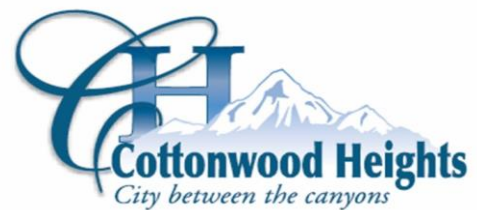


2ND AMENDED DRAFT PROJECT AREA PLAN CANYONS CENTRE COMMUNITY DEVELOPMENT AREA (CDA)

PREPARED FOR:

COMMUNITY DEVELOPMENT AND RENEWAL AGENCY
OF COTTONWOOD HEIGHTS, UTAH



ADOPTED: _____, 2018


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Table of Contents

TABLE OF CONTENTS	2
DEFINITIONS	3
INTRODUCTION.....	5
DESCRIPTION OF THE BOUNDARIES OF THE PROPOSED PROJECT AREA	6
GENERAL STATEMENT OF LAND USES, LAYOUT OF PRINCIPAL STREETS, POPULATION DENSITIES, BUILDING INTENSITIES AND HOW THEY WILL BE AFFECTED BY THE COMMUNITY DEVELOPMENT AREA.....	6
STANDARDS GUIDING THE COMMUNITY DEVELOPMENT	7
HOW THE PURPOSES OF THIS TITLE WILL BE ATTAINED BY COMMUNITY DEVELOPMENT	8
CONFORMANCE OF THE PROPOSED DEVELOPMENT TO THE COMMUNITY'S GENERAL PLAN.....	8
DESCRIBE ANY SPECIFIC PROJECT OR PROJECTS THAT ARE THE OBJECT OF THE PROPOSED COMMUNITY DEVELOPMENT	8
METHOD OF SELECTION OF PRIVATE DEVELOPERS TO UNDERTAKE THE COMMUNITY DEVELOPMENT AND IDENTIFICATION OF DEVELOPERS CURRENTLY INVOLVED IN THE PROCESS.....	8
REASON FOR SELECTION OF THE PROJECT AREA.....	9
DESCRIPTION OF PHYSICAL, SOCIAL AND ECONOMIC CONDITIONS EXISTING IN THE PROJECT AREA.....	9
DESCRIPTION OF ANY TAX INCENTIVES OFFERED PRIVATE ENTITIES FOR FACILITIES LOCATED IN THE PROJECT AREA.....	10
ANTICIPATED PUBLIC BENEFIT TO BE DERIVED FROM THE COMMUNITY DEVELOPMENT	11

Definitions

As used in this Community Development Project Area Plan, as amended, the term:

"Act" shall mean and include the Limited Purpose Local Government Entities – Community Reinvestment Agency Act in Title 17C, Chapters 1 through 5, Utah Code Annotated 1953, as amended, or such other amendments as shall from time to time be enacted or any successor or replacement law or act.

"Agency" shall mean the Community Development and Renewal Agency of Cottonwood Heights, which is a separate body corporate and politic created by the City of Cottonwood Heights pursuant to the Act.

"Base taxable value" shall mean the agreed value specified in a resolution or interlocal agreement under Subsection 17C-4-201(2) from which tax increment will be collected. For purposes of this Project Area Plan, the base taxable value is assumed to be the assessed taxable value of the Project Area on the County's tax rolls as of January 1, 2016.

"Base taxable year" shall mean the Tax Year during which the Project Area Budget, as amended is approved pursuant to Subsection 17C-1-102 (6), which shall be January 1, 2016.

"City" or "Community" shall mean the City of Cottonwood Heights.

"Legislative body" shall mean the City Council of Cottonwood Heights which is the legislative body of the Community.

"Plan Hearing" shall mean the public hearing on the 2nd Amended Draft Project Area Plan required under Subsection 17C-4-102.

"Project Area" shall mean the geographic area described in this Project Area Plan or draft Project Area Plan, as amended, where the community development will take place or is proposed to take place (Exhibit A & B).

