



PLANNING COMMISSION MEETING AGENDA

Department of Community and Economic Development

Meeting Date: November 6, 2019

NOTICE is hereby given that the Cottonwood Heights Planning Commission will hold a Work Session Meeting, beginning at 5:00 p.m. in Room 124 (Council Workroom) and a Business Meeting, beginning at 6:00 p.m. in Room 5 (Council Chambers) located at 2277 E. Bengal Blvd., Cottonwood Heights, Utah on **Wednesday, November 6, 2019.**

5:00 p.m. WORK MEETING

1.0 Planning Commission Business

1.1. Review Business Meeting Agenda

The Commission will review and discuss agenda items.

1.2. (Project PDD-19-001)

A discussion on a proposed Planned Development District preliminary plan and rezone application for the redevelopment of approximately 21.7 acres at 6695 S Wasatch Blvd currently in the F-1-21 (Foothill Residential) zone, and identified in the General Plan for mixed-use development. ***Discussion only. The public hearing will be held at a future Planning Commission meeting.***

1.3. Additional Discussion Items

The Commission may discuss the status of pending applications and matters before the Commission and new applications and matters that may be considered by the Commission in the future.

6:30 p.m. BUSINESS MEETING

1.0 Welcome and Acknowledgements

1.1. Ex Parte Communications or Conflicts of Interest to Disclose

2.0 General Public Comment

(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 Senior Planner prior to noon the day before the meeting.)

3.0 Business Items

3.1. (Project CUP-19-008)

A public hearing and possible action on a request by Nathan Anderson for approval of 12 mixed-use live-work townhomes, including a conditional use permit for the inclusion of a third story, at 1810 E. Fort Union Blvd. in the MU – Mixed-Use zone.

4.0 Consent Agenda

4.1. Approval of Planning Commission Minutes:

- September 4, 2019
- October 16, 2019

5.0 Adjournment

Meeting Procedures

Items will generally be heard in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Planning Commission Deliberation
6. Planning Commission Motion and Vote

Planning Commission applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **NO agenda item will begin after 9 pm** without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

Submission of Written Public Comment

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than the Tuesday prior to the meeting at noon. Comments should be emailed to mtaylor@ch.utah.gov. After the public hearing has been closed, the Planning Commission will not accept any additional written or verbal comments on the application.

Notice of Participation by Telephonic/Digital Means

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.

Notice of Compliance with the American Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801)944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

On Friday, November 1, 2019 a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the State Public Meeting Notice website at <http://pmn.utah.gov>.

DATED THIS 1st day of November 2019, Paula Melgar, City Recorder



PLANNING COMMISSION STAFF REPORT

Union Lofts - 12 Live-Work Townhomes

Meeting Date: November 6, 2019

Staff Contact: Andy Hulka, Planner

Summary

Applicant:

Nathan Anderson
(Union Lofts, LLC)

Subject Property:

1810 E. Fort Union Blvd.

Action Requested:

1. Site Plan Approval of 12 mixed-use live-work townhomes.
2. Conditional Use Permit for the addition of a third story.

Recommendation:

Approve, with conditions.

Project #:

CUP-19-008



Context

Property Owner:

Union Lofts, LLC

Acres:

0.54 acres

Parcel #:

22-21-460-005



Site Photos

1810 E. Fort Union Blvd. (Looking south from Fort Union Blvd.)



Zoning

Site:

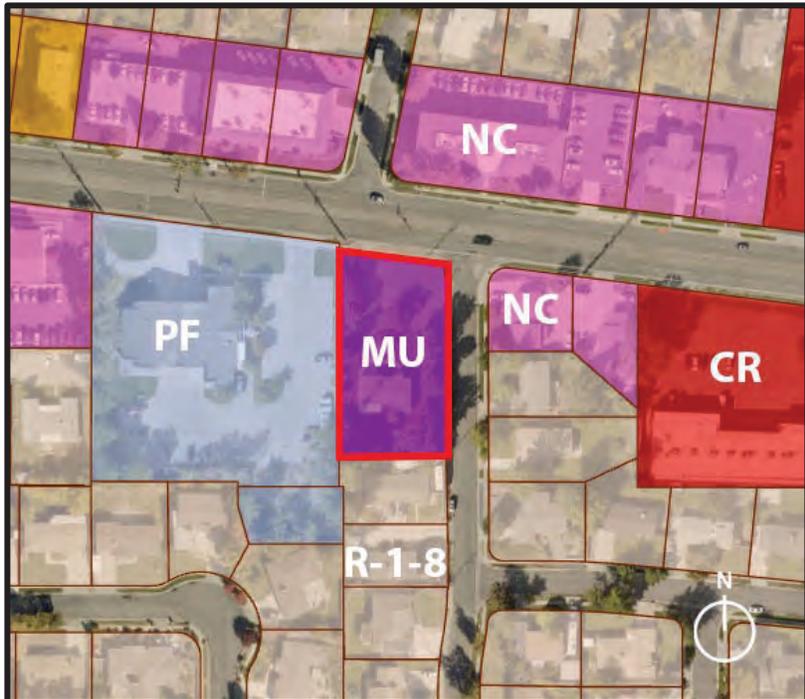
MU: Mixed-Use zone

Surrounding Properties:

PF: Public Facilities (Fire Station)

NC: Neighborhood Commercial zone

R-1-8: Residential Single-Family zone (Adjacent property to the south is a legal nonconforming duplex)



Project Summary

Original Plans



Revised Plans



	REQUIRED	PROPOSED (ORIGINAL)	PROPOSED (REVISED)
HEIGHT	45' max.	38' (PC must approve height increase above 35')	Bldg A: 33.92' or 38.5' (with stairs) Bldg B: 32.58' Bldg C: 34.67' or 39.25' (with stairs) (PC must approve 3 rd story)
STORIES	3 max.	3 (PC must approve 3 rd story)	3 (PC must approve 3 rd story)
LOT COVERAGE	65% max.	52%	37%
DENSITY/USE			
RESIDENTIAL:	35 units/acre max.	24 units/acre (13 units/0.54 acres)	22 units/acre (12 units/0.54 acres)
OFFICE:	25,000 sq. ft. (permitted)	1,902 sq. ft.	660 sq. ft. (4 units, 165 sq. ft. each)
SETBACKS			
FRONT (NORTH):	20'	14' (PC must approve setback reduction)	20'
SIDE (EAST):	20'	5' (PC must approve setback reduction)	22'
SIDE (WEST):	10'	7' (PC must approve setback reduction)	10'
REAR (SOUTH):	25'	25'	32'
PARKING			
TOWNHOMES:	17 stalls (1.38/unit)	26 stalls	24 stalls
OFFICE:	2 stalls (2.84/1,000 sf.)	5 stalls	5 stalls
TOTAL:	19 stalls	31 stalls	29 stalls

Project Background

September Planning Commission

The Planning Commission held a public hearing for this application on September 4, 2019. After public comment and discussion on the project, the Commission voted to continue the item to the October 2nd Planning Commission meeting.

September Architectural Review Commission

The ARC reviewed this application on September 24, 2019. During the meeting, commissioners discussed their concerns about the project, including concerns about massing, reducing the setbacks, and issues with pedestrian circulation on site. Several commissioners expressed a general sense that perhaps the project was too maximized and could work better with a reduction in units. The Commission voted to table the item with recommendations to redesign the project to comply with all required setbacks.

October Planning Commission

The request was scheduled for a public hearing at the Planning Commission meeting on October 2, 2019. Because the project was being redesigned to address comments from the previous meetings, the Planning Commission voted to table the item until November 6.

October Architectural Review Commission

The ARC reviewed the redesigned project on October 30, 2019. The commissioners discussed elements of the revised project design (summarized in the following sections) and voted 3-1 to issue a Certificate of Design Compliance with conditions.

Certificate of Design Compliance

The ARC issued a Certificate of Design Compliance with the following conditions:

1. Submit a lighting plan that demonstrates compliance with section 19.36.120 of the zoning ordinance and the lighting standards of the Architectural Design Guidelines;
2. Add covered stairways on all rooftops to allow for uniform trellis coverings on each unit;
3. Step each unit by shifting at least one foot, but preferably as much as possible;
4. Provide some form of modulation, at least around the windows, on the surface of the rear elevation.

Building Height & Rooftop Area Comments

- The ARC expressed a preference for a design that included covered stairways on the rooftops, for the following reasons:
 - Snow and leaves can create maintenance problems for internal stairwells.
 - The covered stairways provide a separation between the units and add an element of privacy.
 - Rooftop patio areas without trellises could lead to residents using temporary coverings, umbrellas, or other shade structures that would be inconsistent in design.

Rooftop with covered stairways



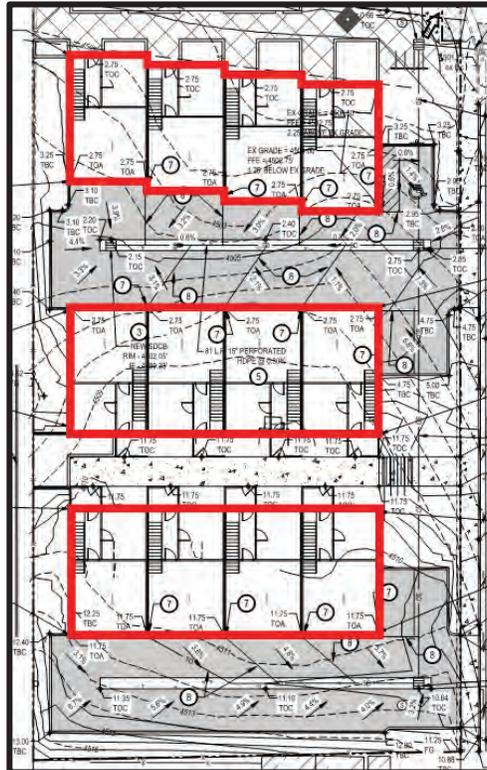
Rooftop with internal stairwells



Building Massing & Rear Elevation Comments

- The ARC discussed shifting the units in the center and rear buildings (Buildings B & C). The applicant stated that there is enough room on the site to accomplish this request.
- The ARC expressed concerns over the lack of architectural design features on the rear wall of the rear building, facing the adjacent residential zone. It recommended stepping each unit and adding some form of architectural modulation to the rear façade, at least around the windows.

Building Massing



Rear Elevation



Project Updates

Density & Massing

Original Plans:

- The ARC expressed concern that the initial project was “too maximized” and “doesn’t fit the site.”

Revised Plans:

- Density: One unit has been removed, taking the project from 13 units to 12 units. This brings the overall project density down from 24 units/acre to 22 units/acre.
- Massing: The project has been revised from one 13-unit building to three 4-unit buildings.

Original



Revised (with covered stairways)



Revised (with internal stairwells)



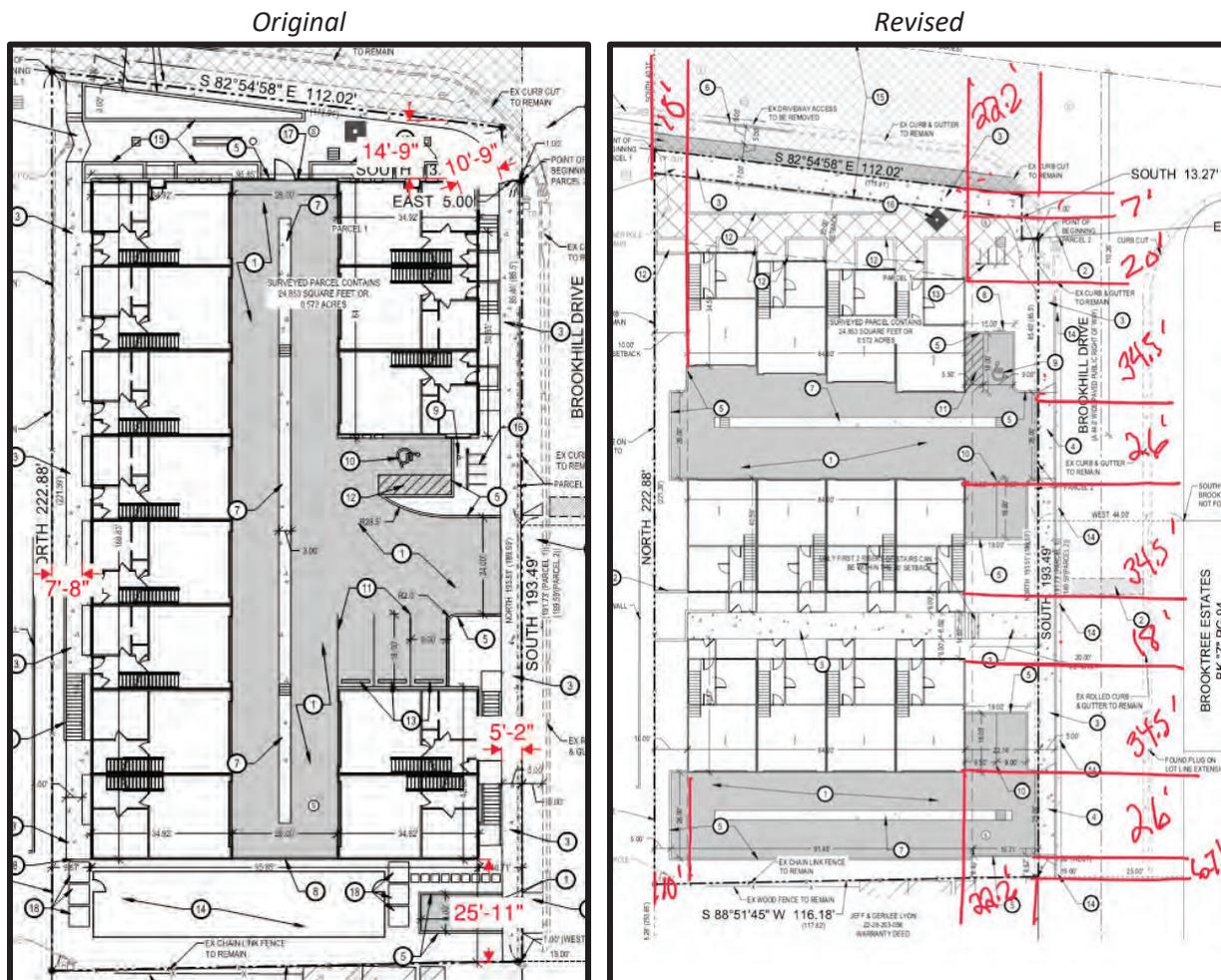
Setbacks

Original Plans:

- The ARC expressed concerns about the setbacks from the building to Brookhill Dr.
- The ARC expressed concerns about the setbacks to the west (specifically about decks overhanging into the side yard).
- The ARC voted to table the item until the site was redesigned to comply with setbacks.

