

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

**Wednesday, March 5, 2025
5:00 p.m.
2277 East Bengal Boulevard
City Council Work Room**

ATTENDANCE

Members Present: Chair Lucy Anderson, Vice-Chair Sean Steinman, Commissioner Dan Mills, Commissioner Mike Smith, Commissioner Mike Shelton, Commissioner Dan Poulson, Commissioner Garry Barnes

Staff Present: City Recorder, Tiffany Janzen; Deputy City Recorder, Cienna Brummel; Associate City Planner/Sustainability Analyst, Ian Harris; Community and Economic Development Director, Michael Johnson; System Administrator, Alex Earl

WORK SESSION

Chair Lucy Anderson called the Work Meeting to order at 5:00 PM.

Community and Economic Development Director, Michael Johnson, introduced New Planning Commissioner, Garry Barnes. Commissioner Barnes stated that he is a former commercial banker. He retired a few years ago and has been working as a consultant to banks, aviation companies, and universities. He has lived in Cottonwood Heights four times.

1.0 Dakota Pacific Development Discussion.

Mr. Johnson reported that Dakota Pacific Real Estate purchased the vacant three-acre parcel adjacent to Hillrise Apartments and is working on a Development Plan for an infill residential project on the site. The plan was previously shared with the City Council.

Steve Borup from Dakota Pacific introduced his colleagues, Ray Bryson and Brian Dille. Mr. Borup reported that the parcel is located next to the Rocky Mountain Power substation. The land was acquired in 2024 from the owners of Hillrise Apartments and they have spent the last year determining the best development for the area, and how it will work with the Town Center and neighboring developments. They considered densities ranging from high-rise condominiums to townhomes and decided upon medium density, with three- and four-story buildings consisting of approximately 120 units with tuck-under garages.

A map of the area and concept drawings were reviewed. The property fronts 2300 East and is adjacent to the future Town Center. Dakota Pacific views it as an entrance into the new Town Center area, and as such they plan to emphasize the pedestrian experience. Mr. Borup reported that they are close to going under contract to purchase Hillrise Apartments. They are now

considering that adjacency and circulation, and their plans assume shared infrastructure. Their plan for the Hillrise Apartments is to renovate and upgrade the units and landscaping.

Mr. Borup reported that the parcel is currently under commercial zoning but they considered the draft form-based code and City goals for the town Center in the design. They discussed a potential mix of commercial and residential on the site but determined that it would be more beneficial to provide the needed residential components for Hillside Plaza. Another consideration was the ability to build in today's market. They want to move forward with a project as soon as possible. They want to create a diversity of housing options, but they do not want to set a price point that people cannot afford.

The Concept Plan includes approximately 120 rental units with a parking ratio of 1.6. There will be surface parking in two parking lots separated by a building. Parking stalls will be assigned. Mr. Borup noted that there is a 30-foot difference in grade between the southeast and northwest corners of the property. The leasing office will be located at the lowest point on the northwest corner. It will have storefront-style glass along 2300 East and look more commercial. A fitness center, outdoor amenities, and green space will be located on the south side of the property. In response to a question, it was clarified that the parking ratio was determined by the market.

There will be two ingress and egress points. The current Hillrise Apartments entrance will be redeveloped to remove the old walls and create more green space, and the secondary access point will be next to the daycare. Currently, residents of Hillrise Apartments use both entrances. Mr. Borup clarified that there is a recorded easement for the access south of the daycare building. Hillrise Apartments is currently overparked at two parking stalls per unit, and they hope to take advantage of that excess parking to allow for additional units in the new buildings.

Commissioner Mills noted that the excess parking for Hillrise Apartments is in the northeast corner of the lot, not to the south near the subject property. He also asked that they consider moving the fitness space to the first level on 2300 East as it would be more in keeping with the goal of form-based code.

The buildings will be three and four stories. Renderings indicate a townhome-style look along 2300 East, and all entrances on that frontage will have an awning. The frontage will include a bicycle and pedestrian lane, seating areas, and landscaping to activate the streetscape. Commissioner Mills stated that the Commission has strong opinions on how the frontage should be handled and requested that they look carefully at the Fort Union Master Plan to better understand the City's vision. Mr. Borup stated that this frontage will not have a true boulevard feel with parking, but there will be a pedestrian priority. He noted that the design assumes more right-of-way than currently exists, and the location of the parked car on the rendering could be a bicycle lane. It was noted that there is currently a bicycle lane in that location.

In response to a question from Commissioner Mills, it was clarified that the grade change will be incorporated within the buildings' structure. The second building will have three- and four-story sections, and its parking lot will be 15 feet above the lower parking lot. There will also be some tuck-under parking on the lower level of that building. The building itself will act as a retaining wall, and there will be one small retaining wall in one area of the property. They will match

existing grade levels at the property lines. Commissioner Mills expressed his appreciation for the grade changes being incorporated into the property to make the area genuinely walkable.

Commissioner Steinman asked if they had considered a rideshare program to reduce the parking ratio and promote more Transit-Oriented Development (“TOD”) features. The developer responded that they have looked at developments with those features. They are practical regarding transportation for work and education purposes, but people still want two cars for entertainment and outdoor activities. They recently made an offer on a TOD site in the West Jordan area. The site has one parking space per unit, and the entire neighborhood around it is full of street-parked cars. The ratio is normally 1.6 to 1.8 cars per unit. They want to avoid overflowing parking in the community, especially in this neighborhood where there is not ample street parking.

Commissioner Steinman recommended considering four to six rideshares that are managed by the apartment complex as he has seen that work in other communities. Mr. Borup stated that they offered a rideshare program in downtown Bozeman, Montana, and it was a struggle. The rideshare car was not used. He understands Commissioner Steinman’s goal, but the challenge is in changing behavior to get people out of cars. Building code usually allows reductions in parking stalls in exchange for things like bicycle storage spaces, which they have done on other projects. They are willing to consider those types of reductions, but they do not believe that a full TOD of one stall per unit would be practical.

In response to a question, Mr. Borup reported that 40% to 45% of the units will be one bedroom and 40% to 40% two bedrooms, with a few studio and three-bedroom units. They will conduct a market study to confirm the unit mix. It will be a market-rate project.

Mr. Johnson reported that the concept was presented to the City Council, and they were supportive of it. It will require a site-specific rezoning plan similar to the Planned Development process. They are coordinating the technical requirements now, and then the item will come back to the Planning Commission for formal review and public comment. In response to a question, Mr. Johnson clarified that the parcel is currently zoned Regional Commercial. The project would not fit within any existing zones, so it would have to be a site-specific redevelopment.

Dakota Pacific is excited about the project and the future Town Center. Their office is in Cottonwood Corporate Center, and many of their employees live in Cottonwood Heights. Commissioner Mills stated that Dakota Pacific’s purchase of Hillrise Apartments is indicative of their commitment to the community, and he was excited about the new development.

2.0 Review Business Session Agenda.

Chair Anderson reported that the Commission would consider a Zoning Map Amendment, followed by Project CUP-24-019, which was continued from the February 5, 2025 meeting.

Mr. Johnson reported that the applicant had not resubmitted or responded with additional details for the CUP-24-019 Live/Work Project. They are considering various options for the site, including submittal of a different type of project, and requested that the Commission table that item until the next meeting. The City Council has implemented a Land Use moratorium on the

Live/Work use type in order to better define it. As long as this application is active, it is not impacted by the moratorium, but it would apply to any new applications in any zone that includes that use type. The moratorium will be in place for a maximum of 180 days or until the Code is amended. A draft of the changes will be discussed at the April 5, 2025, Planning Commission meeting. In response to a question from Chair Anderson, Mr. Johnson clarified that he did not know if the applicant would be ready at the next meeting, but continuing the item again was a reasonable request.

Associate City Planner/Sustainability Analyst, Ian Harris, provided details on the Zoning Map Amendment, Project ZMA-25-001. The subject property is approximately 1.5 acres and is currently zoned Rural Residential RR-1-43, which requires a minimum lot size of one acre, and the Applicant requested rezoning to RR-1-21, which requires a minimum of one-half acre. It was noted that many neighboring properties in the RR-1-43 Zone do not meet the minimum one-acre requirement. The Applicant has applied for rezoning in the hope that they can subdivide their property into two lots with a flag lot similar to two adjacent properties to the north. Any future subdivision plan would require a new application and Staff review.

