

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, October 26, 2016

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:33:09 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Matt Lyon, Vice ChairpersonCarolynn Hoskins; Commissioners Maurine Bachman, Weston Clark, Ivis Garcia and Sara Urquhart. Commissioners Emily Drown, Clark Ruttinger and Andres Paredes were excused.

Planning Staff members present at the meeting were Nora Shepard, Planning Director; Michael Maloy, Senior Planner; Chris Lee, Associate Planner; Michelle Poland, Administrative Secretary and Paul Nielson, City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Ivis Garcia, Carolyn Hoskins, and Sara Urquhart. Staff members in attendance were Michael Maloy and Chris Lee.

The following sites were visited:

- **860 S Donner Way** - Staff gave an overview of the proposal. Commission asked questions about the slope issues, who was opposed to the petition, and the zoning for the proposal.

APPROVAL OF THE October 12, 2016, MEETING MINUTES. [5:34:14 PM](#)

MOTION [5:34:18 PM](#)

Commissioner Urquhart moved to approve the October 12, 2016, meeting minutes. Commissioner Garcia seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:34:45 PM](#)

Chairperson Lyon presented former Commissioner Gallegos with a thank you gift and expressed his gratitude for Commissioner Gallegos' time on the Commission.

Mr. Gallegos discussed how the Commission had changed over the years and thanked the Commissioners and Staff for their friendship and comradery on the commission

Mr. Nelson encouraged Mr. Gallegos to continue to represent the affordable housing programs in Salt Lake City and to stay involved in the processes.

Vice Chairperson Hoskins stated he had nothing to report.

REPORT OF THE DIRECTOR [5:40:01 PM](#)

Ms. Nora Shepard, Planning Director, reviewed the postponed items on the agenda.

[5:41:16 PM](#)

Chairperson Lyon recused himself from the meeting.

[5:41:26 PM](#)

Central 9th Row Houses and Subdivision at approximately 912-916 Jefferson Street - A request by Peter Corroon, on behalf of Central Ninth Development Partners, LLC, to construct a residential planned development located at the above listed address. The property is zoned FB-UN2 Form Based Urban Neighborhood District, and located within Council District 4, represented by Derek Kitchen. (Staff contact: Michael Maloy, AICP, at (801)535-7118 or michael.maloy@slcgov.com.)

- a. **Planned Development - A planned development request to construct 4 new town homes and 4 attached garages. Case Number PLNSUB2016-00581**
- b. **Preliminary Subdivision - A preliminary subdivision request to create 4 buildable parcels, 4 related parcels, and 1 common parcel. Case Number PLNSUB2016-00582**

Mr. Michael Maloy, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission approve the petition as presented.

Mr. Peter Corroon, Central Ninth Development Partners, and Mr. Jessy Holts, architect, reviewed the proposal the completed portions of the project.

The Commission and Applicant discussed the following:

- The orientation of the property and if the window layout would affect the privacy of the neighboring single family home.
- The HOA fees for the proposal.
- The maintenance of the property covered under the HOA.
- The reasoning behind the orientation of the building.
- If the owner of the adjacent single family home had been contacted.
- The layout of the building and how it helped the use and functionality of the homes.

PUBLIC HEARING [5:58:00 PM](#)

Vice Chairperson Hoskins opened the Public Hearing, seeing no one wished to speak; Vice Chairperson Hoskins closed the Public Hearing.

[5:59:16 PM](#)

The Commission and Staff discussed the following:

- The parking for the proposal.
- The public outreach and the comments received.

- The conditions of approval regarding the landscaping.
- The maintenance plan for the proposal.

MOTION [6:02:06 PM](#)

Commissioner Urquhart stated regarding Petition PLNSUB2016-00581 for the Central 9th Row Houses Planned Development and Petition PLNSUB2016-00582 for Preliminary Subdivision Amendment, based on information contained within the Staff Report, public testimony received, and discussion by the Planning Commission, she moved that the Planning Commission approve the petition subject to conditions one through five listed in the Staff Report. Commissioner Bachman seconded the motion. The motion passed unanimously.

[6:03:42 PM](#)

Chairperson Lyon returned to the meeting.

[6:03:54 PM](#)

Emigration Overlook Planned Development - Christopher Clifford, Manager of the development group Emigration Overlook LLC, is requesting Planned Development approval from Salt Lake City to modify zoning standards related to lot frontage as part of the proposed residential development at approximately 860 S Donner Way. The development is comprised of 12 luxury condominiums at the mouth of Emigration Canyon. The design is unique in that each level of the structure follows the downward slope of the hillside, rather than being built vertically as a conventional building. Currently the land is undeveloped. (Staff contact: Chris Lee, at (801) 535-7706 or chris.lee@slcgov.com.) Case Number PLNSUB2016-00488

Mr. Chris Lee, Associate Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission forward a positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- How the height of the building was measured.
- The parking for the proposal.
- If the density proposed for the project is the maximum density allowed on the property.
- The height of the proposal and the requested exceptions.
- The issues with the lot that require the plan development process.
- The access to the property for construction.
- The comments from the Community Council.

