

PLANNING COMMISSION MEETING

Tuesday, August 28, 2018 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present; David Driggs, Chair, Presiding
Commissioners: Jared Anderson, John Dredge, Steve Thomas, Lori Anne Spear
(7:04 p.m.)
Absent/Excused: Jeff Dodge
Chandler Goodwin, City Manager
Colleen Mulvey, City Recorder
Others: Jenney Rees

1. Call to Order

This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order at 7:01 p.m. by Chair David Driggs.

2. Public Comment

Richard Murray stated that he had submitted a request to install a carport as a temporary awning. He said the structure would conform to City standards and noted that his neighbors did not have an issue with it. C. Driggs responded that the Planning Commission had not yet seen the application.

Gordon Crawford said he was Mr. Murray’s neighbor, and explained that he did not have an objection with Mr. Murray’s request for a carport. C. Driggs stated this was a discussion topic and no decisions would be made at this time.

Note: C. Anderson was recognized as a voting member of the Planning Commission.

SCHEDULED ITEMS

3. Approval of Minutes from the July 31, 2018, Planning Commission Meeting

MOTION: C. Dredge—To approve the minutes from the July 31, 2018 Planning Commission Meeting. Seconded by C. Spear.

Yes - C. Anderson
C. Dredge
C. Spear
C. Thomas Motion passes

MOTION: C. Dredge—To adjust the agenda and move Item 5 to the beginning of the scheduled items. Seconded by C. Thomas.

Yes - C. Anderson
C. Dredge
C. Spear
C. Thomas Motion passes

Note: The agenda items have been renumbered from the published agenda, so as to follow a chronological order throughout this document.

4. Discussion on Accessory Structures

Chandler Goodwin explained that the objective of this discussion was to revise City code. After forwarding a recommendation to the City Council on the matter, the City Council would then make a final decision on the revision. He explained that the code concerning decks, patios, awnings, and hot tubs were convoluted and confusing. The code treated carports like awnings, which was inappropriate and needed to be revised. The portion concerning carports was more of an accessory structure and did not apply to the requirements for the aforementioned structures. The requirements included the materials to be like the original structure. He suggested this be changed because a carport was typically made of metal.

C. Driggs said he lived immediately behind Mr. Murray. He was familiar with Mr. Murray's intentions and commended him for approaching the Planning Commission on this issue. He explained it was difficult to make these requests through the City because it took time for those requests to be processed. He asked what the basis was for denying Mr. Murray's application. Mr. Goodwin responded that the matter could be resolved quickly, and that anytime a denial occurred it was for a specific reason. In this instance, there were zoning and building issues.

C. Driggs mentioned having read a letter concerning the challenges with this application. Mr. Goodwin noted the details of the letter in question were open to interpretation, and there was a better way to handle the code. C. Driggs stated there was also an issue with Mr. Murray's request being considered a portable garage. Mr. Goodwin stated that he had spoken with staff about this consideration, and he did not believe it would be considered a portable garage.

C. Driggs explained that he did not find a definition within the code for temporary structures. He said the reasons for denial for this topic were open for interpretation. He noted many people were building their structures without asking permission from the City.

Mr. Goodwin explained the proposed structure was very specific and it would not meet the City standards. There were also concerns about how it was fastened to the ground. He said the building standards were important to adhere to for the health and safety of the residents. He explained there was no information in the code concerning carports. He suggested they propose requirements specifically pertaining to carports in a separate section of the code, and suggested where such information could be detailed.

C. Anderson asked if there was an issue with the material and finish of this application. Mr. Goodwin answered in the affirmative. The strict reading of the code stated the materials needed

to be of similar material as the original building. He said this code did not cover carports and therefore should be subject to the building code.

C. Anderson said there was a legitimate issue with constructing buildings using inferior materials, and he suggested the inspection process be discretionary. Mr. Goodwin said the inspection was already somewhat discretionary. C. Anderson added that they create a list of acceptable materials. C. Spear stated they should be more specific in the code.

C. Driggs asked if a structure would be acceptable if it met IBC standards. Mr. Goodwin explained these types of buildings were typically pre-fabricated, and they would choose the plans that were suitable for their City. C. Spear remarked that building a carport was similar to building a shed.

C. Driggs asked if the City should consider making this a conditional use permit. Mr. Goodwin said these buildings should be approved administratively; conditional uses were only appropriate if they could mitigate negative side effects. He said these types of buildings were not creating many negative side effects.

C. Dredge asked if this application would precede any change in the code. Mr. Goodwin answered in the affirmative. He said the code did not have enough information to regulate carports, but this meant they could outline carport requirements. C. Driggs stated the Commission was not determining a decision but interpreting the code. Mr. Goodwin responded that they could clarify a portion of the code that was specific to carports. He said HOAs would still have autonomy over their neighborhoods. C. Dredge said a HOA would be more restrictive.

C. Thomas said the carports with which he was familiar were smaller than this request. Mr. Goodwin indicated that Mr. Murray's structure would be 12 by 31 feet. C. Thomas asked if this would comply with the City's requirements if it was a stand-alone structure. Mr. Goodwin answered affirmatively, explaining that Mr. Murray had a large enough lot to where he did not see any issues with C. Thomas's suggestion. C. Spear asked if there were any issues with height. Mr. Goodwin responded that the accessory structures could be up to 20 feet high.

C. Driggs said he preferred the carport be to earth tone in color. C. Dredge said he did not think this was an issue. C. Driggs suggested they draft a code for carports. Mr. Goodwin noted he could not find a lot of codes on carports, and asked if they should treat the carport as a carport or an accessory structure. C. Anderson responded that this depended upon whether or not the carport was attached to the home. Mr. Goodwin concurred.