Staff determined that rezoning the property is within the context of the surrounding area, will meet the requirements for the RR-1-21 Zone, and is compatible with the Residential Rural Density Land Use designation. Much of the surrounding development is in the RR-1-21 Zone. Any development on the property would be required to comply with the standards of the new zone, as well as any relevant Sensitive Lands Overlay Zone standards as the property falls within that zone.

Zoning Map Amendments are legislative actions. The Planning Commission has the authority to take public comment, discuss the merits of the proposal, and make a recommendation of approval or denial to the City Council. The City Council is the final approval authority.

Notices were mailed to property owners within 1,000 feet of the subject property and posted on the property 10 days in advance of the meeting. No public comments were received. Staff recommended approval of the project.

In response to a question, Mr. Harris clarified that the minimum lot size in the RR-1-21 Zone is one-half acre and there is no maximum. Mr. Johnson noted that if the property is subdivided, the flag lot is required to be 125% of the minimum lot size and will have additional setback requirements. The subdivision would be approved at the Staff level, and they would help the Applicant through that process. Additional flag lot requirements were discussed and compared with the existing flag lots north of the subject property, and it was noted that the existing home would be on the flag lot and appeared to meet all requirements.

Commissioner Mills asked about the potential impacts of rezoning on the property to the south, which appears to be horse property. Mr. Johnson stated that the property also has the Rural Residential Land Use designation. Fewer animals are allowed on half-acre lots, but they are in the same category. He noted that the property to the south is zoned RR-1-43 but is only three-quarters of an acre, so it is a nonconforming lot.

Chair Anderson reminded the Commissioners about the requirement for four hours of training, which can be met in a variety of ways. She will forward the document with training resources to Commissioner Barnes. It was noted that two hours of training are provided in Work Sessions. Mr. Johnson reported that they would invite the Property Rights Ombudsman's Office to conduct a training. City Attorney, Shane Topham, would also conduct one training. Commissioner Mills asked for direction on topics the Commissioners may want to research. Mr. Johnson stated that they would see a lot of legislative items and special redevelopment projects in the future.

Mr. Johnson provided an update on the Town Center project. The request for proposals closed in February and seven responses were received. Staff reviewed the responses and are scheduling interviews with the finalists. The City Council voted to authorize beginning the bonding process, with a tentative target of bond issuance near the end of the fiscal year.

A presentation was given on the North Gravel Pit project at the previous evening's City Council Meeting. The Architectural Review Commission will review the plan at its next meeting, and then it will go before the City Council for final consideration in April. There had been no updates on the South Gravel Pit.

The variance application for demolition of the Old Mill was denied. If the owner wishes to modify the historic structure, they must initiate the one-year Conditional Use Permit process. The application has not been submitted, so the one-year period has not started.

Mr. Harris noted that a Development Activity Report is published monthly, and it is a great resource to keep the Commissioners informed about Staff-level activity.

Commissioner Barnes asked why a General Obligation ("GO") bond was selected. Mr. Johnson stated that the City Council chose a GO bond as the interest rates are typically lower because the bond is backed by property taxes. The Council wanted the public to make that decision, and putting it on the ballot was their way of ensuring the decision was made in the most democratic way possible.

2.0 Adjourn.

Commissioner Mills moved to ADJOURN. Commissioner Smith seconded the motion. The motion passed with the unanimous consent of the Commission.

The Work Meeting adjourned at 5:53 PM.

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

**Wednesday, March 5, 2025
6:00 p.m.
2277 East Bengal Boulevard
City Council Chambers**

Members Present: Chair Lucy Anderson, Vice-Chair Sean Steinman, Commissioner Dan Mills, Commissioner Mike Smith, Commissioner Mike Shelton, Commissioner Dan Poulson, Commissioner Garry Barnes

Staff Present: City Recorder, Tiffany Janzen; Deputy City Recorder, Cienna Brummel; Associate City Planner/Sustainability Analyst, Ian Harris; Community and Economic Development Director, Michael Johnson; System Administrator, Alex Earl

BUSINESS SESSION

Chair Lucy Anderson called the Business Meeting to order at 6:00 PM.

1.0 Welcome and Acknowledgements.

1.1 Ex Parte Communications or Conflicts of Interest to Disclose.

Chair Anderson disclosed that she is acquainted with the Applicant for Item 3.1 and she would, therefore, be recusing herself from that decision.

2.0 General Public Comment.

Nick Danziger reported that he owns a home in Canyon Centre. He and his wife spend a lot of time traveling, and they occasionally rent out their home as a short-term rental. He asked that the City take into account the character of the area when considering new short-term rental regulations. His home is next to the area that was grandfathered in with short-term rentals. On the other side, a new condominium building is being constructed. A hotel and restaurants are next to that building. He wants to follow the rules but it is difficult because they are on a City street and regulations do not allow a short-term rental. All units in his development have a two-car garage, and they have a permit for designated street parking. He asked that the Commission consider the area he is in when setting any rules.

3.0 **Business Items.**

3.1 **Project ZMA-25-001 - A Public Hearing and Potential Action on a Request by Deanne Child for a Zoning Map Amendment to Rezone a Property at 8145 South Pinecreek Lane from RR-1-43 (Rural Single-Family Residential) to RR-1-21 (Rural Single-Family Residential).**

Chair Anderson reported that the above item was discussed during the Work Session. Associate City Planner/Sustainability Analyst, Ian Harris reported that the application was for a Zoning Map Amendment to rezone the property at 8145 South Pinecreek Lane from RR-1-43, which requires minimum one-acre lots, to RR-1-2, which has a one-half acre minimum. Staff recommended approval of the application as the new zone would fit with the context of the surrounding neighborhood.

The Applicant, Deanne Child reported that she has lived in her home since 1977. The other two original lots have been rezoned and subdivided. She would like to subdivide her property, sell the front lot, and remain in her home on the rear parcel. She has confirmed that emergency vehicles can access her home from the private driveway. Mr. Harris noted that a representative from the Unified Fire Authority was present at the pre-application meeting and expressed no concerns about the driveway or turnaround. Those standards will also be reviewed as part of the subdivision application.

Chair Anderson opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Shelton moved to recommend APPROVAL of Project ZMA-25-001 to the City Council, based on the Findings and Recommendations listed in the Staff Report dated March 5, 2025. Commissioner Steinman seconded the motion. Vote on Motion: Commissioner Poulson-Yes; Commissioner Shelton-Yes; Commissioner Mills-Yes; Commissioner Smith-Yes; Commissioner Barnes-Yes; Commissioner Steinman-Yes; Chair Anderson-Abstain. The motion passed unanimously with one abstention.

3.2 **Project CUP-24-019 – Continuation from February 5, 2025, Planning Commission Meeting – Consideration of a Request by Nathan Anderson for a Conditional Use Permit and Preliminary Plat Approval to Construct a Nine-Unit Live-Work Townhome Development at 3425 East Bengal Boulevard. The Applicant has Requested Further Continuation of this Item to the April 2025 Planning Commission Meeting.**

Community and Economic Development Director, Michael Johnson, reported that should the applicant decide to propose a different use type within the Neighborhood Commercial Zone, the process would restart and be noticed as a new application. The continuation would only be valid for a submittal under the Live/Work use type.

Commissioner Mills moved to CONTINUE Project CUP-24-019 to the April 2, 2025, Planning Commission meeting. Commissioner Smith seconded the motion. Vote on Motion:

Commissioner Steinman-Yes; Commissioner Barnes-Yes; Commissioner Smith-Yes; Commissioner Mills-Yes; Commissioner Shelton-Yes; Commissioner Poulson-Yes; Chair Anderson-Yes. The motion passed with the unanimous consent of the Commission.

4.0 Consent Agenda

4.1 Approval of Planning Commission Meeting Minutes from February 5, 2025.

Commissioner Steinman moved to APPROVE the Consent Agenda, as presented. Commissioner Poulson seconded the motion. The motion passed with the unanimous consent of the Commission.

5.0 Adjourn.

Commissioner Smith moved to ADJOURN the Business Session. Commissioner Shelton seconded the motion. The motion passed with the unanimous consent of the Commission.

The Business Meeting adjourned at approximately 6:14 PM.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Planning Commission Work Session and Regular Meeting held on Wednesday, March 5, 2025.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____