



COTTONWOOD HEIGHTS PLANNING COMMISSION MEETING AGENDA

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a **Work Session Meeting** (room #5, Council Chambers) beginning at **5:00 p.m.** and a **Business Meeting** (room #5, Council Chambers) beginning at **6:00 p.m. on Wednesday, October 5, 2016**, located at 2277 E Bengal Blvd., Cottonwood Heights, Utah.

5:00 p.m. WORK SESSION (room #5)

1.0 Review Business Meeting Agenda

(The Commission will review and discuss agenda items.)

2.0 Discussion Items

(Staff is working on having a citizen peer review as part of the application process. Staff will introduce those that will participating in the review of these land use applications. The Commission may also discuss the status of other pending applications and matters before the Commission and new applications and matters that may be considered by the Commission in the future.)

6:00 p.m. BUSINESS MEETING (room #5)

1.0 WELCOME/ACKNOWLEDGEMENTS – Commissioner Guymon

2.0 CITIZEN COMMENTS

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group that is present to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Planner prior to noon the day before the meeting.)

3.0 PUBLIC HEARINGS

3.1 (Project #HOC-16-004) Public comment on a request from Angela Lancaster for conditional use approval to operate a home daycare at 1761 East Cloverdale Road.

(Public comment on a request from Angela Lancaster for conditional use approval to operate a home daycare at 1761 East Cloverdale Road.)

3.2 (Project #GPA-16-002) Public comment on a City-initiated proposal to adopt a Fort Union Area Master Plan as an addendum to the Cottonwood Heights General Plan

(Public comment on a City-initiated proposal to adopt a Fort Union Area Master Plan as an addendum to the Cottonwood Heights General Plan)

4.0 ACTION ITEMS

4.1 (Project #SD 13-002) Action on a request from Joe Salisbury to subdivide Lot 7 of the Little Willow Subdivision and to amend the Little Willow Subdivision Plat. The subdivision is located at 8562 South Little Willow Circle, Cottonwood Heights, Utah.

(The Commission will take action on a request from Joe Salisbury to subdivide Lot 7 of the Little Willow Subdivision and to amend the Little Willow Subdivision Plat. The subdivision is located at 8562 South Little Willow Circle, Cottonwood Heights, Utah.)

4.2 (Project #SPL-16-001) Action on a request from the city of Cottonwood Heights for site plan approval of a proposed public works salt storage structure at 6579 South 3000 East, Cottonwood Heights, UT.

(The Commission will take action on a request from the city of Cottonwood Heights for site plan approval of a proposed public works salt storage structure at 6579 South 3000 East, Cottonwood Heights, UT.)

4.3 Approval of minutes for July 20, 2016

5.0 ADJOURNMENT

On Monday, September 26, 2016, by 2:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was emailed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the State Public Meeting Notice website at <http://pmm.utah.gov>

DATED THIS 26TH DAY OF SEPTEMBER 2016

Paula Melgar, City Recorder

Planning Commissioners may participate in the meeting via telephonic communication. If a Commissioner does participate via telephonic communication, the Commissioner will be on speakerphone. The speakerphone will be amplified so that the other Commissioners and all other persons present in the room will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at 801)944-7020 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the Planning Division no later than Tuesday at noon. Comments can be emailed to bberndt@ch.utah.gov.



MEMO

To: Planning Commission

From: Mike Johnson, Planner

Date: September 28, 2016

Subject: Project HOC-16-004; 1761 East Cloverdale Road Status Update

This memo serves to update the status of the above-referenced application. This item was originally heard at the August 31st planning commission meeting. At that meeting, it was determined that the property was found to be in an unsafe condition, with numerous apparent nuisance and safety violations, including overgrown vegetation, weeds, damaged fencing, etc.

The Planning Commission made the decision to continue the public hearing to the October 5, 2016 meeting in order to give the applicant time to address the concerns on the property. In the meantime, staff both emailed and met in person with the applicant to inform her of the status of her application.

As of the date of this memo, the on-site conditions have not improved since this project was last presented to the commission. Because of the applicant's inactivity in correcting the property conditions, and because nuisances are violations of the ordinance regardless of whether they are tied to land use applications, the city's ordinance enforcement officer has been asked to visit the site and begin the applicable process to remedy the situation.

Staff will update the planning commission of any further changes that occur between the date of this memo and the date of the October 5th public hearing.

Attachments: Original Memo



MEMO

To: Planning Commission

From: Mike Johnson, Planner

Date: August 31, 2016

Subject: Project HOC-16-004; Application for a Home Daycare at 1761 East Cloverdale Road

An application has been made by Angela Lancaster to operate a home daycare with up to 12 children per session, in accordance with zoning ordinance Chapter 19.76.040.E.

In its review of the above-referenced application, as is done for all land use applications, staff visited the subject property to take photos and provide the planning commission with visual context of the site. Upon visiting the site, staff found the yard area unkempt and in disrepair. This causes concern for the potential use of a daycare for young children.

ANALYSIS

The current condition of the property is unsuitable for a home daycare. The lawn is in a state of disrepair, with dead, dry grass and untrimmed weeds. The existing fence is significantly damaged, with some pieces of chain-link fencing laying in the front yard. There is orange temporary construction fencing throughout the property although no apparent construction is occurring. There is a commercial dumpster on the property, and there is overgrown vegetation encroaching significantly on the public right-of-way, resulting in a serious visibility issue for any people or vehicles exiting the driveway on the property. Staff finds this in violation of Chapter 9.05 ("Nuisances and Abatement") and 9.50 ("Weeds and Refuse") of the Municipal Code.

Chapter 9.05.030, "Nuisances and Abatement," of the Municipal Code defines nuisances. Multiple definitions are given, including: "Anything which is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property," and "Any item, thing, manner, or condition whatsoever that is dangerous to human life or health or renders soil, air, water, or food impure or unwholesome." Further, the ordinance provides examples of nuisances:

- Unsafe Conditions – A conditions that unreasonably or unlawfully affects the health or safety of one or more persons;
- Fire Hazard
- Noxious Weeds – Noxious weeds located...along public sidewalks or the outer edge of any public street, or weeds in any other location which constitute a fire hazard;

- Improper Accumulations – Accumulation of soil, litter, debris, plant trimmings, or trash, visible from the street or adjoining property’
- Attractive Nuisances – Any attractive nuisance dangerous to children and other persons.
- Vegetation – Dead, decayed, diseased, or hazardous trees, weeds, hedges, and overgrown or uncultivated vegetation which is in a hazardous condition, is an obstruction to pedestrian or vehicular traffic, or which is likely to harbor rats, vermin or other pests;
- Improper Maintenance – Maintenance of buildings and/or structures in such condition as to be deemed effective or in a condition of deterioration or disrepair...

Staff finds that many of the on-site conditions constitute a nuisance, and therefore finds it irresponsible to make any recommendations in regards to the proposed daycare until the on-site conditions are improved. Any one of the noticeable conditions could prove hazardous and unsafe, especially to a child.

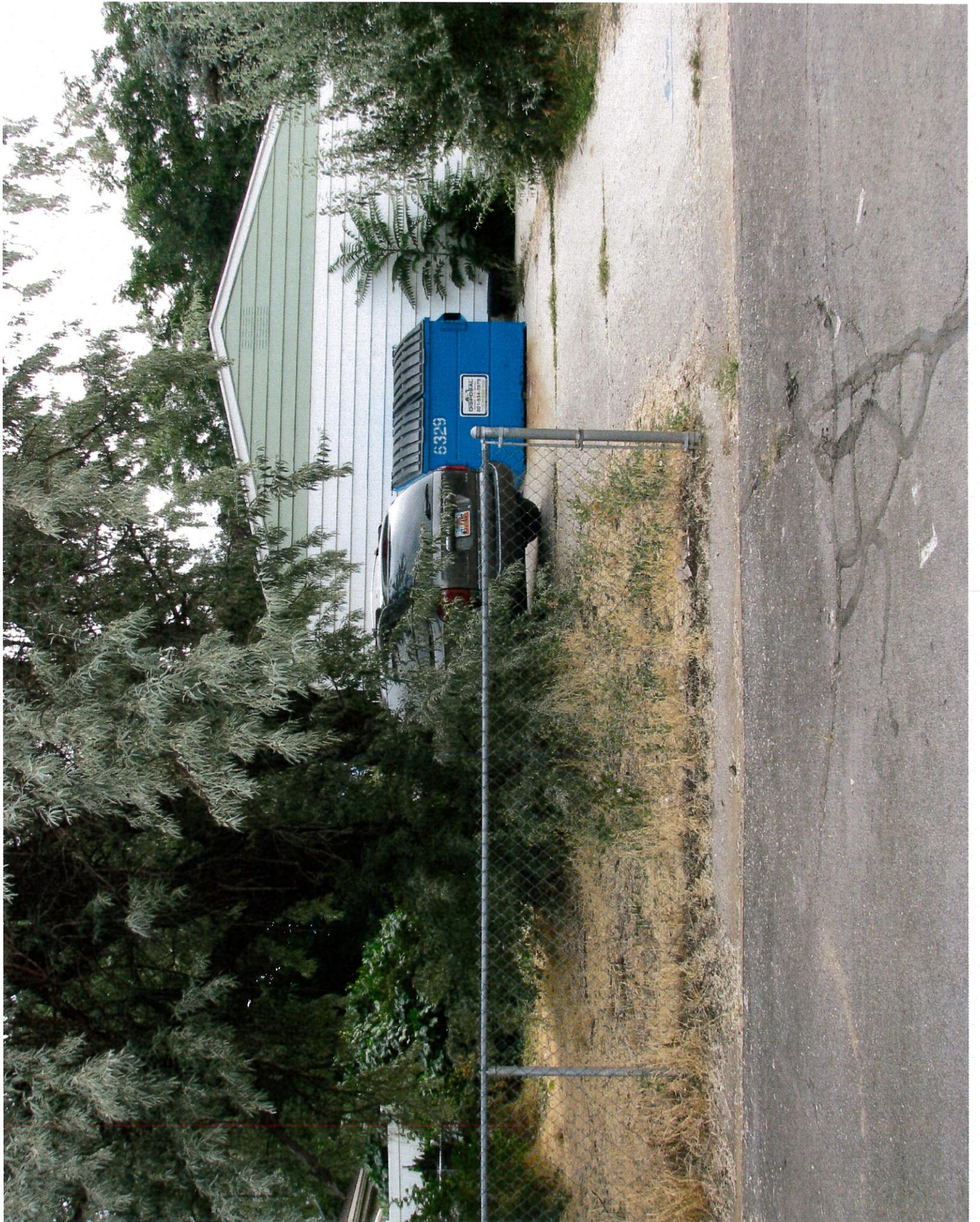
RECOMMENDED COURSE OF ACTION

Staff’s final recommendation of this report is to hold the public hearing as scheduled, but delay further deliberation or action on the subject application until the on-site conditions are addressed and re-inspected by city staff and city code enforcement officers. Such on-site conditions that need to be addressed may include, but not be limited to:

- Dead, unmaintained lawn;
- Damaged chain-link fence (and piece of chain-link fence laying in front lawn);
- Overgrown vegetation that obstructs the public right-of-way;
- Overgrown weeds that encroach in the public right-of-way;
- Orange construction fencing;
- Commercial dumpster on property;

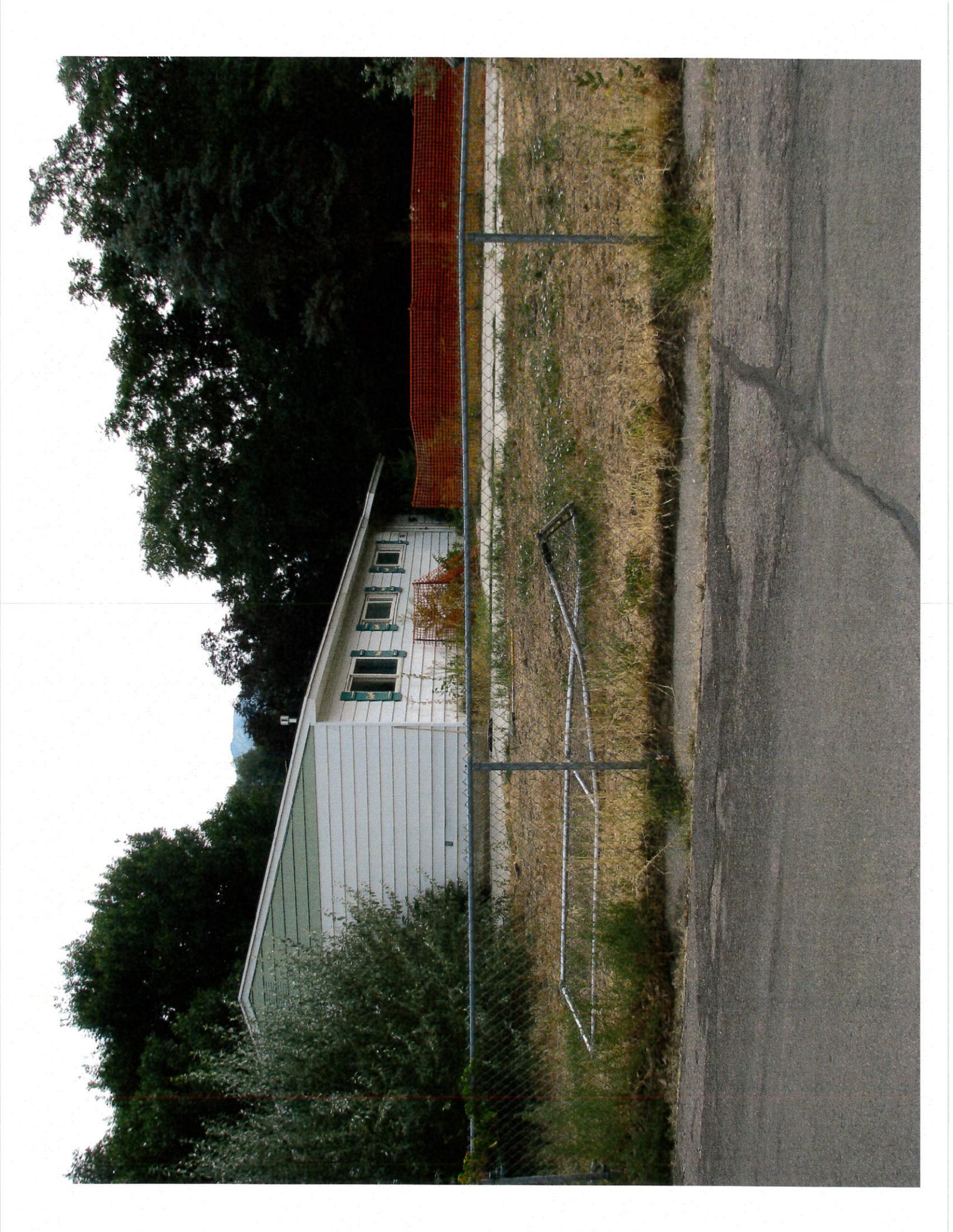
Before returning to the planning commission for further consideration, the applicant shall address all nuisances and un-safe conditions on the property, and shall show compliance with all codified conditions associated with home daycares, as found in 19.76.040.E.