Revised Plans:

- The applicant has redesigned the project to meet all required setbacks and is no longer requesting conditional approval for reduced setbacks, even when factoring in required right-of-way dedication.
- Front setback (North): Original 14', Revised 20' (20' required)
- Side setback (East – Brookhill): Original 5', Revised 22' (20' required)
- Side setback (West – Fire Station): Original 7', Revised 10' with no deck overhang (10' required)
- Rear setback (South): Original 25', Revised 32' (25' required)

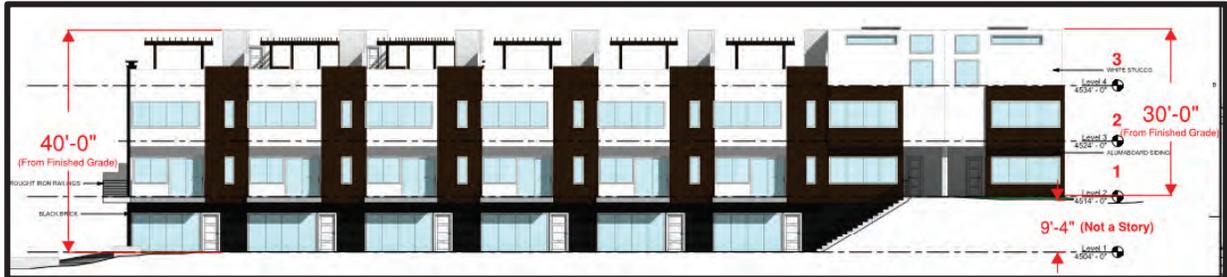


Height

Original Plans:

- 38' from average existing grade to top of roof (including stairs).

Original (West Elevation)

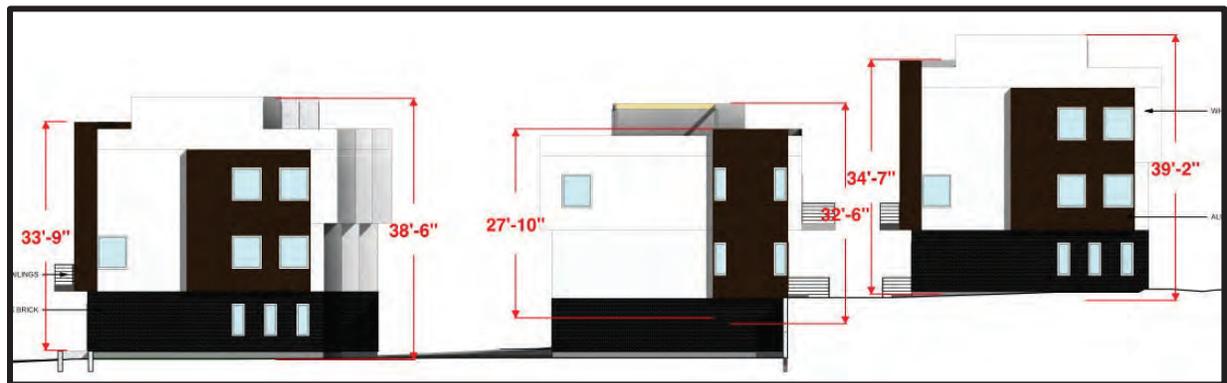


Revised Plans:

- Two revised plans have been submitted for Planning Commission consideration. One option includes covered stairways, which extend above 35', and the other option includes internal stairwells, keeping all buildings under 35'. Note that the measurements below to "Top of Roof" are measurements to the top of the parapet walls above the roof.

Revised (West Elevation – with covered stairways)

Building A:	Building B:	Building C:
<ul style="list-style-type: none"> • Average Existing Grade: 4502.75 • Top of Roof: 4535.75 • Height to Top of Roof: 33.92' • Top of Stairs: 4541.25 • Height to Top of Stairs: 38.5' 	<ul style="list-style-type: none"> • Average Existing Grade: 4507.75 • Top of Roof: 4535.67 • Height to Top of Roof: 27.92' • Top of Stairs: 4540.33 • Height to Top of Stairs: 32.58' 	<ul style="list-style-type: none"> • Average Existing Grade: 4511 • Top of Roof: 4545.67 • Height to Top of Roof: 34.67' • Top of Stairs: 4550.25 • Height to Top of Stairs: 39.25'



Revised (West Elevation – with internal stairwells)

Building A:	Building B:	Building C:
<ul style="list-style-type: none"> • Average Existing Grade: 4502.75 • Top of Roof: 4535.75 • Height to Top of Roof: 33.92' 	<ul style="list-style-type: none"> • Average Existing Grade: 4507.75 • Top of Roof: 4535.67 • Height to Top of Roof: 27.92' • Top of Stairs: 4540.33 • Height to Top of Stairs: 32.58' 	<ul style="list-style-type: none"> • Average Existing Grade: 4511 • Top of Roof: 4545.67 • Height to Top of Roof: 34.67'



- The ARC recommended approval of the design that includes rooftop stairways. Staff recommends that the Planning Commission grant approval of a Conditional Use Permit for an increase in height, in accordance with the ARC’s recommendation. The applicant has indicated that he is willing to replace the rooftop stairways on Buildings A & C with internal stairs to comply with the permitted height standards, if that is the preference of the Planning Commission.

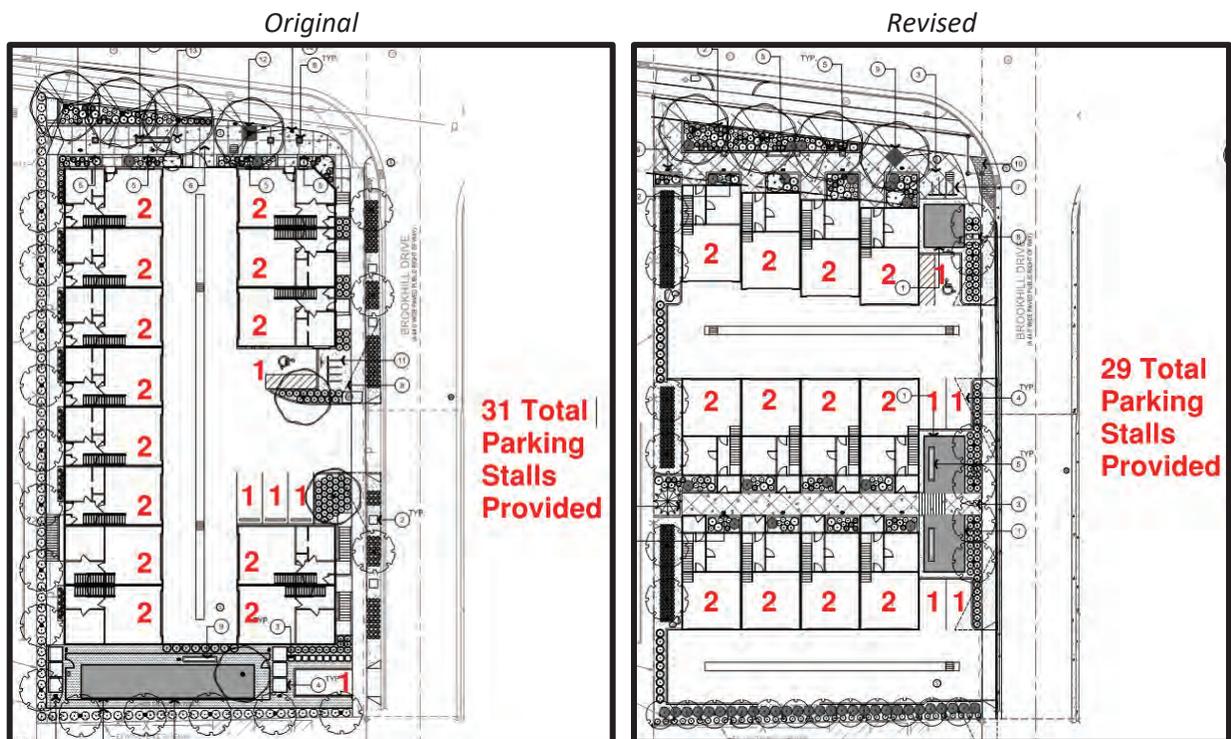
Parking & Pedestrian Access

Original Plans:

- The ARC expressed concern about pedestrian access from the rear and internal parking areas to the front and side business areas.
- During the original Planning Commission public hearing, a concern was raised that the traffic study referenced two-story buildings rather than three-story buildings as proposed.

Revised Plans:

- The plans have been revised so there are now three separate structures, each with garage and guest/client parking and pedestrian access. There are now two drive approaches leading to the front and rear parking areas. There was a reduction of two parking stalls with the removal of the 13th unit, but the number guest/client parking spaces has not been reduced.
- The traffic study used trip generation numbers for “mid-rise apartments,” which are defined in the trip generation manual as apartment buildings from 3-10 stories. The trip generation numbers are calculated per unit. Although the numbers accurately reflect the type of proposed development, the traffic letter should be updated to remove any references to a two-story building.



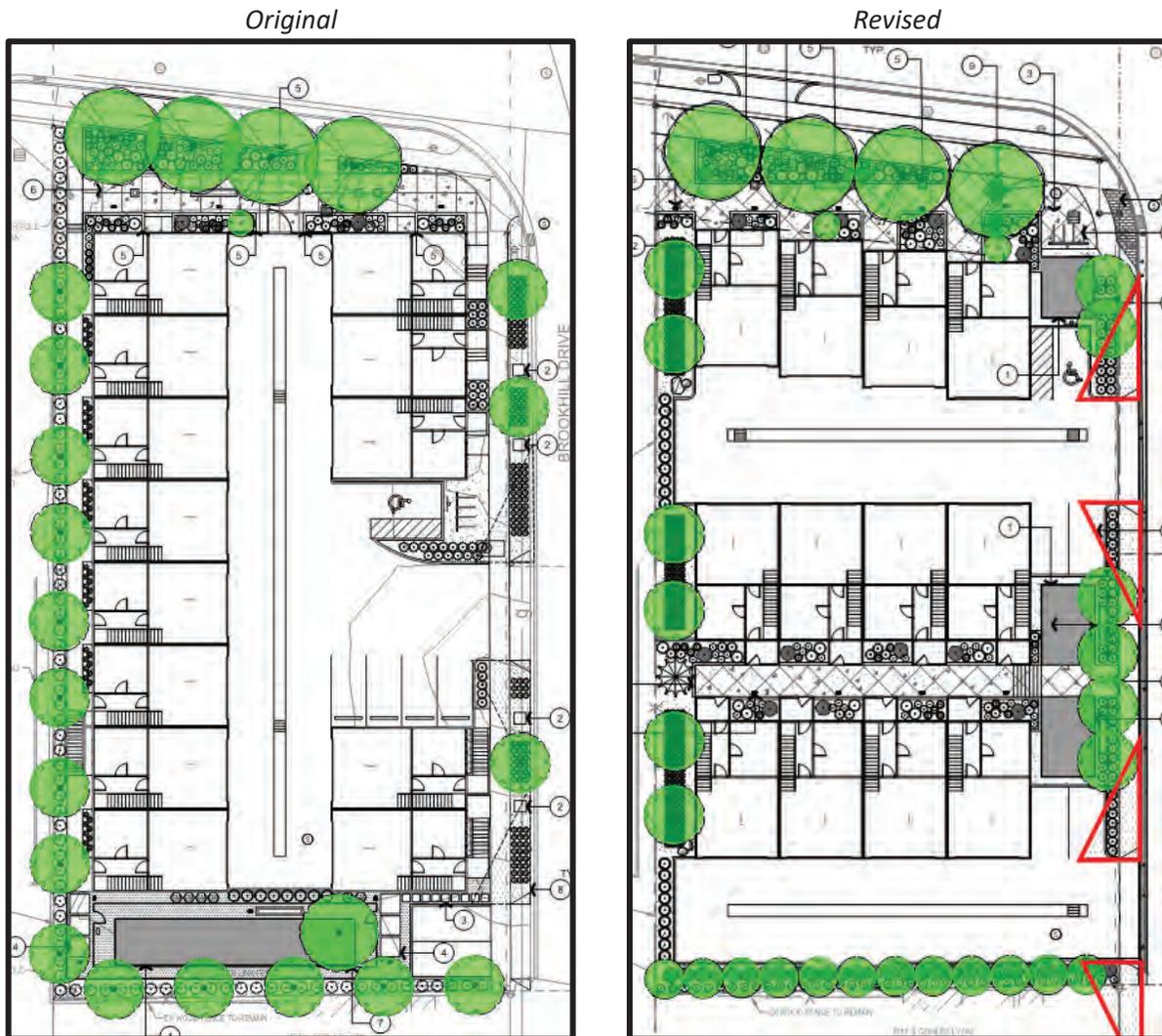
Landscaping

Original Plans:

- The original plans proposed 31 trees around the perimeter of the project.

Revised Plans:

- The revised plans call for 30 trees, including a densely planted section along the rear property line to provide a buffer between the new development and adjacent residential.
- Staff recommends that the Planning Commission require all trees within 20' of the driveway approaches (approximately in red below) be pruned to 10 feet and all shrubs within 20' of the driveway approaches maintained at no more than 3 feet in height.



Right-of-Way Improvements

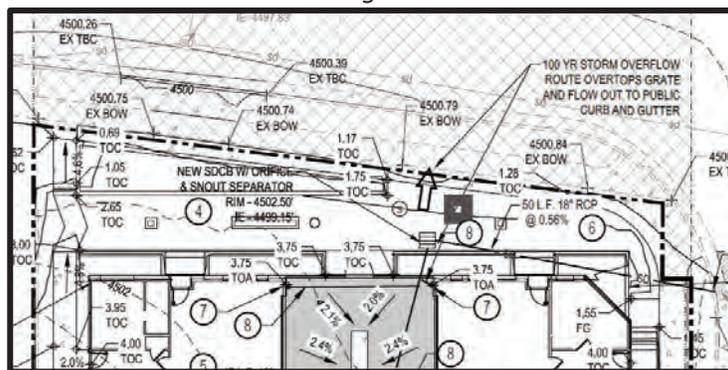
Original Plans:

- Included a sidewalk and a plaza area to the front of the building.

