

PLANNING COMMISSION MEETING

Tuesday, May 26, 2015 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Glenn Dodge, Chair Presiding
Committee Members: Jeff Dodge, John Dredge, David Driggs, Donald Steele, Brad Weber
Absent/Excused: Craig Clement, LoriAnne Spear
Jenney Rees, City Council Liaison
Chandler Goodwin, Assistant City Manager
Courtney Hammond, Transcriptionist
Others: Fred Levine, Mrs. Levine, Gary Gygi

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 7:00 p.m. by C. Dodge.

2. Public Comments

No comments.

Jeff Dodge was recognized as a voting member.

SCHEDULED ITEMS

3. Approval of the Minutes from the May 12, 2015 Special Planning Commission Meeting

MOTION: C. Jeff Dodge—To approve the minutes. Seconded by C. Weber.

Yes - C. Jeff Dodge
C. Driggs
C. Weber
Abstain C. Steele Motion passes.

4. Conceptual Plans to Subdivide Fred Levine’s property, located at 3939 W 4000 N in the PR 2.2 Planned Residential Zone

Chandler Goodwin stated that the Levine’s two parcels total 1.1 acres in total. He has the required density to subdivide the lot. Staff has reviewed the proposal. There is a sewer manhole on the southwest corner. There would need to be a sewer easement that would allow any future development to hook on. The buildable area of the lot needs to allow for adequate living space according to code. Developers of any subdivision are required to put in public improvements. The city has only waived the sidewalk requirement in the case of private roads. There is the possibility of requiring the improvement to be installed when the road goes in. The city has done that before, but it has collected a bond, which has an expiration date. The portion of the road in front of Mr. Levine’s house is not the dangerous portion of the road. The Planning Commission does not grant exceptions to the code. The Board of Adjustment is the body that would see this request. If the Board of Adjustment grants a variance then Mr. Levine would come back to the

Planning Commission for subdivision approval and ignore the portion of the code that relates to the sidewalk requirement. Subdivision would also require hook up to a sewer line.

Fred Levine stated that he has lived in Cedar Hills for 45 years. He is aware that he has to follow the code in order to subdivide. He is the last house in Cedar Hills. The irrigation ditch is the property line. His eastern neighbor has subdivided, but he is in Pleasant Grove. Pleasant Grove has indicated that they have no plans to expand the road. In his view, building a sidewalk will require removing telephone lines, removing trees, irrigation pipes and pumps, building a retaining wall, rebuilding the street, relocating culinary water hookups, relocating secondary water hookups, and removing 100 feet of shrubs. The sidewalk would be placed 21 feet into his property. He doesn't want to go to all the expense to build one house. He is asking for an exception.

C. Driggs stated that Fred Levine approached him about this as a neighbor. The road is a country lane by choice. Pleasant Grove city councilmember Cindy Boyd is opposed to the road being widened. Other residents of the road have overgrown trees and hedges to discourage the use of the road. The road is a safety concern. Attempting to resolve the safety concerns by requiring the Levine's to put in a sidewalk would likely not improve safety and would put an undue burden on the Levine's. He would propose requiring the sidewalk to go in when Pleasant Grove actually widens the street.

C. Weber stated that many of the things that would need to be done for the public improvement are unfortunate and others are financially burdensome. He would like to see an estimate on the costs.

C. Steele stated there is an opinion that the Planning Commission just rubber stamps these types of requests. The Planning Commission should base its analysis on the basis of the code. Improving the road will be difficult. Widening the road may not allow for adequate front yard setbacks. He is concerned with the emergency response accessibility with flag lots. If the widening of the road requires a special service district, he is skeptical that will ever happen.

C. Jeff Dodge stated that there may be a way to install the walkway now without improving the street. The Planning Commission does not have the flexibility to say that a developer does not have to comply with code.

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

Chandler Goodwin stated that there is a lack of clear-cut definitions in the guidelines, such as density, size, and scale. The list of approved uses is somewhat arbitrary as well. He would prefer to make more generalized categories for the approved uses, such as retail, soft goods, hard goods, etc. He hesitates to incorporate a "not allowed" list for legal reasons. Blu Line Designs Rosegate development comes in under the Design Guidelines currently in place, but wants to ensure that things are more clearly defined for future developers. He suggested adding a purpose to some of the categories that are listed in the uses, such as generating sales taxes, and providing services. He will add a section on xeriscaping to section 4.

C. Dodge stated that in the list of approved uses, he would like to see the banks/credit unions changed to the general category of financial institutions. He would also like to come up with a general term to encompass senior care.

C. Jeff Dodge cautioned against going too far in making the business categories so general that the city loses the ability to give any direction to what it wants to see in the commercial district. The idea of the landscaping guidelines was to set the buildings within a park like setting. Blu Line Designs inverted that and set a park like setting within the building. He would like to change the guidelines to say that the 30% landscaping should be accessible and available to the public. He suggested requiring cutoff lighting fixtures where the lightbulb cannot be seen because it is fixed inside the fixture. In the structure height section the word “permitted” signals code or statute, and the city does not have that backed up in code. He would like to see a city code in place to back up the permitted 1-3 stories. As it currently sits, developers can read the guidelines as 3 stories or 50 feet, when the intent is 3 stories and 50 feet.

C. Driggs suggested that the commission consider modifying the sub-districts to protect single family homes and allow more flexibility further from the homes. Now that so much of the commercial area is in, some of the sub-districts don’t make a lot of sense. In Section 4.1.5 he would like to strike the opening sentence of the parking paragraph with historical background.

C. Dredge stated that he would prefer to sort the approved uses categorically rather than alphabetically. The category would include several examples and a statement such as “and similar uses.” The section on structure height is unclear and confusing. It can be clarified with some simple diagrams. He doesn’t feel that 3 stories should be totally disallowed. He is more concerned about the mix of stories and height.

C. Dodge asked commission members to come up with a version of the approved uses list that makes sense to them along with any other suggestions and changes and forward it to Chandler Goodwin.

A special planning commission meeting will be held on June 30.

6. Committee Assignments and Reports

No reports.

ADJOURNMENT

7. This meeting was adjourned at 9:44 p.m. on a motion by C. Dodge, seconded by C. Weber and unanimously approved.

Approved:
June 30, 2015

/s/ Colleen A. Mulvey, MMC
City Recorder