



**Planning and Development Services**

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**MEETING MINUTE SUMMARY  
EMIGRATION METRO TOWNSHIP PLANNING COMMISSION MEETING  
Thursday, November 15, 2018 8:30 a.m.**

**\*\*Meeting minutes were approved on July 11, 2019\*\***

**Approximate meeting length:** 2 hours 49 minutes

**Number of public in attendance:** 40

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Tippetts

**\*NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

**ATTENDANCE**

**Commissioners and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent
Brent Tippetts	x	x	
Claire Clark	x	x	
Andrew Wallace	x	x	
Alex Pacanowsky			x
Jim Karkut	x	x	
Robert Pinon	x	x	
Dale Berreth	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr		
Curtis Woodward	x	x
Jim Nakamura	x	x

**BUSINESS MEETING**

**Meeting began at – 8:30 a.m.**

- 1) Approval of Minutes from the December 14, 2017 meeting.

**Motion:** To approve minutes from the December 14, 2017 meeting as presented.

**Motion by:**

**2<sup>nd</sup> by:**

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

- 2) Other Business Items (as needed)

*No other business items to discuss.*

**PUBLIC HEARINGS**

**Hearings began at – 8:32 a.m.**

**30473** – John Walsh requests conditional use approval for commercial and private recreation, including picnic area and gazebo for picnics, parties, and other gatherings, as well as two single-lane gun ranges on property at 2450 Pinecrest Canyon Road. Zone: FR-1 and FR-20. Planner: Curtis Woodward

*Salt Lake County Planning and Development Services Zoning Administrator Curtis Woodward provided an analysis of the staff report.*

*Commissioner asked if there is a public comment period. Mr. Woodward advised there isn't a comment period per county policy.*

*Commissioner Tippetts asked for a description of public notification process. Mr. Woodward described the process within 300 feet of the property, in the last 48 hours word travels quickly. Commissioner Tippetts asked if the parking would affect that or not. Mr. Woodward said if the planning commission were to entertain, we would make sure we renotify with the number of parcels involved. Mr. Woodward advised received a letter from a water company that needed to be notified under FCOZ, and we don't have the other water companies mapped out. Commissioner Tippetts said there are restrictions of firearms within the canyon. Mr. Woodward said we can find out, but his records that hasn't been an issue, but there is a restriction on hunting. Commissioner Tippetts said there isn't a traffic study done. Mr. Woodward said not to his knowledge, there was reference made to a traffic study by Johansen and he has not seen a traffic study done by a transportation engineer. Commissioner said may have been thinking of Pinecrest pipeline operating company when thinking of a water company, the metro township board adopted an amendment to the FCOZ. Under state law, presumption in favor of a conditional use application can be substantially mitigated by conditions. The packet provided was not in conflict with the emigration general plan and one comment letter quoted language and doesn't need to be resolved. The land in Pinecrest is within a subdivision plat and does have several roads and trails identified and whether they're overlaid. Mr. Woodward said the roads running through the property has been subject to discussion. Commissioner curious about the firing range and if the county has experience. Mr. Woodward said we have and the unique one is in Parleys canyon by the sheriff's department as a public use. Commissioner asked if the applicant included the total stalls, include employees, rentals, vendors, etc. Mr. Woodward said there weren't stalls specifically labeled. Commissioner Clark said all the issues overlap, if fire marshal decided to have emergency fire access and couldn't turn around, widening the road would affect private property.*

## **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** John Walsh

**Address:** 2348 Pinecrest Canyon Road

**Comments:** Mr. Walsh said suggest take questions. Biggest issue is wedding setting, occurring in the evening on the weekend coming through Parley's Canyon. Resolution passed not allowing the road to be 15 feet across, and county designed turnouts and put up no parking to address specific needs. From his own property, the fire department suggested enlarging foliage.

*Commissioner asked how many employees for zipline and gun range. Mr. Walsh said wedding would be solely vehicle driving vehicles. If he needed busses he doesn't intend to provide food. Drivers for weddings, no significant employees. Commissioner asked if he anticipated rental equipment. Mr. Walsh said on the application is for two storage units, would store equipment there. Commissioner asked if there was a traffic study performed. Mr. Walsh said he spoke to great lengths with the county but hasn't engaged a traffic study. Commissioner asked the timing of the different activities, planning to hold them year-round or seasonal limits. Mr. Walsh said one activity at a time. Commissioner said application doesn't specify time frames. Mr. Walsh said happy to have times placed as conditions. Safety is important to him. Commissioner asked if there is a need for a gun range. Mr. Walsh said under recreational it is appropriate, his family is*

*big on guns. Commissioner asked where the gun ranges would be located. Mr. Walsh said block 11 for pistols and would not go over platted right of ways and kept on private property. Commissioner asked about mitigating a fire if started. Mr. Walsh said two existing fire hydrants on the property. Commissioner asked if fed by his own tank. Mr. Walsh said his own with 12,000 gallons upper and below. Upper shooting range is block 15. Commissioner asked if the existing home is intended for this conditional use. Mr. Walsh said none and would be for additional parking. Commissioner said application in the works for a long time, interest of disclosure to schedule a visit to the property. Mr. Walsh said he is open to that.*

*Commissioner Tippetts asked for a show of hands to speak, interest of time contain precise and be respectful and focus on relevant information. Limit the time to two minutes and tracking the time. Commissioner said two minutes is too short. Commissioner Tippetts agrees with that but avoid redundancy. Commissioner agreed to 3 ½ minutes and avoid redundancy.*

**Speaker # 2:** Emigration Canyon Community Council Chair

**Name:** Steve Borst

**Address:** Not provided

**Comments:** Mr. Borst read a letter from the community council to the planning commission dated November 14<sup>th</sup>.

**Speaker # 3:** Citizen

**Name:** Catherine Harris

**Address:** 696 Donner Hill Circle

**Comments:** Ms. Harris said she has been a resident for 25 years. Applaud community council with their statement, joining community council in January. Was on community council when Pinecrest Road was under review and requests look into it with regards to pullouts. States her oppositions on traffic and fire safety. Objects on noise concerns. Read from a portion of her letter.

**Speaker # 4:** Emigration Canyon Homeowners Association

**Name:** Mark Tracy

**Address:** Not provided

**Comments:** Mr. Tracy said opposes this project, and Brent Tippetts should recuse himself as he is co chairman emigration improvement district. Problem reviewing the water rights. No water rights approved for commercial use. Point of diversion identified by Brent Tippetts. This has been protested by 50 residents. Reject proceeding, due to public notice, they only heard of this meeting three days prior. Proposal was distributed at cc meeting minus pictures. He pointed out a structure being a private residence, reason to believe not a single-family resident, this is a resort. They oppose any water rights. Salt Lake City was presented an opportunity to review in April, the proposal was completed in May. Ask public notice given, for public meeting.

**Speaker # 5:** Citizen

**Name:** Tom Johnson

**Address:** 2326 Pinecrest Canyon Road

**Comments:** Mr. Johnson said prepared a letter and distributed and another letter from resident Mr. Darver. Read the portion of the road from the letter. Read from the portion of the public right of way and trails. Requests denial.

**Speaker # 6:** President, Spring Land Water Company

**Name:** Lisa Fitzgerald

**Address:** Not provided

**Comments:** Ms. Fitzgerald said she has not been notified until Tuesday. They have a 60,000-gallon tank which supports a smaller area, was barely adequate for fire prevention and pay EID to put in additional hydrants to support suppression, don't think its sufficient.

**Speaker # 7:** Citizen

**Name:** Melinda McIlwaine

**Address:** 2148 Pinecrest Canyon

**Comments:** Ms. McIlwaine read a letter from the Steve Moore, president of Pinecrest pipeline operating company addressed to Mayor Smolka. Her property has been affected by the widening of the road and dig a 14-foot hole, nothing to prevent driving in to the hole. County plows fall in to the creek, the bus turn around was paved. The gate is never supposed to be closed, muddy in the spring or an appropriate road. No way for another car to pull over, due to the boulders.

**Speaker # 8:** Citizen

**Name:** Heather Ross

**Address:** 4347 Laneview Court

**Comments:** Ms. Ross said last night searched the internet for 11 instances where wildfires were started on legal target ranges. Study by the us forest service in 2013, every firearm has potential to ricochet and cause fire. Ask the applicant to withdraw that aspect of his plan, not worth the risk.

**Speaker # 9:** Citizen

**Name:** Cindy Furse

**Address:** 2295 Pinecrest Canyon Road

**Comments:** Ms. Furse said water and traffic would be affected and wasn't formally notified. Sent an email and provide an updated letter. Children walk along this road to the school bus and extreme weather. Condition is not within the general plan and no additional commercial activity to take place. Traffic plan should be required. She read from her letter submitted to the planning commission. Also presented letters from three additional neighbors.

**Speaker # 10:** Citizen

**Name:** Sarah Bennett

**Address:** 64 North Silver Oak Road

**Comments:** Ms. Bennett said she is concerned on window of notification. Obvious impacts to water, fire safety traffic and request this body take maximum amount of time for discussion and determine how much of a threat this proposal is. Traffic, blocking of the road and risk of safety and incompatibility and outline of no further commercial. Speak to right of way, Mr. Walsh seem fit to block, be cause the plat map is on the books and right of way is identified, and the root is part of the trails to access the public lands. Echoes Cynthia.

**Speaker # 11:** Citizen, Springland Water Company

**Name:** Jessica Kramer

**Address:** 4801 Skycrest Park Cove

**Comments:** Ms. Kramer said she supports the community council letter and concerns raised, this is not a matter of if, but when fire starts. Two months ago, a 14-year-old boy was killed in his car from a stray bullet from a firing range. May not use parleys to avoid traffic and will use emigration, exceeded daily trips in the canyon. Concerns with smoking, alcohol, firepits and many unanswered questions. Joggers and bikers using the canyon road and consider school children.

**Speaker # 12:** Emigration Canyon Community Council and Pinecrest Services Association

**Name:** Kate Miyagi

**Address:** Not provided

**Comments:** Ms. Miyagi submitted a personal letter and documentation. They have a plow, additional traffic issue. Stated all documents listed. In 2012 governor Herbert by July 21 fires had been started, multiples fires started at shooting ranges despite. Powder mountain fire burned 800 acres. She read from documentation. This is bound to happen, personal resident communications, and fires start every year.

**Speaker # 13:** Citizen

**Name:** Jeff Kenney

**Address:** 2143 North Pinecrest Canyon Road

**Comments:** Mr. Kenney said running in opposition and submitted a folder and read from his letter. Shuttling people doesn't seem feasible business model, wonder about transparency. Noise echoes down the canyon, worries about wedding events over the weekend and can hear gun shooting. The 300-foot notification is not feasible. Environmental impact has not been outlined in the proposal and catastrophic failure. Why in this case is there 50-100 parking stalls for small events. Red flags and contradicting statements.

**Speaker # 14:** Executive Director, Save Our Canyons

**Name:** Carl Fisher

**Address:** 824 South 400 West

**Comments:** Mr. Fisher said he wants to commend comments. Elevate comments made, very concerned and change the nature, ecological impacts and safety. Shared a lot of research, because of states efforts forest service. Growing smart, more peoples lives in danger. Narrowest steepest canyons with community inside, this is irresponsible. Urge commission to pump the brakes and allow time. Agency questions and doesn't see any answers. People deserve answers for the future of the area. Threats to these places as continue to grow. Recommend provide answers to questions from community and agencies.

**Speaker # 15:** Citizen

**Name:** William and Ardell Carroll

**Address:** 2322 North Pinecrest Canyon Road

**Comments:** Mr. Carroll said agreed with everything said. Noise of firearms would be disruptive. They live at 7000 feet and can hear the gun range in Parleys. He has personally survived an avalanche above the property, and also survived the fire in emigration from a camping spot down Killyons. Pinecrest community doesn't need a commercial development.

**Speaker # 16:** Citizen

**Name:** David Ream

**Address:** 6535 East Emigration Canyon Road

**Comments:** Mr. Ream said from now on there's a system to keep residence people further than 300 feet from development. The environment effects this is the wrong place to do this. So many hazards and issues. This is an incompatible use and express his opposition to the proposal. He's submitting written comments.

**Speaker # 17:** Citizen

**Name:** Phil Davis

**Address:** 1832 North Pinecrest Canyon Road

**Comments:** Mr. Davis said parking problem for trailheads and will parking be available for the general public. Concern with wintertime activities and snowmobiling.

**Speaker # 18:** Citizen

**Name:** Greg White

**Address:** 1990 North Pinecrest Canyon Road

**Comments:** Mr. White said lived her for 20 years and grave concern for interruption. Proposed gun range will destroy wildlife. Can hear the gun range from his house. Concern and represent the wildlife. Unique eco system, watched elk out there, came across a mountain lion kill and elk from proposed gun range and nesting eagles, quarter mile from gun range and will deter wildlife from this area and consider this an asset to the people. Grave concern for safety and will have no control over people shooting and ranges are on active trails and in the line of fire and ski terrain behind them.