Attachments: Site Photos



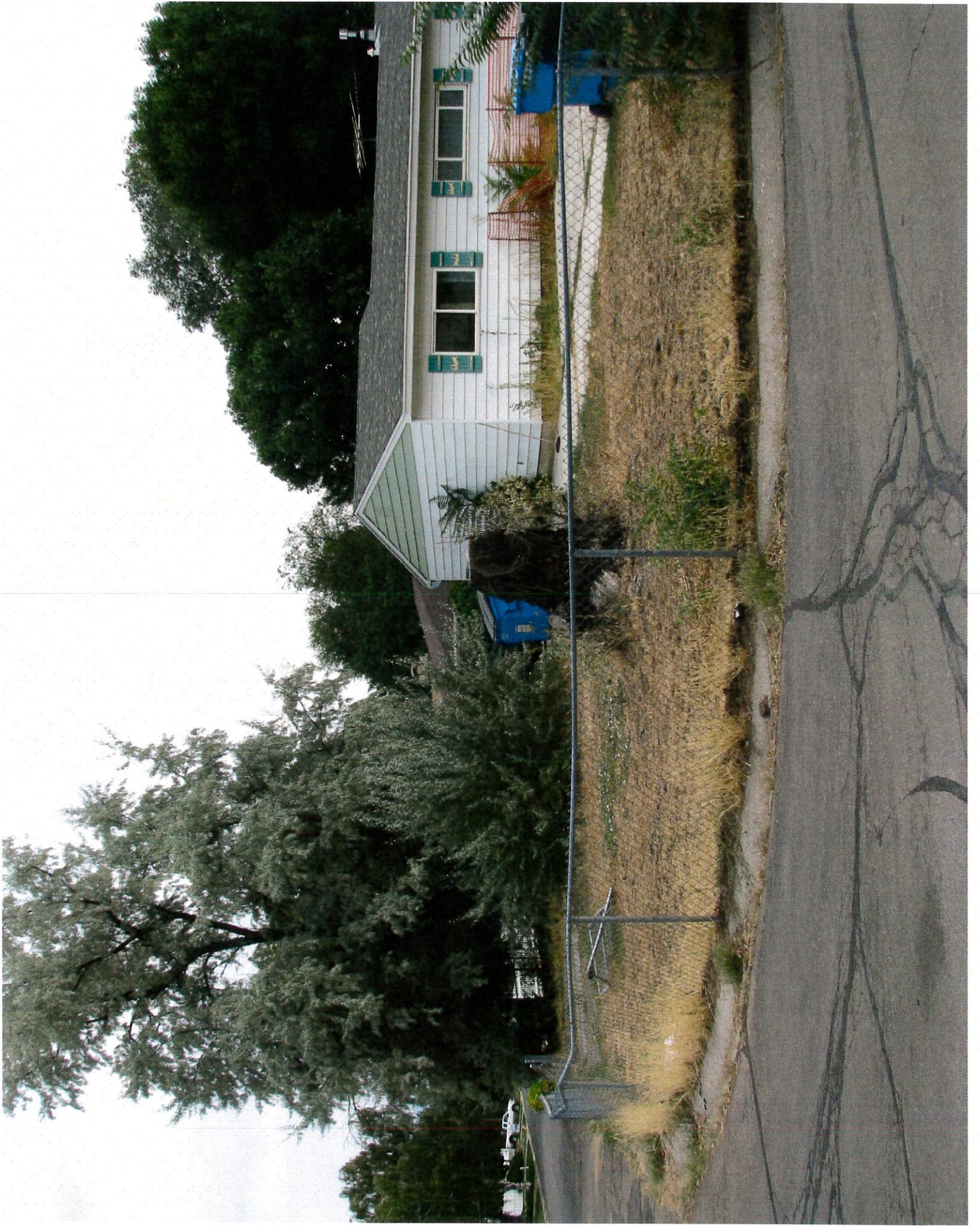




















MEMORANDUM

Date: October 5, 2016

TO: Cottonwood Heights Planning Commission

FROM: Brian Berndt, Community and Economic Development Director

RE: **SD 13-002 SUBDIVISION AMENDMENT LITTLE WILLOW SUBDIVISION
8562 SOUTH LITTLE WILLOW CIRCLE**

SUMMARY:

City staff is requesting the Planning Commission take action on this subdivision amendment. On June 19, 2013, the Commission closed the public hearing but the item was pulled from receiving a final recommendation due to a request from the applicant.

BACKGROUND:

In 2013, the Planning Commission reviewed and heard public comment for the proposed two lot subdivision, amending the Little Willow subdivision, subdividing Lot 7 into 2 lots. The applicant's proposal was to construct two single family homes on two proposed lots. The lots will be 10,869 square feet and 16,216 square feet respectively and meet the area and lot frontage requirements of the R-1-8 zone. The new homes will also be required to meet all setback and lot coverage restrictions of the zone.

The staff recommendation was to approve with the following findings:

1. The public nor any person will be materially injured by the Little Willow Subdivision amendment;
2. The application meets all portions of chapter 12.26 and the R-1-8 ordinances;
3. There is good cause for the proposed subdivision amendment.

With the following conditions:

1. The applicant work with staff on all technical corrections to the document(s);
2. Including all items of the staff report.

Context

Little Willow subdivision was recorded in 1983 and contains 13 lots. All lots have been developed with the exception of lot 7. Lot 7 is .68 acres in area. The applicant is proposing to subdivide lot 7 into two lots one being .24 acres in area and the other being .37 acres.

RECOMMENDATION

Approval

I recommend approval of SD-13-002, application for subdivision amendment for the Little Willow subdivision, subdividing lot 7 into two lots located at 8562 Little Willow Circle. I recommend approval of the amendment, subject to the conditions in the staff report:

List additional conditions of approval and findings.

Denial

I recommend denial of SD-13-002, application for subdivision amendment for the Little Willow subdivision, subdividing lot 7 into two lots located at 8562 Little Willow Circle, based on the following findings:

List findings for denial.

Planning Commission Staff Report

MEETING DATE: June 19, 2013

MEETING TYPE: Public Hearing



PROJECT: SD 13-002 Subdivision Amendment Little Willow Subdivision

LOCATION: 8562 Little Willow Circle

REQUEST: Amendment of Little Willow subdivision plat by subdividing lot 7

OWNER(s): Marcus Pinnock Trust P.O. Box 712258, Salt Lake City, Utah

APPLICANT(s): Joe Salisbury 801-870-1810

STAFF RECOMMENDATION: Approval of subdivision plat amendment 13-002 finding that:

1. The public nor any person will be materially injured by the Little Willow Subdivision amendment;
2. The application meets all portions of chapter 12.26 and R-1-8 ordinances;
3. There is good cause for the proposed subdivision amendment.

With the following conditions:

1. That the applicant work with staff on all technical corrections to the recording document(s);
2. Including all items of the staff report.

PROPOSAL

The applicant is proposing to subdivide lot 7 of the Little Willow subdivision thus amending the Little Willow subdivision plat.

BACKGROUND

Context

Little Willow subdivision was recorded in 1983 and contains 13 lots. All lots have been developed with the exception of lot 7. Lot 7 is .68 acres in area. The applicant is proposing to subdivide lot 7 into two lots one being .24 acres in area and the other being .37 acres.

Notice

Property owners in the Little Willow subdivision were mailed notices and consent to amend forms. Neighbor notices were mailed as required by ordinance.

Zoning

The property located at 8562 South Little Willow Circle in the R-1-8 zone. The ordinance states:

“The purpose of the R-1-8 zone is to allow for the establishment of single- family homes organized in low-density residential neighborhoods characteristic of traditional suburban residential developments.”

The applicant’s intention is to construct two single family homes on two lots. The lots will be 10,869 square feet and 16,216 square feet respectively and meet the area and lot frontage requirements of the R-1-8 zone. The new homes will also be required to meet all setback and lot coverage restrictions of the zone.

Adjacent Zoning:

- North: R-1-8 single family
- South: R-1-8 single family
- East: R-2-8 Multi-Family Residential
- West: R-1 -8 single family

General Plan

The General Plan States: “Adopt a future land use map that reflects the needs of the community and guides future growth/development, including support of thriving development within existing zoning categories.”

The application is in harmony with the goals of the General Plan pertaining to land use type and density.

Buildings, site plan and landscaping

The proposed subdivision is included in this report. At this time a site plan for the homes has not been drawn.

Curb, gutter, sidewalk and driveway

Curb, gutter and sidewalk will be installed as required by city standards and ordinances.

Storm Drain Water, Utilities

Storm Drain water will be contained on the individual lots. Utilities are available and will be installed as required by the respective provider and according to city standards.

Fire safety

The nearest fire hydrant is 300 feet to the north. A hydrant will be required to be installed between the new homes or the homes will be required to be completely fire sprinkled. With the installation of the fire hydrant or suppression the Fire Marshall has reviewed the plans and found it in compliance with UFA standards.

Easements

There is a water line easement at the west end of both lots. Permanent structures will not be allowed to be constructed over the easement. An aerial of the easement is included.

Building Heights

The maximum building height allowed in the R-1-8 zone is 35 feet.

Pertinent Information:

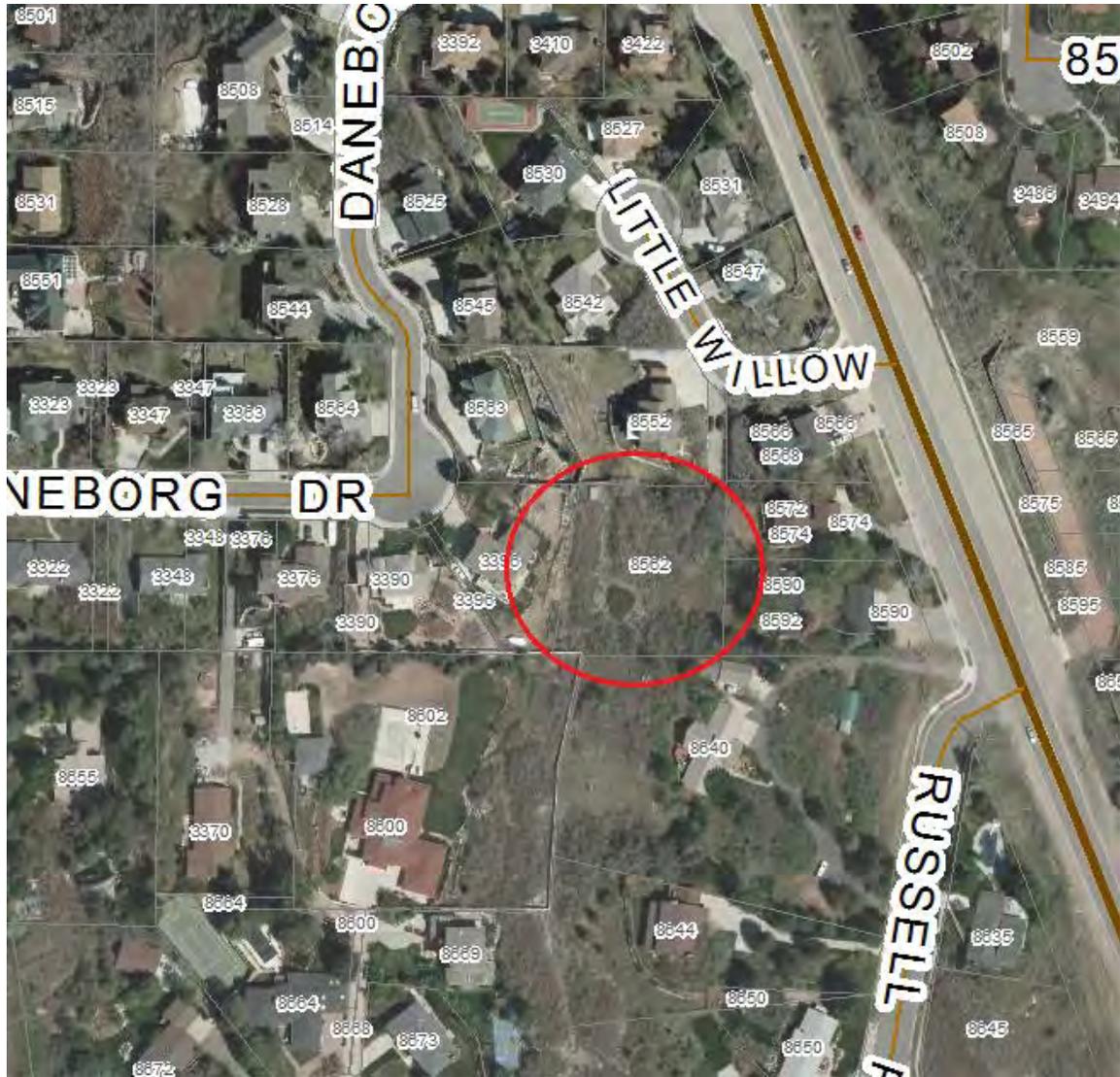
- Front Setback Required: 25 feet
- Side Yard Setback Required: Total of 20 feet with no less than 8 feet
- Rear Yard Setback: 20 feet
- Lot area required: 8000 square feet
- Parking required: two spaces per home

Attachments

1. Context aerial
2. Land Use
3. Zoning Map
4. Easement
5. Site Plan
6. Original Little Willow plat

Staff: Larry Gardner
Planning Department
801-944-7065

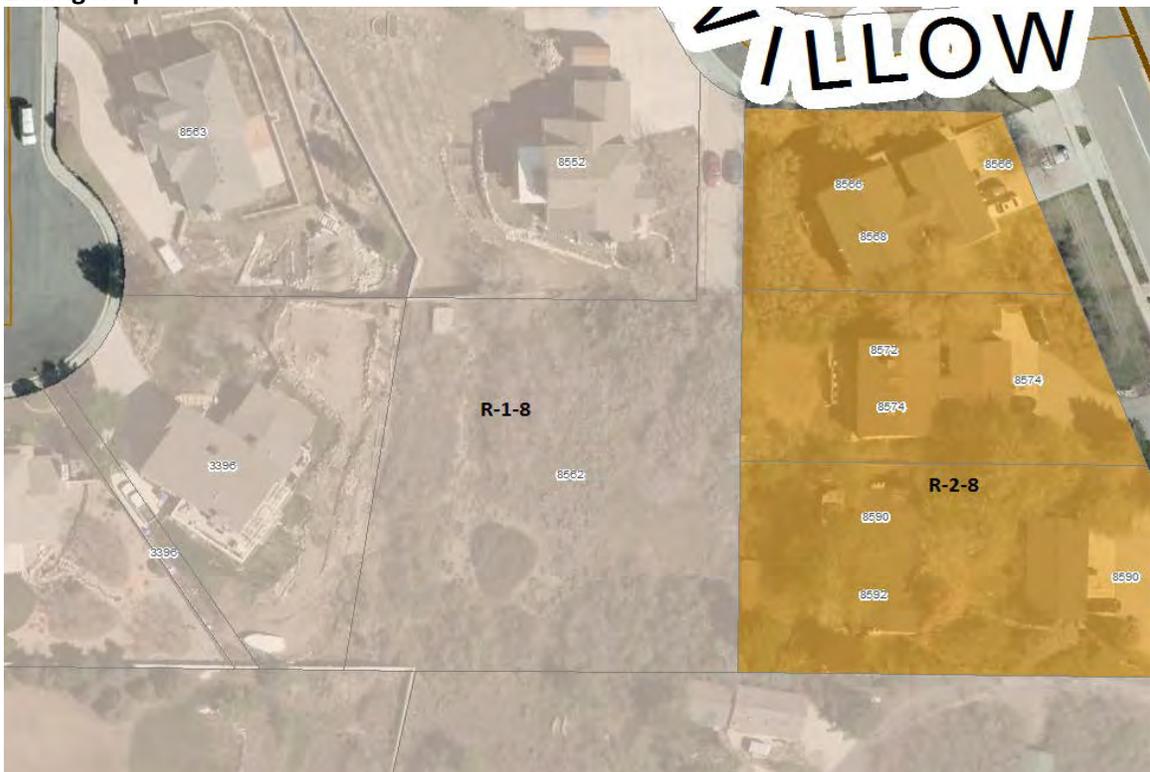
Context Aerial



Land Use – Low Density residential

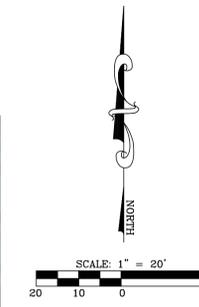


Zoning Map



Water line easement

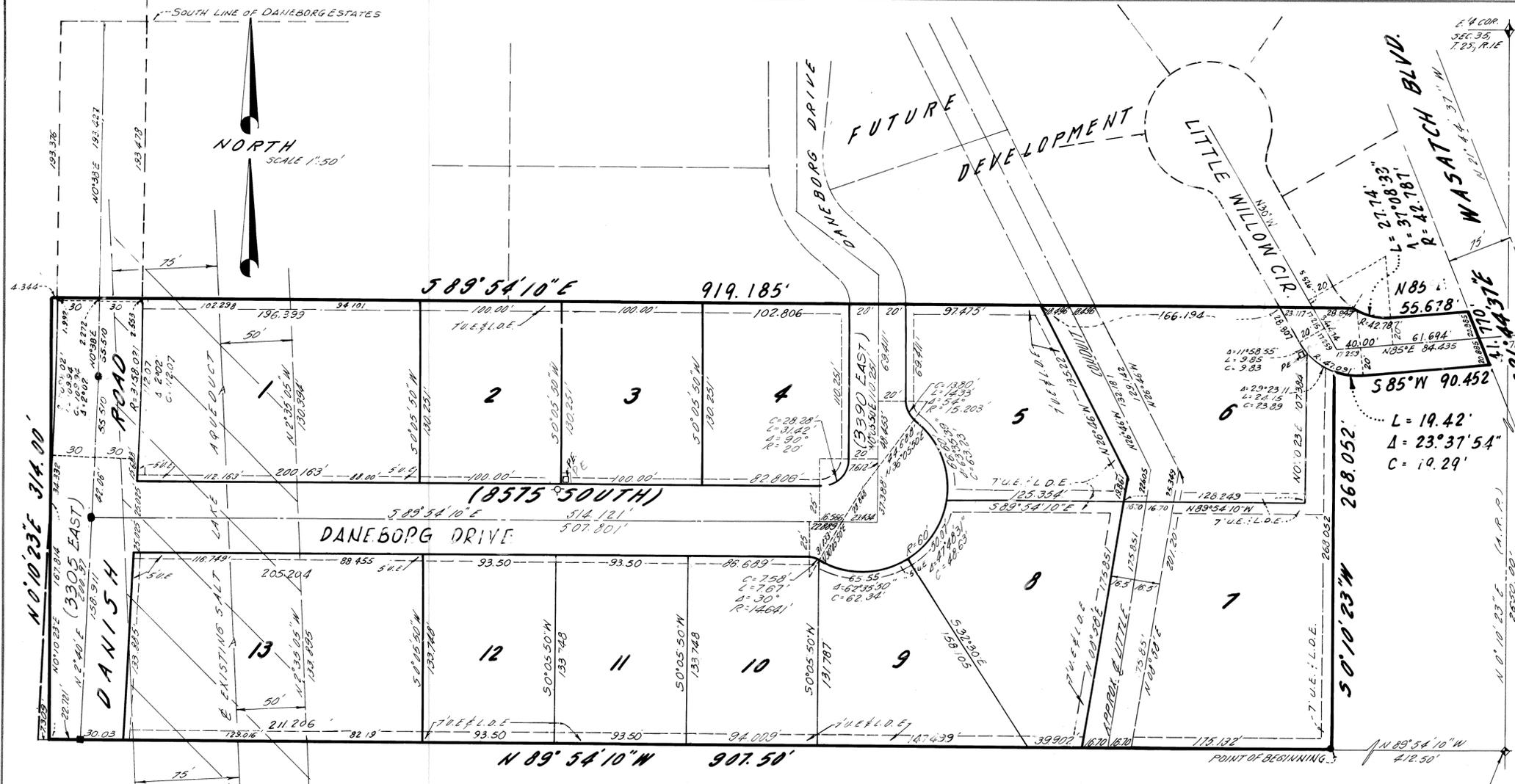




LITTLE WILLOW
 COTTONWOOD HEIGHTS, UTAH
CONCEPT

REVISIONS	
1	
2	
3	
4	
5	

LEI PROJECT #: **2012-0016**
 DRAWN BY: **CJP**
 CHECKED BY: **XXX**
 SCALE: **1" = 20'**
 DATE: **4/9/2012**



LEGEND :
 ■ DENOTES EXISTING MONUMENT
 ● DENOTES MONUMENTS TO BE SET
 ☉ FIRE HYDRANTS TO BE INSTALLED
 U.E. UTILITY EASEMENT
 D.E. DRAINAGE EASEMENT
 P.E. 4'x4' POSTAL EASEMENT

PLANNING COMMISSION
 APPROVED THIS 26TH DAY OF July A.D., 1983 BY THE COUNTY PLANNING COMMISSION.
 Chairman: *Guendine E. Huber*
 CO. PLANNING COMM.