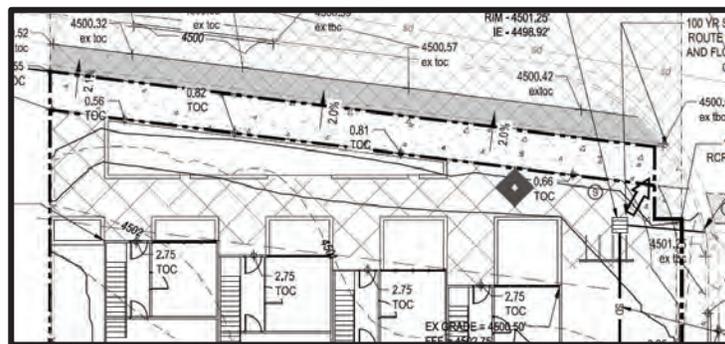
Revised Plans:

- The plans have been revised to include a 5' bike lane and 7' sidewalk along Fort Union Blvd. to implement the goals of the Fort Union Corridor Master Plan and in accordance with ordinance requirements in Title 19 and Title 14 of the city code. The revised plans also include a new sidewalk along Brookhill Dr. The right-of-way improvements will be dedicated to the city.
- Several residents expressed concerns that unless on-street parking is restricted to one side of the street along Brookhill Dr., emergency vehicles may not have sufficient clearance to access the neighborhood in an emergency. In consideration of the requests received from residents, staff recommends prohibiting parking along the west side of Brookhill Dr. along the property boundary.

Original



Revised



Concept Plan for Frontage Improvements along Fort Union



Recommendation

Staff has concluded that the application substantially meets the requirements of all applicable ordinances and design guidelines. Staff recommends approval of the application, with recommended conditions:

1. The final plan shall comply with all conditions of the Architectural Review Commission's Certificate of Design Compliance;
2. The applicant shall submit an outdoor lighting plan that complies with the standards of section 19.77 (Outdoor Lighting) of the zoning ordinance;
3. The final plan shall include a plan with details for all equipment and dumpster locations and screening if applicable and a plan for residential waste and recycling pickup;
4. No Parking signs shall be required on the west side of Brookhill Dr.;
5. All trees within 20' of the driveway approaches shall be pruned to 10 feet and all shrubs within 20' of the driveway approaches shall be maintained at no more than 3 feet in height;
6. The final plan shall include a traffic letter that is updated to remove any references to two-story buildings;
7. The applicant shall provide full frontage improvements in accordance with the Fort Union Corridor Master Plan and City Right-of-Way standards.

Conclusions - Findings for Approval

- The proposed use is in compliance with the standards of the MU – Mixed-Use zone.
- Proper notice was given in accordance with local and state requirements.
- A public hearing was held in accordance with local and state requirements.
- That the Planning Commission adopts the written *Findings of Fact* outlined in the analysis of this report as demonstrating that the proposed third-story and optional height increase is in compliance with the conditional use permit standards and that reasonable conditions are proposed to mitigate the reasonably anticipated detrimental effects of the proposed use.
- That the Planning Commission adopt the recommended conditions of approval in this report as reasonable conditions to mitigate the anticipated detrimental effects of the proposed use.

Model Motions

Approval

I move to approve project CUP-19-008, subject to the findings and conditions of approval in the staff report dated November 6th, 2019:

- List any conditions of approval...

Denial

I move to deny project CUP-19-008, based on the following findings:

- List findings for denial...

Attachments

1. Findings of Fact
2. Revised Plans

Findings of Fact

1. *That the proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;*

Finding of Fact: Increased height and addition of a third story are both conditional uses within the MU zone.

2. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;*

Finding of Fact: Neither use of property will be detrimental to health, safety, comfort, order, or general welfare of persons residing or working in the vicinity.

3. *That the use will comply with the intent, spirit, and regulations of this title and will be compatible with and implement the planning goals and objectives of the city;*

Findings of Fact: The request for an increase in stories and height is supportive of the planning goals and objectives of the city, particularly those outlined in the General Plan Fort Union Corridor Master Plan.

4. *That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located;*

Findings of Fact: Neighboring uses along Fort Union Blvd. are planned to be similar in scale and nature to the proposed development. The development maintains the required setbacks to adjacent single-family development areas.

5. *That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;*

Findings of Fact: As a primarily residential use with a limited mixed-use office component, no greater nuisances are anticipated than a typical single-family development where home occupations are allowed.

6. *That protection of property values, the environment, and the tax base for the city will be assured;*

Findings of Fact: The proposed development will increase the tax base and help achieve the long-range goals of the Fort Union Corridor Master Plan, which in turn should increase economic activity for the city as a whole.

7. *That the use will comply with the city's general plan;*

Findings of Fact: The proposed development complies with the goals of the General Plan.

8. *That some form of a guaranty assuring compliance to all imposed conditions will be imposed on the applicant or owner;*

Findings of Fact: Guarantees will be imposed at the time of development in the form of a cash bond or equivalent to ensure that infrastructure and landscaping is installed as designed.

9. *That the internal circulation system of the proposed development is properly designed;*

Findings of Fact: The internal circulation system designed to minimize impacts on adjoining street network, particularly, by reducing curb-cuts and conflict points on Fort Union Boulevard and redirecting traffic to an intersection on a local street.

10. *That existing and proposed utility services will be adequate for the proposed development;*

Findings of Fact: Utility services are adequate for the proposed use.

11. *That appropriate buffering will be provided to protect adjacent land uses from light, noise and visual impacts;*

Findings of Fact: The site is planned to be buffered by landscaping and setbacks keeping the new development buffered from existing development. The required lighting plan should mitigate any issues from light. The increase in height will not be a source of noise. The design review committee has issued a certificate of design compliance that mitigates visual impacts.

12. *That architecture and building materials are consistent with the development and surrounding uses, and otherwise compatible with the city's general plan, subdivision ordinance, land use ordinance, and any applicable design standards;*

Findings of Fact: The proposed project has achieved the standards of goals of the above documents.

13. *That landscaping appropriate for the scale of the development and surrounding uses will be installed in compliance with all applicable ordinances;*

Findings of Fact: The landscaping is typical for that which currently exists within the MU zone.

14. *That the proposed use preserves historical, architectural and environmental features of the property; and*

Findings of Fact: No identified historical, architectural and/or environmental features on the site have been identified.

15. *That operating and delivery hours will compatible with adjacent land uses.*

Findings of Fact: The hours of use are 24/7 as is that of the adjacent single-family residential uses.

16. *The foregoing approval standards shall be subject to any contrary requirements of Utah Code Ann. § 10-9a507, as amended.*

Findings of Fact: There is no conflict Utah Code Ann. [§ 10-9a-507](#), which governs how municipalities regulate conditional uses.

Option 1: Revised Plans with Covered Stairway

UNION LOFTS

1760 FORT UNION BLVD COTTONWOOD HEIGHTS, UT 84121

10-22-19

VICINITY MAP



Sheet List	
Sheet Number	Sheet Name

C100	COVER SHEET
C101	MATERIAL BOARD

A201	ELEVATIONS
A202	ELEVATIONS
A203	ELEVATIONS
A204	ELEVATIONS
A802	EXISTING GRADE 35' OFFSET HEIGHT STUDY

Sheet List	
Sheet Number	Sheet Name

A901	RENDERINGS
A902	RENDERINGS
A903	RENDERINGS
A904	RENDERINGS
A905	RENDERINGS
A906	RENDERINGS
A907	RENDERINGS
A908	RENDERINGS
A909	RENDERINGS
A910	RENDERINGS



**RUSSELL PLATT
ARCHITECTURE**
Russell Platt Architecture
4301 West 4370 South
West Valley City, Utah 84120
801-580-0108

PROFESSIONAL STAMP



CODE OFFICIAL STAMP

PROJECT NAME:

UNION LOFTS
1760 FORT UNION BLVD
COTTONWOOD HEIGHTS, UT 84121

REVISIONS

NO.	DATE	DESCRIPTION

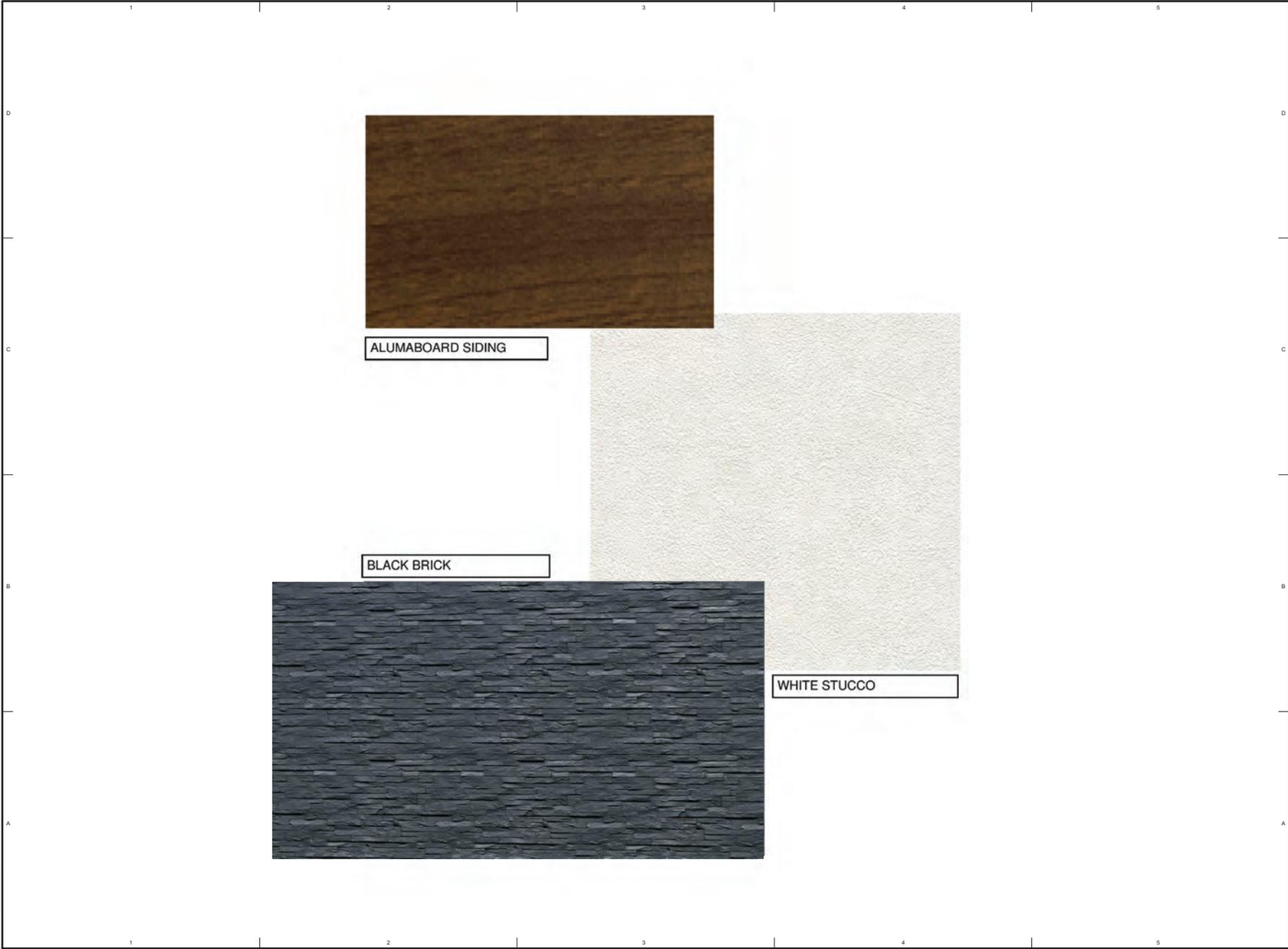
ISSUED: 10-22-19

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:

COPYRIGHT:
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SHEET TITLE:
COVER SHEET

SHEET NUMBER:
C100



ALUMABOARD SIDING

BLACK BRICK

WHITE STUCCO

ARCHITECTS INFORMATION
RUSSELL PLATT ARCHITECTURE
 Russell Platt Architecture
 4301 West 4570 South
 West Valley City, Utah 84120
 801-580-0108



PROFESSIONAL STAMP
 CODE OFFICIAL STAMP

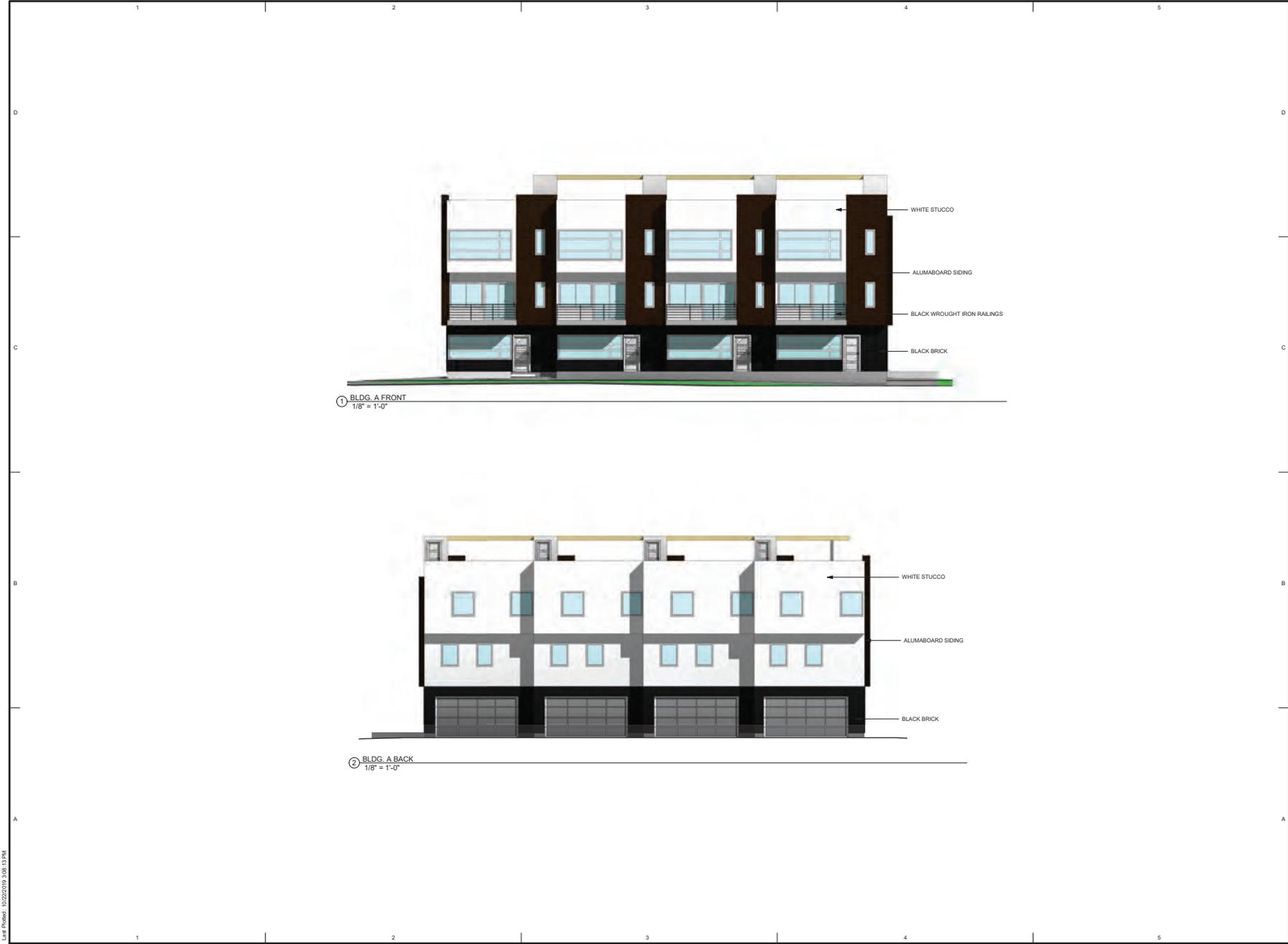
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UNION LOFTS
 1760 FORT UNION BLVD
 COTTONWOOD HEIGHTS, UT 84121

