



1 stated that the Planning Commission Meeting minutes are up to date as of February and through December  
2 for City Council Meetings. She was able to access tonight's agenda and packet earlier in the day on the  
3 City's website.

4  
5 (18:10:00) LeeAnne Walker reported that she lives one block from Wasatch Boulevard/Little Cottonwood  
6 Canyon Road and stated that traffic is heavy traveling to the ski resorts from Wasatch Boulevard. She  
7 thought fairly simple traffic control and traffic calming steps could be taken. She commented that there is  
8 property available at the mouth of the canyon. She was opposed to allowing more homes there and was  
9 concerned that it would make the already bad traffic situation worse. She suggested a Park and Ride lot be  
10 constructed. She stated that local people don't use public transit because the Park and Ride lots are too  
11 small. Avalanche work is done regularly up the canyon but any incident will stop traffic. She stated that a  
12 pull off at the base of the canyon with a parking lot would be helpful and give motorists a place to wait  
13 until the canyon opens up.

14  
15 There were no additional citizen comments.

### 16 17 **3.0 PUBLIC HEARINGS**

#### 18 19 **3.1 (Project #HOC-16-001) Public Comment on a Request from Jonathan and Dana** 20 **Middlemiss for a Conditional Use Permit to Operate a Home Preschool at 3571 East** 21 **Summer Hill Drive.** 22

23 City Planner, Mike Johnson, presented the staff report and stated that the request is for a home preschool.  
24 It is a conditional use request through the home occupation provision of the R-1-8 ordinance and requires  
25 a public hearing and action from the Planning Commission. The preschool is proposed for up to 12 children  
26 at any given time. The proposed hours of operation are Monday through Friday from 9:00 a.m. to 11:45  
27 a.m. with pick up and drop offs 15 minutes before and after each session. One additional employee is  
28 proposed who does not live on the property, which is allowed by the ordinance. Vehicles are required to  
29 line up on the applicant's side of the street. Preschool employees will meet the children at the cars and load  
30 up curbside to keep traffic moving.

31  
32 Mr. Johnson displayed an aerial photo of the property. The proposed property is zoned R-1-8, which is the  
33 single-family residential zone. There are R-2-8 properties to the east that are two-family zones with twin  
34 homes, duplexes, and condominiums. There are enclosed fences on each side of the home. One of the  
35 requirements is that play yards are restricted to the rear of the property. The fences will ensure that children  
36 cannot get from the rear to the front without opening a fence. Preschool classes will take place inside the  
37 home and the area is completely self-contained with the exception of the play area in the rear. Photos of  
38 the backyard were displayed. Staff found that the request meets all of the requirements of the home  
39 preschool provisions contained in the ordinance.

40  
41 A question was raised as to whether there is a second afternoon session on Tuesdays and Thursdays.  
42 Mr. Johnson stated that additional sessions are not currently proposed. If the use were to expand, the  
43 applicant would have to amend the request. Currently, one session per day is proposed. In response to a  
44 question about whether the use was operated previously without a conditional use, Mr. Johnson explained  
45 that the use did not take place at the subject property. The applicant, however, went through the conditional  
46 use process in 2009 for a separate residence in the City. The property at that time was in the R-1-6 zone.  
47 Conditional use approval was granted for the property, which has since relocated. Approval was sought at  
48 the new address. Feedback was received from residents of the previous neighborhood and from current  
49 neighbors. Comments both for and against the proposal were submitted.  
50

1 (18:20:50) The applicant, Dana Middlemiss, reported that since 2012 when they moved out of state, she  
2 has eagerly looked forward to starting up her preschool again. She loves teaching and being a mother and  
3 her preschool has given her the best of both worlds. Mrs. Middlemiss discussed her background, her  
4 business plan, and the traffic flow. She reported that she is a graduate of Westminster College where she  
5 earned a degree in Elementary Teaching a minor in Biology. She taught Kindergarten and 1<sup>st</sup> Grade in the  
6 public school system and started her preschool soon after she and her husband started their family. She has  
7 eight years of experience in addition to many other experiences relative to working with children of all ages  
8 ranging from academics to sports. She stated that she knows what it takes to make an efficient preschool  
9 run.