BOARD OF HEALTH
 APPROVED THIS 17TH DAY OF March A.D., 1981
 Director: *Kurt R. Mies*
 CO. BOARD OF HEALTH

FLOOD CONTROL DEPT.
 APPROVED THIS 18TH DAY OF July A.D., 1983
 Coordinator: *Alfred J. Edwards*
 FLOOD CONTROL COORDINATOR

COUNTY ENGINEERING
 I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAN AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
 Director: *1 Aug 83*
 DATE DIRECTOR, ENGE. DIVISION

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS 1 DAY OF 1983 A.D. 1983
 County Attorney: *Paul J. Kimball*
 COUNTY ATTORNEY

COUNTY COMMISSION
 PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS THIS 8TH DAY OF Sep A.D., 1983 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
 Attest: *Edna J. Wilcox*
 COUNTY CLERK
 Chairman, Bd. of Co. Comm.

RECORDED # 3844213
 STATE OF UTAH, COUNTY OF SALT LAKE, COUNTY OF
 La Mar COOR
 DATE 9-15-83 TIME 10:51 A.M. BOOK 83-9 PAGE 115
 #21.50 FEE \$
 DEPUTY SALT LAKE COUNTY RECORDER

INDIVIDUAL ACKNOWLEDGEMENT
 STATE OF UTAH COUNTY OF SALT LAKE S.S.
 ON THE 17TH DAY OF August, 1983, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE, IN SAID STATE OF UTAH, THE SIGNER () OF THE ABOVE OWNER'S DEDICATION, Dan S. Kimball, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.
 MY COMMISSION EXPIRES June, 1987
 Notary Public: *Harold A. Strand*
 RESIDING IN SALT LAKE COUNTY.

INDIVIDUAL ACKNOWLEDGEMENT
 STATE OF UTAH COUNTY OF SALT LAKE S.S.
 ON THE 17TH DAY OF August, 1983, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE, IN SAID STATE OF UTAH, THE SIGNER () OF THE ABOVE OWNER'S DEDICATION, GALE J. SECOE, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.
 MY COMMISSION EXPIRES 11-24-85
 Notary Public: *Karen J. Wilcox*
 RESIDING IN SALT LAKE COUNTY.

LOT	STREET ADDRESS	DATE RECEIPT
1	8561 DANISH ROAD	
1	3322 DANEBOURG DR.	
2	3347 " "	
3	3343 " "	
4	3377 " "	
4	8564 " "	
5	8563 " "	
6	8552 LITTLE WILLOW CIR.	
7	8562 " "	
8	3396 DANEBOURG DR.	
9	3330 " "	
10	3376 " "	
11	3362 " "	
12	3348 " "	
13	3322 " "	
13	8587 DANISH ROAD	

REVISED JULY 29, 1983
 REVISED JUNE 6, 1981
 REVISED APRIL 21, 1981

SURVEYOR'S CERTIFICATE
 I, C. J. SCHUCHERT, do hereby certify that I am a Registered Civil Engineer, and a Land Surveyor, and that I hold certificate No. 2880, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as LITTLE WILLOW and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

COURSE	DIST.	REMARKS
BEGINNING AT A POINT THAT IS N 89° 54' 10" W 412.50 FEET ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 35, T.25, R.1E, S.L.B.#14; THENCE N 89° 54' 10" W 907.50 FEET; THENCE N 0° 10' 23" E 314.00 FEET; THENCE S 89° 54' 10" E 919.185 FEET TO A POINT ON THE ARC OF A 42.787 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS N 32° 08' 33" E; THENCE EASTERLY 27.74 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 37° 08' 33"; THENCE N 85° E 55.678 FEET TO A POINT ON THE WESTERLY LINE OF WASATCH BOULEVARD; THENCE S 21° 44' 37" E ALONG SAID WESTERLY STREET LINE 41.770 FEET; THENCE S 85° W 90.452 FEET TO THE P.C. OF A 47.091 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS N 5° W; THENCE WESTERLY 19.42 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 23° 37' 54"; THENCE S 0° 10' 23" W 268.052 FEET TO THE POINT OF BEGINNING.		

I FURTHER CERTIFY THAT ALL LOTS MEET THE FRONTAGE, WIDTH, AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCE.

APRIL 21, 1981
 DATE

REGISTERED LAND SURVEYOR
 C. J. Schuchert
 2880

OWNER'S DEDICATION
 Know all men by these presents that we, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the LITTLE WILLOW do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.
 In witness whereof we have hereunto set our hands this 1ST day of August A.D., 1983

Dan S. Kimball
Harold A. Strand
Gale J. Secoe
Edna J. Wilcox

ACKNOWLEDGMENT
 STATE OF UTAH } S.S.
 County of }
 ON THE 1ST DAY OF August A.D., 1983, PERSONALLY APPEARED BEFORE ME _____ IS/ARE THE _____ OF _____ AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID _____ BY AUTHORITY OF _____ AND THE SAID _____ ACKNOWLEDGED TO ME THAT SAID _____ EXECUTED THE SAME.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC RESIDING IN _____ COUNTY

LITTLE WILLOW
 A SUBDIVISION IN THE S.E. 4 OF SEC. 35, T.25, R.1E,
 13 LOTS 6.639 ACRES

83-9-115

Checked for zoning

R-2-10A

Elaine W. Mackay 8-1-83