposed outdoor tennis courts with the following condition:

Draper City require a site specific liquefaction analysis in accordance with Appendix D of the Draper City Geologic Hazards ordinance if any structures for human occupancy are planned for the subject site.

Fire Division Review.

1. No additional comments.

EXHIBIT B AERIAL MAP



EXHIBIT C LAND USE MAP



EXHIBIT D ZONING MAP



EXHIBIT E SITE PLAN



- All curbs, gutters, walks, slabs, walls, fences, flatwork, asphalt, waterlines and meters, gas lines, sewer lines, light poles, buried cables, storm drain piping and structures to be
- cleared from site unless otherwise shown. 5. All utilities, sewer, water, gas, telephone and electrical services to be disconnected and capped according to city, county and utility company requirements, unless otherwise
- shown.
 6. Basements and other excavated areas to be backfilled with clean granular material compacted to 95% of maximum lab density as determined by ASTM D 1557-78. (Test results to be given to owner)
- Clear and grub trees, shrubs, and vegetation within construction limits, disposal to be off-site except where noted otherwise.
- 8. DO NOT interrupt any services or disrupt the operation of any businesses shown outside the demolition limits.
 9. If ASBESTOS is found in existing structures, the Asbestos must be removed in a legal manner by a contractor licensed to handle asbestos materials. (Not a part of contract)
- Remove debris, rubbish, and other materials resulting from the demolition and site clearing operations from the site and dispose of in a legal manner.
 The location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and, where possible, measurements taken in the
- field. The information is not to be relied upon as being exact or complete. Contractor shall contact authorities having jurisdiction for field locations. Contractor shall be responsible for protection of in place and relocated utilities during construction. 12. Stockpiles shall be graded to maintain slopes not greater than 3 horizontal to 1 vertical.
- 12. Stockpiles shall be graded to maintain slopes not greater than 3 horizontal to 1 vertice Provide erosion control as needed to prevent sediment transport to adjacent drainage ways.
 13. Contractor shall be responsible for disposal of all waste material. Disposal shall be at
- 13. Contractor shall be responsible for disposal of all waste material. Disposal shall be at an approved site for such material. Burning onsite is not permitted.
 14. Contractor shall verify with city any street removal, curb cuts, and any restoration
- required for utility line removal. 15. Install traffic warning devices as needed in accordance with local standards. 16. Contractor shall obtain all permits necessary for demolition from City, County, State or Federal Agencies as required. CAUTION NOTICE TO CONTRACTOR

The contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans are based on records of the various utility companies and, where possible, measurements taken in the field. The information is not to be relied on as being exact or complete. The contractor must call the appropriate utility company at least 48 hours before any excavation to request exact field location of utilities. It shall be the responsibility of the contractor to relocate all existing utilities which conflict with the propose improvements shown on the plans.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS The Contractor agrees that he shall assume sole and complete responsibility for job site

conditions during the course of construction of this project, including safety of all persons and property: that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify, and hold the owner and the engineer harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the owner or the engineer.

ALL CONSTRUCTION TO CONFORM TO CITY STANDARDS AND SPECIFICATIONS IN RIGHT OF WAY





Vicinity Map

Vicinity Map

- **GENERAL GRADING NOTES:** 1. All work shall be in accordance with the City Public Works Standard. 2. Cut slopes shall be no steeper than 2 horizontal to 1 vertical.
- 3. Fill slopes shall be no steeper than 2 horizontal to 1 vertical.4. Fills shall be compacted per the recommendations of the geotechnical report prepared for
- the project and shall be certified by the geotechnical engineer. 5. Areas to receive fill shall be properly prepared and approved by the City inspector and
- geotechnical Engineer prior to placing fill. 6. Fills shall be benched into competent material as per specifications and geotechnical report. 7. All trench backfill shall be tested and certified by the site geotechnical engineer per the
- grading code.
 8. A geotechnical engineer shall perform periodic inspections and submit a complete report and map upon completion of the rough grading.
 9. The final compaction report and certification from the geotechnical engineer shall contain the
- 9. The final compaction of the rough grading.
 9. The final compaction report and certification from the geotechnical engineer shall contain the type of field testing performed. Each test shall be identified with the method of obtaining the in-place density, whether sand cone or drive ring and shall be so noted for each test. Sufficient maximum density determinations shall be performed to verify the accuracy of the maximum density curves used by the field technician.
- Dust shall be controlled by watering.
 The location and protection of all utilities is the responsibility of the permitee.
 Approved protective measures and temporary drainage provisions must be used to protect
- adjoining properties during the grading project. 13. All public roadways must be cleared daily of all dirt, mud and debris deposited on them as
- a result of the grading operation. Cleaning is to be done to the satisfaction of the city engineer. 14. The site shall be cleared and grubbed of all vegetation and deleterious matter prior to
- grading. 15. The contractor shall provide shoring in accordance with OSHA requirements for trench walls. 16. Aggregate base shall be compacted per the geotechnical report prepared for the project. 17. Elevations shown on this plan are finish grades. Rough grades are the subgrades of the improvements shown hereon.
- 18. As part of the construction documents, owner has provided contractor with a topographic survey performed by manual or aerial means. Such survey was prepared for project design purposes and is provided to the contractor as a courtesy. It is expressly understood that such survey may not accurately reflect existing topographic conditions.
 19. Erosion Control: Protect all inlet boxes, catch basins, etc. with straw bales or other approved method to strain the storm water during construction. Protect surrounding properties and streets from site runoff with sandbags and earth berms.
- CURB AND GUTTER CONSTRUCTION NOTES: 1. Open face gutter shall be constructed where drainage is directed away from curb.
- Open face gutter locations are indicated by shading and notes on site and grading plan.
 It is the responsibility of the surveyor to adjust top of curb grades at the time construction staking.
- Refer to the typical details for a standard and open face curb and gutter for dimensions.
 Transitions between open face and standard curb and gutter are to be smooth. Hand form these areas if necessary.
- ADA NOTES: Contractor must maintain a running slope on Accessible routes no steeper than 5.0% (1:20). The cross slope for Accessible routs must be no steeper than 2.0% (1:50). All Accessible routes must have a minimum clear width of 36". If grades on plans do not meet this requirement notify Consultants immediately. The Client, Contractor, and Subcontractor should immediately notify the Consultant of any conditions of the project that they believe do not comply with the current state of the ADA and/or FHAA.

The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property: that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify, and hold the owner and the engineer harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the owner or the engineer.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS

ALL CONSTRUCTION TO CONFORM TO CITY STANDARDS AND SPECIFICATIONS IN RIGHT OF WAY

DETAIL-FILE

DETAIL-FILE

EXHIBIT F LANDSCAPE PLAN