"Project Area Budget" or "Amended Project Area Budget" shall mean the multi-year projection of annual or cumulative revenues, other expenses and other fiscal matters pertaining to the Project Area that includes:

- ▮ the base taxable value of property in the Project Area;
- ▮ the projected tax increment expected to be generated within the Project Area;
- ▮ the amount of tax increment expected to be shared with other taxing entities;
- ▮ the amount of tax increment expected to be used to implement the Project Area plan;

☞ the tax increment expected to be used to cover the cost of administering the Project Area Plan;

☞ if the area from which tax increment is to be collected is less than the entire Project Area:

- the tax identification number of the parcels from which tax increment will be collected; or
- a legal description of the portion of the Project Area from which tax increment will be collected; and

☞ for property that the Agency owns and expects to sell, the expected total cost of the property to the Agency and the expected selling price.

“Project Area Plan” shall mean the written plan that, after its effective date, guides and controls the community development activities within the Project Area. Project Area Plan refers to this document, as amended from time to time, and all the attachments to this document, which attachments are incorporated by this reference.

“Taxes” includes all levies on an ad valorem basis upon land, real property, personal property, or any other property, tangible or intangible.

“Taxing Entity” shall mean any public entity that levies a tax on any property within the Project Area.

“Tax Increment” shall mean the difference between the amount of property tax revenues generated each tax year by all taxing entities from the Project Area using the current assessed value of the property and the amount of property tax revenues that would be generated from the same area using the base taxable value of the property.

“Tax Increment Period” shall mean the period in which the taxing entities from the Project Area consent that a portion of their tax increment from the Project Area be used to fund the objectives outlined in this Project Area Plan.

“Tax Year” shall mean the 12-month period between sequential tax roll equalizations (November 1st-October 31st) of the following year, e.g., the November 1, 2017-October 31, 2018 tax year.

Introduction

The Community Development and Renewal Agency of Cottonwood Heights, Utah ("Agency"), following a thorough consideration of the needs and desires of the City of Cottonwood Height (the "City") and its residents, as well as the City's capacity for new development, has carefully crafted this 2nd Amended Project Area Plan (the "Plan") for the Canyons Centre Community Development Project Area (the "Project Area"). This Plan is the result of a comprehensive evaluation of the types of appropriate land-uses and economic development for the land encompassed by the Project Area which lies just south of the southwest corner of the intersection of Fort Union Boulevard and Wasatch Boulevard. The Plan is intended to define the method and means of development for the Project Area from its current state to a higher and better use.

The City has determined it is in the best interest of its citizens to assist in the development of the Project Area. It is the purpose of this Plan to clearly set forth the aims and objectives of development, scope, financing mechanism, and value to the residents of the City and other taxing districts.

The Project Area is being undertaken as a community development project area pursuant to certain provisions of Chapters 1 and 4 of the Utah Limited Purpose Local Governmental Entities -- Community Reinvestment Agency Act (the "Act", Utah Code Annotated ("UCA") Title 17C). The requirements of the Act, including notice and hearing obligations, have always been observed throughout the establishment of the Project Area.

Utah Code
§17C-4-102

Recitals of Prerequisites for Adopting a Community Development Project Area Plan

To adopt a community development project area plan, the agency shall;

- ☞ Pursuant to the provisions of §17C-4-102(2)(a) and (b) of the Act, the City has a planning commission and general plan as required by law; and
- ☞ Pursuant to the provisions of §17C-4-102 of the Act, the Agency has conducted or will conduct one or more public hearings for the purpose of informing the public about the Project Area, and allowing public input into the Agency's deliberations and considerations regarding the Project Area; and
- ☞ Pursuant to the provisions of §17C-4-102 of the Act, the Agency has allowed opportunity for input on the draft Project Area Plan and has made a draft Project Area Plan available to the public at the Agency's offices during normal business hours, provided notice of the plan hearing, sent copies of the draft Project Area Plan to all required entities prior to the

hearing, and provided opportunities for affected entities to provide feedback.

UTAH CODE
§17C-4-103(1)

Description of the Boundaries of the Proposed Project Area

A legal description of the Project Area along with a detailed map of the Project Area is attached respectively as **Exhibit A** and

Exhibit B and incorporated herein. The Project Area is located on the eastern side of the City just south of the southwest corner of the intersection of Fort Union Boulevard and Wasatch Boulevard. There are no agricultural, forest or mining uses in the Project Area. The Project Area is comprised of approximately 2 parcels, equaling 10.90 acres of property.

