

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

3
4 **Wednesday, August 7, 2019**

5 **5:30 p.m.**

6 **Cottonwood Heights City Council Room**

7 **2277 East Bengal Boulevard**

8 **Cottonwood Heights, Utah**
9

10 ***ATTENDANCE***

11
12 **Members Present:** Chair Graig Griffin, Commissioner Craig Bevan, Commissioner Jesse
13 Allen, Commissioner Douglas Rhodes

14
15 **Staff Present:** Community and Economic Development Director Michael Johnson, City
16 Attorney W. Shane Topham, Deputy City Recorder/HR Manager Heather
17 Sundquist, Senior Planner Matt Taylor, Youth Council Representative
18 Nicholas Johnson
19

20 **WORK SESSION**

21
22 Chair Graig Griffin called the meeting to order at 5:38 p.m. and welcomed those in attendance.
23

24 **1.0 Planning Commission Business.**

25
26 **1.1 Review Business Meeting Agenda.**
27

28 Chair Griffin reviewed the Business Meeting agenda.
29

30 **1.2 Additional Discussion Items.**
31

32 Senior Planner, Matt Taylor, reviewed Project SUB-19-005, a request from Brighton Ridge Villa
33 Condominiums HOA to approve Brighton Ridge Villas Subdivision located at 7343 South 1950
34 East. The applicant has proposed a change from condominium ownership to subdivision lots. The
35 common areas were described. Mr. Taylor indicated that the applicant owns all of the building
36 and land. The request is due to increased difficulty in lending to condominium units in this type
37 of situation. The only difference is that this will have a zero lot line configuration, which is not
38 unusual with twin home developments. Staff recommended approval.
39

40 Project SUB-19-003 was next reviewed. Mr. Taylor detailed the request from Paul Ballstaedt for
41 the Ballstaedt Estates Phase 2 Subdivision located at 3055 East Sundrift Circle in the R-1-9 Single-
42 Family zone. He explained that the vacation of Lots 2 and 3 of the original subdivision was the
43 reason for the public hearing.
44

45 Mr. Taylor next discussed Project CUP-19-007, a request from Jared Smart, Bonneville Realty,
46 for a Conditional Use Permit to operate an animal day care on property located at 2315 East Fort

1 Union Boulevard in the CR Regional Commercial zone. The recommended findings were
2 described. The proposal is for a day care use that is not intended to receive patrons throughout the
3 day. Limited regular business hours were suggested.

4

5 **1.3 Adjournment.**

6

7 *Commissioner Bevan moved to adjourn the Work Session. Commissioner Rhodes seconded the*
8 *motion. The motion passed with the unanimous consent of the Commission.*

9

10 The Work Session adjourned at 6:00 p.m.

1
2 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
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11 ***ATTENDANCE***

12
13 **Members Present:** Chair Graig Griffin, Commissioner Craig Bevan, Commissioner Jesse
14 Allen, Commissioner Douglas Rhodes

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 Planner Matt Taylor, City Planner Andrew Hulka

19
20 **Others Present:** 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 6:06 p.m. and welcomed those in
27 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 Public Comment**

34
35 There were no public comments.

36
37 **3.0 BUSINESS ITEMS**

38
39 **3.1 (Project SUB-19-005) - A Public Hearing and Possible Action on a Request by**
40 **Brighton Ridge Villa Condominiums HOA to Approve Brighton Ridge Villas**
41 **Subdivision (Including a Vacation of Brighton Ridge Villas Condominiums)**
42 **located Generally at 7343 South 1950 East in the R-2-8 – Multi-Family**
43 **Residential Zone.**

44
45 Senior Planner, Matt Taylor, presented the staff report and stated the request is from the Brighton
46 Ridge Villa Condominiums HOA for approval of Brighton Ridge Villas Subdivision located at

1 7343 South 1950 East in the R-2-8 zone. The property consists of eight townhome units within
2 four buildings on just less than one acre. The applicant applied for a change in ownership to a
3 regular subdivision of property for lending purposes. Each new lot meets the minimum lot size of
4 4,000 square feet for the zone when it is in a twin home arrangement. Staff recommended approval
5 with an alternate selected for the final plat as the proposed is currently being used and technical
6 corrections are made prior to recordation of the final plat.
7

8 Angela Nielsen, Brighton Ridge Villas HOA Vice President, reported that each property has two
9 parking stalls. Commissioner Allen expressed concern with one of the properties only having one
10 parking stall. Commissioner Bevan suggested adjusting the property lines to ensure each unit has
11 two parking stalls.
12

13 Chair Griffin opened the public hearing. There were no public comments. The public hearing was
14 closed.
15

16 *Commissioner Bevan moved to approve Project SUB-19-005 subject to the following:*

17
18 *Conditions:*

- 19
20 1. *Before the final plat is approved, an alternate subdivision name shall be approved*
21 *by the Salt Lake County Recorder's office.*
- 22
23 2. *The final plat shall meet the minimum lot size standards as required by section*
24 *19.76.020.C of the Cottonwood Heights Zoning Ordinance.*
- 25
26 3. *The applicant shall work with staff to address all technical corrections on the*
27 *preliminary plat, in compliance with all applicable city ordinance regulations.*
28

29 *Findings:*

- 30
31 1. *The proposed subdivision meets the applicable provisions of the Cottonwood*
32 *Heights subdivision ordinance and the Cottonwood Heights zoning ordinance*
33 *upon successful compliance with the conditions of approval above.*
- 34
35 2. *Proper notice was given in accordance with local and state requirements.*
- 36
37 3. *A public hearing was held in accordance with local and state requirements.*
- 38
39 4. *Adjust property line so garages are within each of the property owners' lots.*
40

