

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

Wednesday, July 1, 2015

6:00 p.m.

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

ATTENDANCE

Members Present: Chair Paxton Guymon, Vice Chair Jeremy Lapin, Commissioner James Jones, Commissioner Dennis Peters, Commissioner Craig Bevan, Commissioner Allen Orr, Commissioner Sue Ryser

Excused: Alternate Joseph Demma

Staff Present: Community and Economic Development Director Brian Berndt, Senior Planner Glen Goins, City Planner Mike Johnson

Others Present: Charla Nieman, Michael Nieman, Eugene Murdock, Bob Tuttle, Debi Tuttle, Aaron Hall, Shanna Hall, Jere El-Dakri, Cindy Leaming, Marshall Tale, Milton Homer

BUSINESS MEETING

1.0 WELCOME/ACKNOWLEDGEMENTS

Chair Guymon called the meeting to order at 6:03 p.m. and welcomed those attending.

2.0 CITIZEN COMMENTS

There were no citizen comments. The citizen comment period was closed.

3.0 ACTION ITEMS

3.1 (Project #GPA 15-001) Action on a request from Michael Nieman for a General Plan and Zone Map Amendment to the properties located at 7765 and 7749 South Forest Creek Lane

Chair Guymon introduced the request and cautioned the Commission Members that the action taken on this item is not a final decision from the Planning Commission. The Planning Commission will make a recommendation, either in favor or against the application. Their decision will be forwarded to the City Council who will make the final decision. Chair Guymon acknowledged the public comments, both written and verbal, that were received previously.

Senior Planner, Glen Goins, clarified that the comments received requesting individual names be removed from the petition were accurately reflected on the final petition of which the Planning Commission received an updated version. He noted that the City Council will receive an updated copy as well. He clarified that the accurate size of the property is 1.2 acres rather than 1.43 acres.

Chair Guymon reported that the matter consists of a General Plan and Zone Map Amendment. He invited input from the Planning Commission Members.

Commissioner Dennis Peters congratulated the citizens of Cottonwood Heights for speaking out on the issue and acknowledged their participation in the process. He thanked the citizens who commented and provided valuable, informed information to the Planning Commission. Commissioner Peters stated that he believes that the proposal is not compatible with the General Plan and expressed concern that there is not anything similar in the City that would justify medium-density zoning in the proposed location. He noted that while the area may not be a gateway, it is connected to a single-family neighborhood.

Chair Guymon publicly welcomed Sue Ryser as a new Planning Commission Member.

Commissioner Ryser introduced herself and stated that she has extensive history in planning and zoning and served on the City's very first Planning Commission. She also worked on the Incorporation of the City. Commissioner Ryser acknowledged the extensive detail provided by the applicant and expressed concern with changing the zoning of small sections of the City. She recommends they instead look at the broad picture. She heard the applicant characterize the parcel as a problem piece but saw nothing that would indicate that it is any more problematic than any other parcel in the neighborhood in terms of sale ability and development. As a result, she discounted that claim. The applicant indicated that the proposed units would be an improvement over the apartment buildings for young families but according to the potential sales price presented, Commissioner Ryser is not sure that is the case. It still seems to her to be too expensive for young families transitioning from an apartment. Commissioner Ryser read the comments and the petition and found that the only people who supported the application do not live in the neighborhood. As a result, she sees no potential positive impact or reason for the change.

Commissioner Bevan reported that he visited the neighborhood on several occasions and believes the applicant's proposal will negatively affect the neighborhood. From a map perspective, however, he thinks it may make sense. He personally does not support the proposed change.

Commissioner Orr believes the proposed rezone would be inconsistent with the surrounding area.

Chair Guymon indicated that he also visited the property and considered the location. He concluded that Highland Drive is a demarcation and in the area there are some very intense uses. To the west is the perfect example of low-density residential lots that were intended to be preserved. He also acknowledged the existing General Plan and the community policies that were articulated. He reviewed Section 1.5 of the General Plan pertaining to Land Uses which states:

'The land use element will maintain the traditional single-family neighborhood as the predominant housing style. The community wishes to protect low-density residential neighborhoods from incompatible uses. If developed, vacant land in the interior of low density areas should be developed in a manner consistent with the surrounding development.'

Using this as a guide, he found that the subject property is located in an area that is low-density residential and should be protected from incompatible uses.

Chair Guymon thinks the situation would be different if the property was to have access directly onto Highland Drive. He noted, however, that the properties to the west of Highland Drive are low-density residential uses and this would stand out if rezoned. It is his opinion that the Commission should look at the current General Plan language and determine if the use is consistent. He indicated that he could not support

the application for those reasons. He also noted that the situation is unprecedented in the City and there are no other R-2 areas adjacent to an R-1-43 zone.

Motion: Commissioner Peters moved that the Commission forward a negative recommendation to the City Council on Project #GPA 15-001, a request from Michael Nieman for a General Plan and Zone Map Amendment to the properties located at 7765 and 7749 South Forest Creek Lane. The motion was seconded by Commissioner Jones. Vote on motion: Allen Orr-Aye. Craig Bevan-Aye. Jeremy Lapin-Aye. Dennis Peters-Aye. James Jones-Aye, Sue Ryser-Aye, Chair Guymon-Aye. The motion passed unanimously.

Commissioner Jones commented that this is one of the most beautiful areas in the City and changing the zoning would not be right.

Mr. Goins informed the citizens present that the matter will be heard by the City Council on Tuesday, July 14, 2015.

Commissioner Ryser asked if it would be a preliminary hearing or if there would be a vote.

Mr. Goins indicated that there will be a citizen comment period that evening.

3.2 Approval of June 3, 2015 Minutes

Motion: Chair Guymon requested a voice vote be taken to approve the minutes of the June 3, 2015, meeting. The motion passed unanimously on a voice vote with one abstention. Commissioner Ryser abstained from the vote as she was not present at the June 3 meeting.

4.0 ADJOURNMENT

Motion: Commissioner Lapin moved to adjourn. The motion was seconded by Commissioner Jones and passed unanimously on a voice vote.

The Planning Commission meeting adjourned at 6:22 p.m.