



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Chris Lee, 801-535-7706, chris.lee@slcgov.com
Date: October 20, 2016
Re: PLNSUB2016-00488, Emigration Overlook Planned Development

Planned Development

PROPERTY ADDRESS: 860 S Donner Way
PARCEL ID: 16-11-254-001
MASTER PLAN: East Bench Master Plan
ZONING DISTRICT: RMF-45

REQUEST: Christopher Clifford, Manager of the development group Emigration Overlook LLC, requests Planned Development approval from Salt Lake City to modify zoning standards related to lot frontage and building height 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.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission approve the Planned Development request with conditions.

The following motion is provided in support of the recommendation:

*Regarding **PLNSUB2016-00488**, based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the Planned Development request with the following conditions:*

- 1. The developer will need to record against the property an estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development for a period of 60 years in compliance with 21A.55.170 "Disclosure of Private Infrastructure Costs for Planned Developments."*
- 2. The developer shall comply with all department comments and conditions.*
- 3. Submittal of a full geotechnical and soils report to verify that conditions are appropriate for construction on the site.*
- 4. All existing natural vegetation shall remain on site with the exception of the building footprint. The applicant shall submit a site drainage and erosion plan that must be approved by Public Utilities prior to construction beginning.*

5. *Only the specific modifications approved as part of the planned development are considered to be modified by this approval. All other applicable zoning regulations must be complied with.*

ATTACHMENTS:

- A. [Property & Vicinity Photographs](#)
- B. [Applicant's Narrative](#)
- C. [Development Renderings](#)
- D. [Site Plan & Elevations](#)
- E. [Existing Conditions](#)
- F. [RMF-45 Zone Standards Summary](#)
- G. [Analysis of Standards](#)
- H. [Public Process & Comments](#)
- I. [Department Review Comments](#)
- J. [Motions](#)

PROJECT DESCRIPTION:

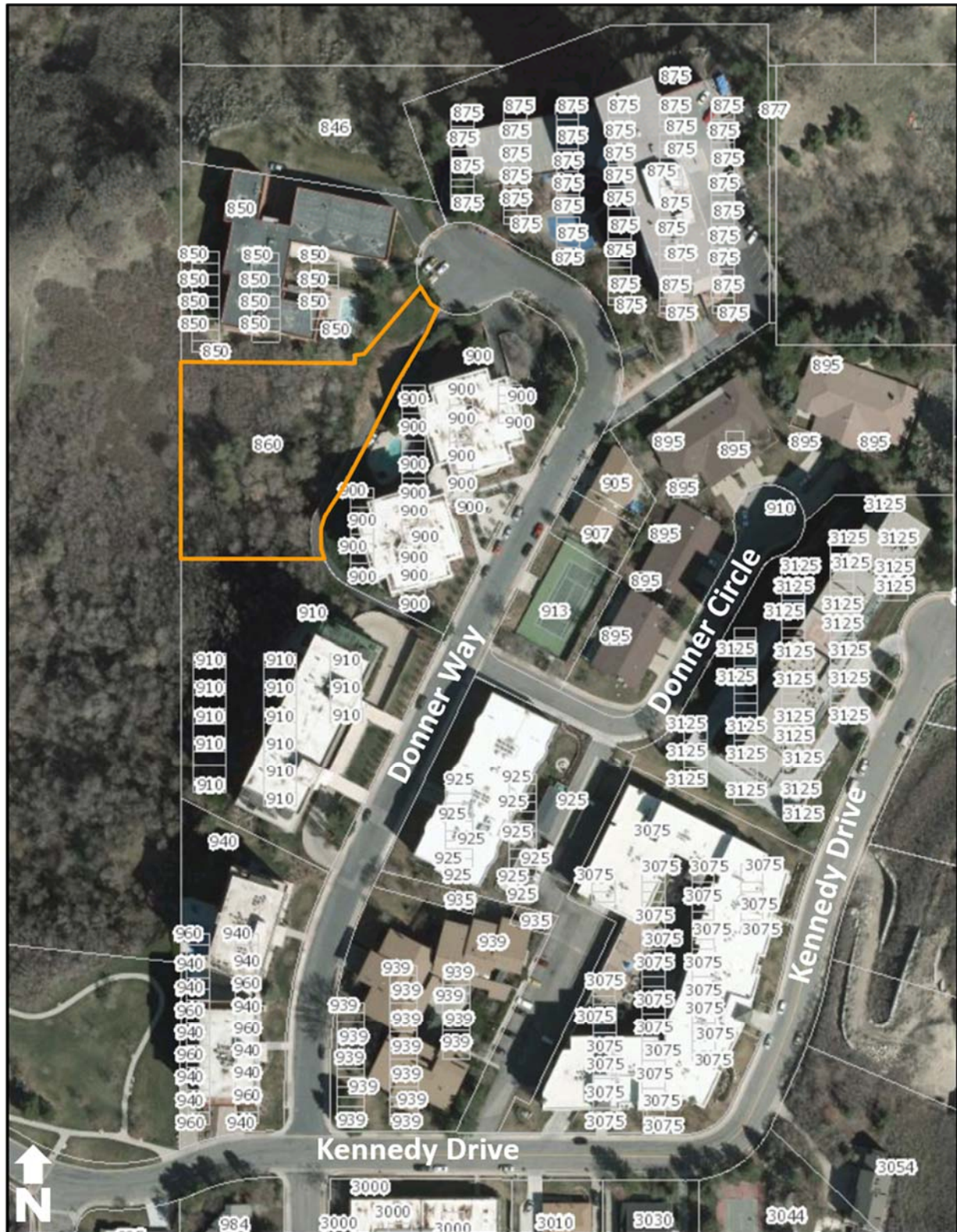
The developer requests a Planned Development in order to modify zoning regulations related to building height and lot frontage on a public street for a residential condominium development consisting of twelve units on seven levels. Except for the requested modifications, the development would otherwise be permitted and would not require a Planned Development or other public process.

The subject parcel is 1.014 acres (44,170 square feet) in size and is located within the RMF-45 zoning district in a neighborhood dominated by large condominium buildings. It is a sloped lot which directly abuts Rotary Glen Park to the west. The developer proposes a design specifically catered to the hillside location. The structure will follow the hillside topography with each level descending down the slope in a design reminiscent of an enormous staircase. On five of the levels, two condominiums will be evenly divided on each side of the building. The sixth and seventh levels will be stacked directly atop one another on the south side of the building at the top of the slope. Each of those levels will contain one condominium unit for a total of 12. This is the only portion of the building that isn't stepped back and is designed in such a way to accommodate parking on two levels at the northeast corner.



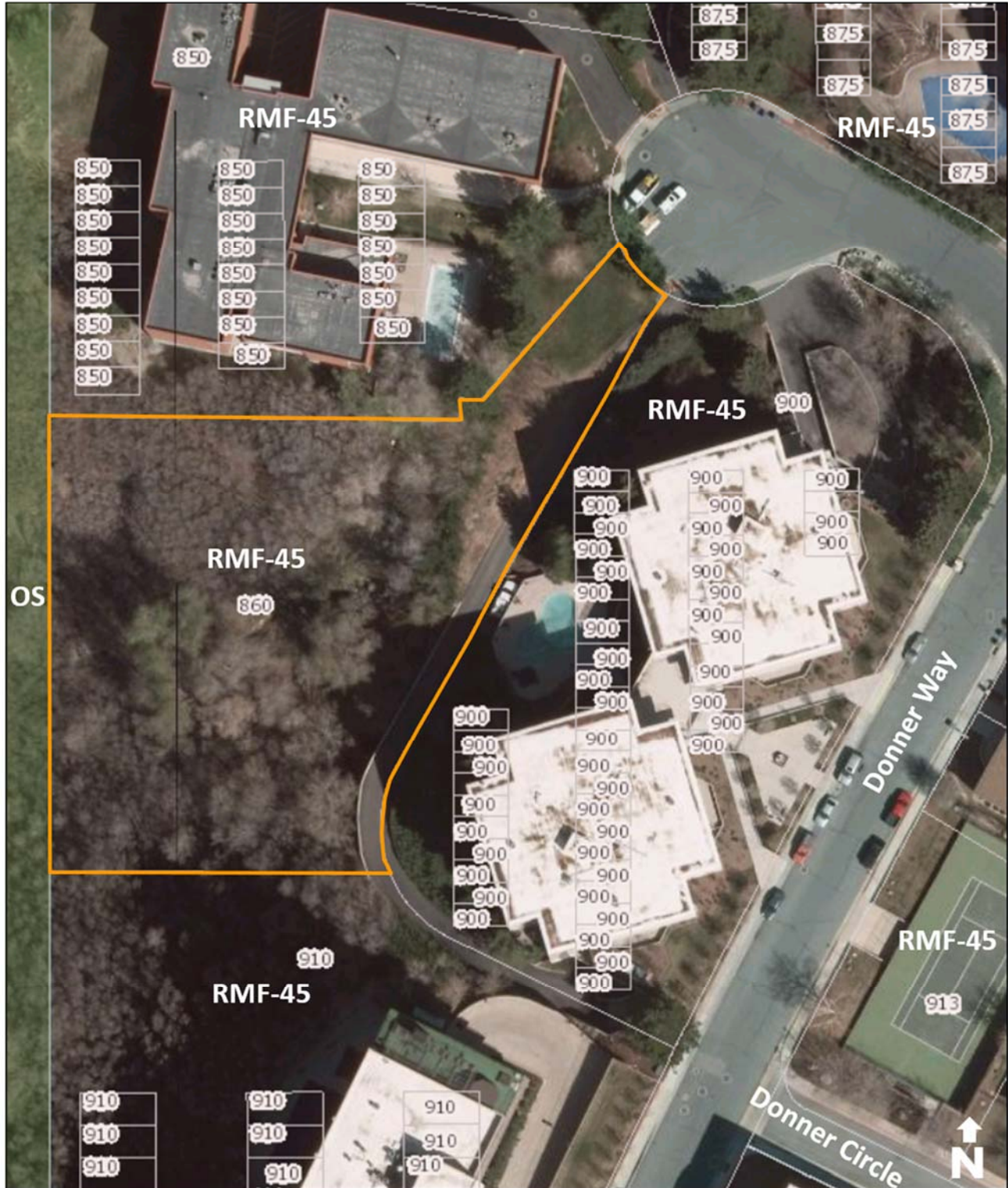
Rendering of the proposed structure (center of the image going down the slope)

As illustrated on the following map, the subject parcel is an irregularly shaped lot with limited frontage of approximately 32 feet on a public street. The frontage is on the cul-de-sac where Donner Way terminates. A private road is located along the entire eastern side of the parcel which runs between the cul-de-sac and further south along Donner Way where it emerges between the Oakcrest Gardens and Donner Place condominium developments.



 Proposed Planned Development

The private road currently services the Oakcrest Gardens condominiums which are located to the east of the subject parcel. However, it is partially located on the subject parcel and shares an easement with it. Parking and access to the proposed condominium building will be from the private road with one access point to a planned surface visitor parking lot with 10 stalls. Another access point to the owner parking lot will be further south along the private road. It will have 20 stalls and be located directly beneath the visitor parking as explained in Key Issue 2.



 Proposed Planned Development

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input, and department review comments.

1. Lot Frontage
2. Planned Development Objectives
3. Parking and Traffic
4. Development on a Slope
5. Building Height

Issue 1 – Lot Frontage

The subject parcel is irregularly shaped and measures approximately 32 feet in width where it fronts on the public street. That small access point onto the cul-de-sac where Donner Way terminates, is the principal consideration when evaluating this Planned Development application. A multi-family dwelling with 3-14 units in the RMF-45 zoning district must have a minimum lot width of 80 feet but that is an impossibility on this parcel and therefore necessitates this planned development request.

Irregular lots are not uncommon in the city. Many that don't meet the minimum lot width requirement couldn't be developed without going through a planning process such as a planned development. The subject parcel is just over one acre in size and is in a zoning district that encourages multi-family developments. Given that, the applicant could have proposed a larger and taller building with more units. Additionally, the applicant has chosen to utilize the existing private road as access to the building which minimizes additional impacts to the cul-de-sac at the street frontage.

Issue 2 – Planned Development Objectives

Planned Developments are requested in order to modify certain zoning standards that normally apply to developments. The purpose of the Planned Development process is to achieve a "more enhanced product than would be achievable through strict application of the land use regulations." In addition, through the Planned Development process the City seeks to achieve a number of other objectives, such as preservation of significant buildings, green development, and coordination of buildings in a development. The full list of objectives is located in [Attachment H](#). A proposed Planned Development needs to meet at least one of these objectives. As proposed, the development is generally meeting at least four of the applicable objectives. These include the following objectives:

- A. *Combination and coordination of architectural styles, building forms, building materials, and building relationships;*
- B. *Preservation and Enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;*
- D. *Use of design, landscape, or architectural features to create a pleasing environment;*
- H. *Utilization of "green" building techniques in development.*

The proposal is meeting objectives A, B and D through the use of a unique and interesting architectural style that respects the natural slope of the site as well as the existing structures around it. The building will utilize high quality building materials with an articulation that provides a high level of visual interest. The stepped design draws the eye but it does not visually dominate. When viewed from below it draws the eye upward beyond the proposed structure to the much taller condominium complexes that surround it. Given the design of the structure, it also serves to preserve views for those living in the neighboring buildings.

The natural topography will be preserved to the highest degree possible. The proposed building respects the natural topography by following the slope down the hill and disturbing as little on the

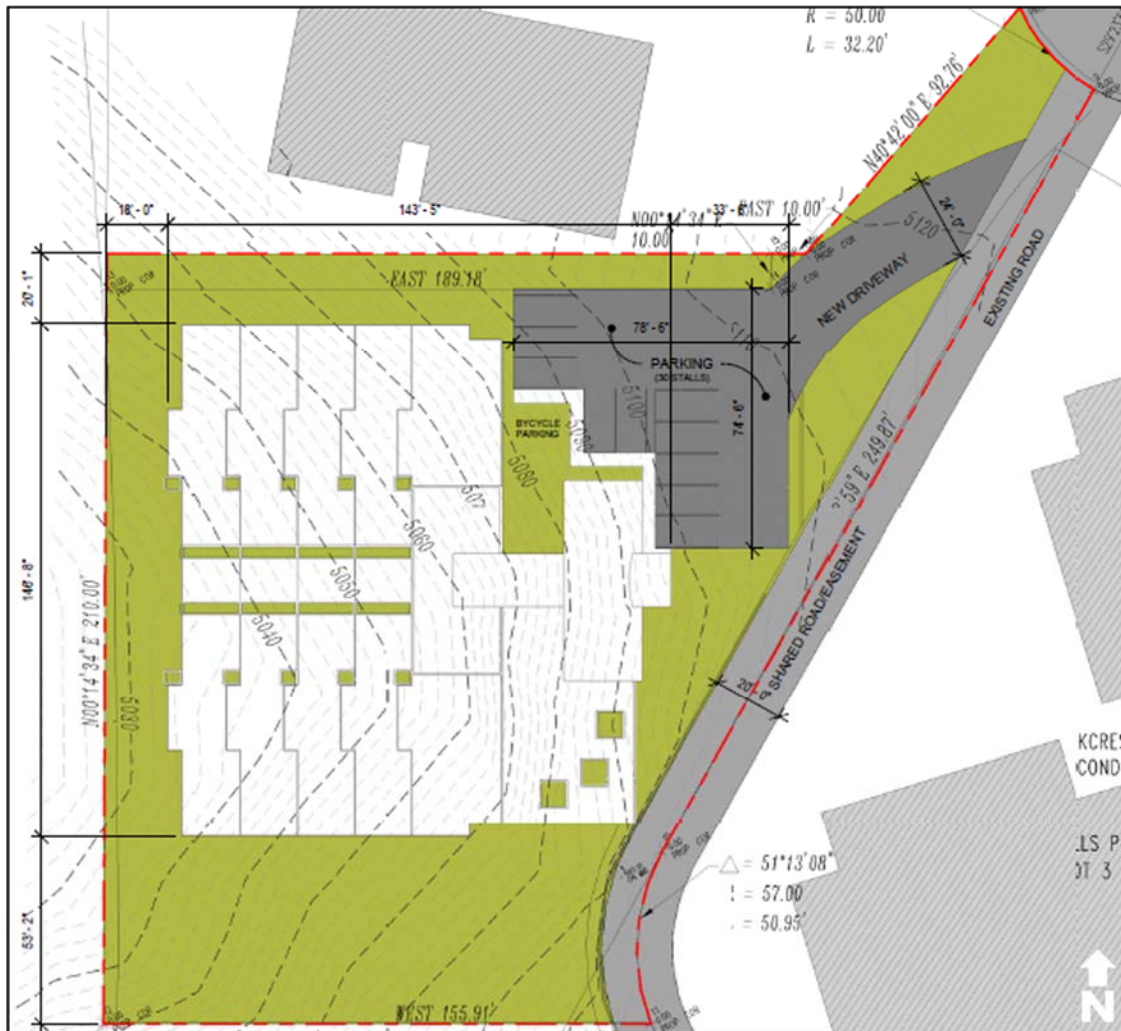
site as possible. It is the objective of the developer to utilize the minimal amount of fill and to maintain all possible natural vegetation outside of the building footprint. It creates a pleasing environment through the use of terraces that fit the site well and engages the surrounding natural areas rather than turning away from it.

Finally, the building will utilize several green building techniques to achieve LEED certification. Among those will be reduced water usage for both indoor and outdoor applications, utilization of recycled and regional building materials low in chemical content, utilization of natural daylighting and ventilation, minimal site impact, and roofing materials to reduce heat island effects. The developer's narrative in [Attachment C](#), provides more information on each of these points.

Issue 3 - Parking and Traffic

Concerns have been raised by area residents that allowing another multi-family residential structure in the neighborhood could cause spillover parking problems and traffic issues on public streets. However, given the relatively few number of units and the number of proposed parking stalls on site, it should not cause problems beyond the subject property.

The following maps illustrate the proposed parking plan for the building. Parking Map 1 shows that visitor parking would be uncovered and on the same grade as the private road. It would be accessed from the private road via a driveway located approximately 25 feet from the cul-de-sac. There are 10 total spots proposed for that level.



Parking Map 1 – Surface (Visitor) Parking

Owner parking would be located directly beneath the visitor lot and accessed further south along the private road. 20 total parking spots are planned for the lower level as illustrated by Parking Map 2.



