

1 **DRAFT**

2
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
4 **PLANNING COMMISSION MEETING**

5
6 **Wednesday, July 6, 2016**

7 **6:00 p.m.**

8 **Cottonwood Heights City Council Room**
9 **1265 East Fort Union Boulevard, Suite 300**
10 **Cottonwood Heights, Utah**

11
12 ***ATTENDANCE***

13
14 **Members Present:** Chair Paxton Guymon, Sue Ryser, Allen Orr, Dennis Peters, Alternate
15 Joseph Demma

16
17 **Staff Present:** Brian Berndt-Community and Economic Development Director, Mike
18 Johnson-Community and Economic Development Planner, Glen Goins-
19 Senior Planner, City Attorney Shane Topham, City Recorder-Paula Melgar

20
21 **BUSINESS MEETING**

22
23 **1.0 WELCOME/ACKNOWLEDGEMENTS**

24
25 Chairman Paxton Guymon called the meeting to order at 6:05 p.m. He reported on the City
26 newsletter and stated that it contains a schedule of events that includes the calendar for City
27 Council Meetings. It was suggested that it also include the calendar of Planning Commission
28 Meetings.

29
30 **2.0 CITIZEN COMMENTS**

31
32 There were no citizen comments.

33
34 **3.0 PUBLIC HEARINGS**

35
36 **3.1 (Project #CUP-16-001) Public Comment on a Request from Rick**
37 **Campbell/Willow Creek Pet Center for a Program for Signs Located at 2055**
38 **East Creek Road.**

39
40 (18:07:00) Community and Economic Development Planner, Mike Johnson, presented the staff
41 report and stated that the subject property is the Willow Creek Pet Center located on the northeast
42 corner of Highland Drive and Creek Road. It is currently zoned R-1-43 where the use and signage
43 are considered legal non-conforming. Mr. Johnson stated that the Program for Signs provision
44 comes from the Sign Ordinance and Chapter 19 of the City Code. It is essentially an incentive for
45 owners of one or more properties to present or propose signage that can, but does not have to meet,
46 the underlying zoning and signage provisions. It is a way to develop a unified visual statement

1 that integrates the design of the signs with the buildings on the site. Mr. Johnson reported that
2 there are a handful of existing signs on the property, which were described.

3
4 The existing Cottonwood Heights sign on the site is 6'8" at the tallest point and 12 feet wide with
5 an area of roughly 55 to 60 square feet. It has no lighting. The last time the applicant brought the
6 matter forward was to request LED signage. Staff recommended denial and action was never
7 taken. The applicant revised his proposal to a larger non-LED monument sign that is 96 square
8 feet (8' x 12') with an internally-lit cabinet sign comprising the primary portion of the sign. The
9 current sign proposal will match the material of the building. The proposed sign will be 96 square
10 feet and internally lit. The sign on Highland Drive will be moved closer to the road to an 18-inch
11 setback and the Creek Road sign will remain the same.

12
13 The standards for approval were described as follows:

- 14
15 1. The proposal must be consistent with the purposes of Chapter 19.82.
- 16
17 2. The proposal must be compatible with the theme, visual quality, and overall character of
18 the area.
- 19
20 3. Signage shall be appropriately related in size, shape, materials, etc. to the building and
21 premises on which it will be displayed and be compatible with the existing adjacent
22 activities.

23
24 Staff recommended approval but did not feel that the proposed size of 96 square feet was
25 appropriately related in size to the surroundings. The land use in the area is largely residential or
26 very low impact commercial office-type uses. Any new signs in the area will likely be a maximum
27 of 36 square feet with a six-foot height limitation. It was noted that the Program for Signs
28 provision is fairly subjective. Staff recommended that the Commission take a close look at the
29 request to determine at what point a sign is in or out of character with an area in terms of size.

30
31 (18:13:13) Chair Guymon opened the public hearing.

32
33 Joy Shell reported that she owns property across the street and was concerned with the size of the
34 proposed sign. She asked what was being proposed by Salt Lake County for the use of Highland
35 Drive in the next five years since it will have a significant impact on the corner. Mr. Johnson was
36 not aware of Salt Lake County's plans going forward.

37
38 There were no further public comments. The public hearing was closed.

39
40 **3.2 (Project #CUP 16-008) Public Hearing on a Request from Lloyd Architects for**
41 **Conditional Use and Master Development Plan for Cottonwood Dental S.P.A.**
42 **Located at 7167 South Highland Drive.**

43
44 (18:17:00) Senior Planner, Glen Goins, presented the staff report and stated that the property is the
45 former site of a home that has been converted into a day care. The proposal is for reconstruction
46 of a professional dental office. The project will place a two-story office building toward the front

1 side on the west with parking in the rear. The proposal will include the number of parking stalls
2 required by Code and sufficient site landscaping, which is 15% in the Regional Commercial Zone.
3 The applicants are proposing 23%. The project is in the Gateway and is required to obtain a
4 Certificate of Design Compliance from the Architectural Review Commission (ARC). The ARC
5 reviewed the project and was very complimentary of the new proposed style of architecture. There
6 were conditions placed on the approval subject to the renovation of some of the landscaping.
7 Additional landscaping was recommended along Highland Drive and more clustering of trees in
8 addition to a berm to be constructed between the sidewalk and the building due to the distance of
9 the drive access in the front. The ARC accepted the proposed architecture and issued a Certificate
10 of Compliance.

11
12 Mr. Goins reported that staff reviewed the request and found it to be in compliance. Calls were
13 received about the new use and what the height will be. It was noted that the height will be 28' 6"
14 at the tallest point. The Code allows for three stories or 35 feet, whichever is less. Staff
15 recommended approval. The required number of parking stalls is 23 with 33 being provided. All
16 responding agencies recommended approval with the conditions set forth in the staff report.

17
18 Warren Lloyd from Lloyd Architects gave his address as 573 East 600 South in Salt Lake City and
19 introduced Project Architect, Matt Hintze. Mr. Lloyd commented on parking and stated that they
20 are exceeding the parking minimum in an effort to ensure adequate off-street parking for patients.
21 Due to the grade change on the site, the parking was located below grade and shielded from public
22 view. Mr. Lloyd stated that the development allows them to consolidate and remove the telephone
23 pole that is currently on Highland Drive. Power will be provided from the rear of the property.

24
25 A question was raised about what will be seen on the roof. Mr. Lloyd explained that the roof will
26 not be visible. It is a single-ply membrane roof that will be light in color. The mechanical
27 equipment will be shielded on the rear of the site on the ground. No mechanical equipment will
28 be placed on the roof.

29
30 (18:26:30) Chair Guymon opened the public hearing.

31
32 Mark Soderborg gave his address as 7164 South Ponderosa Drive and stated that he is the backyard
33 neighbor. He asked what was envisioned in terms of fencing or separation between the two
34 properties. He stated that currently there is a chain link fence there and garbage that attracts rats.
35 Mr. Goins explained that the Code and Regional Commercial Zone require there be buffering
36 between residential and commercial uses. A landscaping buffer must be provided in addition to a
37 seven-foot masonry wall along the entire eastern perimeter.

38
39 There were no further public comments. The public hearing was closed.

40
41 **3.3 (Project #CUP 16-008) Public Hearing on a Request from Carl Churchill for**
42 **a Conditional Use Permit for a Coffee Shop Located at 7258 Racquet Club**
43 **Drive.**
44

45 (18:28:00) Mr. Goins presented the staff report and stated that the request is for a coffee shop. It
46 is a conversion from a former dental office on the southwest corner of Fort Union Boulevard and

1 Racquet Club Drive. Two other businesses are located there as well. The terrain of the site is such
2 that the south side of the building is essentially one story. The slope of the property goes
3 downward as it moves north. From the frontage on Fort Union it appears to be a two-story building.
4 The bottom floor on the north side is the home of Western River Expeditions. The eastern portion
5 of the upper floor is the current office location of the Mountain Accord. The subject property will
6 house Alpha Coffee, which will function primarily as a coffee shop although incidental bakery
7 items will also be sold. No change was proposed to the exterior of the property. Mr. Goins
8 reported that there are 34 parking stalls on the entire site. The proposed use will require 10.
9 Signage was not proposed to be approved with the Conditional Use Permit. Staff recommended
10 approval. One comment was received in the form of an email expressing support for the proposal.

11
12 The applicant, Carl Churchill, reported that he and his wife have lived in Cottonwood Heights
13 since 2002 and the business has been online until now. They want to now take the next step and
14 open up a coffee shop. He stated that a great deal of support has been expressed by the neighbors.

15
16 Commissioner Ryser asked if the entire site will be retail in nature or corporate as well.
17 Mr. Churchill reported that there will be a rear area where they will pack and ship coffee, however,
18 it will be a small portion of the operation. Mr. Churchill reported that he spent 21 years in the
19 military and retired about 10 years ago. They send a portion of the profits to military charities and
20 donate coffee to troops who are deployed. They expect to be able to seat around 30 customers and
21 the hours of operation will be 6:00 a.m. to 6:00 p.m.

22
23 (18:33:20) Chair Guymon opened the public hearing.

24
25 An unidentified member of the public commented that very few people in Utah actually served in
26 the military. It seemed to him that for someone who makes such sacrifices the community should
27 do more to recognize their service.

28
29 There were no further public comments. The public hearing was closed.

30 31 **4.0 ACTION ITEMS**

32 33 **4.1 (Project #CUP-16-006) Action on a Request from Beckstrand and Associates** 34 **for Conditional Use and Site Plan Amendment Approval for Old Mill I** 35 **Located at 6322 South 3000 East.**

36
37 (18:34:24) It was reported that a public hearing was held previously on the above matter.
38 Mr. Goins clarified that the consideration tonight is for the Planning Commission to accept the site
39 plan as constructed. It was acknowledged that a Development Agreement expired and no action
40 was taken. The applicant desired to appear before the Commission to have the site examined in
41 its current configuration. Staff determined that the property meets the applicable zoning and
42 conforms to current practices.

43
44 Commissioner Ryser mentioned that it is likely that as the gravel pit develops, UDOT will make
45 changes on the road. When the public hearing was held a question was raised about whether the
46 Development Agreement required the parking lot to be taken out. A question was raised as to

1 whether if the request had been noticed in 2010, it would have required the parking lot to have
2 been removed at that time. City Attorney, Shane Topham, responded that the City could have
3 required the parking lot to be taken out but it would not have prevented the applicant from doing
4 what has been done, which is to request a site plan amendment conditional use permit.

5
6 Commissioner Ryser asked staff to further address landscaping. Mr. Goins responded that the
7 requirement with construction of a parking structure includes an additional 5% landscaping. Staff
8 examined the landscaping for the site and determined that it meets the current Code. The 5%,
9 however, is for all phases of Old Mill and the proposal more than exceeds the additional
10 landscaping requirement with the construction of a master development parking structure.
11 Mr. Goins clarified that by putting in the additional parking the applicant was required to increase
12 the amount of landscaping on the overall site. He explained that the elimination of the areas owned
13 by UDOT does not decrease the level of required landscaping below the minimum standard.

14
15 *(18:40:08) Commissioner Griffin moved to approve Project #CUP-16-006 as submitted.*
16 *Commissioner Orr seconded the motion. Vote on motion: Commissioner Griffin-Aye,*
17 *Commissioner Orr-Aye, Commissioner Ryser-Aye, Commissioner Demma-Aye, Chair Guymon-*
18 *Aye. The motion passed unanimously.*

19
20 **4.2 (Project #ZTA-16-001) Action on a City-Initiated Text Amendment to**
21 **Chapter 19.04 (Definitions) of the Cottonwood Heights Municipal Code.**
22

23 (18:40:45) Chair Guymon informed the Commission Members that the charge of the Commission
24 is to forward a recommendation to the City Council who will make the final action.

25
26 Mr. Goins reported that staff has received a few comments, which will be provided to the City
27 Council for consideration since the public hearing before the Planning Commission has been
28 closed on the matter. Anyone wishing to make public comments on the matter would have the
29 opportunity to do so before the City Council. The date of the future City Council Meeting where
30 the matter would be addressed was not yet known. Mr. Goins indicated that the agendas are
31 available on line.

32
33 Commissioner Griffin commented on what constitutes a dwelling unit and indicated that a slight
34 definition change may be made tonight to send to the City Council on mortgageability under the
35 definition of a dwelling unit.

36
37 *(18:44:35) Commissioner Griffin moved to forward a positive recommendation to the City*
38 *Council for the text amendments. Commissioner Demma seconded the motion. Vote on motion:*
39 *Commissioner Griffin-Aye, Commissioner Orr-Aye, Commissioner Ryser-Aye, Commissioner*
40 *Demma-Aye, Chair Guymon-Aye. The motion passed unanimously.*

41
42 **4.3 Approval of Minutes of May 4 and June 1, 2016.**
43

44 (18:46:20) *Commissioner Orr moved to approve the minutes of the May 4, 2016 and June 1,*
45 *2016 meetings. Commissioner Demma seconded the motion. Vote on motion: Commissioner*

1 *Griffin-Aye, Commissioner Orr-Aye, Commissioner Ryser-Aye, Commissioner Demma-Aye,*
2 *Chair Guymon-Aye. The motion passed unanimously.*

3

4 **5.0 ADJOURNMENT**

5

6 The Planning Commission Meeting adjourned at 6:46 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Planning Commission Meeting held Wednesday, July 6, 2016.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary

13
14

15 Minutes approved: By Consent on 07/20/2016 by the Planning Commission Board, unanimously.