

PLANNING COMMISSION MEETING
Thursday, June 30, 2011 6:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Cliff Chandler, Chair, Presiding
Commissioners: Craig Clement, Glenn Dodge, Gary Maxwell, Donald Steele,
Trent Augustus
Greg Robinson, Assistant City Manager
David Bunker, City Engineer
Scott Jackman, City Council Liaison
Cathy Larsen, Deputy Recorder
Others: Mike Wagstaff, Mary Bonham, Robert Bonham

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 6:00 p.m. by C. Chandler.

C. Augustus was recognized as a voting member.

2. Public Comment (6:02 p.m.)

No comments.

PUBLIC HEARING(S)

3. Amendments to the City Code 10-6A Regarding Planned Commercial Development Projects and the Guidelines for the Design and Review of Planned Commercial Development Projects (6:03 p.m.)

No comments.

4. Amendments to the City Code, Title 10, Regarding Animal Units, Small, in all Zones

No comments.

SCHEDULED ITEMS

5. Approval of Minutes from the May 26, 2011, Regular Planning Commission Meeting

MOTION: C. Augustus – To approve the minutes from the May 26, 2011, Planning Commission meeting, as written. Seconded by C. Dodge.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Maxwell

No - C. Steele

Motion passes.

6. Review/Recommendation on the Conceptual Site Plan for Holiday Oil

See handouts.

C. Maxwell arrived 6:10 p.m.

C. Clement arrived 6:15 p.m.

Staff Presentation:

Greg Robinson stated that this item has gone through site plan review, where there has been discussion regarding the site layout. There are a couple of staff concerns. One concern is the location of the access onto Cedar Hills Drive. The gas station will be benefited from access to various adjacent roads. Holiday Oil is requesting change of vision, eliminating the island that runs along Cedar Hills Drive in order to allow access to the gas station from the westbound traffic. Holiday Oil would like access straight across from Chase Bank. Greg is concerned the traffic patterns may be dangerous; it is not what the traffic laws allow, but what is safe. Staff recommends access is split between Amsource and the back parcel. Staff recommends the left-turn traffic going onto 4800 West come out between Holiday Oil and the Amsource site and not shoot back into the westbound Cedar Hills Drive traffic. Staff recommends no left hand turns from the north exit. The other issue is the location of the car wash, which is still an area of concern. Holiday Oil could render some of these concerns. One of the things that Amsource doesn't have control of is the regulations concerning curb and gutter that need to be put in there. Holiday Oil is aware of the items that need to be put in for there to be a southwest access. Holiday Oil showed some renderings that would fit into some of the commercial sector. There are some other building designs that would also fit into Cedar Hills. Information from other cities with similar situations will be collected to give current numbers and updates. The sign ordinance is currently suspended.

Holiday Oil Presentation:

Mike Wagstaff stated that trucks will have to make a U-turn and not drive onto Cedar Hills Drive. People making a left turn onto Cedar Hills Drive would be safer than someone making a U-turn around the island. The island will have to be modified to allow for a left hand turn from the north exit. The only people that will take a left onto Cedar Hills Drive are those turning left onto 4800 West. Most people going north on 4800 West will take a right out the back of Holiday Oil. Holiday Oil prefers having the car wash on the east property. The issue is the line and the queuing. The driveway off 4800 West is going to be the busiest. Holiday Oil prefers to have the medium gone on Cedar Hills Drive in order for customers to make a left hand turn onto 4800 from Cedar Hills Drive instead of across busy traffic. The driveway that is currently planned has a nice flow into the pumps, and works better for the consumer. Holiday Oil can move east, but the stacking and queuing is a concern there. Holiday Oil could move the convenience store to the east and the car wash. It needs to be kept visible from 4800 West. This will be a Chevron gas station; everyone is familiar with their colors. The property has not been purchased yet. Holiday Oil wants to get as much information from the City as possible to make sure the City is on board. Another concern is the architectural design. Holiday Oil can use the brick and roofing material the City is requesting; they need to know what the extra costs will be. There are fiberglass tanks at all of the stations. They do not build a

gas station to just turn around and sell it; they are in it for the long-haul. They have good operation. They are slow and consistent, and usually build only one store a year. They purchased the silo in American Fork and put in four pumps. This location will have six dispensers. This will be a great area and a captive audience. They will be able to be a little more competitive in their prices.

