

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

3
4 **Wednesday, July 20, 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, Sue Ryser, Allen Orr, Joseph
13 Demma
14

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

19 **Excused:** James Jones, Dennis Peters, Brian Berndt-Community and Economic
20 Development Director
21

22 **BUSINESS MEETING**

23
24 **1.0 WELCOME/ACKNOWLEDGEMENTS**

25
26 Chairman Paxton Guymon called the meeting to order at 6:00 p.m.
27

28 **2.0 CITIZEN COMMENTS**

29
30 There were no citizen comments.
31

32 **3.0 PUBLIC HEARINGS**

33
34 **3.1 (Project #SP-16-001) Action on a Request from Rich Campbell/Willow Creek**
35 **Pet Center for a Program for Signs Located at 2055 East Creek Road.**
36 **(Action on a Request from Rick Campbell for a Program for Signs at 2055**
37 **East Creek Road).**
38

39 Commissioner Orr presented his analysis on the Code and stated that after reviewing Sign
40 Ordinance Chapters 19.82 and 19.82.100, he agreed with staff's recommendation that the size of
41 the signs be consistent with their non-conforming use as they currently exist.
42

43 Commissioner Bevan stated that whereas the sign measures 96 square feet, he believed it was too
44 large. He was concerned about the illumination being more visually objectionable than a light
45 shining on a monument. He expressed opposition to the signage.
46

MINUTES OF THE COTTONWOOD HEIGHTS PLANNING COMMISSION WORK SESSION MEETING HELD WEDNESDAY, JULY 20, 2016 AT 5:10 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 1265 EAST FORT UNION BLVD., SUITE 250, COTTONWOOD HEIGHTS, UTAH

Members Present: Commissioner Chair Paxton Guymon, Commissioner Craig Bevan, Commissioner Allen Orr, Commissioner Sue Ryser, and Commissioner Joseph Demma.

Staff Present: Community and Economic Development Senior Planner Glen Goins, City Attorney Shane Topham, City Recorder Paula Melgar, and Community and Economic Development Planner Michael Johnson.

Excused: James Jones, Dennis Peters, Brian Berndt-Community and Economic Development Director

5:13 p.m. WORK SESSION (suite 250)

1.0 Review Business Meeting Agenda

Commissioner Chair, Mr. Paxton Guymon, asked Community and Economic Development Senior Planner, Mr. Glen Goins, if there was anything on the agenda that the commissioners needed to be aware of or discuss. Mr. Goins stated that the agenda is very simple tonight and there was nothing to report.

2.0 Discussion Items

The Commission reviewed the agenda. Community and Economic Development Planner, Mr. Michael Johnson, presented a PowerPoint presentation of the Staff Report. A copy of this presentation is attached to these minutes and incorporated by this reference. The packet is also available at the City's website:

http://cottonwoodheights.utah.gov/UserFiles/Servers/Server_109694/File/Departments/Planning/07-20-2016%20PC%20Packet.pdf

Commissioners discussed alternatives for positioning and lighting regarding the sign for Willow Creek Pet Care Center signage.

Commissioner Demma asked if there were any precedents. Mr. Johnson replied that this is the City's first case.

Mr. Johnson passed copies of the staff report motions with the different options for a decision by commissioners.

Commissioner Orr mentioned the new Dental Office and stated that nothing should be on the roof, other than vents.

Mr. Goins walked Commissioners through the plans for Alpha Coffee and passed the staff report motion to commissioners.

Commissioner Bevan asked if the city has any minimum landscape requirements. Mr. Goins explained that as a government agency, one does not want to overreach.

Commissioner Bevan explained that the landscape in question is not maintained, never watered or mowed.

City Attorney, Mr. Shane Topham, explained that this could be enforced through the nuisance code but the city prefers not to interfere unless it is really bad.

Commissioner Demma commented on an Ogden elderly resident that got so many citations that she was eventually put in handcuffs because she could not afford the water to maintain the landscape.

Mr. Goins explained that the city does not want to overreach but could look at options to help residents meet landscape requirements. Commissioner Bevan disagreed on helping people that are “just being lazy”, such as in the case in question.

Commissioner Bevan spoke of overgrown grass and weeds along sidewalks and different landscaping options. Mr. Goins explained there is currently no city code for xeriscaping.

Meeting adjourned at 5:55 pm

1 Chair Guymon pointed out that because the Cottonwood Heights entry sign has a dimension that
2 is approximately seven feet high and 12 feet wide, it was his view that it would be consistent to
3 allow a sign that is limited to that same type of footprint, but no larger. He agreed to maintain
4 the consistency of the signs in the area.

5
6 Commissioner Ryser suggested a three-foot setback to allow for the safety of children walking
7 on the sidewalk.

8
9 Commissioner Demma stated that in principle, he agreed with Chair Guymon and staff's
10 recommendation to approve signs that match the current signage.

11
12 ***Commissioner Orr moved to deny Project #SP-16-001 on the basis that it is inconsistent with***
13 ***provisions of the sign ordinance and making the signage larger would not be consistent with***
14 ***the visual quality and overall character of the surrounding area. Commissioner Bevan***
15 ***seconded the motion.***

16
17 Instead of voting, Commissioner Ryser asked if there was a way for the applicant to resubmit the
18 application and have it approved since what the commission was recommending is very different
19 than the original application. Commissioner Demma agreed with Commissioner Ryser's
20 concern.