Table I: Property Description

Owner	Parcel ID	Acres
CANYONS CENTRE CAPITAL LLC	22-25-176-017	5.64
CANYONS CENTRE CAPITAL LLC	22-25-176-018	5.26
Total		10.90

As delineated in the office of the Salt Lake County Recorder, the Project Area encompasses all of the parcels detailed in **Table I: Property Description**

UTAH CODE
§17C-4-103(2)

General Statement of Land Uses, Layout of Principal Streets, Population Densities, Building Intensities and How They Will be Affected by the Community Development Area

General Land Uses

A significant amount of property within the Project Area consists of vacant and underutilized property not generating full beneficial tax base to the City or other taxing entities.

The mixed-use zoning ordinance (Chapter 19.36 of the City Code) allows the contemplated uses which include retail, office building, residential, and hotel/condo (conditional use). This Project Area Plan is consistent with the General Plan of the City and promotes economic activity by the land uses contemplated. Any zoning change, amendment or conditional use permit necessary to the successful development contemplated by this Project Area Plan shall be undertaken in accordance with the requirements of the City's Code and all other applicable laws including all goals and objectives in the City's General Plan.

Layout of Principal Streets

There are currently no City-owned roadways within the Project Area. Several roadways stub at or near the boundaries of the Project Area but do not substantially extend within the Project Area. There is one main roadway that dissects the Project Area and will provide the main access in and out of the project. This roadway comes off Ft. Union Blvd. extends through the project and comes out onto Wasatch Blvd. The Project Area map, provided in **Exhibit A**, shows the principal streets in the area. The Agency anticipates that the development will require several new access roadways (private and/or public) and improvements to provide access through the Project Area. As these roadways are constructed access throughout the Project Area will promote better traffic circulation and mitigate several health and safety issues that currently exist.

Population Densities

The Project Area was laid out to create the least amount of disruption to existing commercial and residential structures. It is anticipated that as the Project Area develops that approximately 101 condominium units and 18 single family homes will be constructed within the Project Area. It is unlikely that this development will increase the day-time/total population of the City by more than an average daily population of 150-200 people.

Building Densities

The current contemplated Project site plan is found in **Exhibit C** and is estimated to include an 80,000 Sq. Ft. hotel (154 Rooms), 83,150 Sq. Ft. of office space, 23,496 Sq. Ft. of restaurant/retail, 120 unit condominium, 17 luxury single family homes, a multi-level parking structure, and an open space park element. The development is contemplated to be absorbed over a three to six-year period.

UTAH CODE
§17C-4-103(3)

Standards Guiding the Community Development

To provide maximum flexibility in the development and economic promotion of the Project Area, and to encourage and obtain the highest quality in development and design, specific development controls for the uses identified above are not set forth herein. Each development proposal in the Project Area will be subject to appropriate elements of the City's proposed General Plan; the Zoning Ordinance of the City, including adopted Design Guidelines pertaining to the area; institutional controls, deed restrictions if the property is acquired and resold by the RDA, other applicable building codes and ordinances of the City; and, as required by ordinance or agreement, review and recommendation of the Planning Commission and approval by the Agency.

Each development proposal by an owner, tenant, participant or a developer shall be accompanied by site plans, development data and other appropriate material that clearly describes the extent of proposed development, including land coverage,

setbacks, height and massing of buildings, off-street parking and loading, use of public transportation, and any other data determined to be necessary or requested by the Agency or the City.

UTAH CODE
§17C-4-103(4)

How the Purposes of this Title Will Be Attained By Community Development

It is the intent of the Agency, with the assistance and participation of private developers and property owners, to facilitate new quality development and improve existing private and public structures and spaces. This enhancement to the overall living environment and the restoration of economic vitality to the Project Area will benefit the community, the City, the County, other Taxing Entities and the State.

UTAH CODE
§17C-4-103(5)

Conformance of the Proposed Development to the Community's General Plan

This Project Area Plan and the development contemplated are consistent with the City's proposed General Plan and land use regulations.

UTAH CODE
§17C-4-103(6)

Describe any Specific Project or Projects that are the object of the Proposed Community Development

As described above, the development within the Project Area will consist of retail, office, lodging, and residential development. The contemplated development will ensure the highest and best use of the land from the perspective of the City and Agency officials. The current contemplated development site plan can be found in **Exhibit C**.

UTAH CODE
§17C-4-103(7)

Method of Selection of Private Developers to undertake the Community Development and Identification of Developers Currently Involved in the Process

The City and Agency will select or approve such development as solicited or presented to the Agency and City that meets the development objectives set forth in this Plan. The City and Agency retain the right to approve or reject any such development plan(s) that in their judgment do not meet the development intent for

the Project Area. The City and Agency may choose to solicit development through an RFP or RFQ process, through targeted solicitation to specific industries, from inquiries to the City, EDC Utah, and/or from other such references.

The City and Agency will ensure that all development conforms to this Plan and is approved by the City. All potential developers will need to provide a detailed development plan including sufficient financial information to provide the City and Agency with confidence in the sustainability of the development and the developer. Such a review may include a series of studies and reviews including reviews of the Developers financial statements, third-party verification of benefit of the development to the City, appraisal reports, etc.

Any participation between the Agency and developers and property owners shall be by an approved agreement.

UTAH CODE
§17C-4-103(8)

Reason for Selection of the Project Area

The Agency selected the Project Area primarily as a result of two factors: **first**, the high potential for development of this undeveloped and underutilized area near the mouth of the Canyon compelled the City and Agency to guide future development through both the planning process and through a financial process through the use of tax increment; **second**, the Project Area affords an immediate opportunity to strengthen the economic base of the City and taxing entities within the County, broaden and diversify the tax base, and promote the development of job growth and goods and services to residents of the City, County, State, and tourists.

The specific boundaries of the Project Area were set after a review of the area by members of the Agency and their staff. The contemplated plan will not only result in a welcome, attractive, and conducive addition to the City, but will stimulate economic development in the area and in promoting a sustainable development.

UTAH CODE
§17C-4-103(9)

Description of Physical, Social and Economic Conditions Existing in the Project Area

Physical Conditions

The Project Area consists of approximately 11 acres of relatively flat, privately owned land as shown on the Project Area map. There is presently no development within the Project Area although several commercial and residential developments lay adjacent to the Project Area.

The Project Area lies on the Wasatch Fault which runs north/south through the middle of the Project Area. In addition to certain seismic building requirements, the proposed development will not construct any major structures on the fault line. Open space, trails, roadways, and the amphitheater will be the only development contemplated on the fault line. The current property owner has contracted with an engineering geologist to perform a fault study. The development plan was overlaid on the fault study to appropriately reduce the risk of seismic structural damage. In addition, should the City implement any additional zoning or land use requirements related to property located along the fault, all future development will conform to those standards.

Social Conditions

The Project Area experiences a lack of social connectivity and vitality. There are no residential units. There are currently no parks, libraries, or other social gathering places in the Project Area. There is nominal human activity in the Project Area outside of business hours.

Economic Conditions

The area has suffered from a lack of reinvestment related to: 1) the need for additional and adequate infrastructure in the area; 2) lack of cohesiveness; and 3) lack of economic density and land utilization.

UTAH CODE
§17C-4-103(10)

Description of any Tax Incentives Offered Private Entities for Facilities Located in the Project Area

Tax Increment arising from the development within the Project Area shall be used for public infrastructure improvements, Agency requested improvements and upgrades, desirable Project Area improvements, and other items as approved by the Agency. Subject to provisions of the Act, the Agency may agree to pay for eligible costs and other items from taxes during the tax increment period which the Agency deems to be appropriate under the circumstances.

In general, tax incentives may be offered to achieve the community development goals and objectives of this Plan, specifically to:

-  Foster and accelerate economic development;
-  Stimulate job development;
-  Promote the use of transit and the walkability of the area;
-  Make needed infrastructure improvements to roads, parking, street lighting, water, storm water, sewer, and parks and open space;
-  Assist with property acquisition and/or land assembly; and
-  Provide attractive development for high-quality commercial/industrial tenants.

The Project Area Budget will include specific participation percentages and timeframes for each taxing entity. Furthermore, a resolution and interlocal agreement will formally establish the participation percentage and tax increment period for each taxing entity.