Parking Map 2 – Lower Level (Owner) Parking

The thirty stalls that the applicant has proposed is the maximum amount of off street parking allowed for such a development. The minimum number of parking spaces for multi-family dwellings with two or more bedrooms is two spaces per unit. That means that 24 stalls is the minimum that would need to be provided. However, the applicant is maximizing the number of parking stalls by utilizing the formulas found in section 21A.44.030(H)(1) of the Salt Lake Zoning code which state that:

...the number of parking spaces allowed shall be twenty five percent (25%) greater than the minimum found in table 21A.44.030 of this section. Formula: $0.25 \times \text{Minimum} + \text{Minimum} = \text{Maximum}$.

Placing six more parking stalls on site than what is required by the zoning code will benefit not only the owners and visitors to the proposed structure but also the neighbors within the vicinity of the new building. That much parking should be more than sufficient to handle normal parking situations without having to park on any public streets.

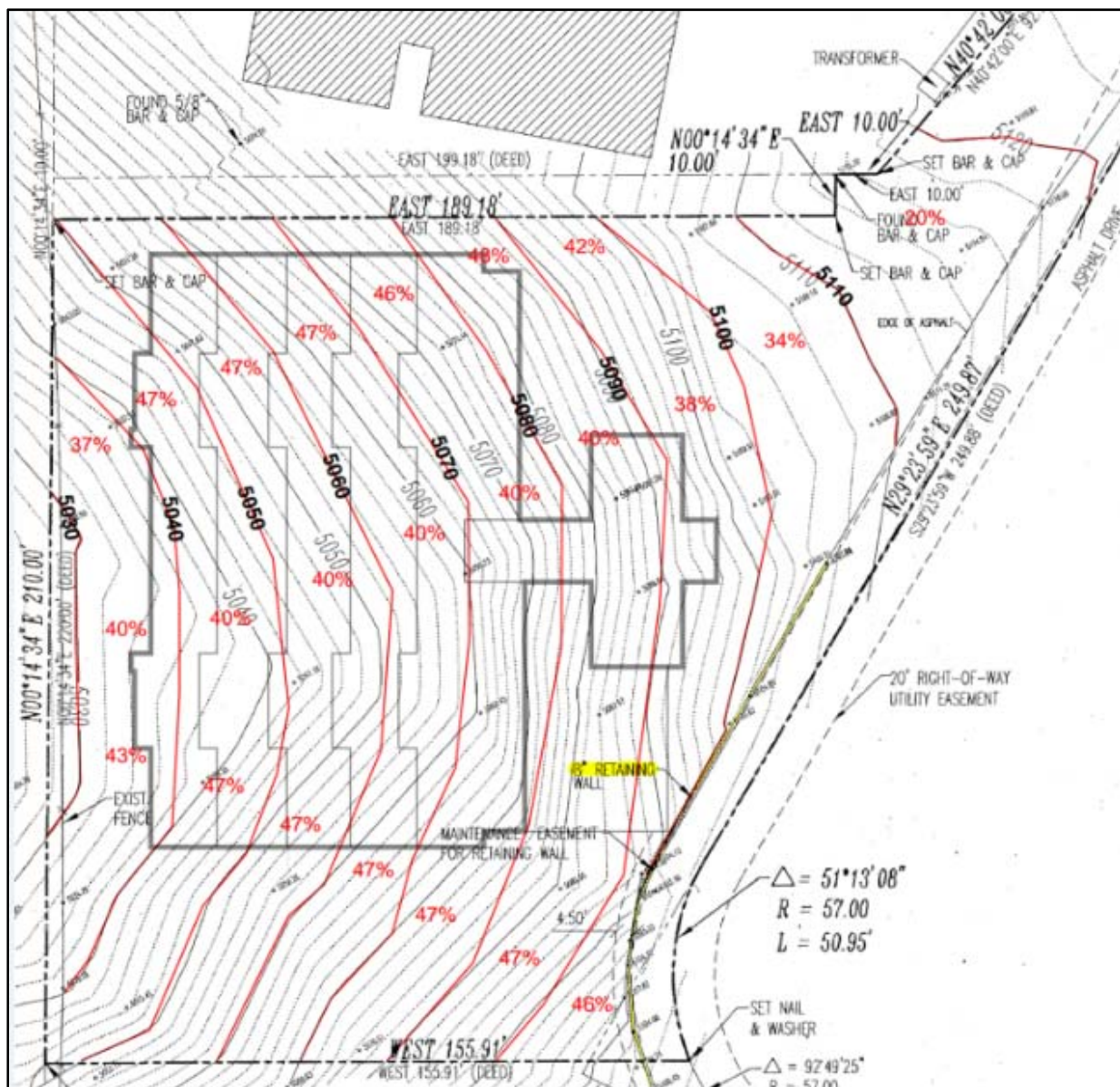
Parking on the public street is also being maintained through this plan. The developer could potentially access the public street in the cul-de-sac by creating a driveway running along the length of the

irregular section of the lot to the cul-de-sac. Such a decision would likely result in the loss of at least two parking spots in that location as well as the removal of a landscaped area that is currently being utilized by the residents of the Donner Crest condominiums (see photo 3 in Attachment A).

In regards to the potential for increased traffic in the neighborhood, the Transportation Division reviewed the current traffic loads for the streets in this neighborhood and determined that this development of 12 additional units would have minimal impacts (see Attachment I). When a similar project was proposed for this site in 2002, a traffic study was done and it was determined that the public roads within the neighborhood are designed to handle well beyond the additional load that may be caused by a proposed development such as this.

Issue 4 – Development on a Slope

There have been multiple concerns raised about placing a structure on this parcel due to the grade of the slope. The following slope map was prepared for a former project similar to this one which was approved for this site in 2002 but never built. Therefore, the building footprint shown is not that of the structure proposed through this planned development application. However, it does serve to provide information about the slope percentage and how it changes across the parcel.



Over much of the irregularly shaped north east corner of the lot, the slope percentage is 20% or less. However, the percentage increases as the parcel slopes downward toward the west. The majority of the middle portion of the lot is around 40% with sections to the north and south maxing out at 48%. The majority of the structure is proposed to be built in the areas closer to 40% but will also extend into areas beyond 45%, particularly on the north side.

Many of the concerns received from neighbors have focused on the steep slope of the site and the potential dangers to developing in such an area. Several inquiries were made which cited chapter 18.28, *Site Development Regulations*, of the Salt Lake City Code. Specifically the *Grading and Erosion Control Standards and Regulations*, section 18.28.040.F(3), which states the following:

F. Grading And Erosion Control Standards And Regulations: All site development work shall be accomplished in conformance to the following grading and erosion control design standards and regulations:

3. Undevelopable Slopes: Any natural slopes identified on a slope classification map of thirty percent (30%) or greater shall be designated undevelopable area. In no event shall streets traverse such slopes.

In contrast, the Zoning section of the Code (21A), has no such restriction within the RMF-45 zoning district. Additionally, the purview of the Planning Commission is only over the *Zoning (21.A)* section of the Code and is not authorized to review standards in the *Site Development Regulations (18)* section. In this particular instance, the *Planned Developments* section of the *Zoning Code* located in 21A.55 provides the only standards that can be evaluated in consideration of approval or denial of this application.

The review of the site development regulations found in Title 18 occurs after the developer or contractor applies for a building permit and submits a complete set of plans for review. At that time all fees must be paid for the plan review. A project does not need to demonstrate that it complies with site development regulations at the time of planned development review. Zoning Ordinance section *21A.55.140 Effect of Approval of Planned Development* states that an approved planned development only authorizes the preparation, filing, and processing of applications for any permits or approvals that may be required by the city, including any building permits. Whether building permits are issued will be determined by the building services division upon review of submitted plans in light of all applicable regulations. The City Attorney's Office has been consulted on these issues and will continue to advise city departments on the impact of the slope regulations and property owners' rights.

Issue 5 – Building Height

Upon examining the submitted documents, Planning staff requested additional renderings to more clearly illustrate the height of the structure due to the fact that the RMF-45 zoning district allows for buildings to be up to 45 feet in height and it was not clear that standard was being met. Additionally, it should be noted that the height limit can be modified for an additional 5 feet through the Planned Development process if it further achieves the objectives.

Consequently, the applicant provided a supplementary plan that effectively lifts the underlying topography to heights of 45 feet and 50 feet above existing grade to clearly illustrate the heights of all elements of the structure at those two heights (see Attachment D – Height Renderings). The top portion of some of the rooftops exceeded the regular 45 foot height limit and did not meet the RMF-45 standard. The rendering for the 50 foot height showed the top of the elevator shaft and two outdoor chimneys just breaking that plane. However, per section *21A.36.020* of the *Zoning Code*, both chimneys and elevator bulkheads are allowed height exceptions that would seem to allow that minor difference.

Planning staff is of the opinion, that the additional 5 feet of building height should be approved as it will have very little impact on surrounding properties as it is located well back from the street and down the hill. Additionally, that minor adjustment in height serves the overall design to achieve the planned development objectives.

DISCUSSION:

The proposed development generally meets a number of objectives for a planned development. The project is generally enhanced by the modifications as they allow for a better building design that follows the contours of the site to create a structure with lesser impacts on neighbors than what is allowed by the underlying land use regulations of the RMF-45 zoning district. The development will also:

- Utilize the existing private road for access rather than building a new driveway up to the street frontage in the cul-de-sac on Donner Way that is currently being utilized by the Donner Crest condominium complex as yard space;
- Provide additional housing in a zoning district specifically meant for multi-family residential developments;
- Utilize a building design that respects the natural topography of the site by following the grade of the slope while maintaining views from neighboring buildings and retaining much of the natural vegetation.

As such, Planning Staff recommends approval of this Planned Development.

NEXT STEPS:

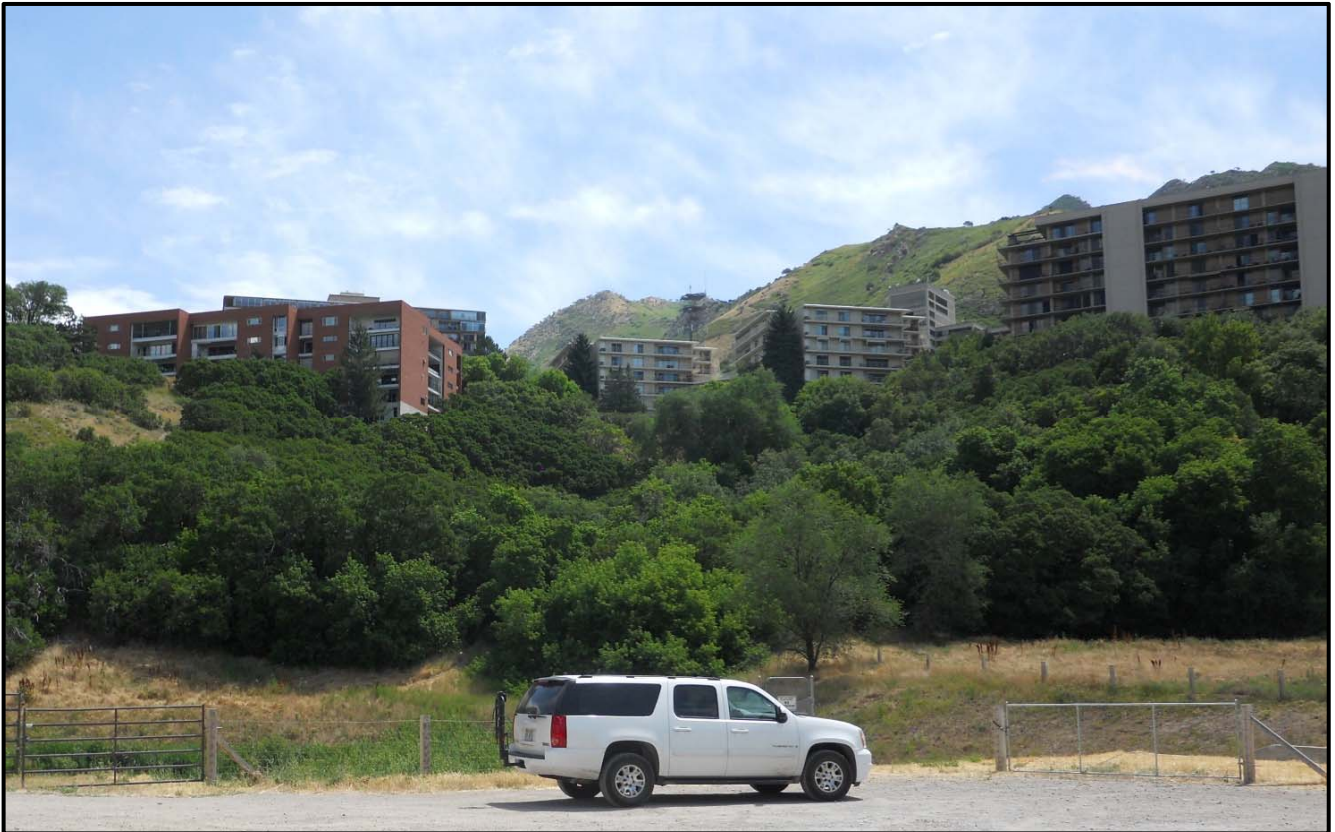
Planned Development Approval

If the Planned Development is approved, the applicant will need to comply with all conditions of approval, including all required by City departments and the Planning Commission. The applicant will then be able to submit for building permits for the development. Final certificates of occupancy for the buildings will not be issued until all the conditions are met. To convert the proposed residential units to condominium units, the developer will need to go through a condominium plat process.

Planned Development Denial

If the Planned Development is denied, the applicant could still develop the proposal; however, there would need to be extensive changes to the design of the structure to meet the standards of the RMF-45 zoning district. Specifically, that would involve changing the proposed use from a multi-unit building to a single family dwelling due to the width of the street frontage.

ATTACHMENT A: PROPERTY & VICINITY PHOTOGRAPHS



1. View of the lot from Rotary Glen Park with Donner Crest (left), Oakcrest Gardens (behind), and Donner Place (right)



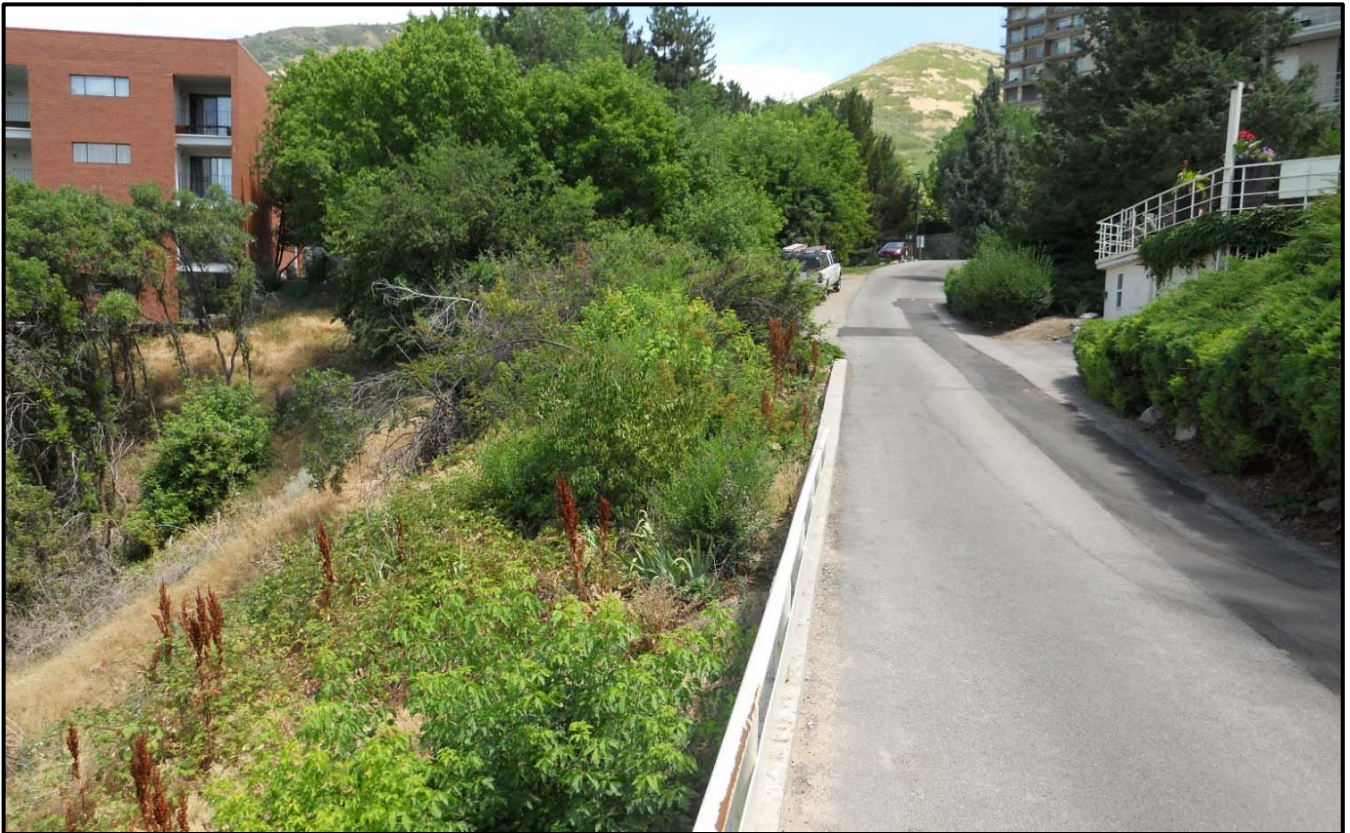
2. View from the cul-de-sac with Oakcrest Gardens (left), the private road access (center), and Donner Crest (right)



3. Looking south at the Private Road (left) and where the irregular portion of the Subject Parcel meets the public street which is currently being used as a side yard (center) for the Donner Crest condominiums (right)



4. Looking south along the Private Road with the Subject Parcel (right) and Oakcrest Gardens Swimming Pool (left)



5. Looking north at the subject parcel (left), Donner Crest (left and behind), and Oakcrest Gardens (right)



6. The subject parcel with the Donner Crest condominium development in the background

ATTACHMENT B: APPLICANT'S NARRATIVE

EMIGRATION OVERLOOK 12 LUXURY CONDOMINIUMS AT THE MOUTH OF EMIGRATION CANYON

Planned Development

Emigration Overlook

874 S Donner Way
Salt Lake City, UT 84108

Parcel Record: 16112540010000
Address: 874 S DONNER WY
Total Acreage: 1.12
Zoning District: RESIDENTIAL

PROJECT DESCRIPTION

The Emigration Overlook project is the transformation an existing empty lot into a Luxury Condominium housing project. Situated on a west facing slope, the building will cascade down the hill to emphasize the unique character of the site and to minimize impact of the existing environment. The Project will also boast spectacular views from its rooftop terraces that will be full of lush landscaped public and private spaces. The carefully designed and verdant landscape will utilize native plant types to allow for low maintenance and to be drought tolerant and will minimize impact on the existing vegetation while enhancing the views from adjoining properties. The Architectural Design and landscape are simultaneously contextual and contemporary.