Mr. Russell Platt, Emigration Overlook LLC, reviewed the layout of the building, the care taken to make the proposal fit the site. He reviewed the public's concerns with digging into the hillside and the process to protect the neighboring properties.

The Commission and Applicant discussed the following:

- The layout of the units.
- The access to the property for construction.
- The precautions taken to ensure fire safety was followed.
- The comments from the Community Council.

PUBLIC HEARING [6:21:48 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Ms. Tricia Bennion, Ms. Linda Fontenot, Ms. Erica Anderson, Mr. Fred Gonzales, Mr. David Salisbury, Ms. Lynn Jensen, Ms. Ashley Hutto- Schultz, Ms. Jane Rogers, Mr. Johann Jacobs, Ms. Joyce Man, Ms. Gail Grow, Ms. Rebecca Robbins, Mr. Adam Raines, Mr. Ron McKee, Ms. Molly McMahan, Mr. Alan Smith,

The following comments and questions were made:

- The environmental and ecological concerns were major and should be cleared before the project moved forward.
- Why was the additional height needed if the developer was allowed to build at 45 feet?
- How was the project being capitalized and was it enough to cover the possible damages?
- What other projects had the developer constructed similar to the proposal?
- The developer had been great to work with and the design fit the area.
- Other developers could do something much more impactful on the property therefore, this proposal was a good option.
- Where would the employees park during construction?
- How would the traffic affect the area?
- The animal habitat destruction and the protection of the existing stream was important.
- Needed sound proof windows as the noise from the park would be great for the proposed building.
- If the project did not move forward how the developer would put the property back to its original condition.
- How many petitions and discussions had been held regarding the property over the years and why had it not been developed.
- The study of the traffic and road width of the surrounding streets.
- How many condos currently existed in the area and how much infill was appropriate for the area.
- The population density in the area and the lack of emergency access to the properties.
- The problems with moving landscape and how the construction would change the water flow pattern.

- In opposition to the proposal as the access to the area was limited and the addition would increase the existing issues.
- Thrilled with the proposal but worried about access.
- The plan showed a road leading to Donner Way but that road did not exist.
- If a bond was required for the proposal.
- Access for emergency vehicles was a necessity.
- If the proposal was not completed what would happen to the area.
- Would like to see final plans for the proposal.

Chairperson Lyon read the following comments:

- Ms. Janice Knaphus- My concerns include the steep grade of the lot (so stability); possible damage to neighboring buildings due to construction procedures; unforeseen drainage issues due to underground springs in the area; additional traffic in an area of already high density knowledge with only one egress.
- Ms. Diane Rosner – With all the increased traffic I want to know if the bus routes will be brought back to alleviate traffic.
- Mr. William McMahon- The traffic, emergency vehicle access and severe slope are all problems.
- Ms. Alice Brown- I live on the ground floor with patio access to the green space in the photo. We now have a beautiful gully view with a six point buck in that space this morning. With this proposed plan out view will now be a parking lot. This project will disrupt wildlife and our peaceful park setting. I strongly oppose this development.
- Mr. Charlotte Stewart - The area is already densely populated. Traffic, snow removal, emergency vehicles will be negatively affected by an additional building. The roads (access and egress) simply cannot handle the flow. The disruption of many underground aquifers along with natural habitat will affect all of us. The design of the current building does not align with the current buildings in the area. I oppose their building and any additional growth that may take place in the future in the area.
- Ms. Jessica Hutto-Schultz- Like everyone I'm concerned about the slope and environmental impact as well as traffic flow on the private driveway and culdesac. It is already quite crowded. While I agree they have taken great care in this project I think the impact will be tremendously greater than they think or say. As new homeowners (three months ago) here I can say that had we now of this project we would 100 % have abstained from buying in this building area.

Chairperson Lyon closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- The financing for the project and the assurance that the project will be completed.
- Traffic flow and access to the property.
- Staging for construction and how it would affect the neighboring area.
- The request for height and why it was necessary.
- Drainage for soil and storm water.
- The standards of the ordinance and other factors of consideration the Commission should review.
- The construction timeline for the proposal.
- The history of the site and previous proposals for development.
- If an environmental study was done for the property.
- The previous studies for the area.
- The legal compensation for damage that may occur or if the development was started but never finished.
- The construction impacts to the area and how those were regulated.
- The review process and the departments that would make comments/review on the proposal.
- The transportation and other studies needed for the proposal.
- The height request and what was included in that height.
- The expansion of the private road.
- The appeal process for the proposal.

The Commission discussed and stated the following:

- The site was visited on the tour.
- Appreciated the public comments.
- A lot of the concerns could not be addressed under the Commission's purview.

MOTION [7:34:40 PM](#)

Commissioner Bachman stated regarding PLNSUB2016-00488, based on the findings listed in the Staff Report and the testimony and plans presented, she moved that the Planning Commission approve the Planned Development request subject to conditions one through five listed in the Staff Report. Commissioner Urquhart seconded the motion. The motion passed unanimously.

The meeting adjourned at [7:35:55 PM](#)