NO.	DATE	DESCRIPTION

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 RPA PROJECT #:
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 CHECKED BY:
 DESIGNED BY:
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SHEET TITLE
MATERIAL BOARD

SHEET NUMBER
C101



① BLDG. A FRONT
1/8" = 1'-0"

② BLDG. A BACK
1/8" = 1'-0"

ARCHITECTS INFORMATION
RUSSELL PLATT ARCHITECTURE
 Russell Platt Architecture
 4301 West 4570 South
 West Valley City, Utah 84120
 801-580-0108

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CODE OFFICIAL STAMP

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UNION LOFTS
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 COTTONWOOD HEIGHTS, UT 84121

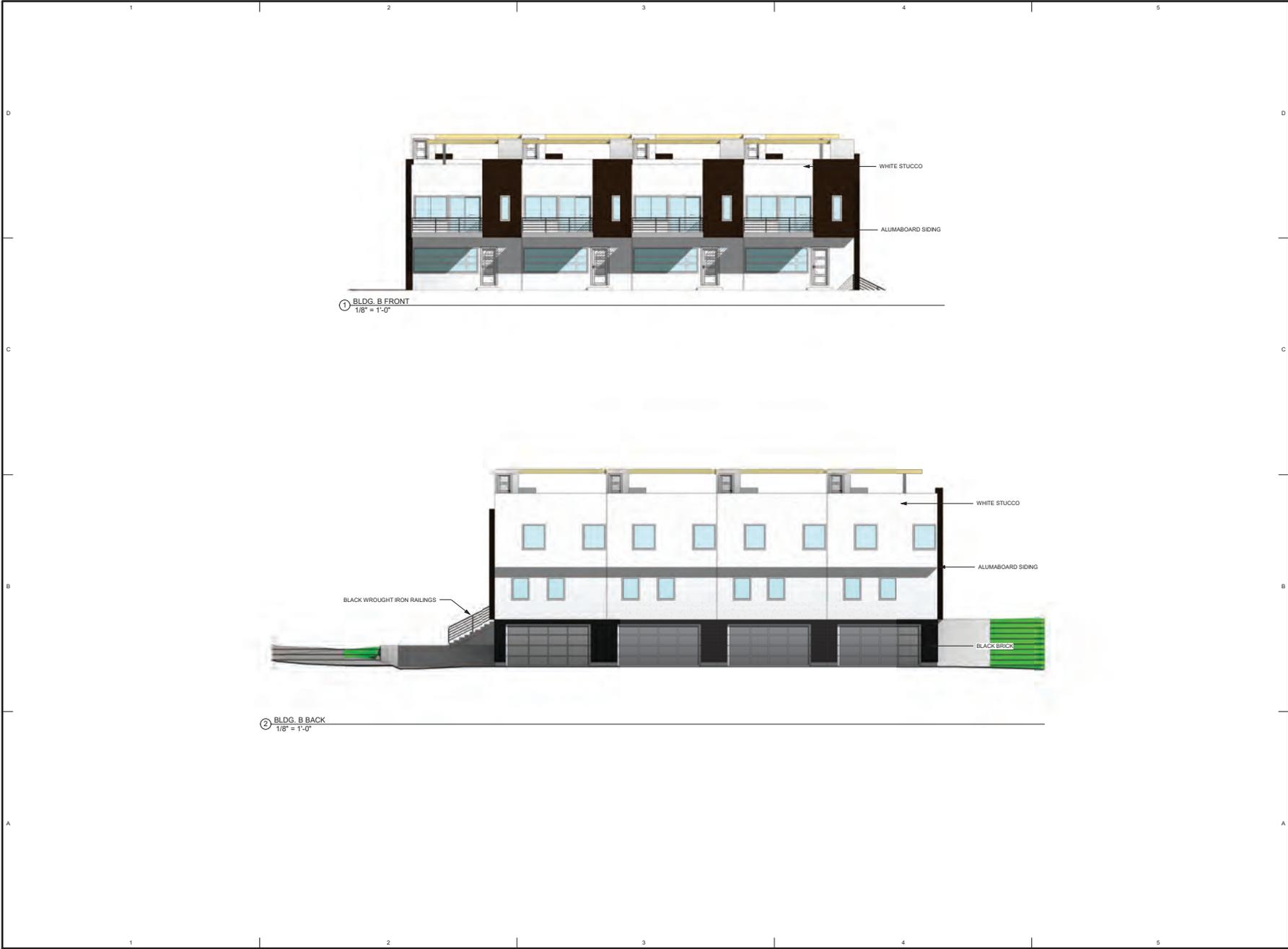
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NO.	DATE	DESCRIPTION

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 RPA PROJECT #:
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 CHECKED BY:
 DESIGNED BY:

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 SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A201



1 BLDG. B FRONT
1/8" = 1'-0"

2 BLDG. B BACK
1/8" = 1'-0"

ARCHITECTS INFORMATION
RUSSELL PLATT
 ARCHITECTURE

Russell Platt Architecture
 4301 West 4570 South
 West Valley City, Utah 84120
 801-580-0108



CODE OFFICIAL STAMP

PROJECT NAME
UNION LOFTS
 1760 FORT UNION BLVD
 COTTONWOOD HEIGHTS, UT 84121

ISSUES

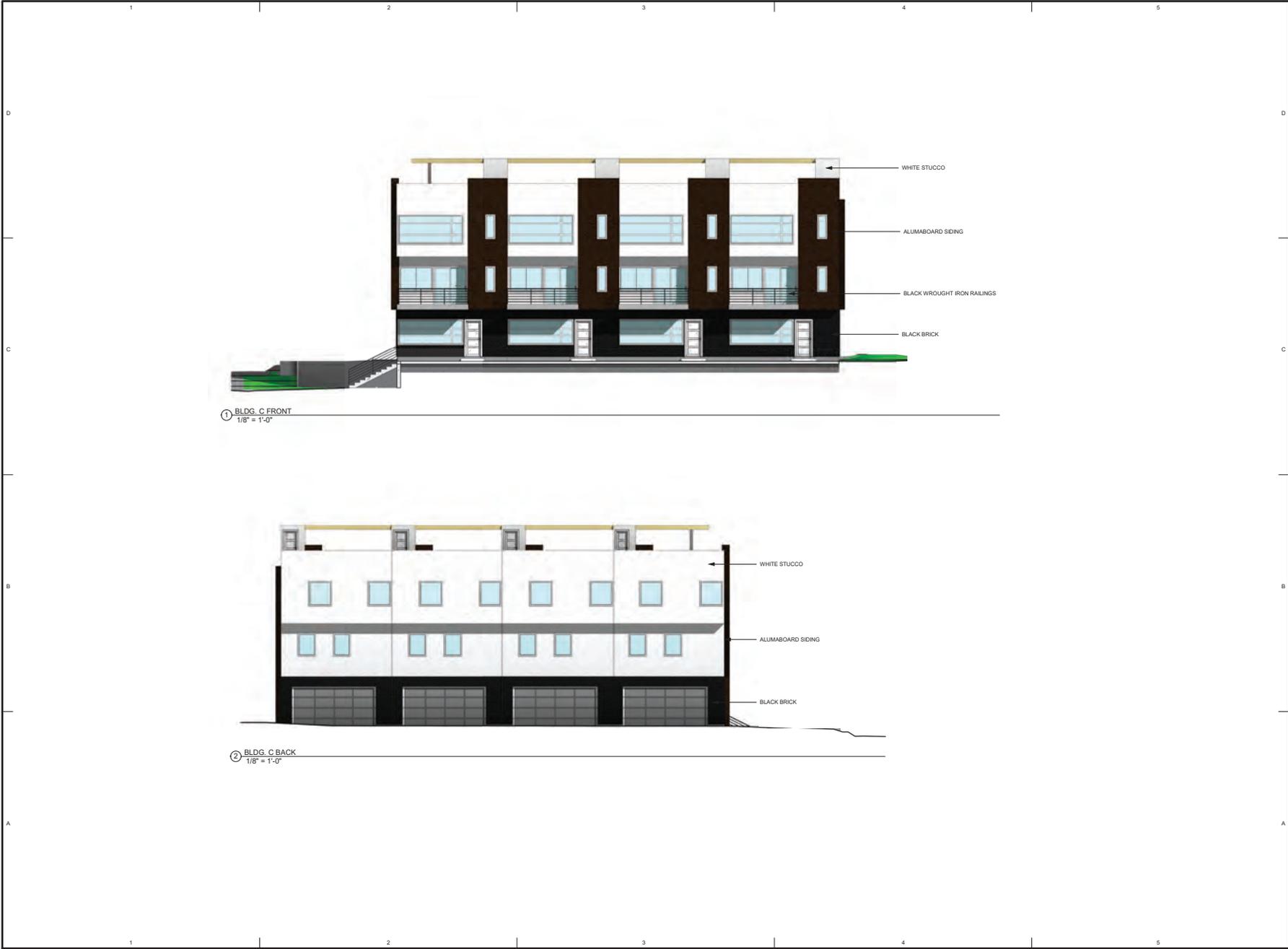
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 DESIGNED BY:

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 SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A202



① BLDG. C FRONT
1/8" = 1'-0"

② BLDG. C BACK
1/8" = 1'-0"

ARCHITECTS INFORMATION

RUSSELL PLATT ARCHITECTURE

Russell Platt Architecture
4301 West 4570 South
West Valley City, Utah 84120
801-580-0108

PROFESSIONAL STAMP

Richard Russell Platt
RUSSELL PLATT
STATE OF UTAH

CODE OFFICIAL STAMP

PROJECT NAME

UNION LOFTS
1760 FORT UNION BLVD
COTTONWOOD HEIGHTS, UT 84121

ISSUE NO.	DATE	DESCRIPTION

ISSUED: 10-22-19

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RPA PROJECT #:
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DESIGNED BY:

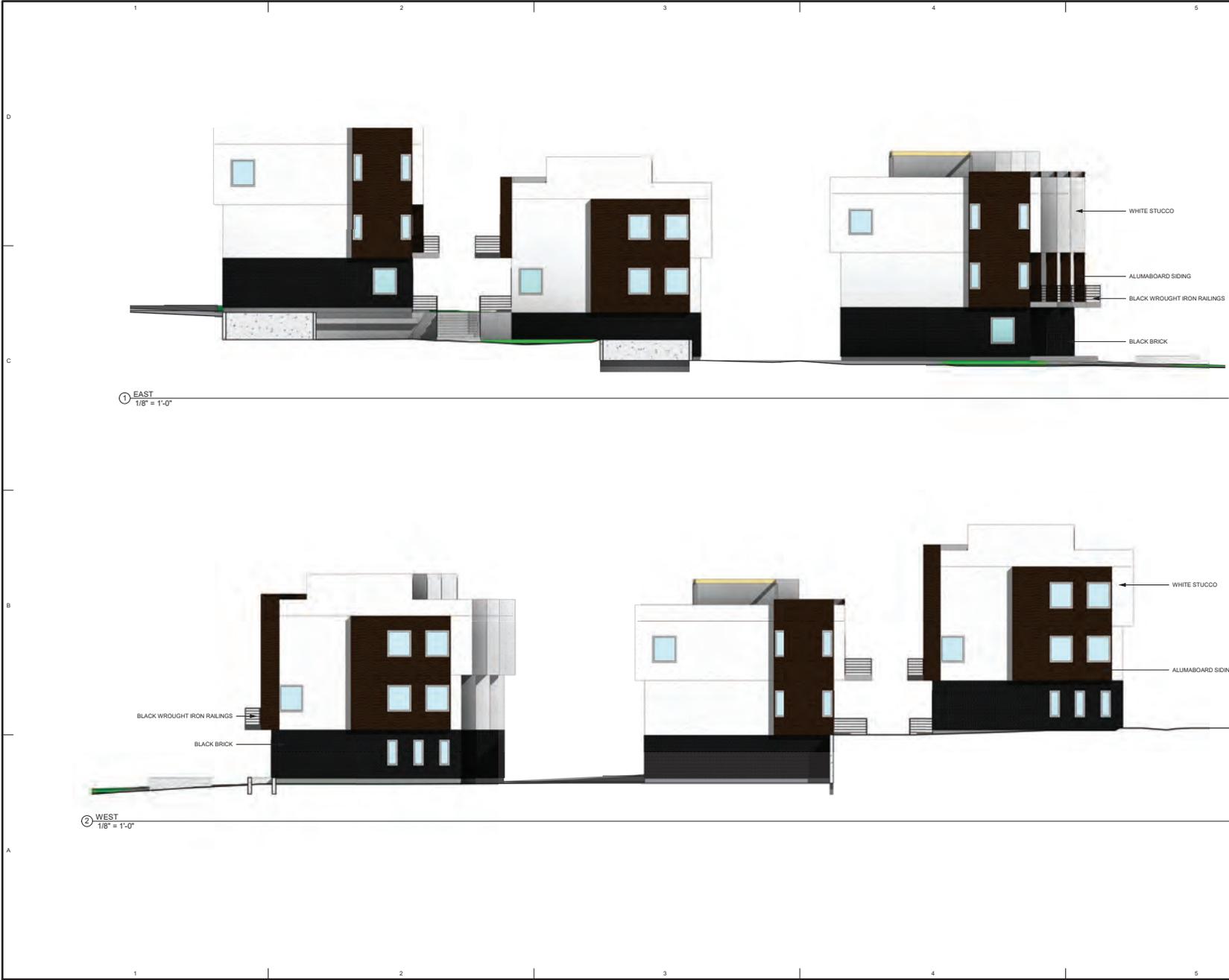
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SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A203