UTAH CODE
§17C-4-103(11)

Anticipated Public Benefit to be Derived from the Community Development

UTAH CODE
§17C-4-103(11)(a)

The Beneficial Influences upon the Tax Base of the Community

The beneficial influences upon the tax base of the City and the other taxing entities will include increased property tax revenues and job growth. The increased revenues will come from the property values associated with new construction in the area, as well as increased land values that may occur, over time, in the area generally. Property values include land, buildings and personal property (machines, equipment, etc.).

Job growth in the Project Area will result in increased wages, increasing local purchases and benefiting existing businesses in the area. Job growth will also result in increased income taxes paid. Additionally, business growth will generate corporate income taxes.

There will also be a beneficial impact on the community through increased construction activity within the Project Area. Positive impacts will be felt through construction wages paid, as well as construction supplies purchased locally.

UTAH CODE
§17C-4-103(11)(b)

The Associated Business and Economic Activity Likely to be Stimulated

Other business and economic activity likely to be stimulated includes increased spending by new and existing residents within the City and employees in the Project Area and in surrounding areas. This includes both direct and indirect purchases that are stimulated by the spending of the additional employees in the area.

Business will likely make purchases that may eventually result in increased employment opportunities in areas such as the following: office equipment, furniture and furnishings, office supplies, computer equipment, communication, security, transportation and delivery services, maintenance, repair and janitorial services, packaging supplies, and office and printing services.

Employees may make some purchases in the local area, such as convenience shopping for personal services (haircuts, banking, dry cleaning, etc.). The employees will not make all of their convenience or personal services purchases near their workplace



and each employee's purchasing patterns will be different. However, it is reasonable to assume that a percentage of these annual purchases will occur within proximity of the workplace (assuming the services are available).

DRAFT



EXHIBIT A: Legal Description of Canyons Centre CDA

The following described real property is located in Salt Lake County, Utah:

Beginning on the east line of Racquet Club Drive at a point South 89°59'07" East along the Quarter Section line 1199.11 feet and North 109.58 feet from the West Quarter corner of Section 25, Township 2 South, Range 1 East, Salt Lake Base and Meridian (As surveyed section tie - Beginning on the east line of Racquet Club Drive at a point East 1198.53 feet and North 108.09 feet from the West Quarter corner of Section 25, Township 2 South, Range 1 East, Salt Lake Base and Meridian, Basis of Bearing being South 00°03'19" East - 2672.45 feet between the West Quarter corner and the Southwest corner of said Section 25) and running thence North along said east line 490.42 feet; thence North 57°34'49" East 210.68 feet; thence South 87°44'40" East 406.36 feet to the west line of Wasatch Boulevard; thence along the west line of Wasatch Boulevard for two (2) courses as follows; along the arc of a 1482.69 foot radius curve to the left 136.953 feet (the chord bears South 8°53'50" East 136.904 feet); thence South 11°31'30" East 596.71 feet to the north line of the Canyon Racquet Club Condominiums; thence along the north line of said Canyon Racquet Club Condominiums four (4) courses as follows: South 86°30' West 251.63 feet; thence South 70°30' West 142.96 feet; thence South 47°30' West 90.00 feet; thence North 86°00' West 46.20 feet; thence North 35°00' West 82.40 feet; thence North 34°16'39" West 102.62 feet; thence North 20°20'26" West 107.65 feet; thence West 83.44 feet to the POINT OF BEGINNING.

Containing 474,587 Sq. Ft. or 10.895 acres more or less

Right of way Easement

Together with a perpetual easement and right of way for ingress and egress and for public and private utilities and for the construction, operation and continued maintenance and repair of a roadway on, in, over, across, through, or under the surface of a strip of land described in mesne documents of record and more particularly described in that certain Quit Claim deed dated August 7, 1978 by and between Victor S. Merrill and Marian Y. Merrill, his wife, and Mountain Four, Ltd., a Utah limited partnership, as Grantors and G.H. Bagley, Inc., a Utah corporation, as Grantee, recorded August 11, 1978 as Entry No. 3151481 in Book 4721 at Page 165 of Salt Lake County Recorder's office; which easement and right of way shall be for the benefit of and appurtenant to and shall pass with title to the tract of land described above which is commonly known and referred to as the Canyon Racquet Club property.

Property Address: 3700 East 7000 South, Cottonwood Heights, Utah 84121

EXHIBIT B: Project Area Map

