

PLANNING COMMISSION MEETING
Thursday, March 26, 2009 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Cliff Chandler, Chair, Presiding
Commission Members: Craig Clement, Glenn Dodge, Donald Steele, Bobby Seegmiller,
Scott Jackman (7:07 p.m.), Gary Maxwell (7:43 p.m.)
Greg Robinson, Assistant to the City Manager-Planning
Courtney Hammond, City Meeting Transcriber
Eric Richardson, City Council Representative (7:45 p.m.)
Others: Scouts, Melissa Willie

PLANNING COMMISSION MEETING

1. This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order at 7:04 p.m. by C. Chandler.

2. Public Comment (7:04 p.m.)

No comments.

PUBLIC HEARINGS

3. Amendments to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone. This street portion is located at approximately 4670 West Fieldcrest Drive and Carriage Lane (7:05 p.m.)

No comments.

4. Amendments to the City Code, Title 10-5-5, Development in Required Setback Area (required yard area) (7:06 p.m.)

No comments.

C. Seegmiller and C. Dodge were recognized as voting members.

SCHEDULED ITEMS

5. Approval of Minutes from the February 26, 2009, Regular Planning Commission Meeting (7:06 p.m.)

MOTION: C. Clement - To approve the minutes from the February 26, 2009, Regular Planning Commission Meeting, as written. Seconded by C. Dodge.

Yes - C. Chandler
C. Clement
C. Dodge
C. Seegmiller
C. Steele Motion passes.

6. Review/Recommendation on Preliminary/Final for Forest Creek Subdivision, Phase 7, Located at Approximately 4670 West Fieldcrest Drive and Carriage Lane (7:07 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that in the previous meeting the Commission vacated a portion of plat at the end of Forest Creek. This subdivides that portion or the road that was vacated into its own lot. This is the lot for the proposed park. The City Council will have the final decision on what the proposed park will look like. The proposal is for the asphalt to remain and be used as a basketball court and to add some planters to stop traffic. One neighbor has complained about possible park traffic. A zone change notice has been posted on the property.

Commission Discussion:

- C. Seegmiller stated that adjacent neighbors may oppose the park.

MOTION: C. Clement - To recommend approval of Forest Creek Subdivision, Phase 7, as outlined on plat. Seconded by C. Seegmiller.

Further Discussion:

- C. Jackman noted that the zone has not yet been changed. Approval should be subject to the zone change.

AMEND MOTION: C. Clement - To state that approval is subject to the change in zoning from R-1-11,000 to Public Facilities. Seconded by C. Dodge.

Yes - C. Chandler
C. Clement
C. Dodge
C. Jackman
C. Seegmiller
C. Steele Motion passes.

7. Review/Recommendation on Amendment to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone. This street portion is located at approximately 4670 West Fieldcrest Drive and Carriage Lane (7:20 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that this moves the subdivision that was just discussed into the public facilities zone, the appropriate zone for a park.

MOTION: C. Jackman - To recommend amendments to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone, located at approximately 4670 West Fieldcrest Drive and Carriage Lane.

Seconded by C. Clement.

Yes - C. Chandler
C. Clement
C. Dodge
C. Jackman
C. Seegmiller
C. Steele Motion passes.

MOTION: C. Jackman - To move item 8 until after 10. Seconded by C. Clement.

Yes - C. Chandler
C. Clement
C. Dodge
C. Jackman
C. Seegmiller
C. Steele Motion passes.

9. Discussion on the Guidelines for the Design and Review of Planned Commercial Development (7:24 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the City is looking at ways to restrict non-sales tax generating businesses from fronting 4800 West. The Design Guidelines can discuss aspects of businesses in the commercial zone and the list of uses can be more specific. Chase Bank would then be an existing non-conforming entity. When a commercial developer builds a multi-tenant building, the tenants do not come to the City Council; they go through the business licensing process. To truly oversee the tenants, the City Code would need to be changed. The market largely drives tenancy. Retail tends to go along higher traveled roads, and office space goes to less expensive land. A second commercial zone may need to be created.

Commission Discussion:

- C. Jackman stated that a restriction can be inserted in the land use portion of the Design Guidelines.
- C. Chandler stated that Highland has recently addressed this issue. Looking at their process may be helpful.
- C. Steele stated that he feels this issue is worth investigating.

- C. Seegmiller stated that Highland has a similar problem. They are a city of banks and are trying to institute similar types of restrictions.

MOTION: C. Jackman - To continue this item and direct staff to collect similar ordinances and guidelines from other cities and discuss it next time. Seconded by C. Dodge.

Yes - C. Chandler
 C. Clement
 C. Dodge
 C. Jackman.
 C. Maxwell
 C. Seegmiller
 C. Steele Motion passes.

10. Committee Assignments and Reports (7:43 p.m.)

- C. Clement stated that he was unable to attend the Parks & Trails Committee meeting. He has scheduling conflicts with Wednesday evenings. C. Dodge will attend the Parks & Trails Committee meetings.
- Greg Robinson has been contacted by two people about building a gas station in the City. No one has submitted plans, but there are interested people. One would like to have a gas station and car wash; the other would like a gas station, car wash, and restaurant. The next Planning Commission meeting will include the Deborah Kay subdivision.

8. Review/ Recommendation on Amendments to the City Code, Title 10-5-5, Development in Required Setback Area (required yard area) (7:53 p.m.)

See handouts.

Staff Presentation:

Eric Richardson stated that this is a proposal to change what uses can occur in the setback area of a yard. The rear setback on most lots is 25 feet and a side setback ranges from 8 to 12 feet. Currently code allows an accessory building in the setback area as long as it is 5 feet from the property line, but does not allow for deck or patio covers and awnings. This amendment allows people to build some outdoor living space. The other part of the amendment addresses what people are allowed to do in the side setback area next to a garage. Temporary structures can be built in this area, but permanent structures cannot. The amendment allows permanent structures. Greg Robinson suggested input from Building and Zoning.

Commission Discussion:

- C. Seegmiller stated that he talked to a gentleman that would like to build a substantial, pitched outdoor extension. Current code doesn't allow him space to do it. The code needs to be amended. He would like to make these changes that may keep people in the City by allowing them to make the improvements to their homes.

- C. Clement stated that the Commission needs to consider the neighbors in this amendment as well. They may not want a 10-foot pergola on the property line. There needs to be a means to appeal the determination made by the Chief Building Official in section A.c.i.

MOTION: C. Clement - To recommend the amendment to the City Code, Section 10-2-1, under definitions add a definition for awning to be added by staff upon consultation with Glenn Dodge, addition of a definition for deck cover as “any exterior roof structure open on at least two sides and covering a deck, porch or patio, amendment to Section 10-5-5 as presented, an addition of a section to be numbered by staff entitled Decks, Porches, Patios, Awning, Hot Tubs and Similar as presented with the addition of Subsection A, subsection c, subsection ii, stating an applicant aggrieved by a decision by the Chief Building Official may appeal the decision regarding materials of finish of the proposed structure to the City Manager, and subject to review by the Building and Zoning Department. Seconded by C. Maxwell.

Yes	-	C. Chandler C. Clement C. Dodge C. Jackman. C. Maxwell C. Seegmiller C. Steele	Motion passes.
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ADJOURNMENT

11. Adjourn

This meeting was adjourned at 8:35 on a motion by C. Maxwell, seconded by C. Dodge, and unanimously approved.

Approved by Commission:
April 30, 2009

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder