

1                                   **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
2                                   **PLANNING COMMISSION MEETING**

3  
4                                   **Wednesday, June 1, 2016**  
5                                   **6:00 p.m.**  
6                                   **Cottonwood Heights City Council Room**  
7                                   **1265 East Fort Union Boulevard, Suite 300**  
8                                   **Cottonwood Heights, Utah**  
9

10 ***ATTENDANCE***

11  
12 **Members Present:** Chair Paxton Guymon, Craig Bevan, Graig Griffin, Sue Ryser, Allen Orr,  
13 Joseph Demma

14  
15 **Staff Present:** Community and Economic Development Director Brian Berndt, Senior  
16 Planner Glen Goins, City Attorney Shane Topham

17  
18 **Others:** Lynne Kraus, Mark Machlis, Christy Morrison, Diana Omana  
19

20 **BUSINESS MEETING**

21  
22 **1.0 WELCOME/ACKNOWLEDGEMENTS**

23  
24 Chairman Paxton Guymon called the meeting to order at 6:30 p.m.  
25

26 **2.0 CITIZEN COMMENTS**

27  
28 Lynne Kraus gave her address as 2407 East 7745 South and asked that the Fort Union  
29 Development packet presented at the Work Meeting be made available on the City website at  
30 staff's earliest convenience.  
31

32 Mark Machlis reported that he is putting together a response to comments regarding the Canyon  
33 Center on the CH Voters website. He requested feedback from the Commission Members as to  
34 what they can do citizen wise, to know if what is being presented will actually be the end result.  
35 His issue was with the Canyon Center Court single-family dwellings that were approved in the  
36 mixed use portion. He expressed his support. As they listened to the developers plans, it became  
37 evident that the third floor would have no living space, no heat, and just a stair enclosure to the  
38 rooftop garden. From a citizen's point of view, he was having a difficult time knowing how to  
39 advise citizens. He stated that the Building Department told him that the Planning Commission  
40 wrote the conditional use in such a way that it was a "blank check" for the builder. This was  
41 contrary to what they had presented to the ARC.  
42

43 Chair Guymon agreed that the concerns are valid and recommended that Mr. Machlis submit a  
44 list to staff. Staff would then forward them to the Commission for discussion during a Work  
45 Session.  
46

1 There were no additional citizen comments.

2  
3 **3.0 PUBLIC HEARINGS**

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5 **3.1 (Project #SP-16-006) Public Comment on a Request from Beckstrand and**  
6 **Associates for Conditional Use and Site Plan Amendment Approval for Old**  
7 **Mill I Located at 6322 South 3000 East.**  
8

9 Chair Guymon reported that the above item is for public hearing only and no action would be  
10 taken.

11  
12 Senior Planner, Glen Goins, presented the staff report and stated that when Old Mill I was  
13 developed, the remainder of the site was undeveloped. In an agreement between Beckstrand and  
14 UDOT, they were able to develop the UDOT property. This was considered temporary until the  
15 rest of the site was developed and included a parking structure. A diagram of the property was  
16 reviewed. Staff was seeking fulfillment of the Development Agreement which specified that that  
17 the property reverts back to UDOT. The understanding was that presently UDOT is not asking  
18 Beckstrand, the owner and applicant, to change the property. Essentially things will remain  
19 unchanged. If UDOT ever demands use of the property that differs from what exists currently,  
20 they will be able to do so. Absent the UDOT property, the site would still meet provisions of the  
21 Code. No physical change was recommended or proposed with the current action, which was  
22 simply fulfillment of the Development Agreement and acknowledgement that the property  
23 without UDOT complies with City Code. He confirmed that the property has been owned by  
24 UDOT since the inception of Old Mill I.

25  
26 Chair Guymon opened the public hearing.

27  
28 (18:46:49) Kristi Morrison gave her address as 6624 Juliet Way and expressed concern with the  
29 property allocated for parking, which at one time was all green space. Beckstrand had an  
30 agreement with the City that as soon as the parking structure was completed, the area would  
31 revert back to green space as required by City ordinance. She contacted staff about why it has  
32 yet to be reverted and who is in charge of seeing it through. Her biggest concern as a citizen  
33 included the Planning Commission not receiving all of the needed information. She wanted to  
34 see the area improved and did not feel she was being represented in accordance with what her  
35 understanding of the situation. It was her understanding that the Fire Department cannot fit a  
36 truck in at that location.

37  
38 Chair Guymon pointed out that the real concern is whether there is an agreement that requires the  
39 identified space to revert back to green space. He confirmed that staff will research the issue  
40 further prior to making a decision. An answer will be determined as to whether it is to revert to  
41 green space or not.

42  
43 City Attorney, Shane Topham, confirmed that the packet is posted on the website and includes  
44 all of the agreements.  
45

1 Steve Hopkins, President of Beckstrand and Associates, gave his address as 6322 South 3000  
2 East. He confirmed that Ms. Morrison's time line of events is almost entirely accurate. He  
3 confirmed that the delay in her receiving a response was largely due to his building surveys  
4 being matched up to everything else. He noted that he had had engineers working on the issue  
5 for several months. The site plan included in the packet shows the green space, even with the  
6 existing parking lot, confirming that the Old Mill Corporate Center and Old Mill I green space  
7 requirements are met even if the on-site conditions remain as-is. He confirmed that the  
8 language in the Development Agreement states that the property in question will be used for  
9 temporary parking. When the parking structure has been completed, it will then revert back to  
10 green space. When the parking structure was completed, he spoke to both staff and the Fire  
11 Department who both believed it should remain as-is unless there are concerns raised. They  
12 were trying to maintain the property for the purpose of aesthetics. Once the parking is removed,  
13 a field of unmaintained weeds will remain. In response to a question raised, he confirmed that  
14 they let the date pass agreeing that they would remove the parking as it did not appear to be a  
15 problem.

16  
17 Mr. Goins confirmed that the green space requirements for the property have indeed been met.

18  
19 (19:03:55) Diana [REDACTED] gave her address as 2755 East Palmer Way and questioned the  
20 percentage of green space based on the height of the building in question. Mr. Goins replied that  
21 the site on its own meets Code and the center as a whole meets it without the UDOT portion.  
22 She expressed concern with the difference between the 30% and 35% green space requirement as  
23 the building exceeds the height for the 30% requirement. She was of the opinion that if no one  
24 complains the rules are still not being followed. She asked when the City will decide to  
25 implement the guidelines and listen to the citizens.

26  
27 Mr. Goins wished to include comments in consideration of the road from the Fire Department  
28 dated May 9, 2016. They include ingress and egress considerations and stated that it is not  
29 required, but would be recommended to keep the road for access around the building.

30  
31 There were no further public comments. The public hearing was closed.

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33 **3.2 (Project #ZTA-15-003) Public Comment on a City-Initiated Text**  
34 **Amendment to Chapter 19.04 (Definitions) of the Cottonwood Heights**  
35 **Municipal Code.**

36  
37 (19:08:49) Chair Guymon stated that the above item pertains to a City-initiated text amendment  
38 to the Code. No action was to be taken on the item. Mr. Goins confirmed that the full red-lined  
39 version would be added to the website.

40  
41 Chair Guymon opened the public hearing. There were no public comments. Chair Guymon  
42 closed the public hearing.

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44 **4.0 ACTION ITEMS**

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46 **4.1 Approval of Minutes for April 20 and May 4, 2016.**

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(19:10:48) Approval of the minutes was continued to the next meeting.

**5.0 ADJOURNMENT**

The Planning Commission Meeting adjourned at 7:12 p.m.

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

  

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Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes approved: July 6, 2016