PLANNED DEVELOPMENT INFORMATION

- a. *Combination and coordination of architectural styles, building forms, building materials, and building relationships;*
 - i. The material palette will utilize copper, sandstone pavers and siding, and earth tone stuccos so that the building and surrounding landscape will unify into one. The building will terrace down the hillside to minimize impact on the adjoining property views and vistas as well as producing a low impact building footprint. The building will be both contextual and contemporary to enhance the surrounding environment.
- b. *Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;*
 - i. The surrounding natural topography and vegetation will only be impacted by the footprint of the building. The building mirrors the slope of the property

and will inherit the natural characteristics of the site as it terraces down to accentuate the sloping site.

- c. *Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;*
 - i. The site is currently vacant and has other housing projects adjacent to it. Unlike the adjacent structures that are vertically positioned, blocking one another's views, the Emigration Overlook project descends from its entry level, thus eliminating the possibility of obstructing adjoining property views and vistas. Even though the building will have seven levels, it will only rise 12' above the lowest residential living space of the adjoining properties.
- d. *Use of design, landscape, or architectural features to create a pleasing environment;*
 - i. The project, with its expressive terraced form, will create harmonious terraces that complement the surrounding context. These terraces will be landscaped with local trees, shrubs, and flowering planters. The surrounding vegetation and trees will be impacted as little as possible.
- e. *Inclusion of special development amenities that are in the interest of the general public;*
 - i. The project will provide private amenity spaces designated for residents of the building only.
- f. *Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;*
 - i. The site is currently vacant.
- g. *Inclusion of affordable housing with market rate housing; or*
 - i. The project is oriented to a high end clientele seeking large living spaces in an amenity driven condominium orientation.
- h. *Utilization of "green" building techniques in development*
 - i. The project will include numerous green building techniques:
 1. Water reduction – utilization of efficient landscapes and dual flush toilets
 2. Materials and Resources – Recycled content in building materials, regional materials, materials that can easily be recycled, and certified woods
 3. Indoor Environment Qualities – selection of building materials that have low VOC's, provide thermal comfort, and natural ventilation
 4. Daylighting and Views – each unit will have beautiful views and plenty of glazing so that each space has access to natural daylight
 5. Site Impact – the building will impact the site as little as possible by terracing down the hillside.
 6. Heat Island Effect reduction through light colored roofing materials.
 7. The Project will be applying for LEED Certification.

ATTACHMENT C: SITE PLAN & ELEVATIONS

PROJECT INFORMATION

AREA TABULATION

TOTAL SITE AREA	43,715 SF
Building Coverage	17,222 sf (39%)
Parking & Hardscape	6,187 sf (14%)
Landscape	20,306 sf (57%)
Total Building: 39%	
Total Open Space: 61%	

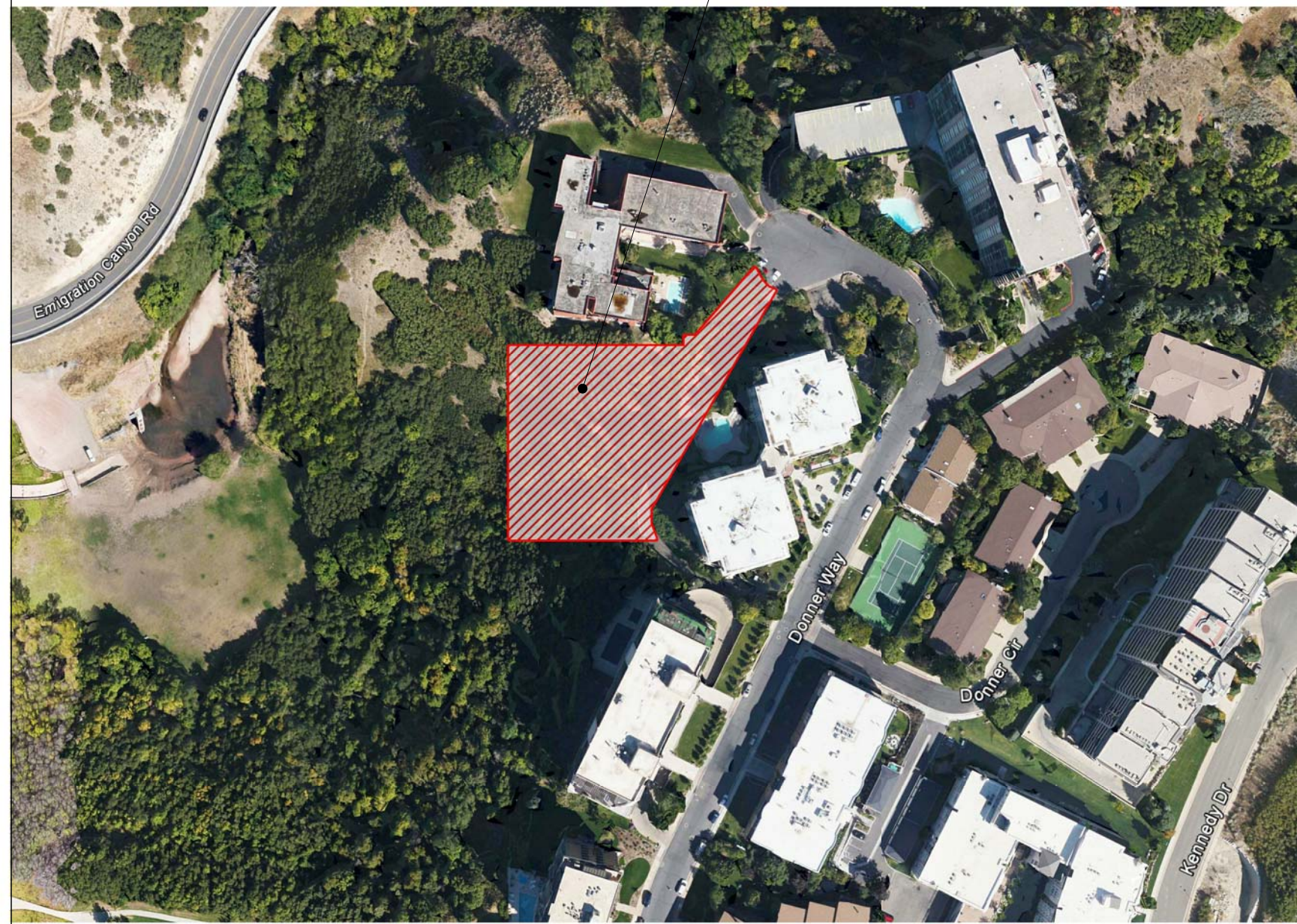
ZONING

PARCEL '01'
 Parcel Record: 16112540010000
 Address: 874 S DONNER WY
 Total Acreage: 1.12
 Lot Use: RESIDENTIAL

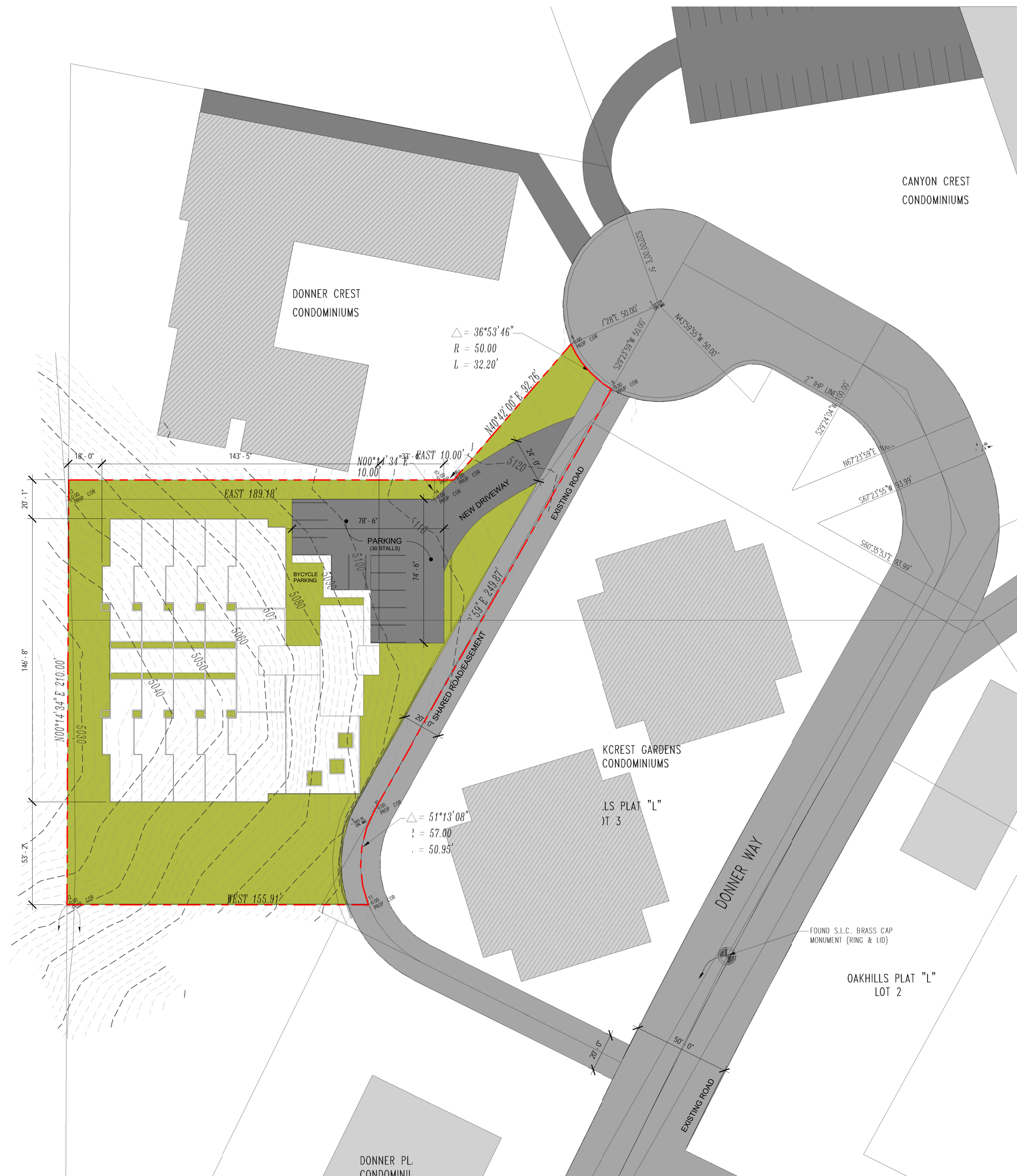
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VICINITY MAP

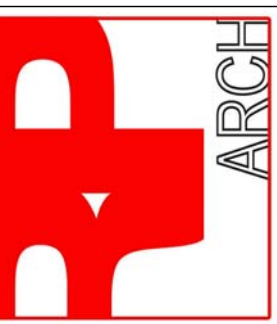
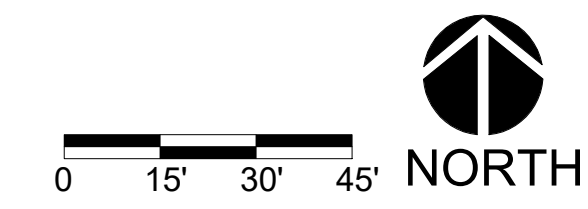
PROJECT LOCATION



AERIAL VICINITY MAP



1 SITE PLAN
 scale: 1" = 30'-0"



RPA
 RUSSELL PLATT ARCHITECTURE
 4141 HIGHLAND DRIVE SUITE 111
 HOLLADAY, UTAH 84117
 801-580-0181

EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

#	REV.	Date

SHEET TITLE

SITE PLAN

SHEET NUMBER

A101

PROJECT INFORMATION

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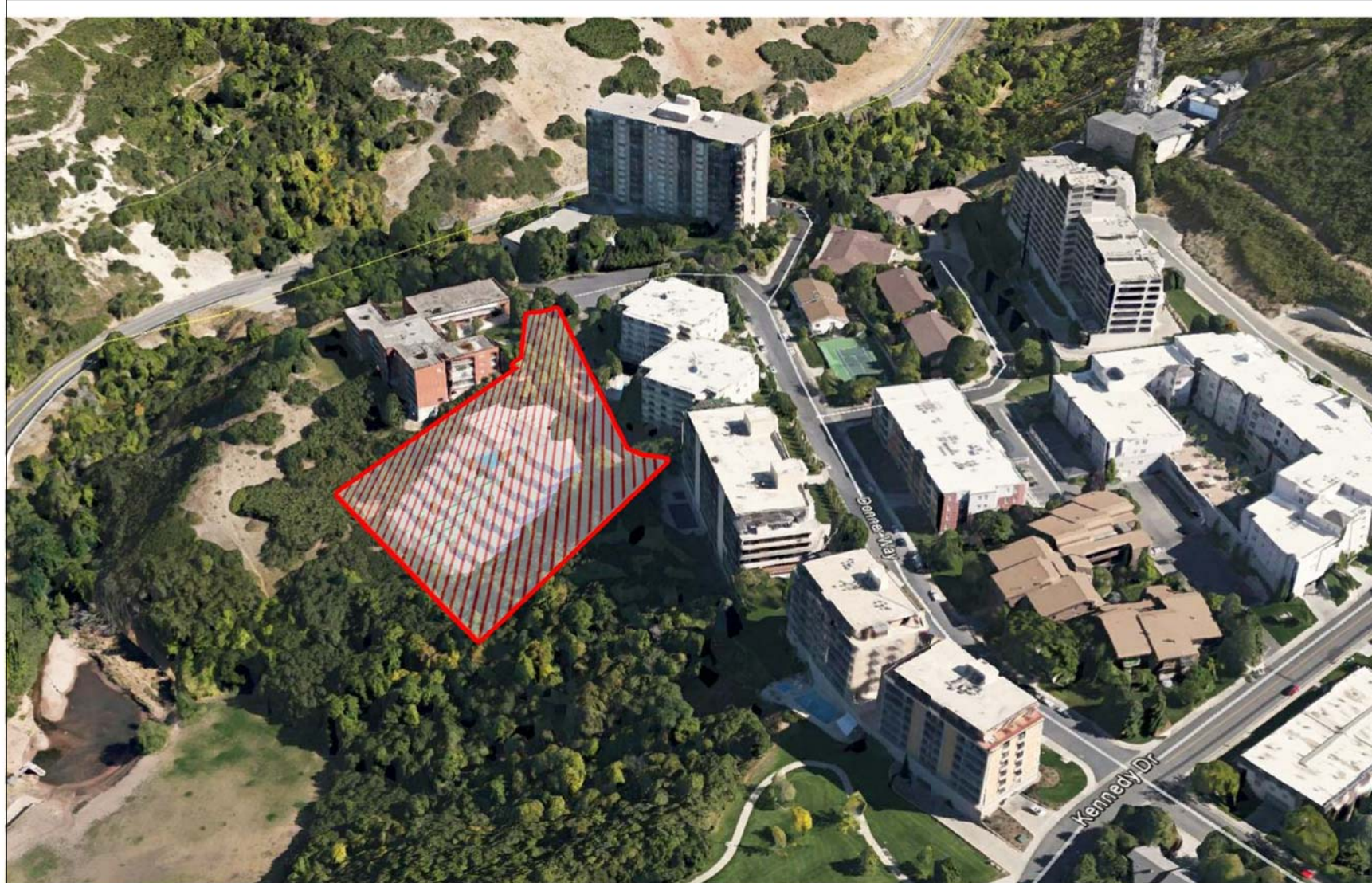
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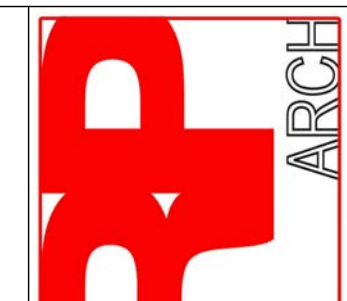
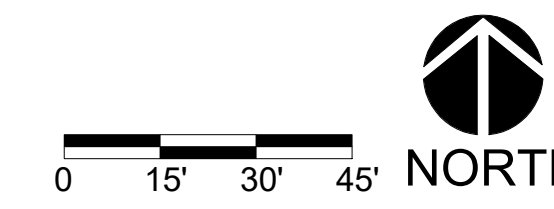
PROJECT LOCATION