10  
11 Mrs. Middlemiss reported that her plans are for just one session per day. Sessions will be held on Monday,  
12 Wednesday, and Friday mornings from 9:00 a.m. to 11:45 a.m. Tuesdays and Thursdays were included in  
13 the plan for mornings or afternoons in the event she decides to add a session. Mrs. Middlemiss stated that  
14 her calendar will correlate with the Canyons School District and sessions will run from August to May.  
15 She next addressed the management of preschool traffic and the impact it will have on the neighborhood.  
16 During the years she has grown her preschool, she found that the most effective and least disturbing drop  
17 off and pick up plan is to give parents a 15-minute window before and after school so that students do not  
18 arrive at the same time. If parents arrive outside of that window they will be required to park in the driveway  
19 and walk the child into her home. Mrs. Middlemiss stated that students are required to enter and exit  
20 through the rear passenger side of the vehicle. If there is a line, they are prohibited from blocking  
21 driveways.

22  
23 (18:25:30) Chair Jones opened the public hearing.

24  
25 Ruth Ellen Bean gave her address as 7113 Watermill Way and stated that she has lived in her home for the  
26 last 40 years. John and Dana Middlemiss moved in two doors down some years ago and were wonderful  
27 neighbors. When Mrs. Middlemiss proposed her preschool in 2009, Mrs. Bean stated that she never knew  
28 it was there. There was never a problem with traffic and parents were instructed on how to enter and exit  
29 the neighborhood. She never heard a single negative comment in the neighborhood during the three or four  
30 years Mrs. Middlemiss had her preschool there and the neighbors were happy to have it there. She saw no  
31 reason the proposed preschool would not work in the proposed location.

32  
33 (18:27:05) Corbin Church gave his address as 7433 South 3500 East and stated that he is a developer and  
34 professor. He heard about the problems that will occur as a result of the preschool but has never experienced  
35 catastrophic results. He complimented the applicant for being well prepared and having a good plan in  
36 place. He had heard nothing in the request that was unreasonable and was not opposed to what was  
37 proposed. He encouraged the Commission to recommend approval to the City Council.

38  
39 Angela Lund gave her address as 7117 Turnagain Cove and stated that she was a neighbor to the Middlemiss  
40 family and her son attended Mrs. Middlemiss' preschool. He enjoyed it and had an amazing experience.  
41 Ms. Lund noted that the use benefitted the community and brought people out. She never observed issues  
42 with traffic and never saw more than one or two cars in front of the home. Ms. Lund hoped to be able to  
43 send her children to the preschool again.

44  
45 (18:29:40) David White gave his address as 3606 Summer Hill Drive and expressed opposition to the  
46 project. He stated that there is conflict in staff's interpretation with regard to the City's zoning ordinance.  
47 The applicant is relying on the provisions for the definition of "home occupation". He referenced Section  
48 19.26.010 as applied in the R-1-8 zone and stated that a home occupation must meet all of the following  
49 requirements:

- 1 1. The use must be clearly incidental and secondary to the use of the dwelling for residential dwelling  
2 purposes.
- 3
- 4 2. The use shall not change the character of the dwelling or property for residential purposes.
- 5
- 6 3. The home occupation shall not involve the use of any accessory building, yard space, or activity  
7 outside the main building.
- 8

9 Mr. White stated that the delivery of the 12 children is not incidental to the property and involves public  
10 traffic and parking. He stated that it cannot be assumed that curb sides will be vacant since many neighbors  
11 park on the street. This means that the cars will occupy a much longer area on the north side of the street.  
12 Between that, noise, traffic, and vehicle emissions, the impacts are not incidental and affect everyone.  
13 Second, the package from the applicant does not include a modification to the structure. There had,  
14 however, been discussion in the neighborhood that such a proposal is part of their future plans. If the  
15 Conditional Use Permit is granted, Mr. White asked that the Commission add an additional condition  
16 prohibiting future modifications from being made to the home to accommodate the activities inside the  
17 home for preschool purposes. Last, Mr. White stated that the application clearly indicates the intent to use  
18 the backyard for recess-type activities. He considered that to be a non-conforming requirement because it  
19 involves the use of yard space.

20  
21 (18:33:00) Jim Peters reported that he lives across the street from the Middlemiss family at 3590 Summer  
22 Hill Drive. He stated that there has been talk both for and against the proposal but no one is against  
23 Mrs. Middlemiss personally. He expressed concern with traffic and uncertainty in the City ordinances. He  
24 felt that the purpose of the zoning ordinance is to provide organization and integrity to the City's Master  
25 Plan. All of the R-1 zones in the City are identical except for the size of the property. All are single-  
26 dwelling low-density areas. There is virtually nothing permitted in the ordinance specifically other than  
27 communication towers and churches. There is, however, a provision for conditional uses. He was not  
28 convinced that a daycare/preschool conforms with the ordinances. The City is directed that if the proposed  
29 use does not specifically meet each of the requirements it cannot be approved. He commented that it does  
30 not appear to be consistent and does not fit the intent of a low-density residential area. Mr. Peters was  
31 concerned that the proposed use will compound the traffic situation that already exists on the street because  
32 of the church and will set the stage for further deterioration of the R-1 zone.

33  
34 There were no further public comments. The public hearing was closed.

35  
36 A question was raised about whether any of the students will carpool. Mrs. Middlemiss stated that in the  
37 past several students carpooled and some walked, which she encouraged.

38  
39 **3.2 (Project #ZMA-15-003) Public Comment on a Request from Grant Kesler for a**  
40 **General Plan Amendment, Zone Map Amendment, and Development Agreement on**  
41 **Approximately 15 Acres of Land Located at 9361 South North Little Cottonwood**  
42 **Canyon Road. (Continued from March 2<sup>nd</sup> Meeting.)**

43  
44 **3.3 (Project #ZMA-15-004) Public Comment on a Request from Rola V, LLC for a**  
45 **General Plan Amendment, Zone Map Amendment, and Development Agreement on**  
46 **Approximately 11.54 Acres of Land Located at 3801 East North Little Cottonwood**  
47 **Canyon Road.**

48  
49 (18:37:00) The above two items were addressed together. Senior Planner, Glen Goins, stated that the  
50 applications are similar in nature. The first application was a request for a General Plan and Zone Map  
51 amendment. The parcel is 15 acres in size. The request was to amend the General Plan from Forestry to

1 Low Density Rural Residential and amend the zoning from F-20 to RR-1-21. The request was presented  
2 to the Commission late last year for consideration of the same zone. The Planning Commission  
3 recommended denial of the zone change and General Plan amendment citing a concern that a future planned  
4 unit development project could be applied for on the property. Staff concurred. The concern was that  
5 because the property contains significant slope areas, there was a desire to not allow the property to benefit  
6 from what would be a zoning density bonus for 30% of what are essentially unusable areas. After the  
7 meeting and prior to appearing before the City Council, the applicants of both projects approached the City  
8 and indicated that they have no intent of seeing the project through as a PUD and were willing to limit the  
9 ground and take it out of consideration so that it could not be developed as a PUD. It was determined that  
10 there was no way to prevent it from becoming a PUD. Mr. Goins explained that the zone applies to the  
11 property and there is a minimum acreage requirement for a PUD that could be requested. After discussing  
12 the matter further, the City Attorney and staff came up with an option for a potential Development  
13 Agreement, which was drafted. It would act as an encumbrance on the property that is legally binding and  
14 runs with the land. The intent was to address the initial concerns of the Planning Commission.

15  
16 The proposed development represents the main difference between what was proposed late last year and  
17 what is being presented today. The zoning is essentially the same with significant changes. The applicant  
18 has agreed to eliminate the possibility of using the excess sloped area for development. That was  
19 accomplished by establishing a concept plan that would declare where development would take place. They  
20 also declared a maximum number of lots. Of the 15 acres contained in the property, approximately five  
21 were determined to have developable area with a maximum of seven lots. If the applicants or future owners  
22 submit a development proposal, it would have to match the concept. A portion of the draft Development  
23 Agreement requires that the open space acreage be set aside for conservation. There is not yet an agreed  
24 method to accomplish that.

25  
26 (18:45:24) Mr. Goins stated that since the last meeting he has received additional comments. Mark Shaw  
27 expressed opposition to the proposal because he does not want to lose what makes the City great. Another  
28 comment was received from Dr. Vargas who was concerned about additional traffic. He also was concerned  
29 about developing a recreational area and did not want the development to occur simply to maximize the  
30 City's tax base. Carl Fisher, from Save Our Canyons, also submitted comments. He considered the  
31 proposal to be out of step with the residential character of the community and believes it will degrade the  
32 existing gateway. He noted that the Forestry zoning and the RR zoning are at odds with each other with  
33 regard to purpose. He felt it should be more focused on the forestry side. It also opens the door to future  
34 rezones. Mr. Goins disagreed with the last comment because of the encumbrance of a Development  
35 Agreement. Mr. Fisher recommended that other options be explored such as wildlife habitat and  
36 protections. Staff recommended approval with the conditions set forth in the staff report and the addition  
37 of a Development Agreement, which will encumber the land permanently.

38  
39 In response to a question raised, Mr. Goins stated that the two properties share a proposed drive access.  
40 Any future concept plan would eliminate multiple access points. The City Engineer reviewed the concept  
41 and was generally satisfied with it. Traffic, however, needs to be considered. The question was whether  
42 the proposed number of homes will impact the road significantly. If so, mitigation measures would be  
43 required in terms of the subdivision.

44  
45 Mr. Goins presented the staff report on the second application and stated that the property is immediately  
46 adjacent to the south. A General Plan and Zone Map Amendment are proposed. The same issues exist as  
47 with the previous project. The property is approximately 3.1 acres in size with a less than 30% sloped area.  
48 A concept plan ties into the project to the north. A notable difference between the two development  
49 agreements is that this one would have a maximum of six lots rather than seven. The same provisions  
50 would still apply.

1 (18:51:19) Chair Jones opened the public hearing.  
2

3 Lynne Kraus gave her address as 2407 East 7745 South and thanked the Commission for leaving the matter  
4 open for one more month to allow for additional comment. She considered the Development Agreement  
5 to be a great tool to mitigate some of the negative impacts. She read the staff report and stated that she was  
6 involved in the General Planning sessions more than 10 years ago when the City incorporated. She was  
7 opposed to the two proposals based on the General Plan. She read from page 14 in the General Plan, which  
8 states that “The community likes Cottonwood Heights the way it is. The intent of the General Plan is to  
9 protect the characteristics of the City that residents value. The City is proud of its stunning backdrop and  
10 hopes to preserve view sheds, hillsides, and enhance connections between the City and the canyons.  
11 Residents place a high value on natural open spaces and the views of the surrounding undeveloped  
12 mountains.” Ms. Kraus reiterated that citizens are not opposed to development but would like to see  
13 controlled development, less density, and lower building heights. In general, she felt that the opinions and  
14 attitudes of the citizens are just as important as the property owners. She asked that all views be considered.  
15

16 Commissioner Ryser’s understanding was that there is not a public easement on the property. Mr. Goins  
17 confirmed that that was the case. Commissioner Ryser stated that that being the case, the property owner  
18 could fence the property off and eliminate access altogether. She asked Ms. Kraus what the compromise  
19 ought to be. Ms. Kraus stated that the F-20 zone allows for one dwelling. A Commission Member who  
20 works as a real estate agent and deals with high net worth individuals stated that people who build on  
21 properties like this will very likely want perimeter fencing. He noted that people who build homes on 15  
22 or 20 acres generally like it fenced, especially if they have horses. Ms. Kraus felt that a Development  
23 Agreement was a good start but remarked that it always seems to benefit the property owner or developer  
24 and the citizens who created the General Plan are disregarded.  
25

26 (18:56:40) Michael Braun gave his address as 3020 Apple Hollow Cove and was present representing the  
27 Granite Community Council. He referred to Article 5 of the United States Constitution that states that  
28 future development and/or investment ideas do not apply to a current landowner. There is no taking and  
29 the City has no obligation to make a zoning change or modify the law of the community. Mr. Braun stated  
30 that the Granite Community Council is very interested in this matter and asked that the City wait for an  
31 action item from them on both properties. Currently Mr. Braun represents a community in the Sandy City  
32 Dimple Dell Overlay Zone. Sandy City wants to protect Dimple Dell from future development from ridge  
33 to ridge. With regard to traffic congestion, last month the Granite Community Council had 13 County  
34 Sheriffs and all of the Canyon Patrol Supervisors present discussing five or six instances where residents  
35 could not get out of their neighborhoods, could not get up the canyon, or could not get home. Mr. Braun  
36 stated that the owners of both properties knew about the zoning when they purchased it many years ago.  
37 The owners of property in Cottonwood Heights in the general area all knew about the General Plan and  
38 purchased their homes there because of open space. Mr. Fisher’s letter was referred to which contained  
39 good points from Save Our Canyons. Mr. Braun thought a Development Agreement hinges in the courts  
40 on the side of the property owner with regard to use of the word “exaction”. He noted that the City cannot  
41 exact things from the property owner. He was concerned that problems will result from entering into a  
42 Development Agreement. He reported that there is a proposal to establish a Wasatch National Conservation  
43 Area to protect the land. Mr. Braun’s opinion was that a rezone is not needed and noted that he only found  
44 out about tonight’s meeting at 5:12 p.m. He strongly believed that the community has no knowledge of the  
45 proposals and he appreciated the Commission’s efforts to listen to the community.  
46

47 In response to a question raised, Mr. Braun stated that they added tonight’s meeting to their agenda to  
48 discuss this issue again and put together written correspondence regarding the Granite Community  
49 Council’s opinions. He expected the meeting to take place in the next few days. Mr. Goins reported that  
50 one of the considerations in staff’s recommendation had to do with why it is coming in as an RR-1-21 and  
51 not RR-1-15. He explained that this is because discussion took place with the applicants about the Granite

1 Community Land Use Plan. The recommendation bifurcates the property and shows a portion of it as Forest  
2 Service/Open Space.

3  
4 Pamela Palmer gave her address as 3523 East 8740 South and thanked the Commission for their decision  
5 last year to deny the zoning and take care of the PUD. She stated that there are approximately 456 acres  
6 zoned F-20 in the City. If the Commission allows these two properties to be developed as part of a  
7 Development Agreement, a precedent will be set that can eliminate all F-20 zoning. She respectfully  
8 disagreed with Mr. Goins that each rezone will be considered individually and stated that once the first  
9 rezone is granted it will become extremely difficult to deny further requests. She did not believe a  
10 Development Agreement was appropriate and suggested the Commission consider that a new zone has to  
11 be created to specifically address the rezoning of any F-20 areas. She stated that the property owners agreed  
12 to the F-20 zoning when they asked to be annexed.

13  
14 (19:09:00) Will McCarvill gave his address as 3607 East Golden Hill Road and added his voice to those  
15 who do not support the rezone. He stated that the properties have been zoned F-20 for a long time and the  
16 zoning was put in place for a reason. The intent was for there to be minimal development to the east of the  
17 City to preserve the views identified in the Master Plan. He stated that the zoning has a purpose. He was  
18 also concerned that once this precedent is set, all of the F-20 zones between Little Cottonwood Canyon and  
19 Big Cottonwood Canyon will be at risk of being rezoned. Mr. McCarvill had little sympathy for people  
20 who bought parcels that are less than 20 acres in size and zoned F-20. It was his understanding that a single  
21 home cannot be constructed on any parcel under 20 acres. The applicants purchased property knowing that  
22 it is important for view sheds and intended for very low density housing. He thought the zoning should  
23 remain as is.

24  
25 (19:11:40) Mike Marker gave his address as 3092 East Little Cottonwood Lane and questioned the  
26 requirements for notification and stated that very few of his neighbors received notice. He noted that he  
27 received notice only on one of the parcels being considered. He was surprised that the parcel does not  
28 qualify for even one structure and stated that there is no permitted use at all. He commented that what is  
29 proposed is a major increase from no structures to 13 or more. He did not understand why such a request  
30 would be considered. He indicated that the existing zoning provides predictability and changing it will  
31 result in chaos. Changing the zoning will open up the potential for a major transformation in these areas.  
32 He saw no reason for zoning if it is so easy to change zoning.

33  
34 (19:14:00) Richard Schutt gave his address as 3634 East Granite Bench Lane and was present on behalf of  
35 the HOA. On a personal level, he thought the citizens had been duped. Two parties controlled the land  
36 masses and convinced the City and the County to annex into Cottonwood Heights. He considered the  
37 manner in which they went about it to be an affront to all present. He questioned why the City was even  
38 considering what is proposed. With regard to fencing, he considered fencing to be less offensive than 12  
39 or 13 homes. Mr. Schutt stated that he lives across the street from the proposed development and would be  
40 significantly impacted by it. Traffic issues were discussed. Mr. Schutt stated that the current traffic patterns  
41 do not allow for additional development.

