

**PLANNING COMMISSION MEETING**

Thursday, January 22, 2015 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Glenn Dodge, Chair, Presiding  
Commission Members: Craig Clement, David Driggs, Jeff Dodge, Donald Steele, Brad Weber  
Excused/Absent: John Dredge, LoriAnne Spear  
Chandler Goodwin, Assistant City Manager  
Colleen Mulvey, City Recorder  
Others: Gary Gygi, Jenney Rees, Trent Augustus, Mike Geddes, Cory Shupe, Dan Wilson, Chad Griffiths, Lloyd Beal, Smart Family, Paul Simms

**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 7:03 p.m. by C. Dodge.
- 2. Appointment of Chair and Vice Chair.  
C. Dodge stated that at the January 20, 2015 City Council meeting, the City Council appointed him as Chair, and Donald Steele as Vice Chair of the Planning Commission.

3. Public Comment

Lloyd Beal: Mr. Beal stated that he thought the Rosegate senior living facility had already been approved for development. He said that the time is going to come when he no longer wants to live where he is now, that he would need a facility where he and his bride could move in to and spend the rest of their lives. He stated that he thinks this type of facility is needed in our area and he is in favor of the Rosegate facility being developed.

SCHEDULED ITEMS

- 4. Approval of Minutes from the October 23, 2014 and November 13, 2014 Planning Commission Meetings

C. Driggs asked about the Beacon Heights Senior Living item from the October 23<sup>rd</sup> meeting, if they have met the conditions set forth in the motion for granting the conditional use permit. Specifically the minimum of 4 parking stalls identified for visitors, and the 45 foot site triangle to be identified as no parking at any time. Mr. Goodwin stated that he is working with our code enforcement person to get these items completed and that he would follow up and look into it.

C. Jeff Dodge pointed out that in the minutes of the October 23<sup>rd</sup> meeting on item #7, page 4, regarding the bay doors, it should be corrected to state “receiving /delivering bay doors.”

**MOTION: C. Driggs—To approve the minutes from the October 23, 2014 and November 13, 2014 Planning Commission meeting, with the stated spelling correction.** Seconded by C.

Weber.

Yes - C. Clement

C. Dodge  
C. Driggs  
C. Steele  
C. Weber      Motion passes.

5. Review/Recommendation on Conceptual Plans for the Lakeview Trails Subdivision, located at approximately 10100 Canyon Road in the H-1 Hillside Zone

Chandler Goodwin stated that this was supposed to be the preliminary and not conceptual review of these plans, it was noticed incorrectly. He said that we contracted out with Mustang Design to go over the engineering review because the former engineering firm being used was Civil Science which is the same firm the city uses, and we felt it best to use an outside firm to review the work.

Mr. Goodwin stated that the reviewed plans from Mustang Design have not come back yet, but that he will go over the points they will cover. They will review the geotechnical report, the hydraulics, pipes slopes and capacities, ditches, storm water runoff calculations, conveyance, detention capacity. They will also do a review of the roadway design; check the slopes, turning radius, widths, intersections, and general engineering compliancy. They will go over the city design standards, the legal description of the lots and plats, a right of way and county road verification. Mr. Goodwin stated that he anticipates meeting with them sometime next week to go over their findings.

Mr. Goodwin explained that this subdivision is in the H-1 Hillside zone and it qualifies for what is called a PRD (planned residential development). To meet the PRD qualification there must be 20 acres of land that is going to be subdivided or built on. He stated that on the density slope analysis it shows 19.17 acres, and there is white space that is not identified, he pointed out that there would need to be more acreage to this site to make the minimum 20 acres to qualify for a PRD. C. Steele asked if it can be shown in multiple phases. Mr. Goodwin said that it can be shown as multiple phases but the whole subdivision itself needs to be 20 acres.

C. Driggs asked why this needs to be a PRD. Mr. Goodwin stated that with doing a PRD you get out of some of the more stringent code that is in the H-1 zone. The H-1 zone is very difficult to build in, and a PRD encourages clustering of units, and is meant to preserve open spaces and maintaining some of the natural landscape.

Mr. Goodwin stated that the lots meet the ten thousand square foot requirement, and there are clustered lots. He said that it will need to show a buildable area where each individual lot or designated building site shall contain a buildable area of not less than four thousand square feet, and cannot have slope greater than 30 percent. It needs to be in an area that is not subject to landslides, mudflows, and the soil needs to provide adequate support. He pointed out that all of this will be reviewed by Mustang Design.

Mr. Goodwin stated that on the common drive the code requires them to be 24 feet in width. Mr. Wilson, the developer said that there is not a common drive on the end of Bayhill, there will be two separate driveways for lots 22 & 23.