AERIAL VICINITY MAP



1 LOWER PARKING
 scale: 1" = 30'-0"



RPA
 RUSSELL PLATT ARCHITECTURE
 4141 HIGHLAND DRIVE SUITE 111
 HOLLADAY, UTAH 84117
 801-580-0181

EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

#	REV.	Date

SHEET TITLE

SITE PLAN

SHEET NUMBER

A102

PROJECT INFORMATION

AREA TABULATION

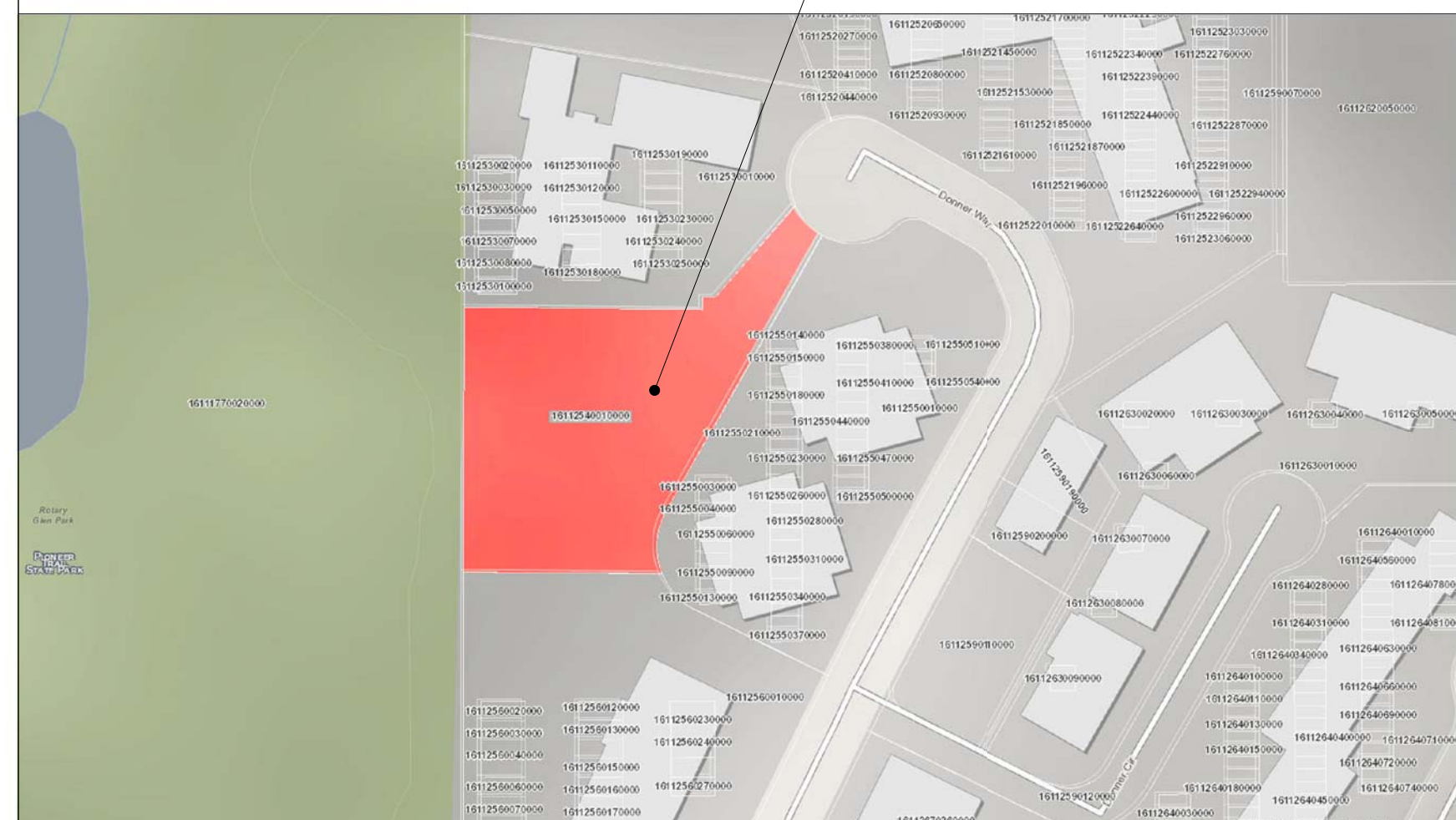
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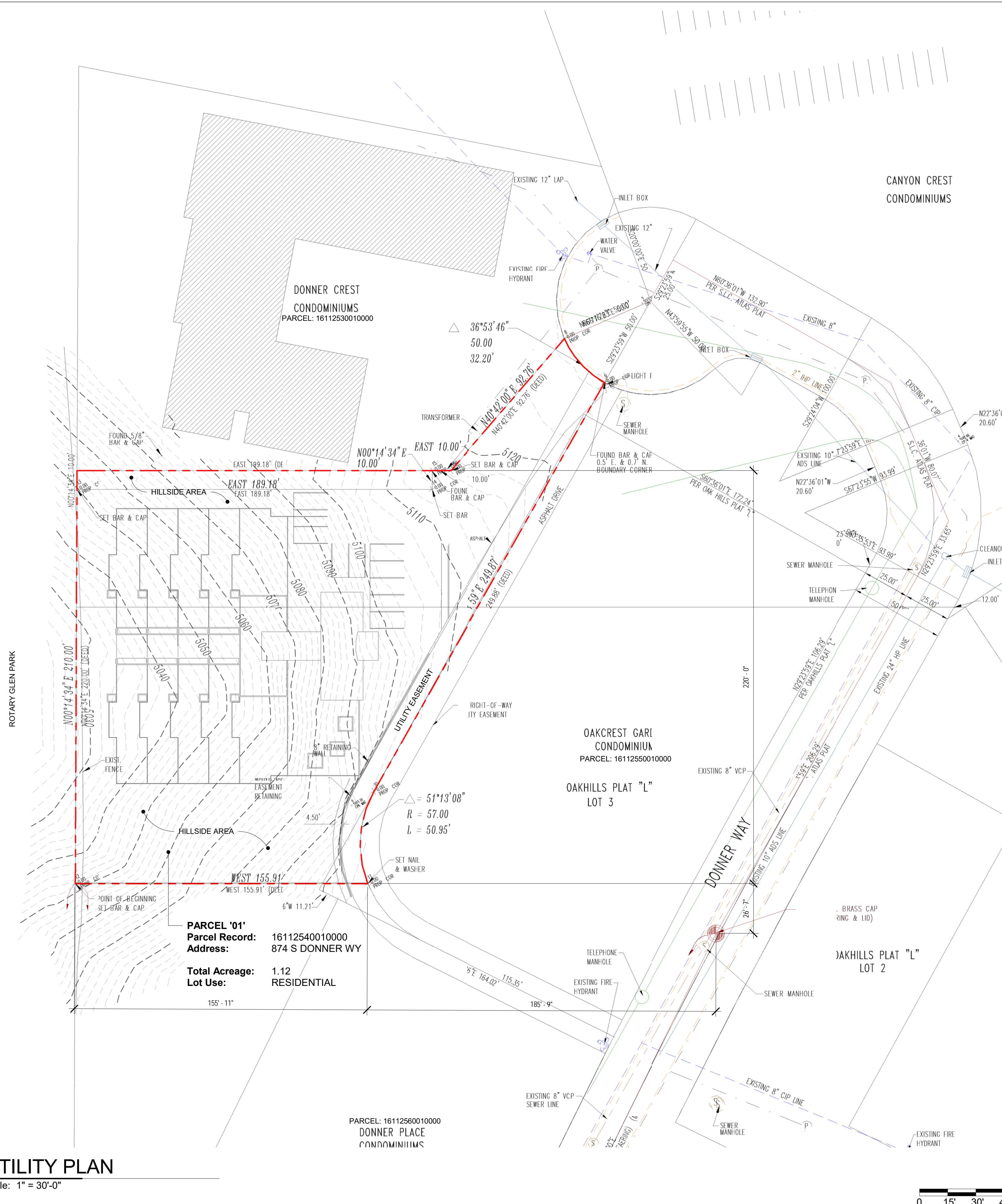
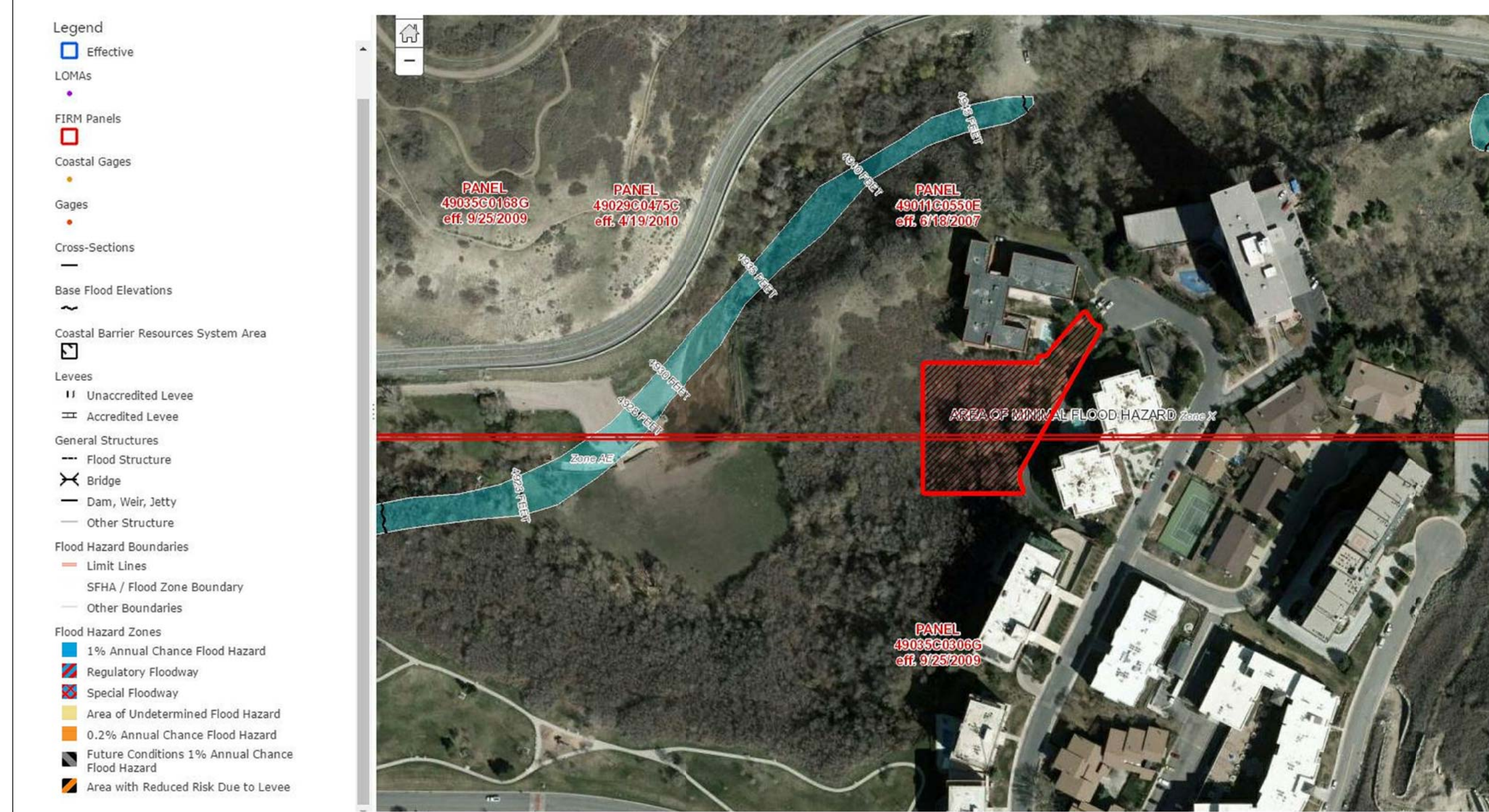
PLAT/VICINITY MAP



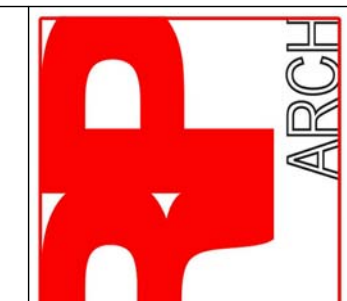
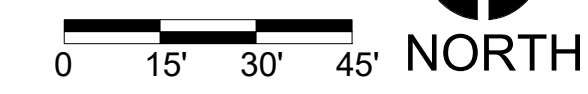
LEGEND

- PROPERTY LINE
- EXISTING FENCE
- BOUNDARY
- ADJOINING PROPERTY
- CENTERLINE OF ROAD
- MONUMENTS LINES
- EXISTING SEWER
- EXISTING STORM
- EXISTING WATER
- EXISTING POWER
- EXISTING GAS
- EXISTING PHONE
- SEWER MANHOLE
- EXISTING BUILDING

FEMA FLOOD MAP



UTILITY PLAN
 scale: 1" = 30'-0"



RPA
 RUSSELL PLATT ARCHITECTURE
 4141 HIGHLAND DRIVE SUITE 111
 HOLLADAY, UTAH 84117
 801-580-0181

EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

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#	REV.	Date

SHEET TITLE
 PRELIM PLAT

SHEET NUMBER

A103

PROJECT INFORMATION

AREA TABULATION

TOTAL SITE AREA	43,715 SF
Building Coverage	17,222 sf (39%)
Parking & Hardscape	6,187 sf (14%)
Landscape	20,306 sf (57%)
Total Building: 39%	
Total Open Space: 61%	

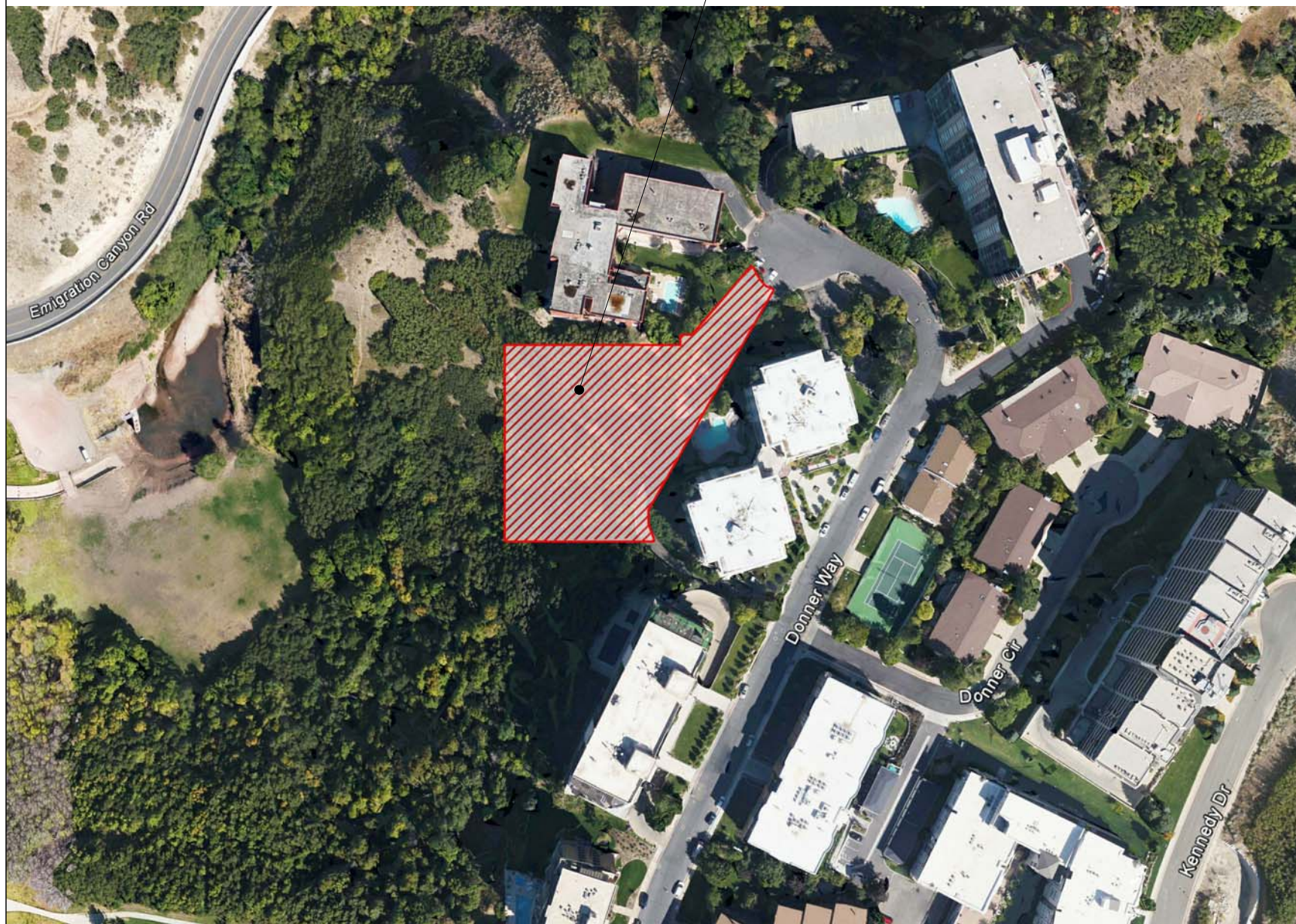
ZONING

PARCEL '01'
Parcel Record: 16112540010000
Address: 874 S DONNER WY
Total Acreage: 1.12
Lot Use: RESIDENTIAL

Legal Description:
 BEG N 0°14'34" E 782.2 FT FR CEN SEC 11, T 1S, R 1E, S.L.M.; N 0°14'34" E 210 FT; E 189.18 FT; N 0°14'34" E 10 FT; E 10 FT; N 40° 42' E 92.76 FT; S'LY ALG CURVE TO L 32.17 FT; S 29°23'59" W 249.88 FT; S'LY ALG CURVE TO L 50.35 FT; W 155.91 FT TO BEG 1.12 AC M OR L 4661-1196, 5310-540 THRU 5455310-0546 9297-3876

VICINITY MAP

PROJECT LOCATION



LEGEND

- LANDSCAPED AREA
- DRIVEWAYS & SIDEWALKS
- ROADWAYS
- LARGE DECIDUOUS TREE
- SMALL DECIDUOUS TREE
- MULCH SHRUB, 3' MATURE HEIGHT, MIN.
- PARKING STALLS



1 LANDSCAPE PLAN
 scale: 1" = 30'-0"



RPA
 RUSSELL PLATT ARCHITECTURE
 4141 HIGHLAND DRIVE SUITE 111
 HOLLADAY, UTAH 84117
 801-580-0181

EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

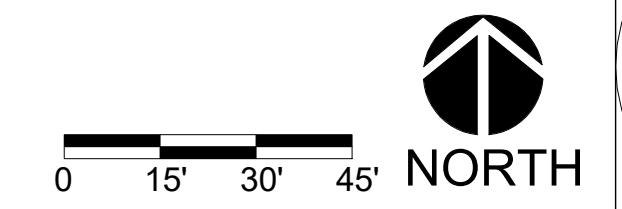
#	REV.	Date

SHEET TITLE

PRELIM LANDSCAPE

SHEET NUMBER

A104



PROJECT INFORMATION

AREA TABULATION

TOTAL SITE AREA 43,715 SF
Building Coverage 17,222 sf (39%)
Parking & Hardscape 6,187 sf (14%)
Landscape 20,306 sf (57%)

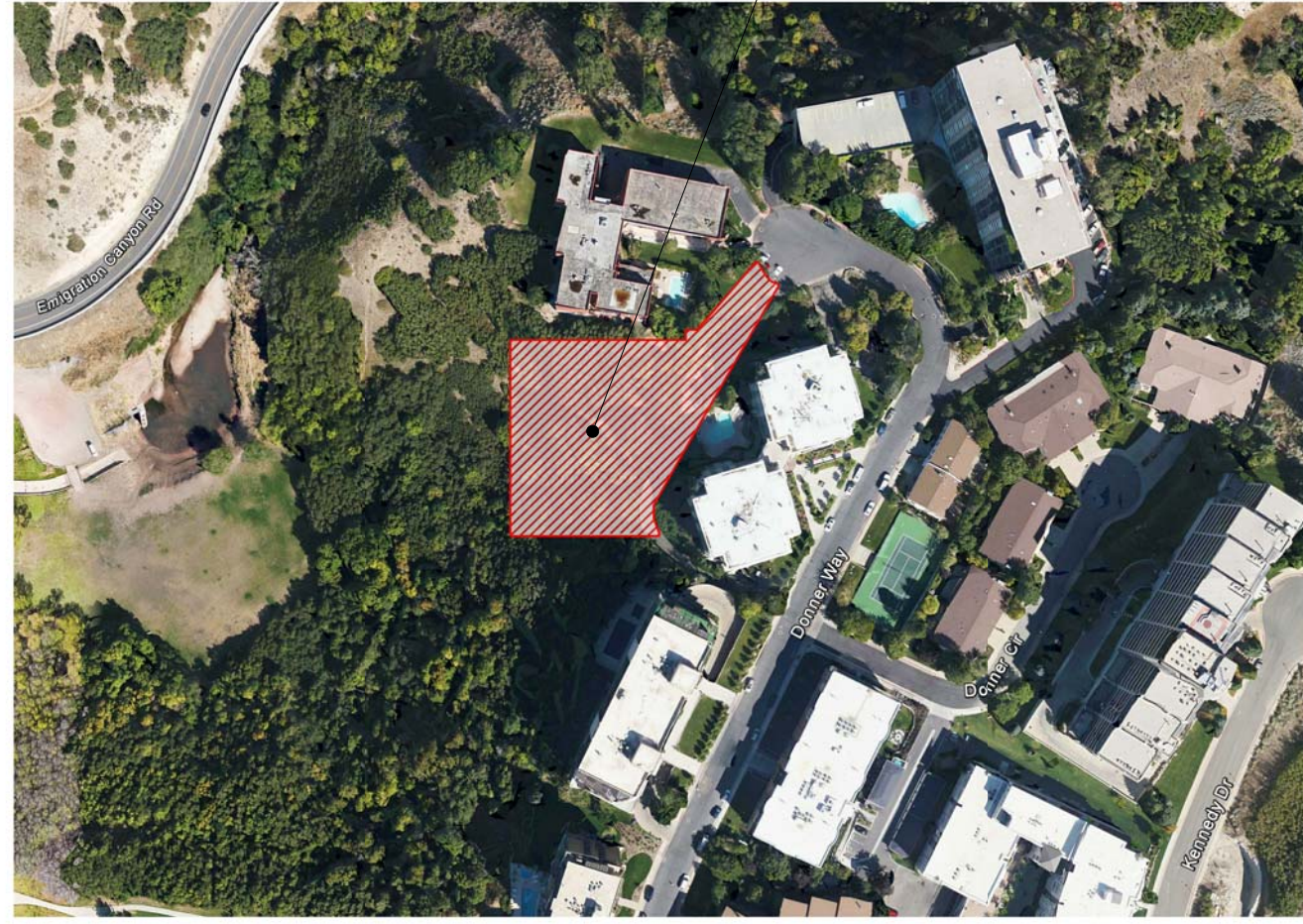
Total Building: 39%
Total Open Space: 61%

ZONING

PARCEL '01'
Parcel Record: 16112540010000
Address: 874 S DONNER WY
Total Acreage: 1.12
Lot Use: RESIDENTIAL

Legal Description:
 BEG N 0°14'34" E 782.2 FT FR CEN SEC 11, T 1S, R 1E, S.L.M.: N 0°14'34" E 210 FT; E 189.18 FT; N 0°14'34" E 10 FT; E 10 FT; N 40° 42' E 92.76 FT; S'LY ALG CURVE TO L 32.17 FT; S 29°23'59" W 249.88 FT; S'LY ALG CURVE TO L 50.35 FT; W 155.91 FT TO BEG 1.12 AC M OR L 4661-1196, 5310-540 THRU 5455310-0546 9297-3876

VICINITY MAP

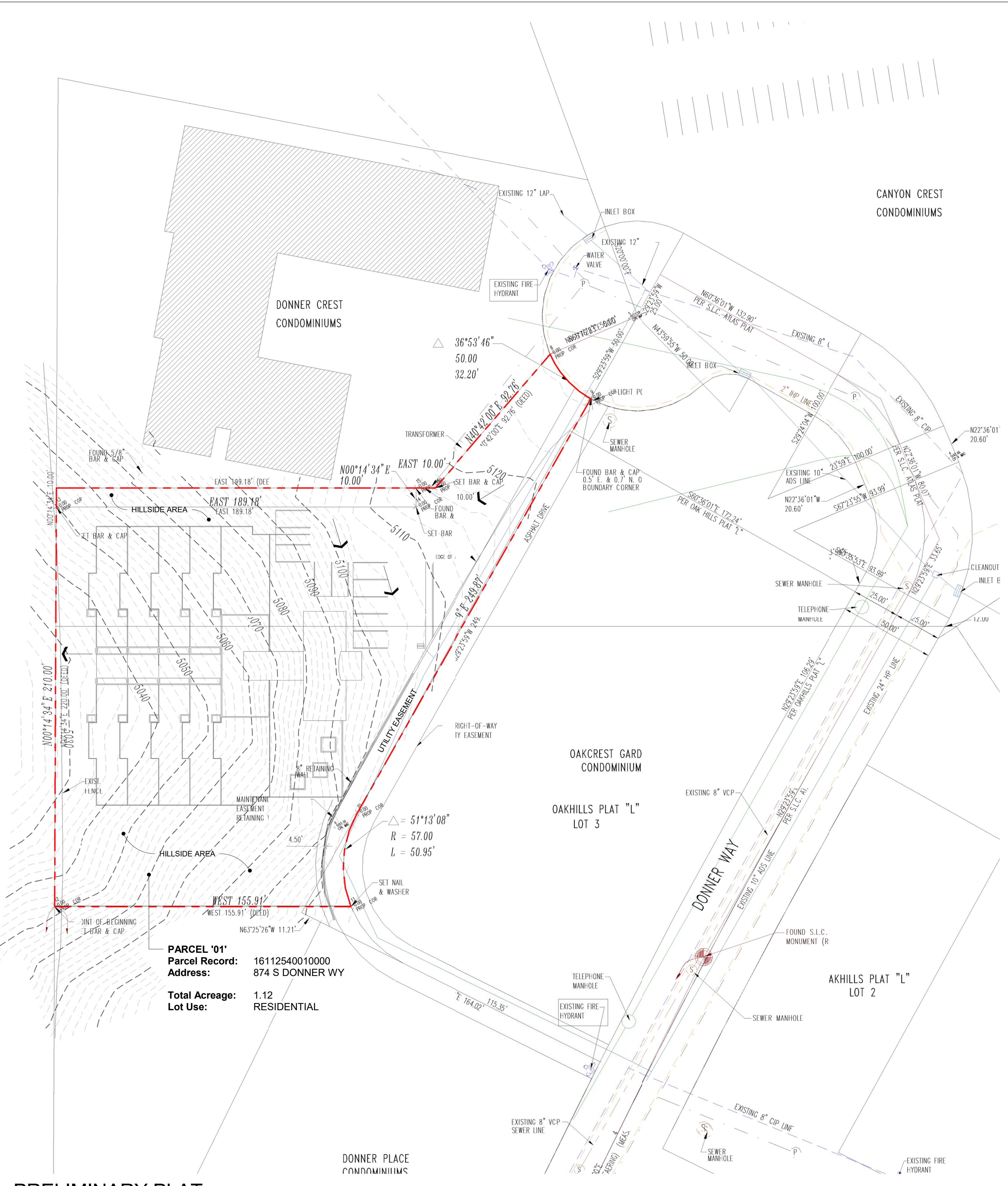
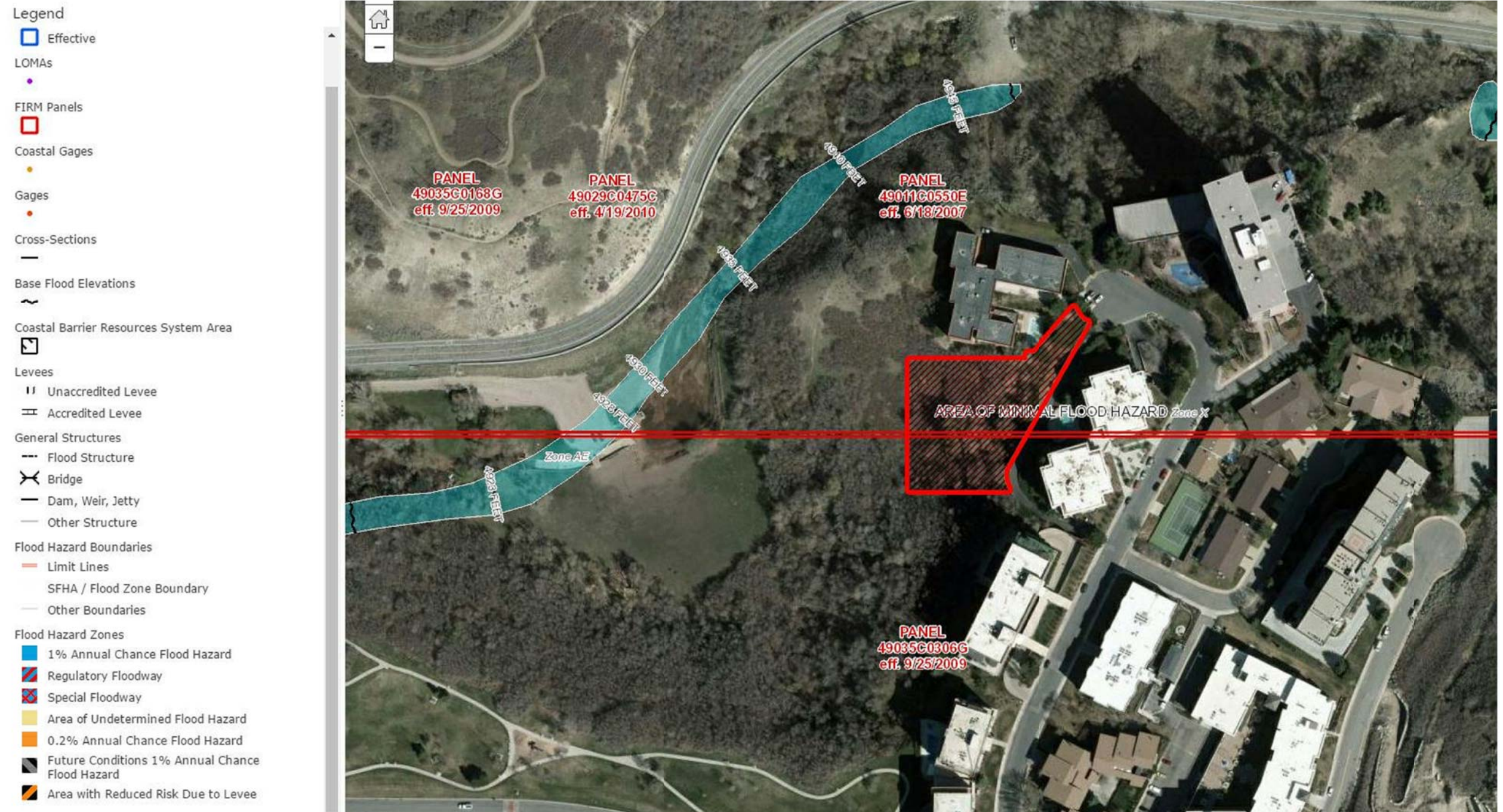


PROJECT LOCATION

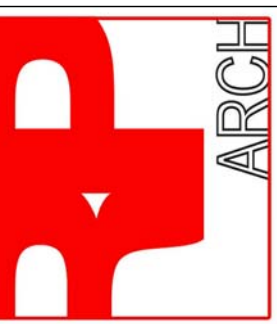
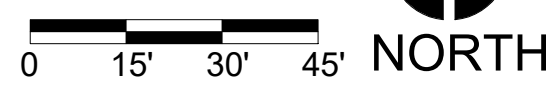
LEGEND

- - PROPERTY LINE
- EXISTING FENCE
- BOUNDARY
- ADJOINING PROPERTY
- CENTERLINE OF ROAD
- MONUMENTS LINES
- EXISTING SEWER
- EXISTING STORM
- EXISTING WATER
- EXISTING POWER
- EXISTING GAS
- EXISTING PHONE
- SEWER MANHOLE
- EXISTING BUILDING

FEMA FLOOD MAP



1 PRELIMINARY PLAT
 scale: 1" = 30'-0"



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EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

#	REV.	Date

SHEET TITLE

PRELIM UTILITY & DRAINAGE

SHEET NUMBER

A105



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EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

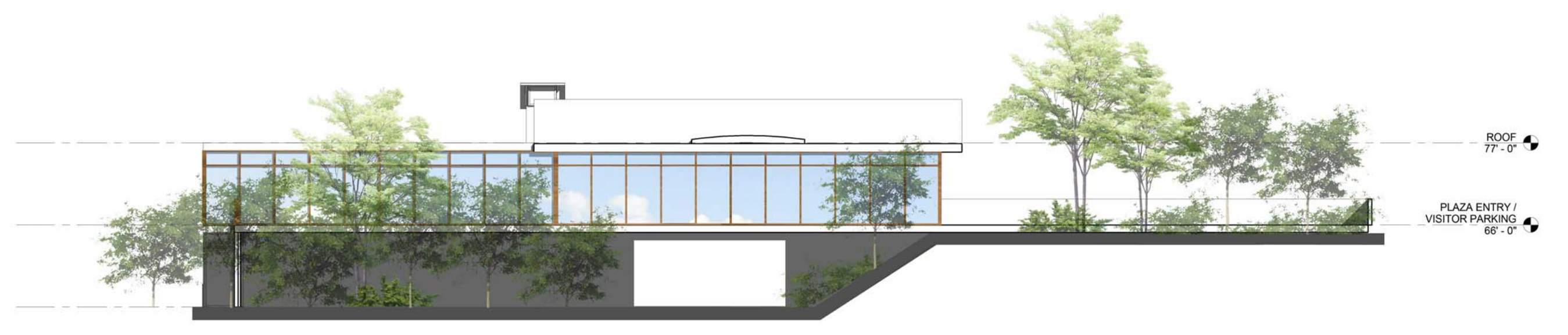
#	REV.	Date

SHEET TITLE

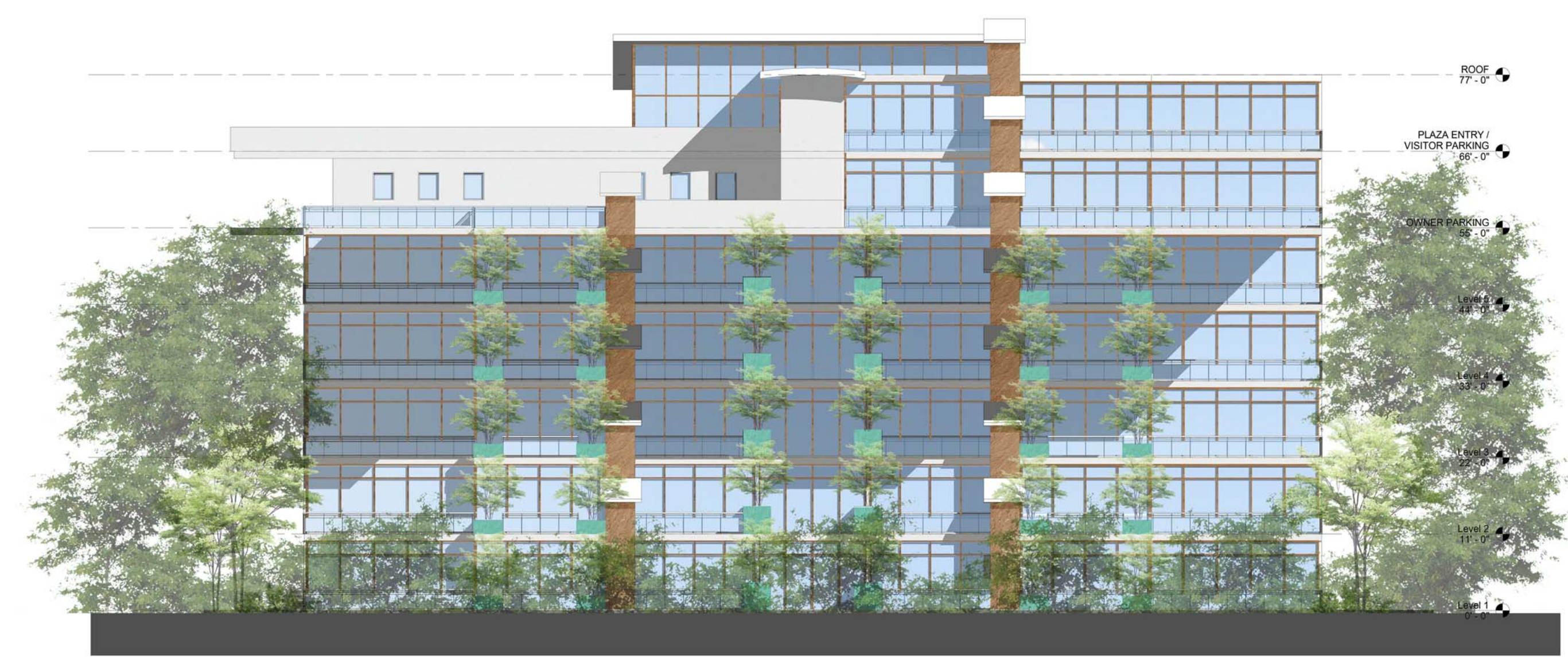
ELEVATIONS

SHEET NUMBER

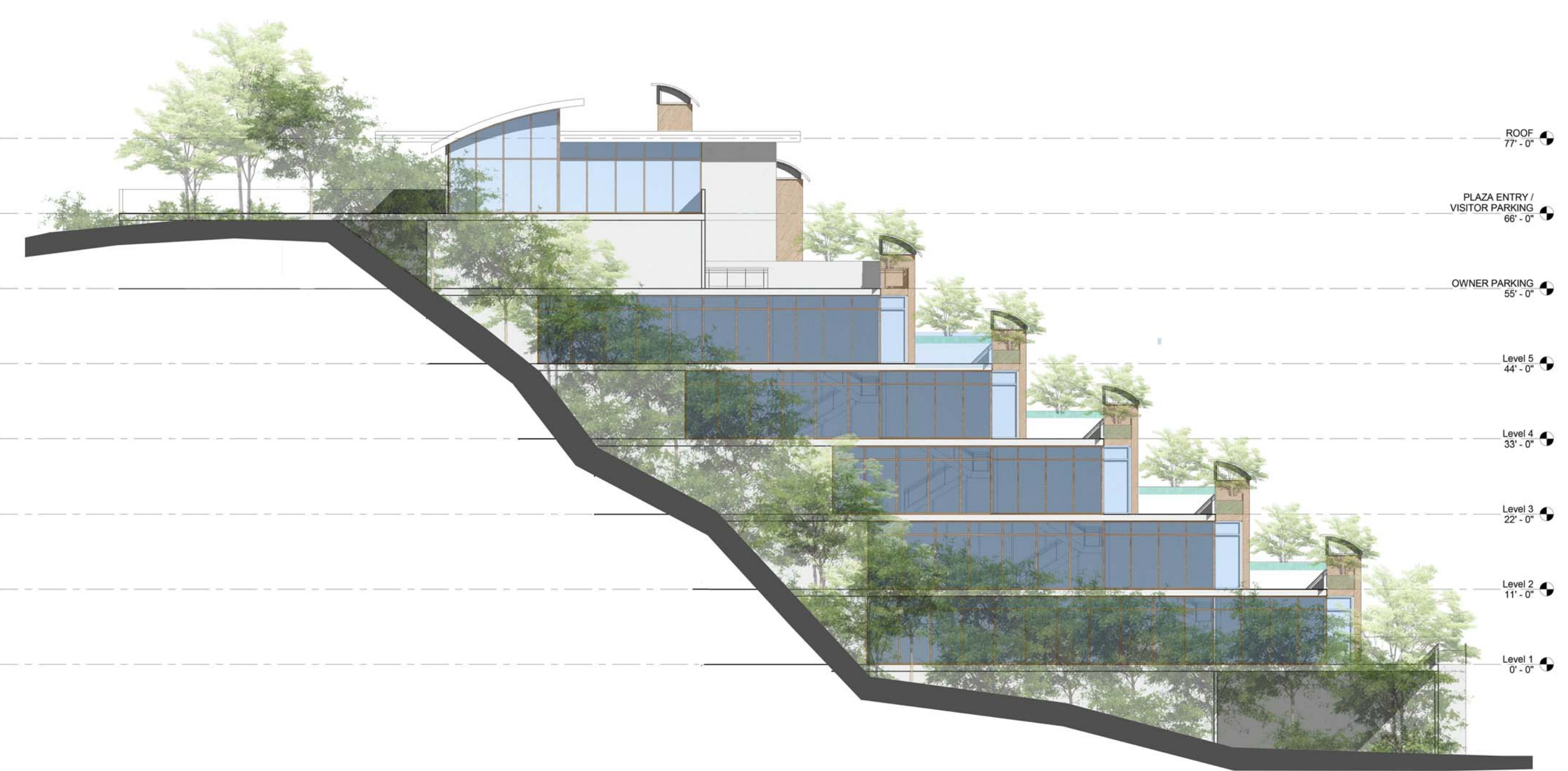
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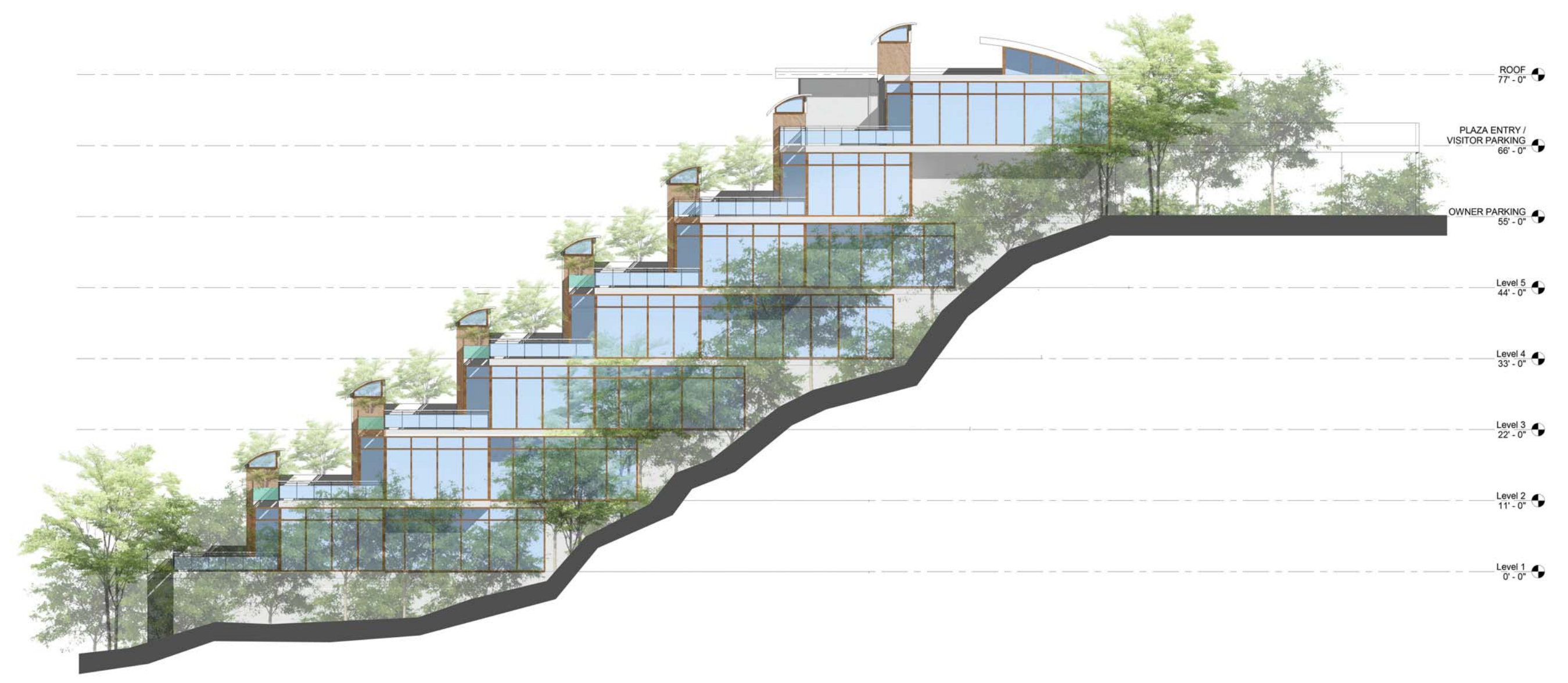
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



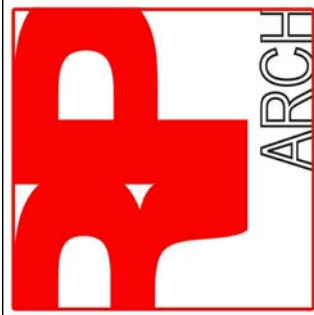
SOUTH ELEVATION

1 ELEVATIONS
 scale: 1/16" = 1'-0"
 0 4' 8' 16' 24'

ATTACHMENT D: DEVELOPMENT RENDERINGS



PERSPECTIVE 01



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EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

#	REV.	Date

SHEET TITLE

ARCH.
 DRAWINGS

SHEET NUMBER

A106



PERSPECTIVE 02



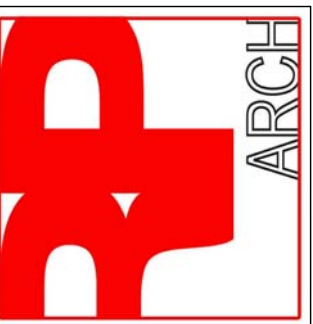
PERSPECTIVE 03



PERSPECTIVE 04



PERSPECTIVE 05



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EMIGRATION OVERLOOK
 874 S DONNER WY
 SALT LAKE CITY, UT 84108

JUNE 2016

#	REV.	Date

SHEET TITLE

ARCH.
 DRAWINGS

SHEET NUMBER

A107



PERSPECTIVE 06



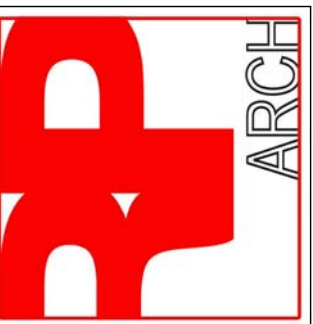
PERSPECTIVE 07



PERSPECTIVE 08



PERSPECTIVE 09



RPA
RUSSELL PLATT ARCHITECTURE
4141 HIGHLAND DRIVE SUITE 111
HOLLADAY, UTAH 84117
801-580-0181

EMIGRATION OVERLOOK
874 S DONNER WY
SALT LAKE CITY, UT 84108

JUNE 2016

#	REV.	Date

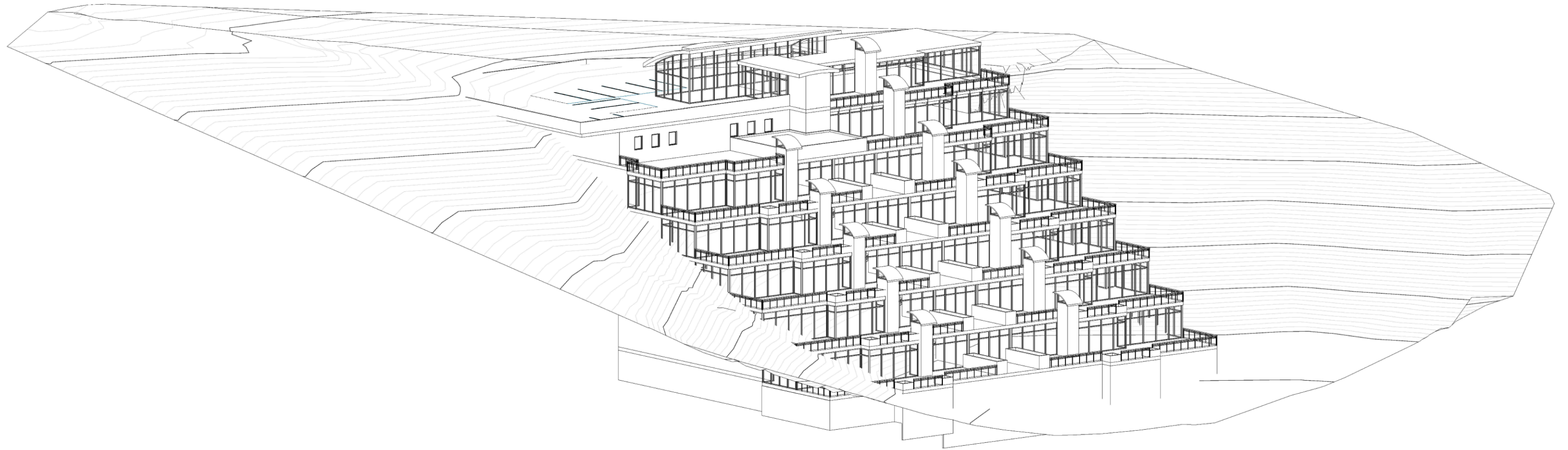
SHEET TITLE

ARCH.
DRAWINGS

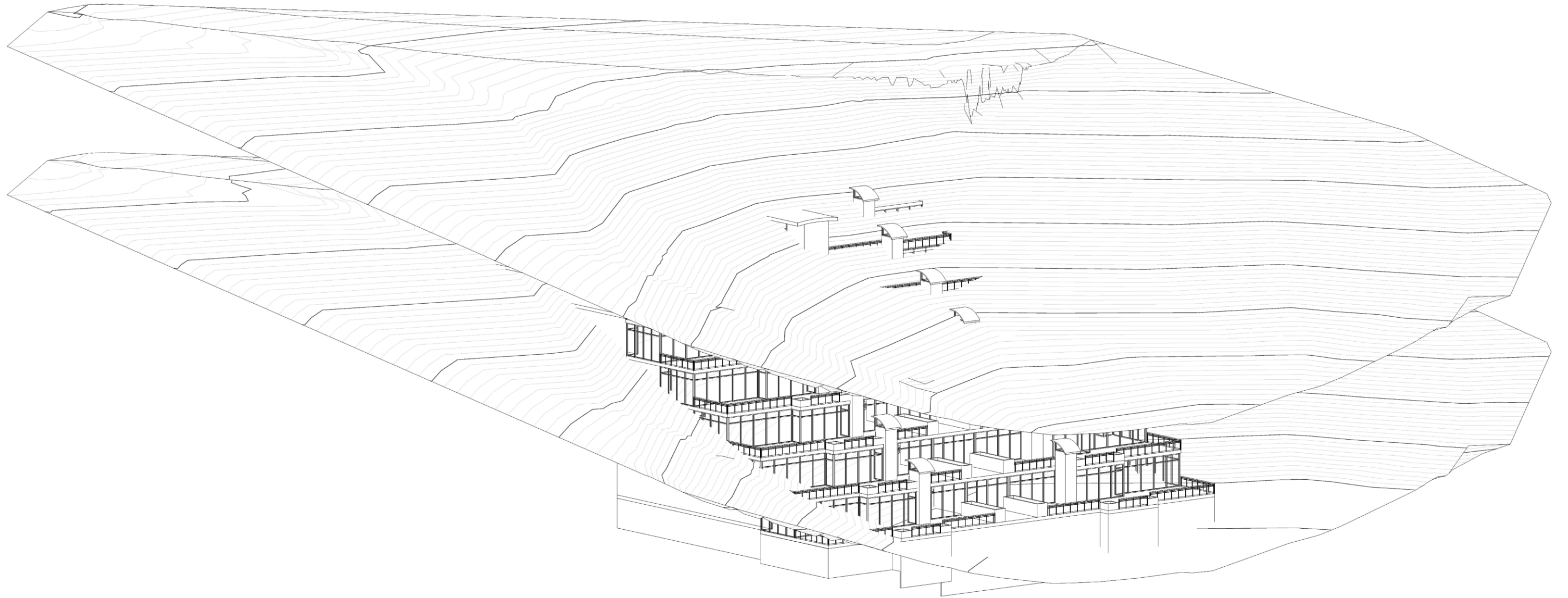
SHEET NUMBER

A108

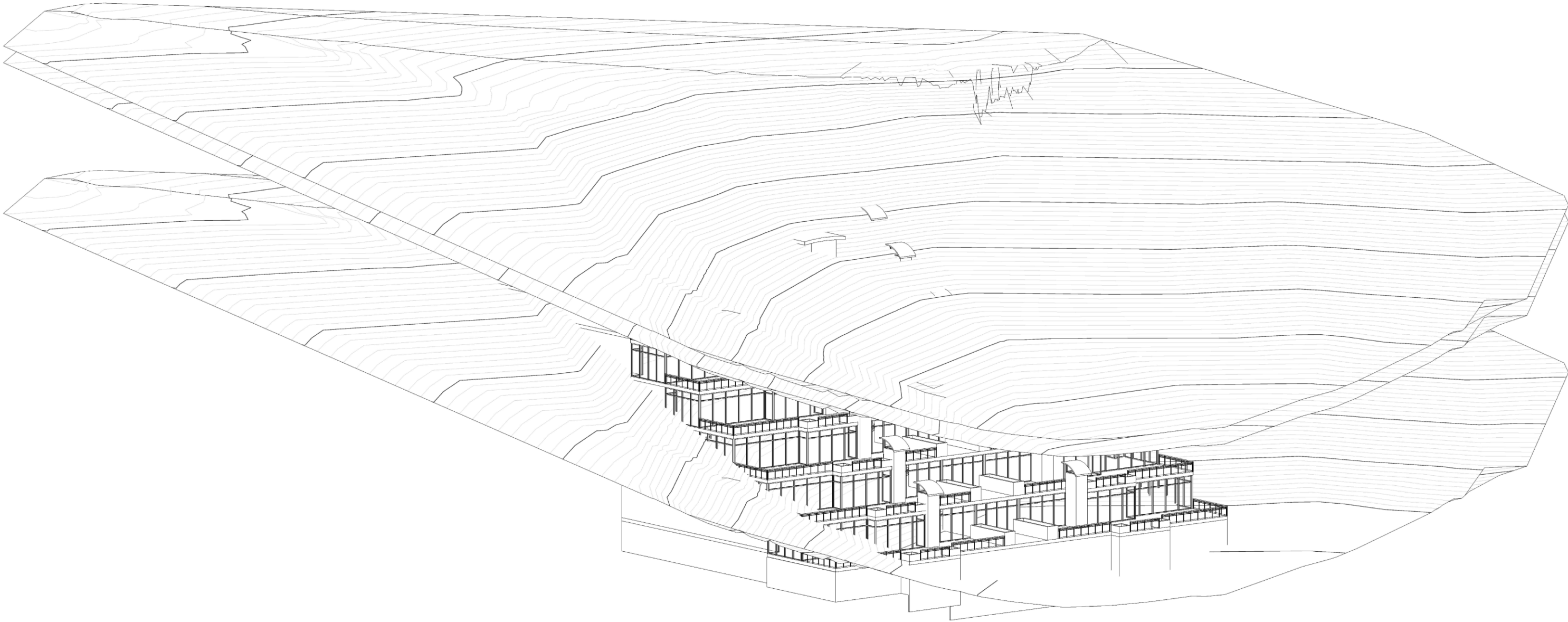
EXISTING



45'-0"



50'-0"



ATTACHMENT E: EXISTING CONDITIONS

Uses in the Immediate Vicinity of the Property

North: Multi-family residential (Donner Crest)

South: Multi-family residential (Donner Place)

East: Multi-family residential (Oakcrest Gardens)

West: Open space owned by Salt Lake City (Rotary Glen Park)

Zoning in the Immediate Vicinity of the Property

North: RMF-45

South: RMF-45

East: RMF-45

West: OS

ATTACHMENT F: RMF-45 ZONE STANDARDS SUMMARY

Building Regulation		Building Form	Proposal	Complies?
		Multi-Family Residential		
Building height and placement:				
Minimum lot Area	9,000 square feet for 3 units, plus 1,000 square feet for each additional dwelling unit up to and including 14 units. Area		43,715 square feet	Yes
Minimum lot width	80 feet		32 feet	No
Maximum Building Height	The maximum building height permitted in this district is forty five feet (45').		Elevator shaft and two chimneys just above 50 feet.	No
Front yard setback	Twenty percent (20%) of lot depth, but need not exceed twenty five feet (25').		25 feet	Yes
Corner side yard setback	20 feet		N/A	N/A
Interior side yard	The minimum yard shall be eight feet (8'); provided, that no principal building is erected within ten feet (10') of a building on an adjacent lot.		10' on the east and 18' on the west.	Yes
Rear yard	The rear yard shall be twenty five percent (25%) of the lot depth, but need not exceed thirty feet (30').		53' 2"	Yes
Required Landscape Yards	The front yard, corner side and, for interior lots, one of the interior side yards shall be maintained as a landscape yard except that single-family attached dwellings, no interior side yard shall be required.		Maintain natural vegetation	Yes
Maximum Building Coverage	The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.		Building coverage will be 39% of the lot.	Yes
Parking:				
Number of Required Spaces	2 parking spaces for each dwelling unit containing 2 or more bedrooms		30 spaces	Yes

ATTACHMENT G: ANALYSIS OF STANDARDS

21a.55.050: Standards for Planned Developments: The planning commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

Standard	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <ul style="list-style-type: none"> A. Combination and coordination of architectural styles, building forms, building materials, and building relationships; B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion; C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city; D. Use of design, landscape, or architectural features to create a pleasing environment; E. Inclusion of special development amenities that are in the interest of the general public; F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation; G. Inclusion of affordable housing with market rate housing; or H. Utilization of "green" building techniques in development. 	<p>Complies</p>	<p>The applicant is generally complying with objectives A, B, D, and H. These are discussed in detail on page 5 of the staff report. The applicant also discusses how they are meeting these objectives in their narrative in Attachment C.</p>

<p>B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:</p> <p>1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and</p> <p>2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.</p>	<p>Complies</p>	<p>1. The site is located in the East Bench Master Plan area. The future land use map specifies that the area is intended for “High-Density Over 20 Units per Gross Acres.” The plan discusses the intent of development of multiple-family dwellings in the area:</p> <p><i>There are few vacant sites zoned to accommodate multiple-family dwellings in the East Bench. Residential “R-5” zoning at the mouth of Emigration Canyon is the only sizable area where there is vacant property with higher density development potential, and steep terrain will prohibit development in much of the undeveloped portions of this area.</i></p> <p>Another section of the East Bench Master Plan states that:</p> <p><i>Slope is one of the most important factors in determining development potential. From a geologic standpoint, 40 percent slope is the maximum that should accommodate development. Although there may be engineering solutions for building on slopes in excess of 40 percent, other factors make construction impractical. Factors such as adapting dwellings to the site, access to parking from the street, grading transition between properties, and providing usable outdoor living space are all difficult on steeper slopes.</i></p> <p>Plan Salt Lake is a city wide plan that addresses a broad range of issues important to the entire city. Chapter 3 focuses on housing and lists several initiatives. Those most pertinent to this project are 3 and 5:</p> <p><i>3. Encourage housing options that accommodate aging in place. 5. Enable moderate density increases within existing neighborhoods where appropriate.</i></p>
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		<p>The proposed use of the land is for a condominium complex of 12 units on just over 1 acre of land, which means that the applicant is proposing to develop well below what is recommended in the master plan to utilize the site with minimal impacts to it and the surrounding neighborhood. The units would encourage aging in place because they are designed on one level and easily accessible from street and parking via elevator. It is also a moderate density increase within an existing neighborhood.</p> <p>This proposed development meets the intent of the East Bench Master Plan in regards to slope development seeing as the majority of the building footprint will be located in the area that is a 40% slope with parts on slopes which are in the mid 40s. Planning staff is of the opinion that such construction is appropriate because of the unique design of the building which is highly adapted to the site, provides parking from the street level, and has outdoor living space in the form of large balconies.</p> <p>2. Multi-family residential uses are allowed in the RMF-45 zone. The Planned Development process allows for modifications to zoning standards. The requested modifications are discussed under the Key Issues section on page 5.</p>
<p>C. Compatibility: The proposed planned development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <p>1. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;</p>	<p>Complies</p>	<p>1. The proposed development will utilize the existing private road for vehicle access to the site. From that road there will be two access points to visitor parking and owner parking. The additional vehicles that will visit the site are not expected to degrade the service level of the adjacent streets. Transportation did not express any concerns regarding potential traffic impacts from the development. The review for fire safety also determined that the private road is sufficient to provide access for large vehicles in case of an emergency.</p> <p>2.a. The ingress/egress of the development will be handled from two access points along the private road. It should not create any unusual traffic patterns to add these 12</p>

<p>2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:</p> <ul style="list-style-type: none"> a. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets; b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property; c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property. <p>3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;</p> <p>4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land</p>	<p>additional units because the road already services the Oakcrest Garden condominiums on the other side of the street. The proposal would not create any unusual traffic patterns or volumes.</p> <p>2b. The proposal will be providing 30 total parking stalls on site in a two level parking structure. These will serve 12 residences. The visitor parking will be on grade and will provide 10 parking stalls while the parking for owners will be directly below it. The two parking areas will be accessed via distinct access points from the private road. This is the maximum amount of parking allowed on the site and should eliminate the need for any parking in other locations that are not on the lot.</p> <p>2c. The only proposed use is residential which creates traffic patterns similar to the multi-family residential uses around it. Traffic would generally be at its peak during commute hours. Given the carrying capacity of the public streets in the area this should not unreasonably impact adjacent properties.</p> <p>3. The issue of internal circulation is minimal due to the proposal including only one building composed of 12 units. Internal circulation would consist of travel on the private road to access the building parking. It will mitigate impacts on adjoining properties by using a road that is already established without any major changes to how it currently functions. The small number of units should not cause much impact to the vehicles using the private road at any one time is not expected to cause any adverse impacts on adjacent properties.</p> <p>4. The development will be required to upgrade utility infrastructure where determined to be necessary by the City Public Utilities Department and other responsible entities in order to adequately provide service. The Public Utilities department has identified some potential utilities that will need to be upgraded to serve the property at normal service levels. No adverse impacts are expected from</p>
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<p>uses, public services, and utility resources;</p> <p>5. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned development; and</p> <p>6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.</p> <p>If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in chapter 21A.59 of this title.</p>		<p>increased utility or public service use from the property.</p> <p>5. The development is located in an area zoned for high density multi-family residential uses. The development is completely residential and this use would not have unusual noise impacts on the adjacent residential properties. The applicant plans to keep the existing vegetation on the site. Consequently, the oak trees will provide a good natural buffer between the development and the condominium complexes abutting the parcel to the north and to the south. The applicant will also be required to provide a site drainage plan, approved by the Public Utilities department, that will serve to mitigate potential water/erosion issues both onsite and for neighboring parcels.</p> <p>The trash/recycling collection area is located within the lower parking structure away from the adjacent condominiums. It will be out of public view and collection will happen with a truck specifically designed for covered parking areas.</p> <p>6. The size, scale, and intensity of the proposal are allowed by the zoning. The development is not requesting any modifications to the base zoning standards that would result in increased size, scale, or intensity. In fact, this building could potentially rise up to 45' near the top of the lot which would cause much greater visual impacts than what is proposed. The lot contains enough square footage to allow a development right of 38 units but the applicant is proposing only 12. Due to the unique design that goes down the hillside instead of up into the air, along with the reduced number of units, the proposed development is very compatible with adjacent properties.</p> <p>The proposal does not involve a conditional use and so does not require a Conditional Building and Site Design Review.</p>
<p>D. Landscaping: Existing mature vegetation on a given parcel for development shall be maintained. Additional or new</p>	<p>Does not fully comply. Existing</p>	<p>There are multiple mature oak trees within the buildable area of the lot. Those where the footprint of the building is located will be removed. However, the development is</p>

<p>landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;</p>	<p>trees will be lost where the building is located, but they are keeping most all trees and environment in a natural state around the building.</p>	<p>dedicated to keeping the natural landscaping as it is with minimal disturbance on the north, south and eastern sides of the building. A condition of approval is recommended to maintain all existing vegetation outside of the building footprint.</p> <p>Any and all landscaping done on the eastern side of the building near the private road will need to comply with the “water wise or low water plants” required by 21A.48.055: “Water Efficient Landscaping” section of the zoning code and so will comply with the landscaping standard regarding drought tolerant species.</p>
<p>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Complies</p>	<p>The development site is currently undeveloped and does not currently possess any significant historical or architectural features. The proposal respects the environmental features on the property by maintaining the slope of the property and preserving the existing vegetation outside of the building footprint.</p>
<p>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Complies</p>	<p>Other than the specific modifications requested by the applicant, the project appears to comply with all other applicable codes. Further compliance will be ensured during review of construction permits.</p>

ATTACHMENT H: PUBLIC PROCESS & COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Notice of Application:

A notice of application was mailed to the East Bench Community Council on 7/7/2016. The Community Council was given 45 days to respond with any concerns and to request that the applicant and or planning staff meet with them.

The applicant met with the East Bench Community Council on 9/21/2016 and presented information about the proposed development. Staff attended the meeting to answer any planning or zoning related questions. An email from the East Bench Community Council Chairperson is included with the other public comments and states his positive recommendation of the project based on the presentation and public discussion at the Community Council meeting.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on October 13, 2016.

Public notice posted on City and State websites and Planning Division listserv on October 13, 2016.

Public Input:

Multiple public comments were received via email and one on paper. They are included below.

August 29, 2016

Christopher Lee
Associate Planner
Salt Lake City, Utah

Dear Mr. Lee,

Thank you for the opportunity to express our concerns regarding the Emigration Overlook Project at 860 S. Donner Way (PLNSUB2016-00488). Several owners at Oak Crest Gardens, 900 Donner Way, have met on two occasions and would like to convey their comments on the proposed project.

- 1) Erosion. Long term residents discussed the possibility of underground streams in the area, the composition of the soil in the proposed area to be developed, from information from a prior Geological survey. A condominium adjacent to the project has had significant and continual structural problems due to erosion. We are therefore concerned that the project may exacerbate this situation or affect other adjoining condominiums.
- 2) Slope. According to Salt Lake City code, "any natural slopes identified on a slope classification map of 30% or greater, shall be designated undevelopable area." It appears that areas of this site may exceed the 30% criteria. As our condominium is adjacent to the project site, we are concerned that slippage on this site could affect the stability of our complex.
- 3) Construction Period. If the project receives approval, we are concerned about the disruption, traffic congestion and the access of neighboring condominiums to their homes. The only access to the proposed site is off of a small circle at the far North end of Donner Way. This circle is also the only access for 3 existing condominiums, which comprise approximately 150 units. We feel that adequate planning needs to be developed before any construction begins, to assure neighbors that they will have continual access for themselves and emergency vehicles to their homes. This plan should also include efforts to ensure safety at all times.

Page 2

4) Natural Habitat. The proposed site borders on Rotary Glen Park and is frequented by wildlife such as Deer, Coyotes, Quail, Raccoons, Owls, Moose, Cougars, and other native species in the area. During Winter, the Deer use the site as a pass-through to Rotary Glen Park from the Mountains above to seek food and water.

5) Neighborhood Ambience. Although the design of the new building is stunning, we wonder if it will be consistent with all the other Condominium buildings on Donner Way and the adjacent areas. There are no street lights on Donner Way. The proposed open guest parking lot will require lighting which will impact the ambience of the neighboring buildings, and in some cases could significantly impact certain owners.

We know that you use a myriad of factors in evaluating proposed projects. We appreciate your help and consideration of our concerns. Thank you for your time.

Some Interested and Concerned Owners,
Oakcrest Gardens
900 Donner Way

Please see attached signatures

*If you have any questions regarding these concerns, please contact Rebecca Robbins
rebeccarobbins@comcast.net*




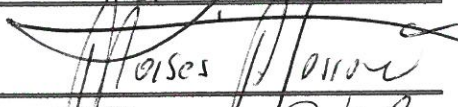
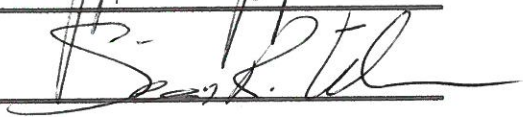
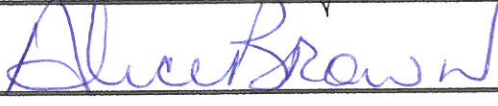

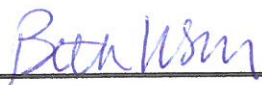

Emigration Overlook Project

Oakcrest Gardens Owners

<u>Unit #</u>	<u>Name</u>	<u>Signature</u>
#504	EARL HARMER	Earl Harmer
#504	ARLENE HARMER	Arlene Harmer
#303	PEGGY HOWELL	Peggy Howell
#501	Cynthia Snow	Cynthia Snow
#402	THOM GROW	Thom Grow
#402	GAIL GROW	Gail Grow
#305	Rebecca Robbins	Rebecca Robbins
#601	Patricia Jackman	PATRICIA JACKMAN
601	GERALD JACKMAN	Gerald C. Jackman
603	Stephen Love	Stephen Love
603	Ann T. Love	Ann T. Love
301	TOM MAN	Tom Man
301	JOYCE MAN	Joyce Man
704	MARY LOUBENTLEY	Mary Lou Bentley

Emigration Overlook Project

Oakcrest Gardens Owners

<u>Unit #</u>	<u>Name</u>	<u>Signature</u>
206	Rimma Shiptsava	
205	Richard E. Gallagher	
502	Shirlene Duncan	Shirlene Duncan ga via phone
707	Eric Ryberg Cannon	
202	Moises A. Serrano	
204	Sean R. Ulan	
304	PAULINE W. JOHNSON	Pauline W. Johnson
104	Alice Brown	
602	PAUL STANTON	Paul Stanton ga phone
102	Jessica Hutto-Schultz	
102	AKA Ashley	Ashley Hutto-Schultz
605	Beth Usui	
401	PAT VITALI via phone	PH
508	HEIDI GARDNER via phone	PH
503	HARRY DUBOIS	

Comments Received via Email

From: Thomas Jensen [REDACTED]
Sent: Monday, August 15, 2016 9:07 AM
To: Zoning <Zoning@slcgov.com>
Subject: FW: Planned Development Application at 860 S Donner (PLNSUB2016-00488)

Hello,

I represent the Bench Tower Homeowner's Association (3125 Kennedy Dr., Salt Lake City). Could you let me know the current status of the enclosed plan. Thanks for your time and help.

Regards,

Dr. Thomas Jensen
(Treasurer, Bench Tower HOA)

From: Kim Peterson <ebcc.chair@gmail.com>
Subject: **Planned Development Application at 860 S Donner (PLNSUB2016-00488)**
Date: July 31, 2016 at 5:48:20 PM MDT
To: Kim Peterson <ebcc.chair@gmail.com>

FYI...

Please see the attached documents in regards to a Planned Development application for a condominium development at 860 S. Donner Way. This is a new application and will eventually go before the Planning Commission for a public hearing and decision.

This is all the information we have so far.

Kim Peterson
Chairman - East Bench Community Council

From: Thomas Jensen [REDACTED]
Sent: Tuesday, August 16, 2016 11:16 AM
To: Lee, Christopher <Christopher.Lee@slcgov.com>
Subject: RE: Planned Development Application at 860 S Donner (PLNSUB2016-00488)

Dear Mr. Lee:

Thank you so much for the information you sent. I have a couple of follow-up questions:

1. As you point out, 45 days are provided for feedback from the community. When does that period complete? If I count from the date of submission and add the 7 days allocated for planner assignment etc., that takes me to August 20. Is that correct?

2. Has a traffic impact analysis been conducted? If so, what were the results?
3. How is environmental impact for the project evaluated?

I appreciate the diligence and dedication required for projects such as this one which have complex interactions with and consequences for neighborhoods and the environment. Again, thanks.

Regards,

-Thomas Jensen
(Treasurer, Bench Tower HOA)

Good afternoon Mr. Lee.

I am writing as the president of the Oakcrest Gardens HOA, regarding the above project, currently under review by the Planning Commission.

While the East Bench Community Council has apparently been appraised of the developments on this property, by your department I, unfortunately, have not been included by them in the communication thread. So, I am respectfully requesting to be added to distribution list for any future developments. The developer did make an initial presentation to the Homeowners some weeks earlier and were able to clarify and allay many of the HOA and owners' questions concerns but, it will helpful to be updated on where this project is in the review process.

Thank you for your consideration.

Johann Jacobs
President, Oakcrest HOA



Dear Mr Lee

jamesviney [REDACTED]
8/23/2016
Planned Development at 860 S Donner Way SLC

I live at 900 Donner Way , immediately adjacent to the proposed development at 860 Donner Way. I am writing to you with a few concerns about the development at 860 Donner way. My main concern is that slope on the proposed site appears to be quite steep. We have had numerous examples of slides on steep development sites in Northern Utah, I am concerned that any slippage on the proposed site would seriously effect our condominiums integrity.. I am also concerned that the construction process will damage the slope area and the Dog park at the bottom of the hill. Is there adequate access for Fire Department personnel and Equipment to the proposed building? Finally , their proposed top level

parking will require lighting, is there a way to aim the lighting at the parking level surface so as to minimize the shining into the surrounding buildings?

Thanks you for your consideration in this matter.

James Viney



SLC Utah

Tom Man



8/31/2016

Planned Development Application at 860 S. Donner Way

Mr. Lee:

We have been discussing the above project with our neighbors at Oak Crest Gardens. Rebecca Robbins has shared the information that you have provided, and we have some additional concerns regarding the property. Would you be able to tell us when the slope classification map will be available for us to review?

Thank you for your assistance in this matter.

Tom and Joyce Man

900 So. Donner Way, #301

(801)583-8636

From: "jsmarlowe" 

To: "chris lee" <chris.lee@slcgov.com>, "slcmayor.com" <patrick.leary@slc.com>, "david litvack" <david.litvack@slcgov.com>, "patrick leary" <patrick.leary@slcgov.com>

Sent: Friday, September 2, 2016 10:25:27 AM

Subject: proposed Condo project at 860 Donner Way

Mr. Lee,

My name is Jeannine Marlowe. I am the President of Emigration Oaks Condominiums, a small but perfect, eight unit complex in the Donner Way area. As you know, this area consists of 11 condo with an estimated 475 units and possibly 1000 residents, not including the condo on the south side of Donner Way and Kennedy Drive. All but three of the condos (1/3 of the total units) use Donner Way as their only access to Kennedy Drive. I arrived at these estimates by contacting all condos myself.