42  
43 (19:19:10) Kevin Johansen gave his address as 2739 East Majestic Ridge Circle and expressed opposition  
44 to the proposed developments. He recommended the zoning remain as it is. He commented on the heavy  
45 traffic from 8:00 a.m. to 10:00 a.m. on ski days. Potential safety issues were discussed.

46  
47 A member of the audience asked that the published minutes include the three letters referenced by  
48 Mr. Goins.

49  
50 (19:22:08) Irv Eastham gave his address as 7561 Brighton Point Drive and stated that he is associated with  
51 the developer. He reported that when they built the subdivision across the street, they had to work with

1 UDOT for two years. As a result, they had to widen Little Cottonwood Road at a significant cost. He stated  
2 that UDOT will not let move forward unless what is proposed is determined to be safe. He appreciated  
3 Mr. Schutt's comments but stated that his property had to be rezoned in order for him to build his home.  
4 He commented on the annexation and stated that when it was proposed he personally spoke to as many  
5 people as possible and told them of their intent to pursue a rezone of the property. They try to do things  
6 the right way and are required to meet certain requirements.

7  
8 Susan Despain gave her address as 3802 East North Little Cottonwood Road and identified herself as the  
9 applicant for the Rola V property. She stated that the property has been in her family since 1868. It was  
10 part of the Homestead Act and their deeds were signed by Ulysses S. Grant. They did not purchase the  
11 property with any zoning attached to it and many things have changed around them. She felt that  
12 development could occur responsibly, which was the reason they listened to what the public had to say  
13 when they made application previously. They agreed that much of the hillside should remain open. They  
14 have also worked with the City to move forward in a responsible manner. The Development Agreement  
15 was proposed as a solution by the City and they eliminated the option of pursuing a PUD and the number  
16 of homes that can be built. On 11 ½ acres, a maximum of six homes were proposed. They have also limited  
17 the area of the development to the portion on the Granite Community Council Development Plan to the  
18 area designated for low density. There was no question as to whether rezoning would allow development  
19 to spread up the hill. She hoped that what they have done shows good intent. They want to make it a better  
20 place for all. She remarked that her preference is to have no fencing. Fencing has always been an option  
21 for them but they have never gone that route.

22  
23 (19:27:35) Mark Machlis urged the Commission to not give up the City's considerations for traffic to  
24 UDOT. He did not have faith in how they will apply each development. He stated that the community has  
25 taken a hit on the Canyon Centre, which has much higher density. He also urged them to prohibit an  
26 acceleration lane up the hill. He did not trust UDOT to make it a safe turn.

27  
28 There were no further public comments. The public hearing was closed, but written comments will be  
29 accepted for one week.

#### 30 31 **4.0 ACTION ITEMS**

##### 32 33 **4.1 (Project #GPA-16-001 Action on a City-Initiated Proposal to Adopt a Bicycle and** 34 **Urban Trails Master Plan as an Addendum to the Cottonwood Heights General Plan.**

35  
36 (19:31:38) *Commissioner Peters moved to forward a positive recommendation to the City Council for*  
37 *Project #GPA-16-001, a City-initiated request to amend the General Plan by adopting a Bicycle and*  
38 *Trails Master Plan Addendum. Commissioner Ryser seconded the motion. Vote on motion:*  
39 *Commissioner Griffin-Aye, Commissioner Peters-Aye, Commissioner Bevan-Aye, Commissioner Orr-*  
40 *Aye, Commissioner Ryser-Aye, Commissioner Demma-Aye, Commissioner Jones-Aye. The motion*  
41 *passed unanimously.*

42  
43 Appreciation was expressed to staff for a job well done.