David Bunker stated that all of 4800 west Utah Department of Transportation (UDOT) is asking a limited access. South side of this property is one of them. Center of 9 acres property and Jacobs property. Only 3 that are allowed in that entire strip. Give Amsource and Jacob to use that access onto the property. Would be deeded by the property owners. Property owners are Amsource and Jacobs. Neither can limit what the other can do. Maybe take teardrop out, maybe not. Moving access more to the center may change dynamics as well. This will be an update to the study already done. Short durations. Traffic is always concern. Need to make sure works or drive people away. One day need access to Amsource piece. Will request another access. Do it now and have access to both. There is a problem with the subdivision. Hatched area is not owned by Amsource. Problem is great for Wagstaff and his gas station. Let's be broader than this piece.

Council Discussion:

- C. Chandler stated that a vehicle coming out of the carwash and into traffic coming north on 4800 North could be an area of concern. Does there need to be a traffic survey? The main concern is during school hours. The intersection will be impacted. The medium could be moved further east. Will that do anything to the entrance into Wal-Mart?
- C. Steel stated ingress and egress is always a concern on commercial property. One sense there is not an entrance on 4800. This is a tough property to get outgoing and ingoing traffic. He likes the idea of opening the medium on Cedar Hills Drive. He would like to eliminate the corner curb. He is concerned with where to put cars turning left onto 4800 West; it will make the left turning lane at the light on Cedar Hills Drive worse. There will be left hand traffic queuing traffic. He feels the gas station will be terrific.
- C. Maxwell stated that there could be parking in the future. He would like to let the City Engineer determine the best scenario. He doesn't want to eliminate the curb. He loves the idea of lining up the entrance with the bank entrance. Allowing a left hand turn from Holiday Oil onto Cedar Hills Drive will make it easier to go onto 4800 West. This should improve traffic and won't make it worse. It will be better without the island. Half of the island on Cedar Hills Drive could be left. The only time there might be an issue with queuing is when there is an event at the school. He would rather limit 15 minutes going to a game. People tend to go where they want to go. The City wants the revenue. There needs to be full access. They are not going to be landlocked until Amsource acquires the piece. Up and down state street people cut across the road, and there are merged lanes. This is not the first place that has two lanes and a medium. The City is overthinking it.
- C. Clement feels there are a lot worse accesses than this one.
- C. Dodge suggested doing away with the island. Holiday Oil customers need to be allowed a left hand turn onto Cedar Hills Drive. He suggests extending the left turn lane on Cedar Hills Drive.

MOTION: C. Steel – To recommend to City Council to proceed with the project based upon the concepts that were explained during the presentation and concerns with the entrance and exit onto Cedar Hills Drive. Seconded by C. Maxwell.

Yes - C. Augustus
C. Clement
C. Chandler
C. Dodge
C. Maxwell
C. Steele Motion passes.

MOTION: C. Clement – To move item 9 before item 7. Seconded by C. Maxwell.

Yes - C. Augustus
C. Clement
C. Chandler
C. Dodge
C. Maxwell
C. Steele Motion passes.

9. Review/Recommendation Regarding Amendments to Animal Units, Small, in all Zones

See handouts.

Staff Presentation:

Greg Robinson stated that this ordinance should be based on how much area you have. He suggests changing #6 “cleaned regularly” to “cleaned and maintained.”

Council Discussion:

- C. Chandler stated this item previously came to Planning Commission, whose recommendation was no changes to the existing ordinance. Council felt the City was too restrictive and wants Planning Commission to revamp the ordinance. C. Chandler took information from Provo and Orem’s ordinances. He recommends moving the item forward; he wants the Commission to feel free to delete or add to it. Something needs to go back to Council. This should be fair to those who want animals, as well as still maintaining control. Residents from the Cedars were at Council and felt a fifty-foot restriction is too limited for their lot sizes. The lots there are too small to be in compliance, even if the pens are moved. One of the things that came up was privacy fencing. This ordinance relates to small animals (not dogs and cats).
- C. Maxwell is not an animal keeper, but has neighbors that own dogs. If the ordinance is the same for everyone, then it is not arbitrary and is fair. The goal is not to try and achieve equality for everyone. It should be allowed if it fits within guidelines that are considered logical. He likes #7, “Chickens, rabbits, turkeys and ducks shall not be allowed to roam freely unless in an enclosed rear yard.” He would eliminate #9 regarding privacy fencing. Fencing could be a solution, but would be too difficult to mandate in all areas (not all areas allow it).
- C. Clement hates putting numbers on things, and feels it is arbitrary and capricious.

Someone with several dogs could be less of a nuisance than one obnoxious dog. The idea is to keep it manageable. He likes to keep government involvement to a minimum. It seems the nuisance ordinance covers this. Every eventuality cannot be addressed. This addresses a lot of issues. He would eliminate #2 regarding the maximum number of dogs or cats.

- C. Augustus stated that it doesn't matter if there is privacy fencing; it doesn't get rid of the smell. He suggests changing the chart in #3 to read "Maximum Number of Small Animal."

Resident:

Mary Bonham stated the families with chickens that moved from Cedar Hills were offended (not by Planning Commission). They were willing to put up a fence.

MOTION: C. Maxwell – To recommend to City Council the proposed changes, with numbers 2 and 9 being removed, and the chart in number 3 reading "Maximum Number of Small Animals," and number 6 take out "regularly" and add "and maintained."

Seconded by C. Augustus.

Other Discussion:

- C. Augustus stated that number 8 "animal unit" should be changed to "small animal unit."

AMEND MOTION: C. Maxwell – To amend the above motion, changing number 8 "animal unit" to "small animal unit." Seconded by C. Augustus.

Yes - C. Augustus
C. Clement
C. Chandler
C. Dodge
C. Maxwell
C. Steele Motion passes.

7. Review/Recommendation Regarding Amendments to the City Code, Title 10, Chapter 5, Supplementary Development Standards, Regarding Signs and Campaign Signs

MOTION: C. Dodge – To table this item until the next Planning Commission meeting.

Seconded by C. Augustus.

Yes - C. Augustus
C. Clement
C. Chandler
C. Dodge
C. Maxwell
C. Steele Motion passes.

8. Review/Recommendation Regarding Amendments to the City Code 10-6A, Planned Commercial Development Projects, and the Guidelines for the Design and Review of Planned Commercial Development Projects

See handouts.

Staff Presentation:

Greg Robinson stated the ordinance is being relooked at to possibly allow a snow shack in an area that currently doesn't allow it. Ms. Buswell, who made the request, has not submitted anything new. Mr. Robinson recommends not changing anything unless Ms. Buswell comes back to the City. This item could be tabled until he gets back with Ms. Buswell. There are fire standards that have to be met; a lot would have to be done. The City gets frequent requests of this nature. This could cause a problem with others frequenting.

Council Discussion:

- C. Maxwell stated that Ms. Buswell talked about placing the shack on the property east of Wal-Mart, which is owned by Phillips Edison. He suggests not changing anything until the applicant comes forward. This could be looked at next year.
- C. Clement recommended no changes unless Ms. Buswell comes back.
- C. Chandler stated that the current code states the shack needs to be placed on developed property. Ms. Buswell wants to put the shack on undeveloped property. C. Chandler recommends not changing the code. If Ms. Buswell comes back to the City, it can be addressed again.
- C. Steel stated that time is essential for that type of business.

MOTION: C. Augustus – To table this item until Ms. Buswell decides to come back to the City. Seconded by C. Maxwell.

Yes	-	C. Augustus	
		C. Clement	
		C. Chandler	
		C. Dodge	
		C. Maxwell	
		C. Steele	Motion passes.

10. Committee Assignments and Reports

None.

ADJOURNMENT

11. Adjourn

This meeting was adjourned at 7:35 p.m. on a motion by C. Dodge, seconded by C. Augustus, and unanimously approved.

Approved by Commission:
July 28, 2011

/s/ Cathy D. Larsen
Cathy D. Larsen, Deputy Recorder