41 *Commissioner Rhodes seconded the motion. Vote on motion: Commissioner Allen-Aye,*
42 *Commissioner Rhodes-Aye, Commissioner Bevan-Aye, Commissioner Griffin-Aye. The motion*
43 *passed unanimously.*
44

- 45 3.2 **(Project SUB-19-003) A Public Hearing and Possible Action on a Request by**
46 **Paul Ballstaedt to Approve Ballstaedt Estates Phase 2 Subdivision (Including**

1 **the Vacation of Lots 2 and 3 of the Ballstaedt Estates Subdivision) Located**
2 **Generally at 3055 East Sundrift Circle in the R-1-8 – Single-Family**
3 **Residential Zone.**
4

5 Mr. Taylor presented the staff report and stated that the request is from Paul Ballstaedt to approve
6 Ballstaedt Estates Phase 2 Subdivision, which includes the vacation of Lots 2 and 3. The total
7 property consists of 1.47 acres and has two owners. Lots 2 and 3 are the current legal lots and the
8 proposal is to vacate and remove both and replat them as a new subdivision with three lots. Two
9 will have existing single-family homes retained on them and the new lot will be vacant and
10 available for a building permit for a new single-family home. Mr. Taylor suggested a condition
11 of approval be to require rear lot lines to be adjusted to meet the required setbacks for accessory
12 buildings.

13
14 Chair Griffin opened the public hearing.

15
16 Geri Essen asked for confirmation that the applicant has proposed just one additional single-family
17 home.

18
19 Rob Godfrey asked if the proposed property could be subdivided any further in the future.

20
21 Mr. Taylor reported that cannot be subdivided further under the current zoning regulations.

22
23 There were no further comments. The public hearing was closed.

24
25 Mr. Taylor reported that he received a phone call expressing concern with junk and the storage of
26 vehicles on the property. He suggested it may be appropriate to consider an additional condition
27 of approval that any zoning violations be resolved prior to plat recordation.

28
29 ***Commissioner Rhodes moved to approve Project SUB-19-003 subject to the following:***

30
31 ***Conditions:***

- 32
33 ***1. That the final plat show adjusted lot lines for Lot 202 that demonstrate***
34 ***compliance with Section 19.76.030.B.3.b for all accessory structures.***

35
36 ***Findings:***

- 37
38 ***1. With the exception of accessory structure setback requirements, the proposed***
39 ***subdivision is in compliance with all provisions of Title 12 – Subdivisions and***
40 ***Title 19 – Zoning.***
41
42 ***2. Proper notice was given in accordance with local and state requirements.***
43
44 ***3. A public hearing was held in accordance with local and state requirements.***
45
46 ***4. Any zoning violations are resolved prior to recording the plat.***

1
2 *Commissioner Bevan seconded the motion. Vote on motion: Commissioner Allen-Aye,*
3 *Commissioner Rhodes-Aye, Commissioner Bevan-Aye, Commissioner Griffin-Aye. The motion*
4 *passed unanimously.*
5

6 **3.3 (Project CUP-19-007) - A Public Hearing and Possible Action on a Request by**
7 **Jared Smart Bonneville Realty for Conditional Use Permit to Operate an**
8 **Animal Day Care on the Property located at 2315 East Fort Union Boulevard**
9 **in the CR – Regional Commercial Zone.**
10

11 Mr. Taylor presented the staff report and stated that the above is a request by Jared Smart
12 Bonneville Realty for a Conditional Use Permit to operate an animal daycare at 2315 East Fort
13 Union Boulevard. An animal day care is a conditional use in the Regional Commercial zone. The
14 Planning Commission is required to adopt findings of fact that support a number of questions and
15 approve with conditions or deny the conditional use based on written findings of fact. Mr. Taylor
16 recommended that when approving the request, findings of fact be modified that do not relate to a
17 condition that is adopted. Signage requiring animals be restrained was recommended and because
18 it is a day care use, operating hours should be limited to daytime use and be complied with prior
19 to the issuance of the business license.
20

21 The co-applicant, Chris Lamerl, identified herself as the co-owner of Healthy Pets Mountain
22 West, which is located in the Hillside Plaza area. They are looking to move across the street.
23 Ms. Lamerl indicated that the daycare will be minimal with a maximum of eight dogs. The
24 majority of the day will be spent indoors with one hour of outdoor playtime. She confirmed that
25 the yard will include fencing with canopies attached to the building.
26

27 Commissioner Bevan expressed concern with the second listed finding of fact that specifies that
28 the proposed use is to be fully contained in an existing building. He stated that there has not been
29 any discussion of an outdoor play area.
30

31 The exterior landscaping details were reviewed. Commissioner Allen emphasized the need for an
32 exterior plan depicting specifics and ensure that it is in compliance.
33

34 Chair Griffin opened the public hearing.
35

36 Elaine Werner stated she lives near the subject property and asked how many dogs will be
37 permitted. She expressed concern with the entrance to the property.
38

39 There were no further public comments. The public hearing was closed.
40

41 *Commissioner Bevan moved to continue Project CUP-19-007 to the following meeting and*
42 *direct the applicant to provide documentation regarding play area improvements.*
43 *Commissioner Allen seconded the motion. The motion passed with the unanimous consent of*
44 *the Commission.*
45

46 **4.0 CONSENT AGENDA**

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4.1 Approval of Planning Commission Minutes.

4.1.1 Approval of Minutes for June 5, 2019.

Approval of the minutes of June 5, 2019 was continued.

5.0 ADJOURNMENT

Commissioner Allen moved to adjourn. The motion was seconded by Commissioner Rhodes. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 6:42 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, August 7, 2019*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: September 4, 2019