**Speaker # 19:** Citizen

**Name:** Corey Schwabenlander

**Address:** 2121 Pinecrest Canyon Road

**Comments:** Mr. Schwabenlander said he'd like to echo Mr. Fishers concerns, inadequacy of the comments is a big concern. Pages of concerns, request to traffic plans, bus shuttles, inconsistencies to responses, bullet traps and allowing shotguns, a lot of questions and Mr. Walsh has a lot of work to do and there is a responsible plan.

**Speaker # 20:** Citizen

**Name:** Robert Jordan

**Address:** 749 North Emigration Canyon Road

**Comments:** Mr. Jordan said appreciates everyone's comments. Is there a cutoff to public input.

*Commissioner Tippets said based on discussion today, may continue. Mr. Jordan said requests time to submit comments. In addition, safety of ziplines and construction. Mentioned no regular staff, considering the different issues proposed. Focus on safety of uses and why there may not be staff. The example of public parking and using shuttles on the main canyon road. Substantial congestion and informative to consider historically where this has occurred. Reiterate prior to moving forward mitigating measures the applicant put forward to address concerns, whether through analysis and he is opposed.*

**Speaker # 21:** Citizen

**Name:** Margaret Armstrong

**Address:** 2137 North Pinecrest Canyon Road

**Comments:** Ms. Armstrong said she has lived there for 35 years. Need for oversight. Mr. Walsh said 25 cars and neighbors have been the overseers and an ongoing problem and don't know how to mitigate.

**Speaker # 22:** Citizen

**Name:** Linda Evans

**Address:** 5864 East Emigration Canyon Road

**Comments:** Ms. Evans said sanitation is a problem, already have a creek polluted and county doesn't recommend letting her dog in it. Illegal parking, grass and catalytic converters start fires and people parking in illegal places.

**Speaker # 23:** Citizen

**Name:** Georgia Badley

**Address:** 2125 North Pinecrest Canyon Road

**Comments:** Ms. Badley said she has lived here for 20 years, hooray to all her neighbors. Talked specifically about environmental issues and doesn't see how a commercial development is appropriate with all the issues.

**Speaker # 24:** Citizen

**Name:** Annette MacIntyre

**Address:** 449 Marathon Circle

**Comments:** Ms. MacIntyre said she is opposed and submitted with her reasons and many have been spoken about. Main concern is fire and it is the number one risk to her life and property. Anything making a chance greater is the height of responsibility and echo concerns of conditions set, once granted who will watch over the people attending these events and travelling parleys, who assures the definition of occasionally. Will these comments being recorded and available to share with the public and letters. Urge consider comments in good faith and strongly oppose the development only there for personal gain

**Speaker # 25:** Citizen

**Name:** Robert Avery

**Address:** 155 Skycrest Lane

**Comments:** Mr. Avery said the proposal opposed, impossible to mitigate risk of fire and is there enough water allocated for development then not enough water for fire.

**Speaker # 26:** Citizen

**Name:** John Porches

**Address:** 2238 Pinecrest Canyon Road

**Comments:** Mr. Porches said his experience with Mr. Walsh has never acted in good faith to illegal ponds and personal dealings. Recommends serious oversight to development. When Mr. Walsh dumps concrete in the stream they notify, this is going to be bigger than what he says and will do more. Let Mr. Walsh do this, his acquisition of the property, water rights through litigation. Responds to many letters of inquiries with bullet points and urges oversight.

**Speaker # 27:** Citizen

**Name:** Jacob representing a client Deiko Deherra

**Address:** Not provided

**Comments:** Jacob asked to present a letter from his client. 330 acres surrounding are for sale. He read a letter.

*Commissioner said the applicant has a brief opportunity to speak. Mr. Walsh said he would submit his comments in writing.*

*Commissioner Tippets motioned to close the public hearing.*

### **PUBLIC PORTION OF MEETING CLOSED**

*Commissioners and staff had a brief discussion regarding recording of the meeting, summary of minutes and public comments submitted will be available, schedule a site visit of the property and a work meeting, traffic, gun ranges, UFA, water availability analysis and septic system, Utah division of water rights meeting on December 19<sup>th</sup>.*

**Motion:** To continue application #30473 to the January 17, 2019 meeting to allow time to schedule a noticed onsite tour and review all public input, UFA and SLC Health Department.

**Motion by:** Commissioner Karkut

**2<sup>nd</sup> by:** Commissioner Wallace

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

### **MEETING ADJOURNED**

**Time Adjourned – 11:19 a.m.**