

From: [Linda Leckman](#)
To: [Planning](#)
Subject: [EXT:]Zoning text amendment for Wasatch Rock development
Date: Tuesday, January 7, 2025 10:21:52 AM

To the Cottonwood Heights Planning Commission:

I am the President of the Homeowners Association of the Canyon Cove subdivision, located directly north of the intended Wasatch Rock development. There are approximately 185 homes in our Association.

My comments regarding the zoning text amendment focus on two areas:

1. This condominium is being built directly on the Wasatch Fault. Future tenants must be told of the danger of that location, or the condominium must be built to construction standards that recognize the earthquake danger.
2. The only traffic exit from the entire development is onto Wasatch Boulevard at a curve on a busy street and close to a very busy intersection with a state highway. The original traffic flow studies did not take into account the 110 total condominium units requested for this amendment. Three hundred apartments have already been approved. There must be a new traffic flow study before approval of this condominium, and another access site for this development should be required.

Thank you for considering my input.

Linda Leckman
President, Canyon Cove HOA

From: [Wilson A. Bateman](#)
To: [Planning](#)
Subject: [EXT:]Re: Wasatch Rock PDD-2
Date: Monday, January 6, 2025 6:11:07 PM
Attachments: [image.png](#)
[Downstairs.png](#)
[Upstairs.png](#)

Dear Cottonwood Heights Planning Commission Members,

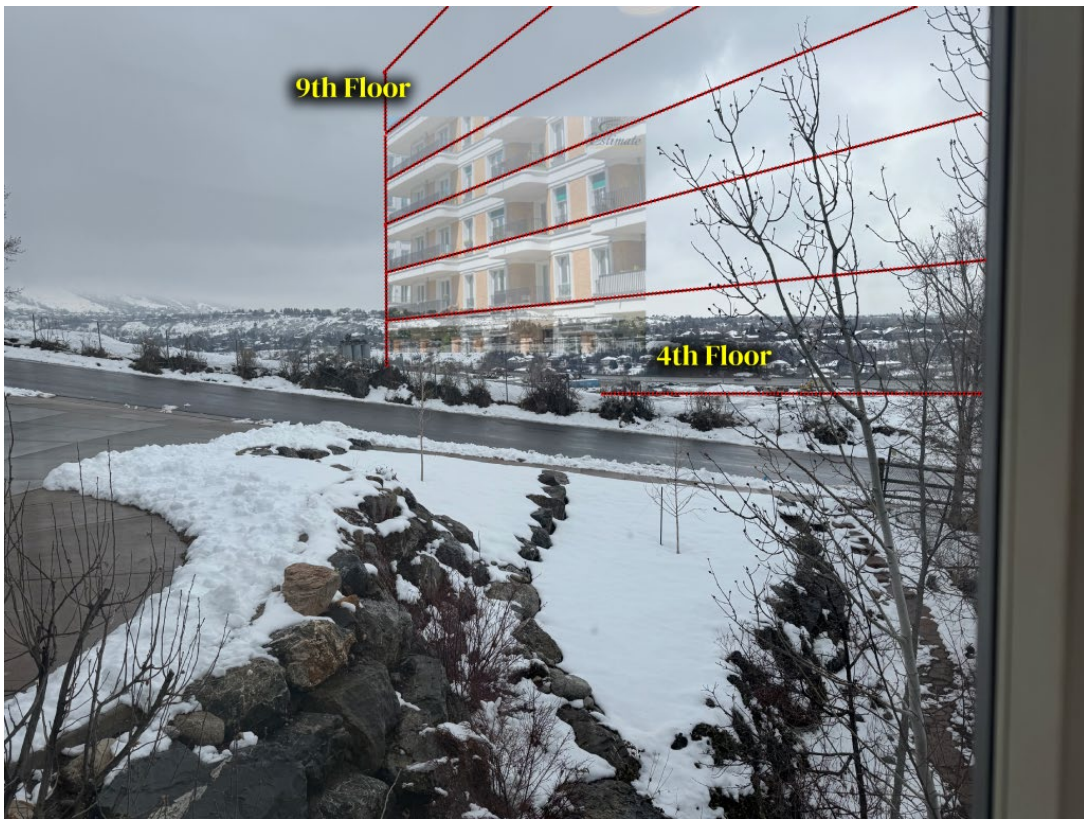
I plan to attend the scheduled meeting on Wednesday, January 8, 2025 to discuss this project and to learn more, but in advance of that I wanted to contribute as visual aids the view from 3419 E. Gun Club Rd. - the residential property directly opposite Gun Club Road from the footprint of the proposed condo building.

Given the specifics of the elevation plans, it doesn't appear that the rendering is accurate, height-wise, or perhaps is taken at a high angle that doesn't fully show the building's height relative to the neighborhood across the street. Rather than the ninth floor beginning at the elevation of my driveway as it appears in the rendering, the floor with the corresponding elevation is the 4th residential floor, with the total proposed total height rising 60-80 feet over my property's elevation.



For my own sake and yours, I threw together these images to show roughly what it would look like from the Canyon Cove neighborhood at various floor heights. Keep in mind that all of these are shown *at the lowest of the proposed building heights* - with 3 floors of parking and 9 floors of residences.

Ground Floor



2nd Floor



I'm excited for this development to happen, and I understand that my personal preferences only weigh so much, but I would ask that the commission request more detailed examples of how this building's height would affect its neighbors. My personal preference at the moment is that the height of the building not exceed one story above the pictured driveway (ending at the

5th floor), and be restricted to 8 total stories.

If able, I'll throw together examples from more angles tomorrow.

Sincerely,

Wilson A. Bateman

 E. Gun Club Rd. Holladay, UT 84121

EXTERNAL ATTACHMENT: Only Open if you trust this sender.

To: Planning Commission – Cottonwood Heights City

From: Dennis M. Astill, attorney for Walker Development, LLC – Neighboring Landowner

Objections to Rockworth Companies Modification to Entitlements

Date: January 7, 2024

Walker Development, LLC recently received a copy of the Notice of Public Hearing for an amendment to the zoning text for the Wasatch Rock Planned Development District Zone (PDD-2), presented by the Rock worth Companies (herein “Rockworth”). The proposal for amendment proposes an addition of 110 Condominium Units to the zone. Walker Development LLC (“Walker Development”) hereby presents it vehement objections as follows:

1. The only way the Wasatch Rock PDD-2 development plan can be created is by forcing a roadway through the adjacent property of Walker Development. For several years, while Rockworth went through its planned development process, its management and ownership repeatedly advised management of Walker Development that it did not need and was not requesting access through the Walker Development property. Walker Development became suspicious recently and requested a copy of the traffic study done for Rockworth during its zoning process. The FOIA process to obtain that study from Cottonwood Heights was inexplicably delayed and we now suspect that delay was intentional, and we now understand why the Rockworth Companies would not voluntarily provide its traffic study to Walker Development. The traffic study shockingly exposed the constant misrepresentations made to Walker Development by Rockworth. The traffic study in fact anticipated traffic being directed through the Walker Development property, something that should not have been done by Rockworth or the City without express agreements between Rockworth and Walker Development. We can assure the Planning Commission and the City, no access would ever be granted. Some history will help in understanding that.

Many years ago, UDOT engaged in eminent domain to obtain land from Walker Development and Rockworth’s predecessors to widen Wasatch Boulevard, and its continuation to 30th east and to the freeway. Walker Development litigated the matter with UDOT for several years and finally entered into a settlement with UDOT. Part of the settlement guaranteed at least one intersection to the Walker Development property, plus two other Right-in and Right-out accesses. Long before that settlement was reached, Rockworth’s predecessors settled with UDOT, and did not receive a promise of access to Wasatch Boulevard. Rockworth was promised only a temporary access from UDOT (currently adjacent to the ski shop. That temporary access will soon be closed by UDOT.

Management for Walker Development warned the Rockworth predecessor’s not to accept the compensation without a promise for access to Wasatch Boulevard. Rockworth’s

predecessor's ignored that warning and thereby constrained its property to the minimal access they now have on the section of Wasatch Boulevard that extends from the stoplight. The access is on a sharp bend in the road which extends to the stoplight. Thus, Rockworth by its own actions created the constraints it now has and is now trying to "steal" an access from Walker Development. The existing entitlements for Rockworth cannot possibly be supported through its only access, even without this new burden of condominiums.

2. Any attempt to force an access for Rockworth for no compensation through Walker Development, and without, at the very least cost sharing for the future roadways built by Walker Development can only be viewed as an eminent domain taking by Cottonwood Heights City. And this is not just for the value of an access road, but without cost sharing by Rockworth, Walker Development is carrying the sole burden of building an access road through its property. Municipalities typically would impose at the very least a cost sharing agreement on adjacent landowners if they will be using a roadway constructed by one property owner. Nothing is proposed here to accomplish that. Rockworth is now getting to have its cake and eat it too, as the saying goes. First they took the money from UDOT without the promise of access, and now Walker Development would presumably bear the burden of providing that access, and, as currently planned, the burden of the sole cost of access and building of roadways. The Walker Development property has its own limitations based solely on its own future development use because of the existing and future traffic flows on Wasatch. If traffic from the Rockworth development adds to that burden, it further diminishes the uses allowed for the Walker Development property, thereby devaluing that property. This is a type of reverse condemnation taking by Cottonwood Heights in and of itself.
3. The Rockworth property has very limited and constricted use based on its poor and limited access. The Rockworth traffic study, which we believe is flawed, suggests that 30% of its traffic would flow through the Walker Development property. We believe that study is fatally flawed because of the poor access to the continuation of Wasatch Boulevard. The road makes a serious bend as it approaches the light on Wasatch Boulevard, making access more limited and dangerous. At peak traffic flows on Wasatch Boulevard continuation and on the main Wasatch Boulevard in general, persons exiting the Rockworth properties would be very limited and delayed. Before approving additional density for the Rockworth property, we strongly urge the Planning Commission to require a new traffic study that does not assume access through the Walker Property. The Planning Commission should also be aware that the current access to the Rockworth property, adjacent to the ski shop, will be closed by UDOT in the very near future, and Rockworth is not allowed to make improvements to it, or use it as a public road.
4. Nothing requires Walker Development to provide access to the Rockworth property or to construct a roadway providing any such access. In fact, if the approval of the Rockworth properties is not reconsidered by Cottonwood Heights, and constraints are not imposed on it, Walker Development will almost certainly delay any future development at or near the boundary of the Rockworth property to purposely limit and delay any access to

Rockworth's property. Walker Development is not responsible for any decisions by Rockworth or Cottonwood Heights, which solely benefit Rockworth and burden Walker Development. If Cottonwood Heights imposes such a burden on Walker Development it will no doubt be viewed as a reverse condemnation under eminent domain law by the City, and Walker Development will not only resist, but will bring an action to receive compensation.

Summary

Increasing the density of the Rockworth property development is ill conceived and should not be allowed without addressing the constraints to its access. The current access is very constrained and will no doubt lead any residents/businesses built on the Rockworth property to serious delays and frustrations. Walker Development is not required to provide an access for the Rockworth property, and can't be forced to construct roads or access for the benefit of Rockworth. The Planning Commission and Cottonwood Heights City should re-examine the development entitlements, the traffic study, and the constraints on access currently available to Rockworth Companies.