

**CITY COUNCIL MEETING**

Wednesday, October 22, 2014 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding  
Councilmembers: Trent Augustus, Rob Crawley, Mike Geddes, Daniel Zappala  
Absent/Excused: Jenney Rees  
David Bunker, City Manager  
Chandler Goodwin, Assistant City Manager  
Greg Gordon, Recreation Director  
Colleen Mulvey, City Recorder  
Others: Lt. Sam Liddiard, Keith Irwin, Jeff Randall

**COUNCIL MEETING**

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:09 p.m. by Mayor Gygi.

Invocation given by C. Augustus

Pledge of Allegiance led by David Bunker

2. Approval of Meeting’s Agenda

**MOTION: C. Augustus – To approve the agenda as written.** Seconded by C. Crawley

Yes - C. Augustus  
C. Crawley  
C. Geddes  
C. Zappala Motion passes.

3. Public Comment

No comments.

**CONSENT AGENDA**

4. Appointment of Members to the General Plan Citizens Advisory Committee and Appointment of Members to the Family Festival Citizens Advisory Committee

5. Minutes from the September 16, 2014 and October 7, 2014 City Council Meetings

**MOTION: C. Augustus – To approve the consent agenda which is the appointment of members to the General Plan Citizens Advisory Committee and the Family Festival Citizens Advisory Committee, the minutes from the September 16, 2014 and October 7, 2014 City Council meetings, with the change of adding Trent Augustus to the General Plan Citizens Advisory Committee as the Chairperson and Council representative.** Seconded by C. Zappala.

Yes - C. Augustus  
C. Crawley

C. Geddes  
C. Zappala Motion passes.

## CITY REPORTS AND BUSINESS

### 6. City Manager

David Bunker stated that Questar Gas Company will be upgrading a high pressure gas main that goes through the golf course and parking lot at the Community Recreation Center and proceed to the roundabout on Nielson and Bayhill Drive to Canyon Road, then head south to Cedar Hills Drive where it will turn west to 4000 West and head south into Pleasant Grove. This high pressure gas main will replace the existing one; they are looking to start this project through Cedar Hills this winter. They will be getting some drawings to the city, and they would like to request an additional easement in order to construct the line. We will be having several more meetings with them and this information will be brought back to the city council before the project begins. Mr. Bunker stated that he met with the Avanyu HOA, and they are finalizing the drainage improvements with the funds that were set aside for this, and they will be installing a sub-surface water drain to take some of the spring water coming off the hillside down to a storm drain system.

### 7. Mayor and Council

C. Zappala stated that he met with city staff and Cloudspeaker which is a product of the same company that we use with our Parlant system to notify residents in emergencies. They gave a presentation of their new smartphone app where residents can receive notification directly on their phone as opposed to having to get it through text messages. They offer functionality where residents can push service requests to city; it does not yet have the functionality where they could give feedback to the city. We gave them some feedback about what we would like to see in this app, their current pricing is about fifty cents per household per year. We are going to continue to look at other opportunities that are available before we make any recommendation.

C. Augustus said that North Point Solid Waste's finance committee met and are starting to put together next year's budget, they are also addressing some issues with the cost of covering green waste. C. Augustus stated another issue he wants to cover is regarding an email that came out this afternoon that deals with our attorney and how commercial developments are handled. He stated that he disagrees with some of the things that are said in the email and he would like to bring this up at later time because there are some conversations that need to happen with how our attorney interacts with commercial development and what his role in that is.

Mayor Gygi stated that there was majority consensus of council to have the attorney involved. C. Augustus stated that he was left out of that conversation and did not get any input on it, and said that he will follow up via email.

Mayor Gygi said that C. Zappala had a question about a vote of the Lone Peak Public Safety District Board regarding if the board voted one way, and there was a city that did not want to extend the Interlocal Agreement. He spoke with David Church, the counsel for LPPSD and he said that a vote by the board is non-binding, it's ceremonial, and it lets the councils know what the board is thinking. If for instance Cedar Hills and Alpine decided to extend the agreement to four years and Highland did not, then there are some decisions that need to be made because each city makes those decisions individually.

C. Geddes stated that he will not be able to attend the Planning Commission meeting tomorrow because he will be attending the American Fork Citizens Police Academy. C. Augustus said that he will attend that meeting in his place.

C. Crawley said that the Beautification, Recreation, Parks and Trails Committee met and discussed plans for the Christmas party. There was a lot of good feedback last year on the holiday lights at the roundabout, so they will be doing more by adding decorated trees. There was a discussion about having more funds in the future for more trees in the roundabout, asking for approximately \$400 more.