C. Thomas stated that it would fall better under accessory structures, and C. Spear agreed.

C. Driggs asked what the consequences would be for residents in the City who had carports. Mr. Goodwin stated there were risks any time someone built a structure without a permit. He said the City could file a lien against the property and mandate it to be torn down. C. Driggs asked if this was currently in the code. Mr. Goodwin responded the City had code enforcement over these regulations.

C. Spears asked about the code definitions of attached and unattached carport, and wanted to know where such information would be listed. She discussed the specifics of how the structure would be fastened to the ground. Mr. Goodwin said this portion should be in the building code. He explained that Section 10-5-29 specified where a carport would be adjacent to the home. If the carport was not anchored down it would be considered a temporary structure.

C. Driggs said they should have an agenda item to discuss the carport section of the code at the next Planning Commission meeting. He said they should also define temporary structures. Mr. Goodwin explained that he was working with staff to process the application prior to the adoption of the code, as it pertained to Mr. Murray's application.

C. Spear asked if they were concerning themselves about the material color type. Mr. Goodwin said he was not sure but was working on completing Mr. Murray's application. He stated that he would try to provide narrow definitions. He concluded by stating that this item would require further deliberation in the future.

5. Review/Action on Conceptual Plan

Mr. Goodwin presented the staff report and identified a piece of property for which a conceptual plan was being drafted. He subsequently requested input from the Planning Commission, and stated that no action was required at this time. The applicant was proposing a 20,000 square foot building with 84 parking stalls. The project's designs had been sent to Fire Chief Thompson for review, but no conclusions had been reached. Mr. Goodwin turned the time over to Eric Larsen for further explanation of the project.

Mr. Larsen, Commercial Real Estate Broker, explained that the concept plan being presented—a retail flex project—was in high demand. He presented several concept drawings for the area and said the project would provide amenities that would benefit the residents. Uses could include but were not limited to a cross fit gym, dance studio, and bike repair shop. He noted that the property in question would not be featured for restaurants.

C. Thomas asked if there would be 10 units, to which Mr. Larsen responded this would depend on what customers wanted. They were estimating about 3,000 square feet per unit.

C. Dredge asked about the units having warehouse type doors, and noted this would not leave room for trucks. Mr. Larsen responded they did not intend to have semi-trucks access this area. He also noted that it was not their intent for the southeast face to be on the backend of the development.

C. Spear asked if there would be an entrance to the rear of the development, to which Mr. Larsen answered in the affirmative. The main entrance would be in the front and would be aesthetically pleasing.

C. Dredge remarked that an office building would work well in this area. Mr. Larsen explained that they entertained the idea of developing office buildings in this area, but found evidence to the contrary.

C. Thomas asked if the elevation facing street would match the colonial look. Mr. Larsen answered in the affirmative. C. Driggs observed that the designs were not a colonial style. Mr. Goodwin noted they were still in the concept phase of development. As the plan was completed through the preliminary stage, they would start to see the colonial element of the design. He said the developer was asking for the Commission’s thoughts on the proposed use of the property.

C. Driggs said when they previously discussed this project with the developer more than one building was presented. Mr. Larsen responded that at the time they were “testing the waters” for the project; however, there was no interest in having multiple buildings. C. Driggs asked if the one building would be the only structure they build, to which Mr. Larsen answered in the affirmative.

C. Driggs asked if they had considered a place for truck delivery. Mr. Larsen said they would explore a location for delivery. C. Driggs noted they needed to consider access for garbage trucks. Mr. Larsen stated the type of businesses that would use these locations would not need truck delivery. Tyler Tiberius, the property owner, stated there were many entrepreneurial businesses in Cedar Hills that could use this type of facility.

C. Dredge asked if there was a raised sidewalk. Mr. Goodwin answered in the affirmative and explained that the raised crosswalk was before the stop sign.

C. Thomas asked Mr. Goodwin to compare this location to the facility with Marcos Pizza, the Dollar Tree, and Great Clips. Mr. Goodwin responded this would be twice the size of the building in reference; Mr. Larsen’s building would be a single-story, similar to Walmart.

C. Driggs asked if there was public access on Redwood Road.

Note: C. Driggs made additional comments; however, due to technical difficulties with the recording equipment, some of his remarks were inaudible on the recording.

There was subsequent discussion pertaining to doors, and it was noted that there were none in the conceptual renderings. Mr. Goodwin said he did not think the Lexington Heights development had doors on the side. C. Thomas responded that there was one door in the middle. Mr. Larsen said this depended on how far the exit was from front to back. C. Driggs asked about the architecture design of having doors in the front, to which he was given the response that the developer’s goal was to make the building look right. C. Dredge was concerned that people would park on Redwood Road if the doors were located on the front of the building. Mr. Larsen concluded that as developers, they were open to any design that worked for their customers.

MOTION: C. Spear—To approve the conceptual plan for the commercial development located on the corner of Cedar Hills Drive and Redwood Road in the SC-1 Commercial Zone. Seconded by C. Dredge.

Yes - C. Anderson
C. Dredge
C. Driggs

C. Spear
C. Thomas Motion passes

ADJOURNMENT

This meeting was adjourned at 8:02 p.m. on a motion by C. Thomas, seconded by C. Dredge and unanimously approved.

Approved:
September 25, 2018

/s/ Colleen A. Mulvey, MMC
City Recorder