Mr. Goodwin stated that 30 percent of the development needs to be open space dedicated to the city and prior to any construction a bond would need to be posted.

Mr. Goodwin said that he spoke with city manager/engineer, David Bunker and he pointed out some of the things that need to be addressed. He said that we need to make sure that with the slope analysis we are not leaving any residual parcels. This project is subject to the conveyance of water rights, we will need to see letter from the developers that they intend to convey water rights. This project is also subject to the review of the geotechnical study and storm water calculations.

Mr. Goodwin pointed out that Bayhill Drive is designed as collector road for The Cedars East subdivision to access Canyon Road, we will need to evaluate if Bayhill needs to extend south. We will need to evaluate the trips per day because there is concern that in the event of any catastrophic event or any closure of Morgan Boulevard or Bayhill Drive; it leaves those residents with only one access on to Canyon Road.

Mr. Goodwin stated that there are big power lines that run over lots 23 & 24 so we need to make sure that with those steep elevations it is a buildable area where those power lines are. So this would be subject to review by Rocky Mountain Power.

Mr. Goodwin stated that the road cross-sections need to show that the roads are 100 percent cut and not filled. The sewer needs to be shown on the lots, the sewer mains on Canyon Road need to extend to the north end of property and the pressurized irrigation (PI) and water mains will need to be extended as well. The water and PI lines need to be shown on the plan, and drainage issues need to be discussed. The K value or amount of level ground that a car has to stop before it enters an intersection, needs to be shown for Lakeview Drive. The sidewalks on Canyon Road must be constructed to county specs. Mr. Goodwin reiterated that we are still waiting on the feedback from the Mustang Design engineering review.

C. Clement stated that on Bayhill Drive it is very limited on ways it could go, he said his thought is that when they realign the PI line between lots 20 & 21, the city is going to have an easement there and he proposes that we put in a 12 foot gravel path between lots 20 & 21, that way in case of an emergency there is an egress for residents by accessing the Bonneville Trail.

C. Steele stated that he is opposed to flag lots because they are difficult to get to in an emergency; they are isolated and fundamentally unattractive. Mr. Goodwin pointed out that flag lots are permitted in the PRD code 10-6-b71.

Mr. Wilson stated that there are several reasons why they believe it is impractical for Bayhill Drive to continue, one of which is that there is about a 70 foot drop in elevation from where Bayhill is down to Lakeview Drive. It essentially creates a huge ramp and in the middle of that ramp is the aqueduct which is above ground. The pipe in this region is the wrong class to cross, so a very expensive bridge would have to be built in order to cross because you are not allowed to have a road on the easement. He said that their concept is to have Lakeview Drive connect to Cedar Hills Drive.

C. Jeff Dodge asked if there would be multiple builders on the various lots. Mr. Wilson said that they plan to build on some and sell some lots. C. Jeff Dodge then asked how they would make sure that all of the builders are following through with the recommendations on the soils report. Mr. Geddes stated that the city will have to enforce the guidelines that are specified. Mr. Goodwin stated that when a building plan comes in as part of the building process we go through the geotech report on file for the subdivision and review the recommendations with the builder.

C. Clement stated that the in H-1 zone every lot requires a geotech report, and asked if in the PRD it is not required. Mr. Goodwin said that he was not sure and would have to look into that. C. Clement stated that he recommends that each lot have a geotech report. Mr. Goodwin recommended that that be a part of the motion.

C. Driggs asked if there would be a traffic analysis report. Mr. Goodwin stated that they will be talking with Mustang Design about doing the analysis and looking at the average daily trips on Morgan & Bayhill and what impact the trips will have on those intersections.

C. Steele asked if this development will have a turning lane. Mr. Wilson stated that this is one of the widest spots on Canyon Road and there will be wide turning lanes on the west, right and middle. Mr. Goodwin stated that as the development moves forward we will make sure there are clear view areas with good site lines.

**MOTION: C. Driggs—To recommend approval of the conceptual plan for the Lakeview Trails Subdivision located at 10100 Canyon Road in the H-1 Hillside zone, prior to final approval that the application meet or exceed 20 acres, that they follow the geotechnical recommendations dated December 8, 2014, they meet the recommendations provided by city staff at the January 22, 2015 Planning Commission meeting, the completion and receipt of the Mustang Design review is provided to the city, and the traffic analysis report is completed.**

Mr. Goodwin asked if he wanted to add the 12 foot trail segment easement between lots 20 & 21. C. Driggs stated that he was not going to amend his motion.

Mr. Goodwin pointed out that this plan is the preliminary plan, but was noticed as the conceptual plan. City Recorder Mulvey stated that is was noticed to the public as a conceptual plan and proper protocol would be to notice it again in another meeting as the preliminary plan.