#### SCHEDULED ITEMS

8. Review/Action on the Final Plan for the Cedar Hills Retail Center by Amsource, located at 4800 West Cedar Hills Drive in the SC-1 Commercial Zone

Chandler Goodwin stated that he, C. Zappala and Marisa Wright met with representatives of America First Credit Union (AFCU) and Amsource to discuss elevations and the proposed site. What has changed since the last meeting is the style of brick which is a deeper red called Old Virginia, the style of mortar that gives the AFCU building a more colonial style look, and adding dormers on the drive through wing to break it up. Amsource will be using pretty much same materials on their buildings, and on the side facing Cedar Hills Drive they have added an architectural element and detail to break up the flat roof.

Jeff Randall, the developer with Anderson Wahlen and Associates stated that with the Amsource buildings A and B they will be using the same color (Old Virginia) of brick that will be on the AFCU building. The only difference with the Amsource buildings and the AFCU are the windows, the trim around the windows which will black, and the color of the slate roof.

C. Zappala asked if anything has changed on the landscape plan or lighting plan. Mr. Randall stated that the site plan changed slightly, the AFCU building used to be an L shape, and is now rectangular to increase the width of driveway by five feet near the dumpster. The landscaping shifted with that, but the plant material is still the same.

C. Geddes asked if the signage on the AFCU building was addressed. Mr. Goodwin stated that that is an agenda item to be discussed in the Planning Commission meeting tomorrow night, and will come before the Council possibly next month.

C. Geddes thanked Amsource, and commented that they did a terrific job of taking the comments and working with staff, C. Zappala and Marisa Wright to transform this building.

C. Zappala added that there was a list of feedback given to Amsource the last time we met and they have worked to make these changes. He mentioned they have also changed the drive thru so that it is not one long expanse, and are using the thicker molding that we had asked for. He said that all of these changes are great and he is happy with the outcome.

Mayor Gygi commented that it looks good, and asked the council if there were any other questions or comments.

C. Augustus stated that he wanted to emphasize some of the things that he has reviewed in the city's Guidelines for the Design and Review of Planned Commercial Development Projects. In Section 4.1 regarding landscaping and parking it says all parking islands shall be planted with at least one Skyline Honeylocust tree per 400 square feet of planter. He stated he wanted to make sure that little details like that insure that all of the buildings in the commercial development are uniform.

Mr. Randall stated that this is one of the items they discussed with the Planning Commission because the Walmart parking lot does not have Honeylocust trees. Mr. Randall asked if the council wants to match Walmart or to follow the guidelines, they do plan for Honeylocust as suggested in the guidelines. C. Augustus commented that he cannot control what past councils have done, we can only control it now, and he recommends following what is written in the guidelines.

C. Augustus then pointed out from Section 4.1.5 L, that no shrubbery shall be allowed in islands as it collects trash; gets trampled by pedestrians; blocks car doors, etc. Mr. Randall stated that that is something that they do not comply with because that requires that they would have to put grass in those interior islands, being drought tolerant they very rarely put lawn inside the middle of a parking lot. C. Augustus pointed out that it doesn't specifically say to put a lawn, it just says you can't put shrubby. Mr. Randall asked if they wanted rock. C. Augustus said that he just wanted them to be aware of what is written, so if there is a reason why it is not followed that has to come to staff and council. Mr. Randall asked the council to tell him what they want and he will do it because he wants to move forward and build. Mr. Goodwin suggested using woodchips.

Mr. Randall stated to be clear that the direction is for no plant material in the islands other than trees, rock or bark. C. Augustus stated that we should follow what is written. C. Geddes stated that he would prefer water tolerant plants but agreed that we should go with what is written.

C. Zappala commented that we do have the latitude to approve something different; he personally prefers to have shrubs. Mr. Randall commented that he reads these as guidelines that are written to give direction, not fast and set codes. C. Augustus said that we can change and modify it, but it needs to be done in a formalized way.

C. Geddes said he is changing his vote to shrubs. C. Zappala said that he prefers shrubs and C. Crawley stated that he was also okay with shrubs. C. Augustus said that he is against shrubs and prefers trees, bark, rock, but that he will go along with the majority.

C. Augustus mentioned items 4.1.5 I & J from the guidelines regarding drive isles and separation between parking stalls. Mr. Randall stated that they are aware of that and do meet that. C. Augustus then asked about the size of the parking stalls. Mr. Randall said that they are nine feet wide and eighteen feet wide when they are against landscaping or are handicap stalls.

C. Augustus mentioned the pedestrian paths. C. Zappala commented that was something that was addressed and we ended up having the nice bump on the pedestrian crossing between the credit union and the corner.