Last Revised: 10/22/2019 3:08:39PM

Unit Floor: 10/22/2019 3:00:12 PM



ARCHITECTS INFORMATION

RUSSELL PLATT ARCHITECTURE
 Russell Platt Architecture
 4301 West 4570 South
 West Valley City, Utah 84120
 801-580-0108

PROFESSIONAL STAMP

Professional Engineer
 Russell Platt
 STATE OF UTAH

CODE OFFICIAL STAMP

PROJECT NAME

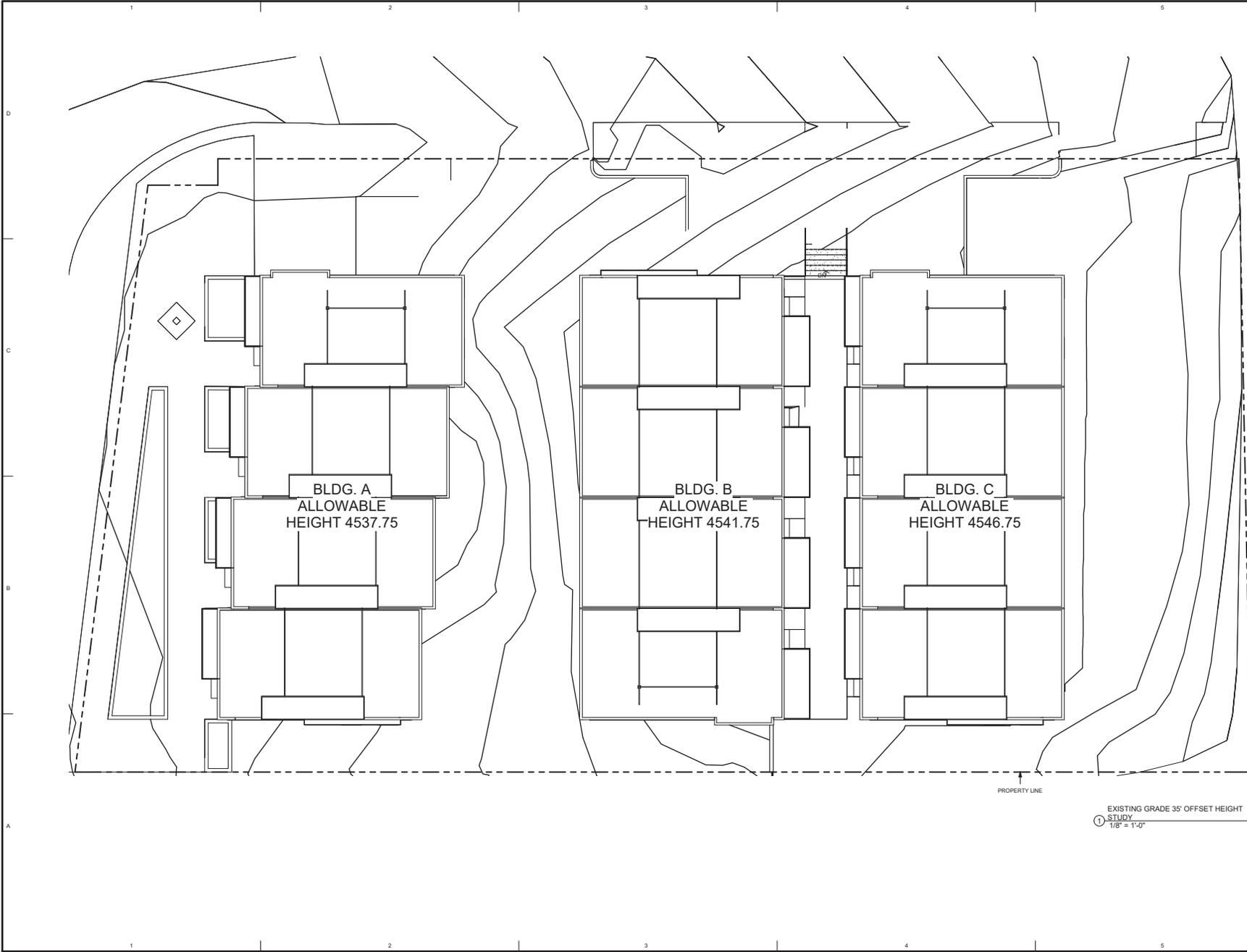
UNION LOFTS
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HEIGHT STUDY

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Option 2: Revised Plans with Internal Stairwell













1 the ground floor and three stories above. The request for a third story is also a conditional use.
2 The zoning ordinance addresses what constitutes a story and bases it off of existing or natural
3 grade rather than finished grade. Staff recommended a screening plan be implemented. There
4 were 14 feet measured from the nearest point on the corner to the existing sidewalk and 10 feet at
5 the corner. It was noted that the stairs count technically as part of the setback.

6
7 A comment was made that it seems like if they were to do a zero-lot-line it would be better to place
8 them against the fire station. In response to comments made, it was noted that one of the reasons
9 the Fort Union setback was reduced was due to the potential for a required right-of-way dedication
10 as a result of the Fort Union Plan.

11
12 Procedural issues were discussed. The Planning Commission would need to tie any denial to a
13 finding that one of the standards is not being met and the potential detriment cannot be overcome
14 by imposing conditions. The issue of public clamor was discussed. The comment was made that
15 public clamor should not have much to do with the decision. The issues of setbacks and walkability
16 were also discussed.

17
18 Staff recommended the Planning Commission take public comments and that the project go onto
19 the ARC the following week. The matter should then be addressed next month. In the meantime,
20 it was recommended that they obtain the lighting plan, waste and recycling pickup information,
21 verify setbacks and street frontages, and provide full frontage improvements for a future bike lane
22 and sidewalk. In terms of frontage improvements, staff was looking for an eight-foot sidewalk,
23 five-foot bike lane, and 2 ½ feet for curb and gutter. The dedication is required to provide a full
24 13 feet from the back of curb.

25
26 Project SPL-19-007 was next discussed. In April, the Planning Commission recommended a
27 rezone to the Mixed-Use Zone. The lots were previously zoned mixed-use. An existing retaining
28 wall was estimated to have been built in the 1960s or 1970s. The property is surrounded by single-
29 family. The property is zoned R-1-8 but is a church. The proposal included a request for 23
30 townhomes. The plan had been reviewed by the ARC twice. The units will be live-work units
31 with a main floor and a small office flex space. There are several permitted and conditional uses
32 but primarily they are small professional offices. The retaining wall on the site is roughly the same
33 height as the existing retaining wall. An internal sidewalk that will service the units and the
34 complex.

35
36 In response to a question raised, it was noted that the property owner will be responsible for
37 maintenance of the park strip. The applicants are asking for a third story. The buildings were all
38 to be built at grade. The site plan is a permitted use and meets the permitted use guidelines with
39 the exception of the front yard, street-side yard, and the third story.

40
41 Height issues were next addressed. Concern was expressed with the portion that goes back into
42 existing residential. It was clarified that the height of the main building is 35 feet. Setback issues
43 were discussed. With regard to retaining walls, there seemed to be a separation between the two
44 and an issue with walkability. The possibility of bringing things to the ground level to make the
45 project more walkable was suggested. The retaining wall will require more maintenance and will
46 be visible from Fort Union Boulevard. It was suggested that it be pushed toward the back of the

1 property. It was noted that 95% of the site is four to five feet above the road. To bring the buildings
2 down would interfere with the parking within the project. It was suggested that alternatively, just
3 the front portion of the building be brought down. The wall will provide privacy as it is a
4 residential project. A comment was made that it would be better for the success of the retail space
5 for it to be lower.

6
7 With regard to parking, the project was determined to meet the minimum parking ratio. They met
8 the standard and provided excess parking for the residential. There will likely be concerns
9 expressed by the public about the tandem parking. Staff looked at it closely from a legal
10 perspective and found nothing in the Code prohibiting it. There is the potential for overflow
11 parking into the visitor/business spots or onto the street or adjacent sites such as the church.
12 Conditions should be imposed specifying that the business/visitor spots be specifically assigned to
13 business use only during business hours. To allow residential use after that would be determined
14 by the HOA.

15
16 **1.2 Additional Discussion Items.**

17
18 **1.3 Adjournment.**

19
20 ***Commissioner Coutts moved to adjourn the Work Session. Commissioner Mills seconded the***
21 ***motion. The motion passed with the unanimous consent of the Commission.***

22
23 The Work Session adjourned at 6:04 p.m.

1 **DRAFT**

2
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
4 **PLANNING COMMISSION MEETING**

5
6 **Wednesday, August 7, 2019**

7 **6:00 p.m.**

8 **Cottonwood Heights City Council Room**

9 **2277 East Bengal Boulevard**

10 **Cottonwood Heights, Utah**

11
12 ***ATTENDANCE***

13
14 **Members Present:** Chair Graig Griffin, Craig Bevan, Jesse Allen, Sue Ryser, Christine Coutts,
15 Dan Mills

16
17 **Staff Present:** Senior Planner Matthew Taylor, Community and Economic Development
18 Director Michael Johnson, Associate City Planner Andrew Hulka, City
19 Attorney Shane Topham, Deputy City Recorder/HR Manager Heather
20 Sundquist, Youth City Council Representative Nicholas Johnson

21
22 **BUSINESS MEETING**

23
24 **1.0 WELCOME/ACKNOWLEDGEMENTS**

25
26 Chair Graig Griffin called the Business Meeting to order at approximately 6:05 p.m. and welcomed
27 those in attendance.

28
29 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

30
31 Chair Griffin reviewed the Business Meeting procedures.

32
33 **2.0 General Public Comment**

34
35 Nancy Hardy commented that at the July meeting she was disappointed that the Planning
36 Commission approved the 7-Eleven proposal at the old Wingers location without going on a site
37 visit. The presentation resulted in several questions yet a vote was taken. She did not feel it was
38 an informed vote. She was of the opinion that it was based on speculation and memory and not
39 on the facts. She commented that those types of decisions give the citizens the impression that the
40 City represents the developers.

41
42 Alan Blank asked about the time limit for public hearings and who decided that. He stated that
43 citizens are given three minutes to speak yet developers have an unlimited amount of time. Chair
44 Griffin stated that the intent was to give citizens the opportunity to speak but ensure that meetings
45 are not overly long. Developers are given more time to respond to questions. He explained that

1 the Commission Members are citizens as well and are present to get as much information as
2 possible and make an informed decision. That cannot happen if a meeting is out of order.

3
4 Forrest Campbell recently reviewed the Master Plan the City published in 2017 and it reminded
5 him of what Sugarhouse is doing where there is a combination of retail and apartments. He asked
6 if the plan was permanent and if they had considered the parking challenges that will result from
7 developing all the way up Fort Union Boulevard.

8
9 Community and Economic Development Director, Michael Johnson, explained that the Fort Union
10 Master Plan was adopted in 2017 and is a portion of the General Plan. It provides a future vision
11 for the Fort Union Corridor in terms of transportation, land use, development patterns, and existing
12 and future conditions. It is not a legally binding document but is a policy document that has been
13 used by the City Council and staff to create ordinances and regulations to implement the goals and
14 visions set forth in the plan. That level of planning does not typically anticipate finite details.

15
16 There were no further public comments. The public comment period was closed.

17 18 **3.0 BUSINESS ITEMS**

19 20 **3.1 (Project CUP-19-008) – A Public Hearing and Possible Action on a Request by** 21 **Nathan Anderson for Approval of 13-Mixed-Use Live-Work Townhomes,** 22 **including a Conditional Use Permit for an Increase in Height and a Decrease** 23 **in Setbacks, at approximately 1810 East Fort Union Boulevard in the MU –** 24 **Mixed-Use Zone.**

25
26 Associate City Planner, Andrew Hulka presented the staff report and identified the property on a
27 site map displayed. The request is for 13 live-work townhomes on a parcel that is slightly over
28 one-half acre in size. Three actions are required by Code including site plan approval, conditional
29 approval for an increase in the height and a decrease in setbacks, and approval of a preliminary
30 plat. The home on the site has been demolished and the lot mostly cleared. The subject property
31 is directly adjacent to the fire station on Fort Union Boulevard. The zoning of the surrounding
32 uses was described.

33
34 With regard to height, the proposed building is 38 feet and three stories. There are 13 units
35 proposed with each unit having office space on the lower level. The use and density is approved
36 and allowed in the zone. The height is measured from the average existing grade to the highest
37 point of the roof structure. What is permitted is two stories and 35 feet without conditional use
38 approval. Staff recommended approval of the height increase. The Fort Union Master Plan was
39 referenced along with the long-range plan for the City being to create a main street, reduce
40 setbacks, and increase heights along Fort Union Boulevard. There are perceived negative impacts
41 from height so conditions could be imposed to mitigate them.

42
43 Setbacks will also require conditional approval. The applicants are proposing 14-foot setbacks in
44 front, five on the east side, 25 feet on the south, and seven feet on the west side. The permitted
45 setbacks on the front are 20 feet. Mr. Hulka explained that decreased setbacks along Fort Union
46 Boulevard are in harmony with the Fort Union Master Plan.