I am requesting information regarding the proposed new condo project at 860 Donner Way. I was unaware of this proposed project until July 8th, when I received an email from my Community Council stating that this was 'a new proposal' and that all processes, procedures would follow. I have reviewed that email several times and cannot find anywhere, the call for

the 45 day public comment period. I have since learned that public feedback ended as of August 21st. Very few people in this area are aware of this proposed project and no one I know, including myself, was aware of the ability to make public comment, or other public involvement. I learned of the 45 day period only yesterday. I am confused and concerned about the lack of communication and transparency to this point. I have always assumed that was the City's responsibility to inform the public of incurring situations. Am I wrong?

My understanding was, that under our new City Administration, communications, transparency and public involvement was to greatly improve within the various departments and boards and the community. I am hopeful that it is not too late to see that happen in this situation. I am strongly encouraging you and your department to reopen the 45 day public comment period and allow new public comment and involvement. It behooves everyone, Donner Circle community, the City and departments, to see this happen.

At this point I would like to express my concerns. Donner Way is a small, and at times, one lane access to all but three condos. While I am equally concerned about the environmental and wildlife consequences of this project, my most adamant concern is the safety and welfare of the residents who need Donner Way as the only access in time of emergency. In the winter with the snow removal, it can become barely a one lane street. To increase the amount of residents, traffic and public automobiles and parking on this street could be disastrous. I have witnessed from my back window, that while ambulances and police can get down into the proposed area, fire engines cannot. This puts the entire area in jeopardy.

I will await your response and additional information. I do appreciate your position and am hopeful that we can see this proposal be an example of community involvement and promise of new public engagement.

Respectfully,

Jeannine Marlowe
jsmarlowe@comcast.net
801-366-9150

From: [REDACTED]
Sent: Sunday, September 04, 2016 9:38 AM
To: Lee, Christopher <Christopher.Lee@slcgov.com>
Cc: Leary, Patrick <Patrick.Leary@slcgov.com>; davidlitvack@slcgov.com; Leary, Patrick <Patrick.Leary@slcgov.com>
Subject: Re: proposed Condo project at 860 Donner Way

Mr. Lee, thank you for your immediate response. This is very encouraging. I agree that this is a situation of miscommunication and can be corrected. It speaks to the fact that there is a need for timely, clear, concise and inclusive information with continuing follow-up. Otherwise, exaggerations expand, suspicions arise, rumors abound and misconceptions multiply. I hope that this meeting can restart the process of public involvement and community engagement as required in the goals of your department: seek numerous methods to involve stakeholders in the planning process; provide accurate and assessable information, and provide educational opportunities for all of the involved in the planning process.

I look forward to the September meeting and appreciate your time and effort along with the East Bench Community Council members.

Respectfully,
Jeannine Marlowe

[REDACTED]
9/30/2016

Re: Emigration Overlook Follow-Up

Mr. Lee, thank you for your follow-up email concerning the proposed condo project on Donner Way. I, along with many many others, am pleased that you are taking the extra time and energy in this situation.

I would like to add a few comments to my previous concerns. Today, I was reminded that each Condo Association has their own separate garbage pick up and many have their own street cleaning, adding additional large, noisy trucks on Donner Circle on a daily basis. This added to the multiple trucks and vans that service the area for various reasons add additional traffic to this tiny street. There is no speed regulation on Donner Way and people can speed along there easily And they do !!!!! The small parking circle that will be used as the cut-off road (as I see the plans) already has six (6) enter and exit roads in addition to guest parking. It is a fairly steep incline and in the winter cars often gun their engines to get up the hill. It is very dangerous and to add additional trucks, construction vehicles, garbage trucks is, in my worry, accidents waiting to happen.

Where, exactly, does the 300 feet begin and what condos will this include? Our property line hits Donner Way just above the turn into this circle.

And, yesterday as I was leaving our circle I noticed a gentleman surveying the property at approximately 881 Donner Way--an old tennis court that has been vacant for year. This tiny property is literally within a few feet of the back line of the Emigration Oaks Property. Do you know anything about that?

Thank you for your help and consideration
Jeannine Marlowe

[REDACTED]
9/30/2016

Re: Emigration Overlook Follow-Up

p.s. I am sure that you have already looked at this proposed site in person. If by chance not, I highly encourage you and other City Staff to see, in person, what this hillside and environs look like. thank you again

Peggy Howell [REDACTED]

9/9/2016

Emigration Overlook PLNSUB2016-00488

Dear Mr. Lee

Thank you so much for meeting with us on Tues. August 30th when we dropped off our concerns regarding this project. We were just wondering where you were in the process. Have you received the slope map to complete your report? Will the report be made public when it is completed? Thanks so much for your time. We appreciate any information you can share with us.

Peggy Howell

Peggy Howell [REDACTED]
9/16/2016
Emigration Overlook PLNSUB2016-00488

Dear Mr Lee,

Thanks for the information about the meeting of the East Bench Community Council on September 21st concerning the Emigration Overlook construction. I have been unable to find out the location and time of the meeting. There are several of us interested homeowners who would like to attend. Usually the East Bench Community erects a sign on Kennedy with his information but so far nothing has been posted. If you have the time and place of this meeting I would appreciate if you would send this information to me.

Thanks so much,

Peggy Howell

Peggy Howell [REDACTED]
10/6/2016
Emigration Overlook PLNSUB2016-00488

Dear Mr. Lee

We checked the planning commission website today. We are confused. According to the slope classification map submitted by the developer, much of the proposed building is situated on a slope that exceeds 30%. Section (18.28.040F3) states that any natural slopes identified on a slope classification map of (30%) or greater shall be designated undevelopable area. We understand that the plot in question may have been zoned prior to the establishment of section 18.28.040F3. How would that prior zoning decision be affected by the current slope classification requirements? One would assume the slope classification requirements were put in place to insure the safety of future developments, their impact on existing developments, and city residents. (Flashback----Bountiful Slide) Why wouldn't this plot have to be reviewed in compliance with section 18.28.040F3? What responsibility does the city bear if the proposed development causes damage to adjoining condominiums during or after construction due to the steepness of the slope (greater than 30%) of the proposed development?

Do you have any update or new information regarding the time line for completion of all necessary reports and possible scheduling of the planning commission hearing? The website lists that various

departments have reviewed the plans but there is no information given on what they found in their review. Is this information made public at some point in the process?

Hope you can help us with our questions. We appreciate your time and effort in communicating with interested residents. Thanks again!

Peggy Howell
Rebecca Robbins

Peggy Howell [REDACTED]
10/7/2016
Emigration Overlook PLNSUB2016-00488

Dear Mr Lee,

Thanks for your reply to our questions concerning the Overlook Project. Interested wners will be waiting for the next information from your office.

Sincerely,
Peggy Howell

From: Kim Peterson [<mailto:ebcc.chair@gmail.com>]
Sent: Friday, September 02, 2016 10:49 AM
To: Lee, Christopher <Christopher.Lee@slcgov.com>
Subject: RE: Planned Development Application at 860 S Donner (PLNSUB2016-00488)

Christopher:

There is growing concern in our area, in particular with the residents who live on and around Donner Way, with just what is planned for 860 S. Donner Way. And most of what I'm hearing is that residents are concerned that this is being fast-tracked to try to get approval while under the radar.

Is there a chance you could come explain to residents at our Sept. 21st meeting the details of the project and hear their concerns? (Anderson-Foothill Library – 7PM)

Please let me know as soon as possible.

Thanks,
Kim Peterson
Chairman – East Bench Community Council

From: Kim Peterson [<mailto:ebcc.chair@gmail.com>]
Sent: Friday, September 02, 2016 4:08 PM

To: Lee, Christopher <Christopher.Lee@slcgov.com>

Subject: RE: Planned Development Application at 860 S Donner (PLNSUB2016-00488)

I apologize for our lack of organization...

I had intended to inform residents thru our email list as well as thru NextDoor.com, but due to a situation with our new secretary, our wires got crossed and the notice never went out.

We really appreciate your willingness to accommodate our request. I'm pretty sure we'll attract a sizable crowd to the meeting.

The library has a projector and screen. You can bring your laptop or we can use mine – Let me know.

Again, thank you so much for helping us with this!

Kim

Kim Peterson ebcc.chair@gmail.com

9/6/2016

RE: Planned Development Application at 860 S Donner (PLNSUB2016-00488)

That's PERFECT!!

I'd been asked if the Developer could also be there to hear the concerns of the neighbors.

Thanks again!

See you on the 21st.

Thanks,

Kim

Kim Peterson ebcc.chair@gmail.com

Tue 10/11

RE: Planned Development Application at 860 S Donner (PLNSUB2016-00488)

Christopher:

Upon reviewing the minutes from the meeting, it seems to me that a small, 12 unit condo will have a relatively small impact on that area, especially considering the current density. So assuming all the geological and seismic testing comes back with no problems, I don't see any reason for the developer to not be allowed to build the planned structure.

But please, let me know about any public hearings or meetings associated with this project so I can inform those who are interested.

Thanks so much!

Kim Peterson

Chairman - EBCC

Alan Smith [REDACTED]

9/7/2016

New Condo

I am writing, as President of The Donner Crest HOA, to obtain information concerning plans for a new condo coming to our Donner Crest neighborhood. We are at 850 Donner Way. We have hired a structural engineer to inspect our building before construction begins and he will need a Geological Survey map of the site and engineering plans for the planned new condo. Can you let me know how we can obtain this information. So far the developer has not given anything since the giving us a rough sketch back in June of his plans. When we asked for more recent info all we receive are the old plans.

Thank you in advance for any help or reference you can give us.

Sincerely, Alan M Smith

Alan Smith [REDACTED]

9/11/2016

New Condo

Dear Mr. Lee,

I have tried to find the Geological Survey map for our area of concern and so far have failed.

If you can't suggest where to find it, perhaps you can suggest someone who might know where to go for it.

Our structural engineer needs this info to evaluate what exposure is to the adjacent building.

The maps I found for Utah Geological maps suggest that the area of concern is not appropriate for building. It seems to be similar to area above Bench Tower condo which was abandoned when building started sliding down the hill.

Alan Smith

From: [REDACTED]

Date: September 14, 2016 at 11:30:18 AM MDT

To: [REDACTED]

Subject: I am a resident of Donner Crest Condominums and would like some information

I understand you are the current contact for cities review of this Emigration Overlook project. I would like to know when I can have access to planning and construction documentation for a this project. My current interest is in the geological survey's for this site and construction plans including elevation and foundation desing.

I could use the plan schedule and know who besides your self will have engineering oversight.

Please let me know when I can have access to this information.

Thanks for you help

Ron McKee
[REDACTED]

[REDACTED]
Sun 2:33 PM
Case Number PLNSUB2016-00488

There are a lot of serious reasons and problems, NOT TO ALLOW EMIGRATION OVERLOOK TO DEVELOP,!!!

Problems with increased traffic on already too much traffic on Donner Way and Kennedy Drive. It is already a safety problem for ambulance and fire vehicles to maneuver the narrow streets, especially if cars are parked on those streets.

Safety is a very big concern in emergency issues as well as every day traffic problems with additional garbage collections and deliveries with large trucks.

We are opposed to this development.

Fitzpatrick, W. Knox Jr. & Barbara
[REDACTED]

Sent from my iPad

From: Gail Grow [REDACTED]
Sent: Sunday, October 16, 2016 5:15 PM
To: Mayor <Mayor@slcgov.com>
Subject: Emigration Overlook Development

Dear Mayor Biskupski,

We are owner/residents of Oak Crest Gardens Condominiums, 900 Donner Way, which adjoins the proposed Emigration Overlook Development. We want to share some of our concerns with you. We have been to a presentation by the Developer and the Architect and have been in communication with Christopher Lee, the City Planner. Section (18.28.040F3) states that any natural slopes identified on a slope classification map of 30% or greater is not developable. The slope classification map for this land to be developed indicates that most of the lot is over 30% and in fact, a large portion of this lot is 40%. Mr. Lee has communicated to us that the plot in question is not covered under this section (18.28.040F3). The section only applies to certain areas in the city. We are assuming that this section was included in the city code to ensure the protection and safety of developments and nearby residents. Our question is why only some areas and residents of the city receive this protection and yet not all residents, such as in this case. We have tried to contact the zoning department for more information, but were not successful. Could you direct us to the appropriate individuals for an explanation of the reasons why this important section is not applicable to all areas of Salt Lake City.

The planning commission has set a public hearing for this development on October 26, 2016. The Developer has requested a modification of zoning standards related to lot frontage, front yard set back and front yard parkings. As proposed, the front yard parking will include an open

air parking lot, directly adjacent to two other condominium properties. This will severely impact the quality of life, particularly at night, for neighboring condominiums.

In the planning commission notice it is stated that the structure will follow the downward slope of the hillside. Since the slope classification map indicates that most of the property is between 30-40% slope, extensive terracing and earth movement will be needed to construct the project. As nearby residents we are concerned that appropriate standards will be followed in the design and the building of the development to prevent land movement on the adjoining properties. The new development is only a few feet away from existing buildings and residents are concerned about slippage during and after construction.

We appreciate your time and consideration.

Sincerely,
Gail Grow
Rebecca Robbins
Peggy Howell
Tom and Joyce Man

Scott Rissman [REDACTED]
Wed 10/19/2016 11:15 AM
PLNSUB2016-00488
Good Morning,

My name is Scott Rissman. I am the Property Manager for Canyon Crest Condominiums at 875 S Donner Way, SLC 84108. I am very concerned with the proposed development at 860 S Donner Way. At present, we struggle with access and egress of trash services, emergency/fire vehicles and delivery/moving vehicles. The situation is further complicated by winters snow. There is not room for pushed snow to be stored. The proposed density increase would be irresponsible and place undo burden upon residents and services to this area. I have over 25 years of experience as a Superintendent working with Developers and builders on projects in Southern California. I can assure you that beyond sale they are not concerned with the problems left behind.

Sincerely,
Scott Rissman

Sent from my iPhone

ATTACHMENT I: DEPARTMENT REVIEW COMMENTS

Department Review Comments

Engineering – Scott Weiler (scott.weiler@slcgov.com or 801-535-6159)

No objection to the proposed planned development. If utility connections, or other work, are needed in the public way, a Permit to Work in the Public Way must be obtained from SLC Engineering, prior to performing the work.

Zoning – Greg Mikolash (greg.mikolash@slcgov.com or 801-535-6181)

Confirmed previously to be a legal parcel. Many of the comments and requirements from the previous proposal may still apply. Concern about how waste management/recycling/dumpster? Will be addressed in the plan. DRT notes still apply.

Transportation – Michael Barry (Michael.barry@slcgov.com or 801-535-7147)

I conferred with Kevin Young and Scott Vaterlaus on this project and there does not appear to be any significant traffic impact related to this development. Kevin related to me that about a decade ago there was a 6 unit project in this area that received a large amount of pushback from the community including issues related to traffic impacts, which appeared to be unwarranted considering the number of moderate/high density properties surrounding the project (see attached street view of Donner Way). The number of trips generated by the addition of 12 single family dwellings would represent a very small fraction of the total number of trips generated on the existing roadways by surrounding properties including many high density buildings. Based on the number of trips generated, the existing roadway network would not be significantly impacted by this 12 unit development.

Public Utilities – Jason Draper (jason.draper@slcgov.com or 801-483-6751)

Utility connections will need to be made in Donner Way. Fire and culinary water demands need to be provided to make sure the system can provide adequate flow and pressure. Sewer demands and discharge plan will need to be provided. It appears pumping of sewer waste discharge will be necessary. Site drainage plan will be required. Drainage cannot enter neighboring properties without easement and authorization to do so.

Fire – Ted Itchon (ted.itchon@slcgov.com or 801-535-6636)

It appears from the information I reviewed the structure height at the fire department access point is under 30 ft. tall. This means that the fire department access road only needs to be 20 ft. in clear width. If the building was 30 ft. or greater, the fire department access road would need to be 26 ft. clear width. The fire flow requirements are based on the sq. ft. area, building construction type, standpipes and if the building is provided with automatic fire sprinkler system. This information will need to be formulated so we can give you the required fire flow. The wild land interface would require additional information as to the ground cover, trees underbrush that is within close proximity to the structure and the exterior building products.

Planning Staff note: Proposal will need to meet all fire code requirements and compliance will be verified during the Building Permit process.

Planning – Chris Lee (chris.lee@slcgov.com or 801-535-7706)

1. If the proposed development is to be converted to condominiums it will require a preliminary condo application and a subsequent final plat application. This can be done after construction of the development.
2. Planned Developments require that the developer calculate an initial estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development including roads, sidewalks, curbs, gutters, water and sewer pipes and related facilities,

drainage systems, landscaped or paved common areas and other similar facilities ("infrastructure"), for a period of sixty (60) years. The document will need to be recorded against the property with the subdivision/condo plat or before the first unit occupancy of the Planned Development. This is a condition of approval for all Planned Developments. [\(21A.55.170\)](#) The document can either be provided now or after PC approval of the proposal. If not provided prior to the Planning Commission hearing, it will be a condition of approval.

3. Final landscaping and irrigation plans submitted during the building permit process will need to comply with the Water Efficient Landscaping provisions of 21A.48.055. See this document for the plant and hydrozone listings: http://www.slcdocs.com/utilities/PDF%20Files/2013_SLCPlantList_ver2-1.pdf. To comply, the planting schedule on the landscape plan will need to identify the hydrozones for all plants and the irrigation plans will need to indicate how similar hydrozones are grouped onto individual lines or accommodated by the number of emitters.

ATTACHMENT J: MOTIONS

Potential Motions

Staff Recommendation:

Regarding PLNSUB2016-00488, based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the proposed Planned Development with the following conditions:

- 1. The developer will need to record against the property an estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development for a period of 60 years in compliance with 21A.55.170 "Disclosure of Private Infrastructure Costs for Planned Developments."*
- 2. The developer shall comply with all department comments and conditions.*
- 3. Submittal of a full geotechnical and soils report to verify that conditions are appropriate for construction on the site.*
- 4. All existing natural vegetation shall remain on site with the exception of the building footprint. The applicant shall submit a site drainage and erosion plan that must be approved by Public Utilities prior to construction beginning.*
- 5. Only the specific modifications approved as part of the planned development are considered to be modified by this approval. All other applicable zoning regulations must be complied with.*

Not Consistent with Staff Recommendation:

Regarding PLNSUB2016-00488, based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the proposed Planned Development.

(The Planning Commission shall make findings on the Planned Development criteria and specifically state which standard or standards are supported by the amendment. Please see Attachment G for applicable standards.)