

Public Hearing on a request from John Prince to

Cottonwood Heights Planning Commission

September 4, 2019

We are opposed to the request by John Prince for approval of 24 mixed-use, live-work town homes and the permit for increase in height and decrease in setbacks, at approximately 1650 E. Fort Union Blvd. in the MU-Mixed-Use zone (SPL-19-007).

What follows are quotes from Chapter 19.84 of the Cottonwood Heights Code, which I believe to be the relevant portion of the code regarding this matter, with commentary indicating why we believe the conditional use permit should not be granted per the requirements of the code interspersed.

19.84.080 Determination (B.)

B. ... "The planning commission shall not approve issuance of conditional use permit unless evidence presented is such to establish the following:

... 2. "That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;

Comments

This development will cause:

- Pollution from cars and noise pollution from having so many residents.
- Congestion on already congested streets like 1700 E, that will be the vehicular entrance and exit to the complex. An estimated average of 167 trips per day will be produced.
- Decrease in safety caused by increase in vehicle traffic including in my own driveway as people pull in thinking it's an entrance.
- Increase in crime is likely.

... 5. "That nuisances which would not be in harmony with the neighboring uses will be abated by the conditions imposed."

Comment

It is unclear how the nuisance of so much traffic, noise and, likely, crime are being abated.

Increased height that is proposed does not abate impacts on light.

... 6. "That protection of property values ...will be assured."

Comment

The value of our properties will drop. We will lose views, which will affect property values. Being next to such a development where people are looking down into our backyards will decrease privacy and our property's value.

... 11. "That appropriate buffering will be provided to protect against adjacent land uses from light, noise and visual impacts."

Comment

In the planning materials we have been able to obtain, there is no information regarding what kind of buffering will be provided to protect our properties from light, noise and visual impacts. The only real information in this regard is that a permit for an increase in height and decrease in setbacks has been requested, which will increase, not protect, our properties from light, noise, and particularly increase the visual impact.

...14. "That the proposed use preserves historical, architectural and environmental features of the property".

Comment

Historically, the land was 4 single family homes; the high-density, mixed use proposal does not preserve it.

Architecturally, the proposed development is very rudimentary, a juxtaposition of shoe boxes, which is inconsistent with the architecture of the homes being replaced and the surrounding area.

Environmentally, there is a significant reduction in square footage of yard/greenspace, an increase in paved, non-permeable surfaces, such as asphalt or concrete, which increases the urban heat-sink effect, places added load on the storm sewers, and may affect ground water.

Further, there will be a significant increase in the amount of automobile traffic (and therefore exhaust and noise pollution).

In summary, we have not seen evidence that the before-mentioned criteria have been met, or that there is any other compelling reason why the Developer could not and should not be limited by the height restrictions and setbacks **imposed upon the rest of us**, aside from personal self-interest and greed. Therefore, we are opposed to the 24- mixed-use, live-work town homes and also to the permit for increase in height and decrease in setbacks, and request that you deny the permits and send the architects back to the drawing board.

Perhaps they can be creative and show a degree of respect for the environment and the people that, as their project shows today, will be condemned to see every day such a disgusting lack of harmony and imagination. They should also clarify the number of units that will encompass the complex. On the plan provided by a staff member of the Planning Office there are 23 units, on the notice for public hearing they are asking for 24.

Also, on a related note, I would like to voice my disappointment in my interactions with a member of the Planning Office's staff as I attempted to obtain information about this development, the process, and my rights. I was not provided with information regarding how best to challenge the permits or on what grounds I could challenge the permit if I wanted to. Neither he mentioned we had time to present written statements 24hs prior to the meeting, information this one that is not included in the public hearing notice.

Incorrect information handled by the staff member : *I was given a copy of a plan that includes 23 units, not 24. Where are they going to squeeze another unit, underground? statemen*

Moreover, the staff member indicated that the developer "has to get his money back." I should like to emphasize that whether the developer has a return on investment is not my concern, nor should it be the concern of the planning office personnel or those parties evaluating whether to approve these permits.

Additionally, in those interactions, I was asked by the staff member, "What is your proposal?". It is my understanding that it is not incumbent upon me to provide a counterproposal, burden for evidence to establish and rebut the included points is on the requestor.

However, I would propose that a development that respects the setbacks and height restrictions with fewer units be explored, and that would be my counter-proposal.

Thank you for your consideration.

Liliana Casale