1
2 With regard to lighting, the landscape plan shows bollard lighting with five in the front and five in
3 the rear. Clarification was sought about what types of lights will be on the building. Pedestrian
4 walkways are required by Code to be lit as well. Four street trees were proposed and are on Rocky
5 Mountain Power's list of trees that are recommended below power lines.
6

7 In terms of parking, 1.38 stalls were proposed per townhome. Two-car garages are proposed for
8 each unit for a total of 26 total parking spaces, while 18 are required. A minimum parking
9 requirement for the office space was proposed as part of the mixed-use. Five stalls are required in
10 addition to what is provided in the garages. The minimum parking requirements are being
11 exceeded by the applicant.
12

13 Traffic reports were conducted with the project anticipated to generate approximately 71 new
14 external daily trips. Five trips in the morning peak hours and six trips during the evening peak.
15 The project traffic will add approximately .33% of the daily traffic to existing vehicles along Fort
16 Union and 1% along Brookhill Drive. An existing driveway access will be removed from Fort
17 Union Boulevard and place it along the side street.
18

19 Staff recommended that the Planning Commission conduct the public hearing and then the
20 consideration to a future meeting. The Architectural Review Commission (ARC) has to approve
21 the design of any new construction in the Gateway Overlay District. Their meeting was postponed
22 with the next one scheduled for September 12. Clarification was also sought on the setbacks, street
23 frontage, the lighting plan, waste and recycling pickup, screening of mechanical equipment and
24 waste facilities, and the verification of street trees with Rocky Mountain Power.
25

26 The applicant, Nathan Anderson reported that there are clarifying issues to consider moving
27 forward. They consulted with several professionals and looked in detail at the Fort Union Overlay
28 Zone. What is presented is the culmination of several people coming together. With regard to
29 height, their professionals indicated that the rooftop deck area would be very advantageous for the
30 owner. Mr. Anderson explained that they will eliminate the rooftop decks so that the height is
31 under 35 feet. He did not want a height exception and preferred to eliminate it. With regard to the
32 side yards, the west side next to the fire station is 9.76 feet. They wanted to make it 10 feet but
33 the Code as written stands back from the edge of the cantilevered deck. They will pull those back
34 in so as to not encroach on the 10 feet.
35

36 Mr. Anderson stated that their architects will redesign the entryways so that they come in on the
37 sides. Doing so will eliminate the staircase from the Brookhill side so that there is a solid 10 feet.
38 The setbacks will be 10 feet on the east, 10 on the west, 25 in the rear, and 20 feet in the front.
39 With regard to cyclists, Mr. Anderson stated that he was willing to give the right-of-way for the
40 bike lane on Fort Union Boulevard.
41

42 Mr. Anderson stated that they have developed live-work townhomes in Salt Lake City and the
43 residents have run their businesses there. Only one resident out of the 10, a seamstress, has people
44 come to the site. The rest rely on digital communication. With regard to traffic generation,
45 Mr. Anderson questioned whether the estimate was correct and stated that it might be if everyone
46 in the project were to leave each weekday morning. In response to a question raised, it was

1 estimated that the distance between the two buildings is 36 to 37 feet. Mr. Anderson noted that
2 the cantilever will exist but the railing will be pulled so as to not eliminate any footage from the
3 20-foot setback.

4
5 Chair Griffin opened the public hearing.

6
7 Brent Doyle was opposed to the increased height on Brookhill and Fort Union.

8
9 Nicki Selfridge, a 13-year resident, believed the project has the potential and expressed concern
10 with the 35-foot height. She was concerned that the plans show three stories along the south with
11 four stories on the north. The project views will be directly into her backyard and she would not
12 want to purchase one due to the close proximity to the neighbor. She described the current zoning
13 regarding conditional use permits where it states that such development will not be detrimental to
14 the health, safety, comfort, order or general welfare of persons working or residing in the vicinity.
15 She hoped the south four units would not be approved for the fourth level as a courtesy to both
16 parties.

17
18 Bill Smelser commented that the plan is appealing if built in a different location. He stated that
19 the traffic pattern is based on a two-level structure where the proposed building has four levels and
20 does not take into account the neighboring school.

21
22 Forrest Campbell stated he lives near the development and pointed out that the street is narrower
23 than what is shown on a typical residential street. It measures 23 feet and he did not see the
24 possibility of constructing a bike lane in addition to the decreased setbacks. One car parked along
25 the street creates an impassible situation. He believed the project will create the same situation
26 along Brookhill. He was in favor of the design and it being in harmony with the Fort Union Master
27 Plan.

28
29 Chair Griffin explained that the bike path is along Fort Union Boulevard only and will not affect
30 Brookhill. Mr. Hulka confirmed that the right-of-way is typically 50 feet in width. Sidewalk will
31 be one of the required improvements.

32
33 Janice Barson commented that she backs onto Brookhill and was surprised that the development
34 includes the incline. She encouraged the developer to include excavation with a beautiful retaining
35 wall.

36
37 Kent Hugh, a Brookhill resident, asked if consideration has been given to an additional entrance
38 off of Fort Union Boulevard rather than the proposed single access.

39
40 Syndee Quigley was involved with the no parking initiative in the neighborhood to enable easier
41 access and safety. She felt that the proposed building is too large for such a small space and was
42 concerned about entering onto Brookhill. An entrance through Fort Union was proposed in order
43 to keep children safe.

1 Myrna Hill reported that she lives across from the project and is one of the two residents who will
2 be most impacted by the proposal. She was devastated by the height and project in general. She
3 expressed her opposition to the project.

4
5 Travis Wardle stated if anyone parks on either side of Brookhill, it becomes a one-way road. He
6 remarked that the increase from the project will only solidify the one-way access.

7
8 There were no further public comments.

9
10 *Commissioner Coutts moved to continue Project CUP-19-008 to the October 2 Planning*
11 *Commission Meeting and keep the public hearing open. Commissioner Ryser seconded the*
12 *motion. Vote on motion: Jesse Allen-Aye, Sue Ryser-Aye, Christine Coutts-Aye, Craig Bevan-*
13 *Aye, Dan Mills-Aye, Chair Graig Griffin-Aye. The motion passed unanimously.*

14
15 **3.2 (Project SPL-19-007) – A Public Hearing and Possible Action on a Request by**
16 **John Prince for Approval of 24 Mixed-Use Live-Work Townhomes, Including**
17 **a Conditional Use Permit for an Increase in Height and a Decrease in Setbacks,**
18 **at Approximately 1650 East Fort Union Boulevard in the MU – Mixed-Use**
19 **Zone.**

20
21 Mr. Hulka presented the staff report and identified the property on a site map displayed. The
22 request is for approval of 23 mixed-use live/work townhomes. The conditional use is for an
23 increase in height from two to three stories and a conditional decrease in setbacks on the front yard
24 along Fort Union and side yard along 1700 East. The zoning for the property is mixed-use and
25 located in the Gateway Overlay District. The land use currently is single-family. The zoning of
26 surrounding uses was described. Parking is contained within each unit with 10 outside stalls
27 accessed by the collective drive that exits onto 1700 East.

28
29 The proposal has been to the Architectural Review Commission twice and is pending final
30 approval. The applicant made several changes to improve the project and bring it into compliance
31 with the City’s design guidelines. The most recent changes involved breaking up the massing of
32 the building into two buildings, eliminating one unit. Exterior details were reviewed. ADA access
33 had been included internally. The project meets all permitted use development standards with the
34 exceptions of the conditional use requests. He confirmed that the details of an eight-foot sidewalk
35 and bike lane will be worked out.

36
37 With regard to setbacks, the applicant has requested a six-foot setback reduction to 14 feet.
38 Setbacks along Fort Union Boulevard vary with a minimum setback of 7.75 feet. The average
39 front yard setback is 18 feet with a right-of-way dedication and a request for an additional eight
40 feet. A minimum height for the mixed-use zone of 33.5 feet has been met. Staff recommended
41 approval and believed the proposed building height and massing will help achieve the downtown
42 feel and support the General Plan. The parking was determined to meet the Code requirement with
43 two spaces per townhome. The developers have provided 56 total stalls, while 46 are required.
44 Parking was identified. Staff recommended a condition of approval that the applicant be very
45 specific in the HOA documents regarding how parking will be managed. Mr. Hulka indicated that
46 notes be included on the plat detailing business parking.

1
2 With regard to traffic, the applicant provided a traffic study which the City Engineer will review.
3 Staff recommended a continuance to allow final details to be further reviewed.
4

5 The applicant, John Prince stated that he understood the residents' concerns with the new
6 development. He agreed to leave a packet depicting plans and details for further review. He felt
7 the project has integrity and was designed by award-winning architects going above and beyond
8 on requirements. A traffic study was completed. A total of 38 parking stalls were recommended
9 and they are proposing a total of 56. Mr. Prince noted that a similar project was built with
10 comparable units at 1500 South Main Street. He encouraged the Commission Members and
11 residents to visit the project. Traffic flow issues were described.
12

13 Commissioner Coutts asked for clarification of the lighting plan. Mr. Prince described the various
14 types of proposed lighting and emphasized that none will filter onto neighboring properties. Low-
15 level lighting will be located between buildings. Mechanical units will be located on the rooftop
16 and covered by a parapet, eliminating them from sight.
17

18 Chair Griffin opened the public hearing.
19

20 Ramona Doyle reported that she lives adjacent to the subject property and was opposed to the
21 proposed density and height. Traffic was a concern and she believed it will infringe on her privacy.
22

23 Forrest Campbell stated that the proposed height is of concern and projects like this can force
24 traffic through neighborhoods and past the elementary school.
25

26 Allan Blank stated he lives directly behind the development and expressed concern with the plan
27 depicting 31% landscaping. Increased traffic could pose a safety issue along with business street
28 parking. He did not feel the project was appropriate for the neighborhood and will negatively
29 impact the quality of life.
30

31 Liliana Casale reviewed Section 19.84.080 of the Code and expressed concern with increased
32 traffic and pollution. She calculated 167 trips per day, which will create more congestion and
33 safety concerns. She asked how the developer will mitigate the problems this project will create.
34 The loss of view will result in decreased property values. She wished to continue the discussion
35 detailing environmental concerns.
36

37 Kathy Jensen, a Park Ridge resident, and expressed concern with traffic utilizing 1700 East as a
38 short cut. She asked for the distance to the light from the egress from the project. Her mother
39 lives on La Cresta Drive and was denied a request to expand. Ms. Jensen remarked that it seems
40 that exceptions are made for developers rather than private citizens.
41

42 Sydnee Quigley questioned how municipal services will support the additional units and if their
43 taxes will increase due to the additional units. She also asked if there will be a privacy wall
44 constructed as well as visitor parking.
45

1 Ben Briggs, a Hill Rise Circle resident, expressed concern with traffic and safety. He reported that
2 his son was hit by a driver who was not paying attention at 1700 East and 7200 South. The increase
3 in traffic poses a problem for the safety of the children and he asked for clarification as to where
4 parking will be located.

5
6 Parys Lightel gave her address as 1685 East Staker Way and stated that she lives adjacent to the
7 project. She is a teacher and lives to serve the community and its future. She believed the zoning
8 was not done with clarity and honesty and she was told that mixed-use would mean a small shop
9 with parking during the day and enforced height requirements. This is the last family
10 neighborhood between Highland Drive and Fort Union Boulevard and it is already overloaded
11 with traffic. Safety is a concern as is crime, decreased property values, and light and noise
12 pollution. Residents of the project will be able to see directly into her backyard and into her
13 children's bedroom windows. She commented that her children will never be able to play in their
14 yard again. She expressed her opposition.

15
16 Debi Durtschi reported that she has served on the Ridgecrest Elementary School Community
17 Council since 2010 and assisted with the Safe Routes to School grant for sidewalk. She expressed
18 concern with children coming up Fort Union Boulevard and turning on 1700 East continuing to
19 school. Concessions and considerations with the developer were recommended allowing the
20 children to cross safely.

21
22 Paul Ellingson offered support for those backing the project. He remarked that the City should be
23 representing the neighbors and not developers. The neighbors are not opposed to having additional
24 neighbors but would like development to be done responsibly. When the project was first was
25 presented as a mixed-use proposal, he felt that the residents' concerns were not heard. His main
26 concern was safety along 1700 East. Because there is no left turn, it forces drivers to turn right
27 and turn around.

28
29 Leonard Gunderson reported that he owns and lives in the home the project will be just east and
30 north of. He was not opposed to the development but feels he will be buried by the size and height.
31 If his property value is diminished, he asked he be compensated for the lost value.

32
33 Brent Doyle commented that traffic is a concern and backs up certain times of the day. He
34 expressed opposition to the project height.

35
36 Jenna Ellingson stated that if properties are to be developed, it should be done in coordination with
37 the City and surrounding entities. She asked how autistic children in their neighborhood will be
38 protected with the increased traffic.

39
40 Lanae Ferre, a 43-year resident, believed the developer has proposed the height because he can
41 and because it will generate additional income. She moved to Cottonwood Height for its beauty
42 and emphasized the need to keep children safe.

43
44 Russell Lightel expressed his love for the community and stated that he wants to raise his children
45 there. He noted the absence of the applicant and opposed a 35-foot building in his backyard. He
46 asked the Commission to consider their situation and put themselves in the residents' position.

1
2 Callie Holme stated that she lives on 7080 South, which is the thoroughfare to Fort Union
3 Boulevard. She is the mother of two autistic children and traffic has always been a problem.
4 Increased traffic was a major concern for children and the elderly in the neighborhood. She
5 reported that a child trying to cross Fort Union Boulevard was hit by a bus. Ms. Holme expressed
6 strong opposition to the project.

7
8 Jim Blackburn gave his address as 6978 South 1700 East and emphasized the difficulty he has
9 backing out of his driveway due to existing traffic congestion.

10
11 Lori Mylar remarked that the project looks like it will be two large buildings with no room for
12 growth around them. She commented that what is proposed does not fit in the community.

13
14 There were no further public comments.

15
16 Mr. Johnson reported that one recommendation of the Fort Union Plan was access management
17 along Fort Union Boulevard and the elimination of conflict points. The City completed an Access
18 Management Study that recommends the road striping and any additional concerns be brought
19 back before the Commission.