C. Driggs stated that he withdraws his motion.

Mr. Goodwin suggested that the Planning Commission reconvene in a special meeting where we can notice this item as the preliminary plan. The general consensus of the commission was that a special meeting be held next Thursday, January 29th.

**MOTION: C. Driggs—To table the recommendation of the conceptual plan for the Lakeview Trail Subdivision until January 29, 2015 at a Special Planning Commission meeting.** Seconded by C. Clement.

C. Steele stated that he would have voted in opposition to the previous motion which was withdrawn, for a different reason. There are a lot of issues that are open and pending this review by a third party and there are a lot of things that the developers agreed to put in. Under normal circumstances of preliminary review it does not need to be complete, but it needs to be clear. He stated that he does not have clarity on all of the issues, and he would like to see as many of those issues with more clarity by next Thursday's meeting.

Yes - C. Clement  
C. Dodge  
C. Driggs  
C. Steele  
C. Weber Motion passes.

6. Discussion on Conceptual Plans for Rosegate at Cedar Hills, located at approximately 4600 West and Cedar Hills Drive in the SC-1 Commercial Zone

Mr. Goodwin stated that this is the latest plan for the Rosegate facility, and the reason we are back here showing a new building layout and concept is that the previous plan traversed two sub districts within the commercial zone. The sub districts are the Neighborhood Retail sub district and Mixed Use Office Retail sub district. About 20 percent of the building as previously proposed crossed over that border. The city council made a determination that congregate care is similar to assisted living and can be treated as such, which allowed this building to be in the Mixed Use Office Retail district, but not in the Neighborhood Retail zone, It is not a conditional use, and the building has been shifted to steer clear of the overlap.

Cory Shupe of Blu Line Designs stated that he is representing the developer of the Rosegate project, and is here to update the commission. He explained that they have gone through the conceptual design process where the concept overlapped the subzone within the zone. He said that they received a positive recommendation from the Planning Commission to move forward, but there were still two questions at that point. The questions are, is congregate care substantially the same as assisted living or not, and is the building overlapping in a portion of the subzone going to be an issue? He stated that at that time the Planning Commission said that those two decisions should be made by the City Council. He said that they then asked to be on the next city council agenda to address those concerns because they felt that in order for them to move forward productively, they needed clarity on whether they would be doing assisted living or congregate care. He added that they are fine to do either one. In the December city council meeting they found that congregate care is substantially the same as assisted living, but were unable to get direction on whether or not their former layout overlapping in the subzone was going to be an issue that ultimately would be denied. He stated that they did not want to move forward and spend thousands of dollars only to be told that because of the overlap they would be denied. He said that they asked the city council again to consider placing them on the agenda to get clarity, and they were not granted that. He stated that they were left with the direction of congregate care as substantially the same as, and without clarity of the overlap and being constrained by the property being broken up the way that it is, and their promise to stay within the city's box and abide 100 percent by your codes. He said that they have gone back and reconfigured the building so that issue of overlap is nonexistent.

Mr. Shupe said that have met with the Site Plan Review Committee, and that both that committee and the Planning Commission have been very helpful throughout this process. The Site Plan Committee had some concerns with the layout, primarily with road access. He stated that their goal is to eliminate all concerns and ensure that they are 100 percent in compliance with the code. He said that they have redone the building again and slid it so the access road comes in as suggested by the committee. Another change is that they moved the main entrance to be facing towards the Charleston. The building is farther away from the residents to the south at around 100 feet from the property line, the parking stalls are enhanced at 20 feet, the driving lane is 26 feet, made wider to accommodate their clientele. The south side of the building is not one long façade, but broken up with end caps. Open space was created on the exterior and interior with numerous corridors that allow access for maintenance and fire personnel. He pointed out that now they have a ten thousand square foot commercial pad sitting on the most viable commercial portion of the property with ample parking. The code states that shared parking is encouraged, and the way this is configured helps to accommodate shared parking.

Mr. Shupe stated that what they are hoping for tonight is direction on what else they can do, and to know if there is anything at all that is not in compliance with the code. He said that their next step is that they want to come back with the preliminary site plan application submitted on February 11<sup>th</sup>. He said that he would like the Planning Commission's insight and input on this configuration, and if there is anywhere that they are not in compliance with the code.

C. Driggs asked to confirm what sub district this building is in. Mr. Goodwin stated that the main congregate care facility is in the Mixed Use Office Retail development, the outbound commercial building is in the Neighborhood Retail sub district.

C. Driggs stated that in the Neighborhood Retail development where you will have shared parking it says in the guidelines that one to three story buildings are permitted although two story buildings are encouraged and the zone where your building is, it says that it should be of lower intensity than the Neighborhood Retail. Mr. Shupe stated that intensity can be determined by use and not just structure.

C. Driggs then said that he presumes that they are going to build a congregate care facility which means that they would be providing assisted living. Mr. Shupe stated that it is different than assisted living and all of the services that people receive in an assisted living facility are available in our facility, but they are not charged for on a monthly basis as they are with an assisted living facility. C. Driggs stated that at some point they will need to provide the city with a list of what services they intend to offer. C. Driggs then read a list of services from the state of Utah's definition of assisted living facilities.

C. Steele stated that the point is that these have been determined to be substantially the same which does not mean exactly the same and he would not expect to see that entire list. C. Driggs said that majority of the list would be nice. Mr. Shupe stated that the way they provide those services will not be exactly the way they are provided in assisted living facilities.

C. Steele said that since they have moved the front of the building to the side street and is facing buildings of similar use, he asked how the driveways sync with the opposite side of the street,

mainly the concern with left turns. Mr. Goodwin stated that they are lined up to be straight across, and that the city will require them to submit a traffic study.

C. Jeff Dodge said that he previously brought up the fact that the three stories of the same color brick start to look monolithic and he likes what they did to break up the facade which is helpful to break down the scale of the building. He likes the east facing entry and that it faces similar uses across the street. He appreciates the change along the south side, breaking up what was a very monotonous footprint. The more that this building can break away from straight symmetries the easier it is to look at.

C. Clement asked about the number of units. Mr. Shupe said that there will be around 300.

C. Driggs asked how many square feet the building is and how much is livable space. Mr. Shupe said that he does not know, but will find out. C. Driggs then asked if we excluded the Neighborhood Retail portion, is there adequate parking to meet the needs for the facility. Mr. Shupe said there is, there are around 300 parking stalls, one stall per unit. C. Driggs asked if there were windows on the end caps that would look into the neighborhood. Mr. Shupe said that he did not know for sure, but that they are 100 feet from the property line. C. Driggs said that taller trees should be put along that side.

C. Steele asked if there are parking stalls allocated for visitors. Mr. Shupe said that they will designate parking stalls for visitors.

C. Dodge stated that a lot of the questions being asked right now are about detail that will be answered when they get to their final presentation. Mr. Shupe said that their main concern tonight is to know if they are in compliance with the code, because that is what they need to understand.

Mr. Goodwin pointed out that the design guidelines require a 15 foot landscape barrier adjacent to residential zones, and he wants to make sure that it is 15 feet wide.

C. Driggs said that when they first approached the city they were proposing an aged 55+ and older facility. Mr. Shupe said that it is still that way, with congregate care it is aged restricted unlike with assisted living. C. Driggs said that is true unless you make changes to your facility in the future. Mr. Shupe said that they cannot do that, the way these facilities are financed you cannot flip on them, they have made it illegal and impossible. C. Driggs stated that he disagrees and that he should read the HOPA (Housing for Older Persons Act) review of standards. Mr. Shupe said that they will need to do more research and get clarity on this.

#### 7. Discussion on the Guidelines for the Design and Review of Planned Commercial Development Projects

C. Jeff Dodge pointed out that section 4 of the guidelines is long and we will not be able to cover it all in one night. Mr. Goodwin agreed and said that his plan is breaking it up and taking sections 4.1 & 4.2 together and then sections 4.3 & 4.4.

Mr. Goodwin stated that today he sent the Planning Commission some of the changes that were suggested, and asked the commission to review and feel free to reword the language he used and send those changes back to him.

Mr. Goodwin said that some of the things that he wants the commission to consider are that we really need to focus on sub districts that are yet to be developed, and we will not need to spend a lot of time on the office district because it is built out. He pointed out that the facilities list is dated and for the list of conditional uses to look at what we can add, delete to facilitate development yet maintain the standards that we've set. We have set these high standards for development in the commercial zone but we need to make sure that the standards we are setting in the future don't put the developers that have previously developed out to sea. These guidelines need to be very similar as far as architecturally, and let's look at the conditional uses throughout the entire zones. He said that we also need to look at what impact development has on neighboring residential uses, such as building height, density, scale and setbacks.

Councilmember Rees recommended the commission look at the conditional use information put together by the Utah League of Cities and Towns. Mr. Goodwin agreed and said that he would send that out to the commissioners.

#### 8. Committee Assignments and Reports

C. Dodge welcomed Jenney Rees as the city council representative.

#### ADJOURNMENT

9. This meeting was adjourned at 9:12 p.m. on a motion by C. Weber, seconded by C. Driggs and unanimously approved.

Approved:  
February 26, 2015

/s/ Colleen A. Mulvey, MMC  
City Recorder