

CITY COUNCIL MEETING

Tuesday, August 7, 2018 7:00 p.m.

Community Recreation Center

10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Jenney Rees, Presiding
Councilmembers: Ben Bailey, Mike Geddes, Brian Miller
Absent/Excused: Denise Andersen, Ben Ellsworth
Chandler Goodwin, City Manager
Greg Gordon, Recreation Director
Jeff Maag, Public Works Director
Others: Lt. Gregg Ludlow, Mark Greenwood, John Dredge, LoriAnne Spear

1. Call to Order

This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:01 p.m. by Mayor Rees.

2. Pledge of Allegiance

The Pledge of Allegiance was led by C. Bailey and the invocation was given by Mayor Rees.

3. Approval of Meeting’s Agenda

MOTION: C. Miller – to approve the agenda as outlined. Seconded by C. Geddes

Yes - C. Bailey
C. Geddes
C. Miller Motion passes.

4. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments. Comments are limited to three minutes per person with a total of 30 minutes for this item.

There were no comments.

CONSENT AGENDA

5. Minutes from the July 17, 2018, Work Session & City Council Meeting

MOTION: C. Geddes—To approve the consent agenda. Seconded by C. Miller.

Yes - C. Bailey
C. Geddes
C. Miller Motion passes.

CITY REPORTS AND BUSINESS

6. City Manager

Mr. Goodwin reported on the following:

- The annual Pancake Breakfast would be held August 18th.
- There were several vacancies on the Planning Commission for which he encouraged citizens to apply.
- School was starting in a week and he asked everyone to exercise cautious driving.
- The ULCT Conference was scheduled for September 12th at the Salt Lake Sheraton Hotel.
- He thanked first responders for their efforts on July 27th.

7. Mayor and Council

There were no reports.

8. Review/Action and Public Hearing on Final Plan Approval for the Cedar Hills Gateway Commercial Subdivision

Mr. Goodwin presented the staff report and explained they were only approving the street structures and the public utilities. This would allow the developer to sell the lots one at a time. He said this was an advantage as they could customize the lots for the businesses. There was concern about the access through 9900 North. It was originally discussed to have this access limited to full access in and right-out only. However, this was later determined to be unnecessary and that full access in and out would be feasible. Another access point needed to be widened to accommodate the access. There was also prior discussion regarding snow removal, a proposed four-way stop, and walkability throughout the development.

C. Geddes asked if the sidewalks were required in the development. Mr. Goodwin explained the code required sidewalks on both sides of the street. He clarified they were giving the development flexibility to build sidewalks as the lots were sold and developed.

Mr. Goodwin explained they were permitting the developer to beautify the retention basin, and the City would agree to count this towards the 30 percent required for landscaping. C. Geddes asked if the 30 percent included tree pockets in the parking lot. Mr. Goodwin answered in the affirmative.

PUBLIC HEARING

Lori Anne Spear said she learned during the Planning Commission meeting that the height of the concrete fence would be eight feet high, similar to Walmart. She asked the Council to discuss the pros and cons of this fence.

Marie Kraft said she lived on the east side of the property. She explained she was concerned about the increased traffic from the development. She was also concerned about the safety of the children playing in the area. She asked the Council to mitigate traffic with speed bumps and a four-way stop.

Mr. Goodwin stated that if the City Code required the fence to be six feet high, their hands were tied. The City would require traffic studies for the business that entered the development. If a business that caused traffic problems entered the development, they would reevaluate plans for mitigating traffic.

C. Bailey asked if they were discussing vehicles exiting the development or thru traffic. Ms. Craft stated they were discussing the latter. Mr. Goodwin explained a traffic study would show the number of cars coming in and out of the development.

Mr. Goodwin noted the first businesses would have limited impact on the development. There was subsequent discussion on options to mitigate future traffic problems.

Mayor Rees commented on the code pertaining to the fence height and said they could discuss the matter later.

MOTION: C. Geddes—To approve the final plans of the Cedar Hills Gateway Subdivision, subject to the final engineering review. Seconded by C. Miller.

Yes - C. Bailey
C. Geddes
C. Miller Motion passes.

9. Review/Action and Public Hearing on an Ordinance Amending City Code Title 3, Chapter 3 regarding re-zoning a portion of Lot 26 Cedar Hills Subdivision Plat I from the PF Public Facilities Zone to the R-1 11,000 Residential Zone and vacating the open space provision of a portion of Lot 26 Cedar Hills Subdivision Plat I, and to amend the Official Zone Map to reflect these zone changes

Mr. Goodwin explained that staff was recommending this item be tabled because the item was noticed as Title 3 and it should have been Title 10. Emails were sent to residents concerning the error.

Mayor Rees asked Councilmembers if they wanted to go through the presentation now or wait until the next Council meeting. C. Miller stated that the Council could hear staff's presentation at the next meeting but allow residents wishing to comment on the item to do so now. He explained they would have C. Andersen and C. Ellsworth at the next Council meeting to address any additional concerns. C. Geddes and C. Bailey both indicated they were okay with tabling this item.

PUBLIC HEARING

Cheri Condie requested the Council deny the petitioner's request for the rezone. She said the petition sounded reasonable, but the Council needed to listen to what the community wanted. She said they should purchase the property from the owner and maintain the land as open space. There was not a buildable lot and no compromise if the City rezoned the property. The owner would gain a home with a view and a tax deduction for donating the undesirable land. The

residents would gain nothing from this transaction. She suggested the Council revisit this issue in the future.

Ken Hazelbaker said he lived directly across the street from the property in question. He said they purchased the property three years ago and were told this area was zoned as open space. He said this was the reason they purchased the property. He said he appreciated the Mayor and staff for their work on this project, but compromise was not what the residents wanted. He suggested the area remain open space.

Cheri Condie read the following statement from Jean Peaslee: “We voted for a Town Council to represent the people who live in Cedar Hills and those whose their decisions affect, i.e., those living on the borders of the open space and future nature park. Please don’t feel the need to represent speculators who knew what they were buying and who don’t live here. We are grateful for you service, thank you for all you do. [sic]”

Dave Free thanked the Planning Commission for their time and effort on this issue. He said he hoped the Council had received the petition that was made on Facebook. He was in favor of maintaining the area as open space. He noted that encroachment was an issue that needed to be addressed. Once the property was re-zoned it could be developed. He stated those who purchased their homes understood they were buying property next to open space and it was unfair to change that.

Diane Sorenson asked the Council to deny the request. She asked what the City would gain for approving the rezone. She noted the land that would be donated would be landlocked; she was of the opinion that the buyer was the only one winning in this situation.

MOTION: C. Geddes—To approve to table this item to the August 21, 2018, City Council meeting. Seconded by C. Miller.

Yes - C. Bailey
C. Geddes
C. Miller Motion passes.

C. Bailey asked for the residents to approach the Councilmembers with any additional questions.

ADJOURNMENT

This meeting was adjourned at 7:37 p.m. on a motion by C. Bailey, seconded by C. Miller, and unanimously approved.

Approved by Council:
September 18, 2018

/s/ Colleen A. Mulvey, MMC
City Recorder