C. Augustus read 4.1.5 A about parking areas being situated as to be screened from Cedar Hills Drive, 4600 West and 4800 West, and asked how this is being addressed. Mr. Randall stated that on the landscape plan there is a row of shrubs right in front of the parking stalls, and any of the parking that faces 4800 West or Cedar Hills Drive, there are shrubs that get three feet high to screen cars from street. C. Geddes added that they need to make sure that it does not block the site triangle.

C. Augustus stated that he feels the council needs to address the permitted and conditional uses in Section 3.2 of the guidelines. He pointed out that in the list provided it does not say that a credit union is a conditional or permitted use. We specifically list banks but not credit unions. C. Augustus pointed out that earlier this year we had a lot of heated debate about how we were treating a congregate care facility and an assisted living or senior type living center. He said that it got shot down saying that we have to treat what is written here very directly and we have to be very specific on what we either allow or do not allow. Congregate care got shot down because of that. C. Augustus stated that he is not sure where to head with this because we don't specifically label credit unions as a conditional use, how do we treat that and what happens for the precedent that we have already set in relation to this.

C. Zappala stated that the section says if a proposed use is not listed but can be shown to be substantially the same as an existing item in the chart; he would argue that a credit union is very similar to a bank. He said that when we were considering the congregate care facility, the question before the Council and Planning Commission was if a congregate care facility fit in with assisted living, is what they were proposing something that probably fit with the guidelines or does it fit more with residential facilities and uses. In which case our guidelines say that you can only have residential on the second floor. That discussion was about if we can allow residential uses if it is both floors as opposed to the top floor, some of us were saying that it fits more with that because its active senior living, more like an apartment complex then it is like an assisted living facility. The other discussions were over the overall height and density. C. Zappala said that with this development he does not have an issue with it because credit unions very naturally fit with banks and is clearly a conditional use that we would allow.

C. Augustus then pointed out in Section 3.1.1 regarding neighborhood retail that it is intended to accommodate the most intense land uses, to promote retail commercial and service uses for the convenience of the surrounding residential neighborhoods. Also it is intended to be a retail commercial center for the city, the main focus is to provide an area for those sales tax generating commercial entities that benefit from the frontage of a major collector, commercial uses that are not focused on generating on-site sales should be encouraged to utilize properties that do not front 4800 West, Canyon Road or Cedar Hills Drive in the mixed-use office/retail and mixed use office sub-districts. C. Augustus stated that we have set aside this area specifically for sales tax generating retail space and that it should be used to generate retail sales at a commercial level.

C. Zappala agreed and said that the judgment on the council is if we let a developer come in and build a credit union there under their assurance that getting retail there would be difficult because of the price premium on a corner lot, or do we hold out and say that we really want retail here even if that means nothing develops for quite some time. C. Zappala said that he is willing to give the developer the benefit here and say it fits with our conditional uses, and there is going to be retail on a portion of the property they are developing.

C. Geddes stated that he knows what C. Augustus is concerned with and tends to agree with most of it. He said that he is comforted by our code and guidelines that almost always include that it is on the approval of the council, it gives us some leeway and some latitude.

C. Zappala commented that he wishes that we were getting some restaurants, but that is not what is before us and it is hard to turn down a developer who has something in line with our development guidelines.

C. Crawley stated that he lines up more with C. Zappala on this one.

Mayor Gygi asked for other discussion or a motion

**MOTION: C Zappala—To approve the final plan with associated plans for the Cedar Hills Retail Center subject to: execution of development agreement, final engineering, water right submission, etc.** Seconded by C. Crawley.

**AMEND MOTION: C. Zappala—to state final plat.** Accepted by C. Crawley.

C. Augustus asked if there were any another documents that we need to include or any other changes, we need to be specific in the motion because once this goes through for approval this is it.

Mr. Goodwin stated that we need to add that this is for two site plans, the Cedar Hills Retail Center and the America First Credit Union branch.

**AMEND MOTION: C. Zappala—to approve the final plat with associated plans for the Cedar Hills Retail Center and America First Credit Union Cedar Hills Branch subject to: execution of development agreement, final engineering, water rights submission, etc.** Seconded by C. Crawley. Vote taken by roll call.

Yes	-	C. Augustus	
		C. Crawley	
		C. Geddes	
		C. Zappala	Motion passes.

ADJOURNMENT

9. This meeting was adjourned at 7:51 p.m. on a motion by C. Augustus, seconded by C. Zappala and unanimously approved.

Approved by Council:  
November 5, 2014

/s/ Colleen A. Mulvey, CMC  
City Recorder