20
21 ***Commissioner Ryser moved to continue Project SPL-19-007 to the next Planning Commission***
22 ***Meeting of October 2, 2019 and keep the public hearing open with the following:***

23
24 ***Recommendations:***

- 25
26 1. ***Receive a Certificate of Design Compliance from the ARC.***
 - 27
28 2. ***Submit a traffic study and any pertinent preliminary plan information as***
29 ***requested by the City Engineer.***
 - 30
31 3. ***Submit a lighting plan with details about building-mounted lighting that complies***
32 ***with section 19.36.120 of the zoning ordinance.***
 - 33
34 4. ***Verify the appropriateness of the proposed street trees with Rocky Mountain***
35 ***Power.***
 - 36
37 5. ***That provisions be incorporated into the development CC&R's and condominium***
38 ***plat limited signage to the development sign plan or seek specific modification of***
39 ***sign plan by architectural review committee approval.***
 - 40
41 6. ***That the exterior parking stalls be sufficiently signed to indicate that parking is***
42 ***for business patrons and visitors only between the hours of 8:00 am and 5:00 pm***
43 ***and that this regulation is incorporated into the development CC&Rs and***
44 ***condominium plat and also explicitly detail the agreement among condominium***
45 ***owners on the use of parking spaces in common areas.***
- 46

- 1 7. *Safety mitigations proposed at the drive access to 1700 east including a diagram*
2 *showing clear view angles that a driver is able to see as pedestrians are walking*
3 *on the sidewalk.*
- 4
- 5 8. *Provide elevations or 3D views including specification of screening materials*
6 *being proposed along the south property line and three units to the south.*
7 *Clarification of the southwest parking area.*
- 8
- 9 9. *Address the ability of lowering the grade of the site to address the connection*
10 *concern increasing the connection between retail spaces on level 1 and Fort*
11 *Union and potentially lowering the impact of the height of the buildings to the*
12 *adjacent single-family residential.*

13
14 *Commissioner Bevan seconded the motion. Vote on motion: Commissioner Allen-Aye,*
15 *Commissioner Ryser-Aye, Commissioner Coutts-Aye, Commissioner Bevan-Aye, Commissioner*
16 *Mills-Aye, Chair Graig Griffin-Aye. The motion passed unanimously.*
17

18 Chair Griffin invited the public to attend the next Work Session to be held prior to the next Regular
19 Business Meeting at 5:00 p.m. on October 2, 2019 in the Work Room. Mr. Johnson confirmed
20 that staff will no longer send out additional mailers. He encouraged residents to refer to the City
21 website as well.
22

23 **3.3 (Project SUB-19-007) – A Public Hearing and Possible Action on a Request by**
24 **Giverny, LLC and Regal Homes for an Amendment to a Recorded Plat Note**
25 **on a Giverny Planned Unit Development Amended Subdivision at 9216 South**
26 **Wasatch Boulevard in the R-1-8 Single-Family Zone.**
27

28 Mr. Johnson presented the staff report and stated that the request is a very technical proposed
29 amendment to the recorded Giverny subdivision plat, but not a proposal to modify lots, streets,
30 massing, or physical development. It is an amendment of a note written on the subdivision plat.
31 Because of geologic hazards and slope stability issues, lots along the west ridge were required to
32 be closely studied to determine what engineering mitigations could take place to ensure the houses
33 built on those lots met minimum safety factors. The recorded note made everyone aware of the
34 slope stability issues but also included information on very specific mitigations. AGECE
35 Geotechnical Engineering completed a comprehensive analysis of the lots and recommended a
36 very specific type of mitigation. The foundations were to be built deeper than what is standard
37 based on how close they were to the toe of the slope.
38

39 The City reviewed this method against the City’s Sensitive Lands Ordinance and met the standards
40 at that time. That specific type of engineering was recorded right on the plat, where they generally
41 would not record such a specific note on a plat. It was reported that a number of homes have been
42 stalled as they have proposed alternative means of engineering to mitigate the slope stability
43 hazard. Those alternatives mean the request cannot be approved because of the note on the plat
44 stating that mitigation can be only done one way. Staff and the City Engineer acknowledged there
45 can be multiple ways to safely mitigate the slope stability hazards.
46

1 Mr. Johnson explained that an amendment to the plat note has been applied for by Regal Homes
2 to make it more general. The language would specify that any lots that are not already developed
3 along the ridge must still go through requisite engineering, meet all City Code requirements, be
4 reviewed and approved by City Staff so safety is still guaranteed, and be any engineering method
5 the City finds acceptable to mitigate the hazard. Any homes already constructed in Giverny will
6 not be affected by the note. If approved, staff will work with the applicant and the Salt Lake
7 County Recorder to determine the best means of recording the change. He noted that because
8 there are a handful of lots affected by the amended plat note, the owners of the lots will likely be
9 required to sign the amended plat. Specific notice is required against each specific property that
10 is separate from the plat. A very similar copy of that note has been recorded against the title of
11 each of the lots. Staff recommended approval.

12
13 Commissioner Coutts asked about the reference to the Code that addresses the deformation. She
14 wanted to make sure the very specific information is not lost.

15
16 Mr. Johnson referenced Chapter 19.72 Sensitive Land Ordinance, which requires very specific
17 studies for different types of hazards.

18
19 Commissioner Mills asked if the City had any concern with precedence when making exceptions.
20 He also questioned if they anticipate a change to the Code if allowing the other means of
21 mitigation. Mr. Johnson did not believe a precedent had been set due to the rigid review process
22 for the sensitive lands lots being very specific.

23
24 Chair Griffin opened the public hearing.

25
26 Jim Phillips identified himself as one of the owners of Lot 412 located on the ridge. When he
27 purchased the lot, he was not informed that there was a deformation on the lot or the ridge. He
28 spent \$125,000 of his own money to mitigate the issue, which was not disclosed prior. He
29 requested further consideration on how Regal Homes provides disclosures to lot owners and asked
30 that it be reviewed to clarify the deformation. Regal Homes told him the information was located
31 on the plat and he should have considered it more carefully. He appreciated the efforts of
32 Mr. Hulka and the time he took to explain the deformation.

33
34 An identified member of the public asked about the height of City Hall to help her gain perspective
35 of the proposed project.

36
37 Tony Catering indicated that he is one of the owners of the lots being considered. He asked the
38 Commission to further review the issue as he has been trying to get his home built since June 2018.
39 Because of the plat, it has been difficult to make any type of adjustment. He encouraged the
40 Commission to approve the amendment.

41
42 Commissioner Bevan was comfortable with the City engineer's recommendation of alternative
43 mitigation procedures.

44
45 There were no further public comments. The public hearing was closed.

46

1 Commissioner Coutts emphasized the importance of notifying property owners. In the report,
2 there is a specific application for how to build the foundation and there are other ways to
3 structurally mitigate the issues. She encouraged clarity regarding the issues and the need for
4 information to be disclosed.

5
6 City Attorney, Shane Topham explained they are also required to record against the individual lots
7 that are affected. When a lot is purchased and under contract, the property owner receives a title
8 report that discloses the recording. It is incumbent upon the buyer to review the report. A separate
9 Notice of Deformation was recorded against each of the affected lots as well as the plat note.

10
11 Mr. Johnson confirmed that there are recorded notices specific to each lot which have not yet been
12 received from the County Recorder.

13
14 ***Commissioner Bevan moved to approve Project SUB-19-007 based on the following:***

15
16 ***Findings:***

- 17
18 1. ***The proposed subdivision meets the applicable provisions of the Cottonwood***
19 ***Heights subdivision ordinance.***
- 20
21 2. ***Proper notice was given in accordance with local and state requirements.***
- 22
23 3. ***A public hearing was held in accordance with local and state requirements.***

24
25 ***Commissioner Ryser seconded the motion. Vote on motion: Commissioner Allen-Aye,***
26 ***Commissioner Ryser-Aye, Commissioner Coutts-Aye, Commissioner Bevan-Aye, Commissioner***
27 ***Mills-Aye, Chair Graig Griffin-Aye. The motion passed unanimously***

28
29 3.4 **(Project ZTA-19-002) – A Public Hearing and Possible Action on a City-**
30 **Initiated Zoning Text Amendment to Chapter 19.80; (Parking Standards) of**
31 **the City’s Zoning Ordinance.**

32
33 Senior City Planner, Matthew Taylor presented the staff report and stated that they recognize the
34 concerns expressed over tandem parking. In areas where there is limited parking availability,
35 tandem parking is acceptable. In the meantime, the negative impacts of parking in front of other
36 homes, although legal, is an unwritten right. Other components include enforcement and the
37 utilization of adjacent lots. Staff prepared an ordinance for consideration that can be forwarded to
38 the City Council. Simplified language was detailed. Mr. Taylor explained that Provo City
39 prohibits tandem parking in every scenario except for single-family homes as they have a
40 minimum parking standard of three spaces for every home. Cottonwood Heights requires a two-
41 parking space minimum. Outcomes the City would like to produce should be considered.
42 Mr. Johnson clarified that there is a provision for developments in the Gateway Overlay District,
43 but the ARC can approve modifications to the parking standards.

44
45 Chair Griffin opened the public hearing.

1 Kirk _____ stated that his garage is built for tandem parking as there is not enough space to
2 build it two cars wide. He was in favor of tandem parking being allowed in single-family homes.
3 He expressed trust and confidence in City staff and has always had a good experience with the
4 City government.

5
6 *Commissioner Ryser moved to continue Project ZTA-19-002. Commissioner Bevan seconded*
7 *the motion. Vote on motion: Commissioner Allen-Aye, Commissioner Ryser-Aye,*
8 *Commissioner Coutts-Aye, Commissioner Bevan-Aye, Commissioner Mills-Aye, Chair Graig*
9 *Griffin-Aye. The motion passed unanimously.*

10
11 **4.0 CONSENT AGENDA**

12
13 **4.1 Approval of Planning Commission Minutes.**

14
15 **4.1.1 Approval of Minutes for June 5, 2019.**

16
17 *Commissioner Bevan moved to approve the minutes of June 5, 2019, as written. Commissioner*
18 *Coutts seconded the motion. The motion passed with the unanimous consent of the*
19 *Commission.*

20
21 **4.1.2 Approval of Minutes for July 17, 2019.**

22
23 *Commissioner Coutts moved to approve the minutes of July 17, 2019, as written. Commissioner*
24 *Mills seconded the motion. Vote on motion: Commissioner Allen-Aye, Commissioner Ryser-*
25 *Aye, Commissioner Coutts-Aye, Commissioner Bevan-Abstained, Commissioner Mills-Aye,*
26 *Chair Graig Griffin-Aye. The motion passed unanimously with one abstention.*

27
28 **4.1.3 Approval of Minutes for August 7, 2019.**

29
30 *Commissioner Allen moved to approve the minutes of August 7, 2019, as written. Commissioner*
31 *Ryser seconded the motion. Vote on motion: Commissioner Allen-Aye, Commissioner Ryser-*
32 *Aye, Commissioner Coutts-Abstained, Commissioner Bevan-Aye, Commissioner Mills-Aye,*
33 *Chair Graig Griffin-Aye. The motion passed unanimously with one abstention.*

34
35 **5.0 ADJOURNMENT**

36
37 *Commissioner Ryser moved to adjourn. The motion was seconded by Commissioner Allen. The*
38 *motion passed with the unanimous consent of the Commission.*

39
40 The Planning Commission Meeting adjourned at approximately 9:00 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, September 4, 2019.*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____

- 1 e. A description of the municipality's program to encourage an adequate supply of moderate-
2 income housing.” [see UCA 10-9a-103. Definitions.]
3

4 Mr. Taylor explained that moderate-income housing is defined as housing that is affordable to
5 households earning 80% of the area median income. There is a specific number for Cottonwood
6 Heights that is established in coordination with the Federal Department of Housing and Urban
7 Development and is approximately \$69,000 per year.
8

9 Additionally, annually the City Council is required to:

- 10
11 a. Review the Moderate-Income Housing Plan element of the municipality's General Plan and
12 implementation of that element of the General Plan; and
13
14 b. Prepare a report on the findings of the review described in Subsection (1)(a);”
15

16 This report is to include:

- 17
18 a. “A revised estimate of the need for moderate-income housing in the municipality for the
19 next five years;
20
21 b. A description of progress made within the municipality to provide moderate-income
22 housing, demonstrated by analyzing and publishing data on the number of housing units in
23 the municipality that are at or below:
24
25 (i) 80% of the adjusted median family income;
26 (ii) 50% of the adjusted median family income; and
27 (iii) 30% of the adjusted median family income;
28
29 c. A description of any efforts made by the municipality to utilize a moderate-income housing
30 set-aside from a community reinvestment agency, redevelopment agency, or community
31 development and renewal agency; and
32
33 d. A description of how the municipality has implemented any of the recommendations
34 related to moderate-income housing described in Subsection 10-9a-403(2)(b)(iii).” [see
35 UCA 10-9a-408. Reporting requirements....]
36

37 Further,

- 38
39 “(ii) ... municipalities, shall include, an analysis of how the municipality will provide a
40 realistic opportunity for the development of moderate-income housing within the next five
41 years;” [see UCA 10-9a-403. General plan preparation,]
42

43 Mr. Taylor referenced Senate Bill 34, which adjusted State law with respect to what cities are
44 required to consider for their Moderate-Income Housing Element to the Planning Commission.
45 They will consider the Legislature’s determination that cities shall facilitate a reasonable
46 opportunity for a variety of housing, including moderate-income housing to meet the needs of

1 people of various income levels living, working, or desiring to live or work in the community and
2 to allow people with various incomes the opportunity to participate in all aspects of neighborhood
3 and community life. The State currently requires that the City implement three or more strategies.
4 The State has outlined 15 and allows the City to generate others.

5
6 Cottonwood Heights is focusing on:

- 7
- 8 a. Rezoning for densities necessary to assure the production of moderate-income housing;
 - 9
 - 10 b. Allowing for high-density or moderate-income residential dwelling units in
 - 11 commercial and mixed-use zones, commercial centers, or employment centers;
 - 12
 - 13 c. Implementing zoning incentives for low or moderate-income units in new
 - 14 developments; and
 - 15
 - 16 d. Utilizing a moderate-income housing element set aside from a community reinvestment
 - 17 agency, redevelopment agency, or community development and renewal agency.
 - 18

19 It was reported that the Affordable Housing Element of the General Plan has been required but
20 they have changed the frequency with which the City needs to update the report and provide the
21 data. In 2017, the City adopted an updated Affordable Housing Element. Under previous State
22 Legislation that would be good for five years. The data needs to be updated every two years. With
23 the change in legislation, they are now required to modify the goal slightly, which was why the
24 matter was before the Commission again. In addition, rather than reporting every two years, they
25 report annually. A question was raised about how to determine how much affordable housing the
26 City currently has. Mr. Taylor stated that a consultant has been retained to provide that data.

27
28 Mr. Taylor explained that zoning incentives will be implemented for low and moderate-income
29 units. The Planned Development District (“PDD”) is a tool to incentivize redevelopment in
30 exchange for higher densities, different uses, and building pads, and massing. There are certain
31 requirements, including the provision of below-market-rate housing. The default ordinance calls
32 out 10% of the residential units in the project. Mr. Taylor reported that in the PDD, the density
33 requirements are at the maximum but is based on the site. It was noted that it is expressly stated
34 as a bonus or incentive that has to be earned. The PDD, by nature, is a legislative action so an
35 applicant would have to convince the Planning Commission and the City Council that their project
36 has merit. If the merit includes the types of amenities that warrant additional density, there is
37 legislative discretion.

38
39 Community and Economic Development Director, Michael Johnson reported that staff is in the
40 process of amending the PDD Ordinance. The consultant will make a presentation to the Planning
41 Commission in November or December and they are looking to expand it. They need three items
42 but have chosen four. The City Council authorized the preparation of two Community
43 Reinvestment Areas similar to the Canyon Center where they can create a Community
44 Reinvestment Area to incentivize redevelopment for the City. Redevelopment can generate
45 property tax increment beyond the current rate. That increment will go back into the project and
46 allows the City to invest in projects that meet the City’s visions and goals.

1
2 The State requirements for creating these reinvestment areas are affordable housing being set
3 aside. They are proceeding with the creation of two areas currently; one at the gravel pit site and
4 one at Fort Union Boulevard and 2300 East. If they are created, a portion of the increment
5 generated will be set aside from moderate-income or low-income housing. A question was raised
6 about the details of the property tax for either of the areas. Mr. Johnson responded that that is not
7 yet known. The City's consultant was in the process of preparing the plan, which will provide a
8 timeframe when the increment will be dedicated to the area as well as an estimate of what the
9 increase will be.

10
11 Mr. Taylor commented that every city in the State of Utah is required to adopt an updated
12 Affordable Housing Plan, which is considered an element of the City's General Plan. Timing
13 issues were discussed. It was noted that the matter will be subject to public comment at the City
14 Council level. Action was to be scheduled for the November meeting.

15
16 Project PDD-19-001 was next addressed regarding property at 6695 South Wasatch Boulevard.
17 Mr. Johnson explained that this matter was to be discussed during the Work Session. There will
18 be no discussion or hearing during the Business Meeting. An overview was provided on what has
19 been received so far. The preliminary review was provided to the property owners and additional
20 review needed to be conducted. The property was identified on a rendering displayed.

21
22 Mr. Johnson reported that the property is approximately 22 acres in size. The Wasatch Boulevard
23 Master Plan addresses this area in detail and calls for its redevelopment into a mixed-use center.
24 The process was described consisting of pre-application conferences, the receipt of concept plans,
25 and the required community workshops were held. Currently, staff was in the process of preparing
26 their complete review and report for the Commission's consideration. Staff did not yet have
27 enough information to finalize it for a public hearing. When the matter goes forward to a public
28 hearing, proper public notice will be provided. It was suggested that noticing be extended to 1,000
29 feet of the property since it is isolated and located on the outskirts of the City. Mr. Taylor explained
30 that staff will provide substantial notice.

31
32 Mr. Johnson reviewed some of the more specific policies pertaining to the corridor. The Wasatch
33 Boulevard Master Plan was adopted July 2019 by the City Council. There are specific goals
34 including the creation of a connected street network, development of a mix of housing and office
35 retail uses, the creation of recreational and full-service amenities for that recreation, as well as a
36 hotel in the general vicinity. They are encouraging development that will include high-density
37 mixed-use development in the gravel pit area and create a pedestrian-friendly environment. They
38 are planning to transit access and increase transit mobility throughout the site and extend the
39 pathways and parks into the larger urban fabric and to the Bonneville Shoreline Trail.

40
41 A rendering of the cross-section of the corridor envisioned along SR-190 was displayed.
42 Mr. Johnson reported that there are major constraints associated with the property. He identified
43 the fault lines and the required buffers from those fault lines. He remarked that the constraints
44 significantly impact the site plan. Potential uses on the site include condominium units, a
45 restaurant, retail, a hotel, 274 apartment units, office uses, commercial, and senior housing.
46 Mr. Johnson commented on the preliminary elevations and stated that many of them need more

1 work. They have not yet been reviewed by the Architectural Review Commission and additional
2 details will be needed to approve a general sign theme for the buildings and the parameters under
3 which they would be approved. The intent was to request preliminary approval of the renderings
4 understanding that modifications will be required as part of the final approval. Mr. Taylor reported
5 that UDOT has set aside \$13 million for the acquisition of parking in the area. The developers
6 were exploring the potential of a shared parking pad on the site.

7
8 Adam Davis from the Rockworth Companies was present representing the applicant. He
9 introduced their design team and stated that the project is the second PUD that has come through
10 the City and the first associated with the old gravel pit. They feel they can fulfill what is envisioned
11 in the overall Master Plan and implement the desired vision in the first phase of the project. A
12 rendering was displayed to show the perspective of the buildings relative to the existing gravel pit.
13 Exhibits were also prepared to identify the constraints. The corporate headquarters includes a six-
14 story 150,000 square-foot office building. From grade, it is just under 100 feet in height.

15
16 A Commissioner commented that the height allowed is irrelevant since they deal with what will
17 work on the site. Mr. Davis explained that the ordinance specifies what is allowed under a Tier 1
18 PUD. The only place that a Tier 1 PUD exists is in the gravel pit so those heights are specific to
19 this site. It was noted that the building footprints for each of the uses had to be set outside of the
20 setbacks for the fault lines and the water lines. The constraints they are working with on the site
21 were described with the intent to create as much of a mixed-use environment as possible. Two
22 retail pads were proposed along upper Wasatch Boulevard as well as 284 apartment units. The
23 apartment building will include five-stories with two stories of parking. It was noted that the
24 parking will be wrapped along the Wasatch Boulevard extension with townhomes. 80
25 condominium units were also proposed with five levels of parking and 10 levels of condominiums
26 above. Mr. Davis stated that the building will be tucked into the hill. A balloon will be floated to
27 show where the upper elevation will be. He stated that it will read as two or three stories.

28
29 In response to a question raised, it was reported that the lowest level of parking will be at the same
30 elevation as the road. Mr. Davis explained that the heights are based on the average height of SR-
31 190. He described the height increases allowed under the current Code. The office building will
32 be nearly 200 feet off of the road and falls within the 120 feet height requirement. The apartments
33 are about 600 feet from the road.

34
35 Mr. Davis commented that the noticing requirement is 300 feet and they volunteered to go to 1,000
36 feet, which included the Old Mill neighborhood below. At the first neighborhood meeting, there
37 were about 40 in attendance. At the second meeting, it was advertised City-wide and 60 to 75
38 were present.

39 40 **1.2 Adjournment.**

41
42 ***Commissioner Allen moved to adjourn the Work Session. Commissioner Mills seconded the***
43 ***motion. The motion passed with the unanimous consent of the Commission.***

44
45 The Work Session adjourned at 6:00 p.m.

1 **DRAFT**

2
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
4 **PLANNING COMMISSION MEETING**

5
6 **Wednesday, October 16, 2019**

7 **6:00 p.m.**

8 **Cottonwood Heights City Council Room**

9 **2277 East Bengal Boulevard**

10 **Cottonwood Heights, Utah**

11
12 ***ATTENDANCE***

13
14 **Members Present:** Chair Graig Griffin, Jesse Allen, Sue Ryser, Christine Coutts, Dan Mills

15
16 **Staff Present:** Community and Economic Development Director Michael Johnson, City
17 Attorney W. Shane Topham, Deputy City Recorder/HR Manager Heather
18 Sundquist, Senior City Planner Matthew Taylor, City Planner Andrew
19 Hulka, Youth Council Representative Nicholas Johnson

20
21 **Excused:** Craig Bevan, Bob Wilde, Douglas Rhodes

22
23
24 **BUSINESS MEETING**

25
26 **1.0 WELCOME/ACKNOWLEDGEMENTS**

27
28 Chair Graig Griffin called the Business Meeting to order at approximately 6:05 p.m. and welcomed
29 those in attendance.

30
31 **2.0 General Public Comment**

32
33 There were no public comments.

34
35 **3.0 BUSINESS ITEMS**

36
37 **3.1 (Project GPA-19-001) – A Public Hearing and Possible Action on a Proposed**
38 **Update and Amendment to the Cottonwood Heights General Plan –**
39 **Affordable Housing Element.**

40
41 Senior City Planner, Matthew Taylor presented the staff report and stated that per Utah Code, a
42 municipality's General Plan must plan for moderate-income housing growth. That means that a
43 written document shall be adopted by every city that includes a plan for moderate-income housing
44 that provides for estimates of the supply, need, a survey of total residential land use, and a plan for
45 moderate-income housing. Senate Bill 34 requires that the plan be adopted before December 1,
46 2019, and the General Plan amended accordingly. The City is required to update the plan annually

1 and monitor progress on the goals of the plan. The State has expressed interest in cities providing
2 moderate-income housing and meet the needs of those of various income levels living and working
3 in the community.

4
5 Moderate income housing was described as housing that is affordable to those earning 80% of the
6 area median income or less. Of the State’s identified strategies for accommodating moderate-
7 income housing, staff identified Goals A, B, F, and J because they already have tools, policies, and
8 zoning ordinances in place that will continue to facilitate moderate-income housing.

9
10 A report was prepared by JSBS Consulting who updated the existing 2017 report with current data
11 and evaluated the current supply and estimated need for future affordable housing. They also
12 updated the report to include the goals identified and to begin monitoring progress of the goals for
13 future reports. Staff concluded that the proposed plan meets the requirements of the State Code
14 for a Moderate-Income Housing Plan and promotes the health, safety, and welfare of those within
15 and desiring to live within the City. Staff recommended the Planning Commission consider
16 recommending adoption of the plan to the City Council. It was suggested that care be taken in
17 terms of where the impact will be felt and potential unintended consequences.

18
19 Chair Griffin opened the public hearing.

20
21 Jackie Hibbard, a resident of Old Mill Estates, asked how many units are in the Moderate-Income
22 Housing Plan. She also asked if the housing will be low-income or moderate-income units.
23 Mr. Johnson explained that in the gravel pit area, the PDD ordinance requires 10% of the units be
24 moderate-income at 50% of the area median income. This is a preliminary proposal so that could
25 change as they move toward the final plan.

26
27 There were no further public comments. The public hearing was closed.

28
29 *Commissioner Coutts moved to forward a recommendation of approval for Project GPA-19-001*
30 *based on the strategies outlined in the staff report and the attached Housing Report.*
31 *Commissioner Ryser seconded the motion. Vote on motion: Jesse Allen-Aye, Sue Ryser-Aye,*
32 *Christine Coutts-Aye, Dan Mills-Aye, Chair Graig Griffin-Aye. The motion passed*
33 *unanimously.*

34
35 **3.2 (Project ZTA-19-002) – A Public Hearing and Possible Action on a City-**
36 **Initiated Zoning Text Amendment to Chapter 19.80; (Parking Standards) of**
37 **the City’s Zoning Ordinance.**

38
39 Mr. Taylor reported that the Commission originally heard the above item on September 4 at which
40 time it was considered for continued evaluation and study. The issue originated as a staff proposal
41 to amend Ordinance 19.80.060 regarding dimensions for parking stalls and directly relates to
42 tandem parking stalls. A rendering of a tandem parking stall was displayed. The Code does not
43 prohibit this expressly as a way to provide the minimum required parking. Because it is not
44 expressly prohibited, it must be allowed with the second stall meeting the parking needs
45 requirements. A specific request was described and a floor plan was displayed showing how the
46 stalls would be arranged.

1
2 Staff's opinion was that in many cases, particularly with commercial and multi-family areas where
3 there is not high density and not a lot of available street parking, motorists will seek the most
4 convenient form of parking rather than ask a co-tenant to move their vehicle. Most people would
5 prefer to walk farther to avoid the inconvenience and park elsewhere such as a public street, an
6 adjacent parking lot, or in guest parking stalls. That is problematic in most cases.
7

8 Staff proposed an amendment to add language to specify that tandem parking stalls are defined as
9 the placement of parking spaces one behind the other so that the space nearest the driveway or
10 street access serves as the only means of access to the other space. Tandem parking spaces are
11 allowed but spaces furthest from the driveway or street access shall not count toward meeting the
12 minimum parking ratio set forth in the minimum parking standard except for single-family
13 residences.
14

15 Chair Griffin opened the public hearing.
16

17 Robert Jacobs gave his address as 8717 Sugarloaf Drive and thanked the Commission for their
18 service. He liked the idea of defining the tandem parking spaces. The only portion of the
19 amendment he objected to was the exception of single-family residences. He saw no reason for
20 single-family residents to not suffer the same inconvenience and issues that anyone else would.
21 Mr. Jacobs suggested that tandem parking spaces be counted as one stall regardless of the
22 circumstances and where they are located.
23

24 There were no further public comments. The public hearing was closed.
25

26 Mr. Taylor commented that with respect to single-family, the densities involved are much lower
27 so there is usually not an issue with excessive on-street parking. It would also preclude
28 opportunities for people building single-family homes if they chose to build a one-car garage. In
29 that case, two parking spaces would be required. They would not be able to count the parking
30 space in their driveway as a required parking stall. The same would be true for someone who
31 chooses to construct a detached single-car garage in the rear yard where none of the stalls in the
32 driveway could be counted as required parking. Because there is less of an impact due to reduced
33 densities in single-family zones, it did not seem to create the same type of a nuisance as in
34 commercial areas surrounding single-family neighborhoods.
35

36 In response to a question raised, Mr. Taylor stated that tandem parking would be prohibited for
37 office uses in the commercial zone. The driveway standard width can be 10 to 25 feet. There is
38 no length requirement. If the City explores an Accessory Dwelling Unit ordinance again, it could
39 establish more restrictive parking terms that would take precedence over the Code. Mr. Johnson
40 reported that in Provo City tandem parking has been prohibited for many years except in single-
41 family neighborhoods. He previously served as the Parking Administrator for Provo City in his
42 experience tandem parking creates more off-street parking problems.
43

44 Mr. Taylor explained that they are removing the main incentive for tandem parking by counting it
45 as one parking stall. For that reason, staff felt that a previous applicant utilized it. They considered
46 it an opportunity to build narrower units because they can utilize a two-car deep garage as two

1 parking stalls. By eliminating that, the incentive is removed. Mr. Johnson explained that they
2 provided narrower units but they would still have to provide additional parking elsewhere on the
3 site, which would likely have reduced the density.

4
5 ***Commissioner Ryser moved to approve Project ZTA-19-002. The motion was seconded by***
6 ***Commissioner Allen. Vote on motion: Jesse Allen-Aye, Sue Ryser-Aye, Christine Coutts-Aye,***
7 ***Dan Mills-Aye, Chair Graig Griffin-Aye. The motion passed unanimously.***

8
9 **4.0 CONSENT AGENDA**

10
11 **4.1 Approval of Planning Commission Minutes.**

12
13 The minutes were not ready for approval.

14
15 **5.0 ADJOURNMENT**

16
17 ***Commissioner Coutts moved to adjourn. The motion was seconded by Commissioner Ryser.***
18 ***The motion passed with the unanimous consent of the Commission.***

19
20 The Planning Commission Meeting adjourned at approximately 6:32 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, October 16, 2019.*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____