##### 44 45 **4.2 (Project #CUP-16-002) Action on a Request by Kenny Nichols for a Conditional Use** 46 **Permit for Canyon Centre Phase III, Bambu Restaurant, Located at 7350 South** 47 **Canyon Centre Drive.**

48  
49 (19:33:15) *Commissioner Bevan moved to recommend approval of #CUP-16-002, application for a site*  
50 *plan and conditional use approval of the Canyon Centre Phase III, a mixed use project located at 7350*

1 *South Wasatch Boulevard, a recommended conditional use approval for the restaurant subject to the*  
2 *following:*

3  
4 **Conditions:**

- 5  
6 1. *The applicant must meet the architectural controls and landscaping as have been described and*  
7 *previously approved.*  
8  
9 2. *The structure shall be a single-story building.*

10  
11 **Engineering:**

- 12  
13 1. *Planning Set is incomplete and a full construction plan set must be submitted for city review.*  
14  
15 2. *Plans must include a site plan showing all existing features on site. Include existing concrete*  
16 *wall and any other existing features.*  
17  
18 3. *Documentation about the existing storm water treatment system and design treatment rate must*  
19 *be submitted to the city engineer for review and approval. Documentation about existing and*  
20 *future storm water flow entering treatment system from all Canyon Centre phases must also be*  
21 *submitted.*  
22  
23 4. *Proposed roadway improvements including ADA ramps, Curb & Gutter, sidewalk, fencing, and*  
24 *all other improvements must be labelled. Include detail sheets for all proposed improvements.*  
25  
26 5. *An ADA Ramp at Racquet Club Drive and Canyon Centre Intersection must be included.*  
27  
28 6. *Detailed elevation data including RIM/INV elevation for all proposed storm drain facilities must*  
29 *be provided.*  
30  
31 7. *Size of proposed inlets boxes and reference details must be labelled.*  
32  
33 8. *Tie-in elevations for all curb & gutter matching the existing TBC must be shown.*  
34  
35 9. *ADA ramps and detectable warnings at all proposed intersections must be labelled.*  
36  
37 10. *Construction details for all proposed improvements, including, sidewalk, ADA Ramps,*  
38 *driveways, street lights, landscaping, storm drain improvements, and all other improvements*  
39 *must be submitted. All proposed improvements must meet APWA 2012 standards.*  
40  
41 11. *All on-site parking lot striping and drive approaches must be labelled.*  
42  
43 12. *A 2 % grade away from all proposed building in all directions must be maintained.*  
44  
45 13. *The system must be designed to prevent cumulative aggregation of storm water flows between lot*  
46 *lines and adjacent properties.*  
47  
48 14. *Saw cut boundaries and pavement design for utility installation on Canyon Centre Parkway must*  
49 *be shown, matching existing asphalt thickness on Canyon Centre.*  
50

1 15. *Storm drain calculations using NOAA IDF Curve – Cottonwood Weir, Utah (42-1759) from*  
2 *NOAA Atlas 14 must be submitted.*

- 3
- 4 • *Identify all drainage areas that will contribute to storm water flows, both on-site and off-site.*
- 5
- 6 • *Show all upstream contributing basin areas, including calculations and analysis for the peak*  
7 *runoff entering the site.*
- 8
- 9 • *Storm water detention shall be designed to detain a 100-year 24-hour storm event. Design*  
10 *detention pond with a controlled release of storm water into city approved drainage facilities*  
11 *at a rate no greater than 0.2 cubic feet per second per developed acre outside of sensitive*  
12 *lands overlay zone, and 0.1 cubic feet per second per developed acre inside sensitive lands*  
13 *overlay zone. Provide calculations for detention storage.*
- 14
- 15 • *Submit calculations for sizing of orifice.*
- 16
- 17 • *Submit calculations for storm water treatment sizing.*
- 18

19 16. *A Storm Water Pollution Prevention Plan per the Utah Department of Environmental Quality*  
20 *Template must be submitted.*

- 21
- 22 a. *Include an erosion control plan with BMP's that best address sediment and erosion*  
23 *control (i.e. inlet protection, concrete washout, silt fences, stabilized entrance, temporary*  
24 *sedimentation pond.*
- 25
- 26 b. *Complete and submit a notice of intent (NOI) to the Utah Division of Water Quality,*  
27 *prior to commencement of construction activities. Please submit a copy of the NOI to*  
28 *Cottonwood Heights.*
- 29
- 30 c. *Provide SWPPP details on erosion control plan including an inspection schedule. Show*  
31 *inspections must occur after every major storm event and on a weekly basis.*
- 32

33 17. *The developer shall provide letters of approval from the following:*

- 34
- 35 a. *Salt Lake City Department of Public Utilities*
- 36
- 37 b. *Cottonwood Improvement Sewer District*
- 38

39 18. *A construction cost estimate breakdown for the bond for public improvements that will be*  
40 *dedicated to the City shall be prepared and submitted.*