21
22 City Attorney, Shane Topham, reported that the applicant may have to pay the additional
23 application fee again if the request is denied. Another option would be to continue the item in
24 order to review it further.

25
26 Commissioner Bevan retracted his second to the motion as he did not want the applicant to pay
27 an additional reapplication fee. Commissioner Ryser recommended a larger setback to be
28 consistent with other signs in the area that would include a walking area for children.
29 Commissioner Demma agreed that an 18-inch setback was too close.

30
31 ***The motion failed for lack of second.***

32
33 (18:25:42) ***Commissioner Bevan moved to accept the staff recommendation and approve***
34 ***Project #SP-16-001 for an application on a sign located at 2055 East Creek Road subject to***
35 ***the following:***

36
37 ***Conditions:***

- 38
39 ***1. The size of the proposed monument signs shall measure no more than 60 square feet,***
40 ***with a maximum height of 6'8" and a maximum width of 12'.***
41
42 ***2. Sign lighting must be regulated to avoid excessive brightness, and to turn off each***
43 ***night at a predetermined time. The exact brightness and switch-off time shall be***
44 ***determined during review of the building permit application and approved by the city***
45 ***staff.***
46

3. *The applicant must remove the illegal sign on the property shown at the top of page four of the staff report. The sign was not grandfathered in and was never legally approved. The sign shall be removed prior to construction of any new signage.*
4. *The applicant must obtain a building permit prior to construction of new signage.*
5. *The proposed sign on Highland Drive shall have a 36-inch setback.*
6. *Prior to building permit approval, the applicant shall determine which of the two proposed sign materials is to be used and must be consistent with the building materials.*

Findings:

1. *The Program for Signs application, with attached conditions of approval, is consistent with the purposes of Chapter 19.82 and 19.82.100 in the Cottonwood Heights zoning ordinance.*
2. *The Program for signs application, with attached conditions of approval, is compatible with the theme, visual quality, and overall character of the surrounding area, based on the current zoning and land use of the surrounding area, and based on the types of signage allowed and prohibited in Chapter 19.82 of the Cottonwood Heights zoning ordinance.*
3. *The Program for Signs, with attached conditions of approval, is appropriately related in illumination or character to the architectural character of the building or premises on which the signage will be displayed, and is compatible with adjacent activities.*

Commissioner Demma seconded the motion. Vote on motion: Commissioner Bevan-Aye, Commissioner Orr-Nay, Commissioner Ryser-Aye, Commissioner Demma-Aye, Chair Guymon-Aye. The motion passed 4-to-1.

6.2 Project #CUP 16-005 Action on a Request from Lloyd Architects for a Conditional Use and Master Development Plan for Cottonwood Dental S.P.A Located at 7167 South Highland Drive.

Chair Guymon stated that the above request from Lloyd Architects for a conditional use and master development plan for the Cottonwood Dental S.P.A. The proposal is for a new medical/dental office on 0.47 acres in the Regional Commercial Zone.

(18:29:21) Commissioner Orr moved to approve Project #CUP 16-005 on a request from Lloyd Architects for a conditional use permit and site plan approval of a professional medical-office building located at 7167 South Highland Drive subject to the conditionals of approval and findings listed in the staff report dated July 6, 2016 and with the additional condition that nothing is to be on the roof other than vents. Commissioner Ryser seconded the motion. Vote

1 *on motion: Commissioner Bevan-Aye, Commissioner Orr-Aye, Commissioner Ryser-Aye,*
2 *Commissioner Demma-Aye, Chair Guymon-Aye. The motion passed unanimously.*
3

4 **6.3 Project #CUP 16-008 Action on a Request from Carl Churchill for**
5 **Conditional Use Permit Approval for a Coffee Shop Located at 7258 Racquet**
6 **Club Drive.**
7

8 Chair Guymon stated that the above request is from Carl Churchill for a conditional use permit
9 for a coffee shop located at 7258 Racquet Club Drive.
10

11 *Commissioner Bevan moved to approve #CUP 16-008 action on a request from Carl Churchill*
12 *for a conditional use permit for a coffee shop located at 7258 Racquet Club Drive with the*
13 *conditions as listed in the staff report. Commissioner Orr seconded the motion. Vote on*
14 *motion: Commissioner Bevan-Aye, Commissioner Orr-Aye, Commissioner Ryser-Aye,*
15 *Commissioner Demma-Aye, Chair Guymon-Aye. The motion passed unanimously.*
16

17 **3.4 Approval of Minutes of July 6, 2016.**
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19 (18:32:16) *Chair Guymon moved to approve the minutes of the July 6, 2016 meeting. The*
20 *motion passed with the unanimous consent of the Commission.*
21

22 **4.0 ADJOURNMENT**
23

24 The Planning Commission Meeting adjourned at 6:33 p.m.

1
2 *I hereby certify that the foregoing represents a true, accurate and complete record of the*
3 *Cottonwood Heights City Planning Commission Meeting held Wednesday, July 20, 2016.*
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11 Teri Forbes
12 T Forbes Group
13 Minutes Secretary

14
15 Minutes approved: 07/20/2016