41 *Submit the following for all retaining walls greater than four feet in exposed height:*

- 42
- 43
- 44 1. *Label each retaining wall on site plan for reference to retaining wall calculations and submittals.*
- 45
- 46 2. *Material strength parameters used in the design of the retaining wall must be based on separate*  
47 *geotechnical report.*
- 48

- 1       3. *Tiered retaining walls are considered a single structural unit unless the tiered walls are*  
2 *horizontally offset by a minimum distance of two times the exposed wall height of the lower wall.*  
3 *Show horizontal distance between the tiered retaining walls.*  
4
- 5       4. *Submit cross-sectional drawings including surface grades and structures located in front of and*  
6 *behind the retaining wall. If the wall is supporting a slope, then the cross-section shall include*  
7 *the entire slope plus surface grades and structures within a horizontal distance equivalent to one*  
8 *times the height of the slope.*  
9
- 10       5. *Include drainage design, including a free-draining gravel layer wrapped in filter fabric located*  
11 *behind the retaining wall with drain pipe day-lighting to a proper outlet or weep holes placed*  
12 *through the base of the wall.*  
13
- 14       6. *Submit design calculations ensuring stability against overturning, base sliding, excessive*  
15 *foundation settlement, bearing capacity, and internal shear and global stability as follows:*  
16
  - 17       a. *If geogrids are used, additional calculations for pullout, tensile overstress, internal*  
18 *sliding, facing connection and bulging shall be completed, and other calculations used*  
19 *to meet design standards for that particular material are required;*  
20
  - 21       b. *The design engineer shall indicate the design standard used and supply a printout of the*  
22 *input and output of the files in an appendix;*  
23
  - 24       c. *Calculations shall include analysis under static and seismic loads, which shall be based*  
25 *on the characteristic earthquake or maximum credible earthquake (MCE), with spectral*  
26 *acceleration factored for site conditions in accordance with the IBC;*  
27
  - 28       d. *Rock walls shall be designed in general accordance with the 2006 FHWA- CFL/TD-06-*  
29 *006 "Rockery Design and Construction Guidelines;" and*  
30
  - 31       e. *Concrete cantilever walls shall be designed in general accordance with specifications*  
32 *provided in current American Concrete Institute or American Society of Civil Engineers*  
33 *publications;*  
34
  - 35       f. *A global stability analysis demonstrating minimum factors of safety of a least 1.50 under*  
36 *static conditions and at least 1.1 under seismic loading.*  
37

### **Fire**

- 38
- 39
- 40       1. *If the structure is over 5,000 square feet or occupant load is 100 or more, an Automatic Fire*  
41 *Sprinkler System shall be installed. If an Automatic Fire Sprinkler System is installed a fire*  
42 *hydrant is required to be within 100 feet of FDC.*  
43
- 44       2. *Fire flow verification is required.*  
45

46 It was noted that at the last meeting Commissioner Guymon specifically asked that the applicant commit to  
47 limiting the number of stories to one. He asked that it to be made part of the approval. Mr. Goins stated  
48 that what is proposed a single-story building with a specific height. There is a zone that allows a maximum  
49 height that would allow for a few more feet. The question was whether someone could come back and  
50 request additional stories. It was reported that additional square footage would result in the parking  
51 requirements not being met. In order to modify the building, it would be necessary for the applicants to go

1 back through the Architectural Review Committee. It was recommended that the motion explicitly state  
2 that the building is limited to one story.

3  
4 *Commissioner Peters seconded the motion. Vote on motion: Commissioner Griffin-Aye, Commissioner*  
5 *Peters-Aye, Commissioner Bevan-Aye, Commissioner Orr-Aye, Commissioner Ryser-Aye,*  
6 *Commissioner Demma-Aye, Commissioner Jones-Aye. The motion passed unanimously.*

7  
8 **4.3 Approval of Minutes of March 2, 2016.**

9  
10 (19:40:38) *Commissioner Orr moved to approve the minutes of March 2, 2016. Commissioner Demma*  
11 *seconded the motion. The motion passed with the unanimous consent of the Commission.*

12  
13 **5.0 ADJOURNMENT**

14  
15 The Planning Commission Meeting adjourned at 7:42 p.m.

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

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10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13  
14  
15 Minutes approved: