

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, MARCH 4, 2025, AT 4:00 PM IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,  
COTTONWOOD HEIGHTS, UTAH**

**Members Present:** Mayor Mike Weichers, Council Member Ellen Birrell, Council Member Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton (via Zoom)

**Staff Present:** City Manager, Jared Gerber; City Attorney, Shane Topham; Community and Economic Development Director, Michael Johnson; Public Works Director, Matt Shipp; Police Chief, Robby Russo; Finance Director, Scott Jorges; City Recorder, Tiffany Janzen; IT Manager, Matt Ervin; Senior City Engineer, Ben Nelson; Unified Fire Authority Assistant Fire Chief, Riley Pilgrim; Culture Manager, Ann Eatchel

**1.0 WELCOME**

Mayor Weichers called the meeting to order at 4:00 PM.

**2.0 REVIEW OF BUSINESS MEETING AGENDA – *Mayor Mike Weichers.***

Mayor Weichers reviewed the Business Meeting Agenda and reported that Council Member Birrell would lead the Pledge of Allegiance, followed by the citizen comment period. Seven action items would then be considered.

Item 4.1 was Consideration of Ordinance 433, enacting Chapter 11.34 of the Cottonwood Heights Code Concerning Electric Scooters. Police Chief, Robby Russo stated that the final Ordinance was drafted based on the Council’s recommendations.

Council Member Birrell thanked Chief Russo for advancing the Ordinance. Scooter accidents have been on the rise, and there was a need to address the issue and encourage safer behavior. She indicated that she had spoken with the Parks, Trails, and Open Space (“PTOS”) Committee’s Subcommittee on Active Transportation, and its members requested the following:

- An educational campaign on the new Ordinance.
- Data be collected and measured to determine if it helps reduce electric scooter crashes.
- A public FlashVote survey be conducted in the Fall.
- A stakeholders meeting be held at the end of the year with the Police Department, City Council, the subcommittee, and affected residents to determine if the Ordinance needs modification or improvement.

Council Member Hyland agreed that there should be an educational campaign. She hoped the effort would also lead to an e-bike ordinance. She believed a FlashVote survey would be reasonable.

Council Member Newell agreed that an educational campaign would be helpful, but expressed concern about data collection as that would require extra efforts from the Police Department to gather information on stops, violations, etc., and he was unsure how all the pertinent data would be collected.

Chief Russo explained that near-misses often go unreported. Regarding education, they have aired a Public Service Announcement on Channel 2, and the new regulations will be promoted on social media and in the newsletter. They will start with education and issuing warnings, then eventually begin issuing citations. Regarding data collection, reports are often one-sided so they may not get the full story. Council Member Birrell expressed her concerns about utility poles on the multi-use paths. Mayor Weichers stated that everyone was in favor of educating the public and asked for any additional questions specific to the Ordinance.

Council Member Birrell asked about e-scooter access on roads with speed limits in excess of 35 miles per hour that do not have bicycle lanes.. For example, Fort Union Blvd. Chief Russo clarified that the Ordinance will prohibit them from using those roads. Council Member Birrell stated that e-scooter use will continue to increase as life becomes more unaffordable, and she believes we need to act in bold ways to address the problem.

Item 4.2 would be Consideration of Ordinance 434 Amending Chapter 8.04 of the Cottonwood Heights City Code. Chief Russo reported that the amendment would correct definitions of abandoned animals to aid in enforcement.

Item 4.3 would be Consideration of Resolution 2025-11 Approving Entry into an Interlocal Mutual Aid Agreement for Information Technology (“IT”) Services. City Manager, Jared Gerber stated that the agreement will provide for the exchange of IT staff and assistance with other jurisdictions should the need arise. In response to a question, IT Manager, Matt Ervin clarified that it is a new agreement to address potential issues that may arise from power outages, floods, or cyberattacks on city computer systems.

Council Member Hyland asked if the City was part of a general Interlocal Agreement for shared resources that are not addressed in other agreements. Mr. Gerber stated that IT systems are typically not included in emergency management Interlocal Agreements. Council Member Hyland will follow up with emergency management about the matter.

Item 4.4 was Consideration of Resolution 2025-12 Approving a Performance Contract with SALT Contemporary Dance. Mayor Weichers reported that the Arts Council budget includes funding for this item. Mr. Gerber stated that it will be the City’s first year of working with SALT Contemporary Dance. Council Member Newell stated that it will be a great opportunity for young people in the community who have questions about dance or are unsure of how to get involved. Culture Manager, Ann Eatchel, stated that ticket sales will help offset costs. The first performance is scheduled for Saturday, March 29, 2025. They are marketing the event on social media and have reached out to local dance studios.

Item 4.5 would be Consideration of Resolution 2025-13 Approving an Agreement with Bowen Collins and Associates, Inc. for Storm System Survey and Plan Update. Public Works Director, Matt Shipp reported that his department previously surveyed the system and found a variety of issues, then created a rough schedule of necessary maintenance. When a Master Plan is created, a model is built that calculates the necessary pipe size in all areas based on the type of pipe, slopes, sizes, etc. The rough model was based on minimal information but uncovered approximately 250 manholes that were buried in backyards and streets. They have been able to begin running cameras through the lines to evaluate the pipe.

The agreement is to update the Master Plan with survey data, real elevations, pipe sizes, and materials, and create a detailed working model of the stormwater system. Once it is completed, they will have a solid model for scheduling projects. Every four to five years, the Master Plan will be updated to include anything done within the time period since the last update. Staff is doing its best to camera the system, but they are short-staffed, so the progress is slow. The Council has authorized Staff to find a company to complete the work, and they are moving forward in obtaining proposals. Approximately 75% of the project cost will be paid through stormwater impact fees, and the remaining 25% will come from the stormwater user fee. Mayor Weichers stated that they do not like surprises and are excited to be able to get ahead of any potential issues.

Item 4.6 was Consideration of Resolution 2025-14 Authorizing Issuance and Sale of Not More than \$30 million Aggregate Principal Amount of General Obligation Refunding and Improvement Bonds and Related Matters. Finance Director, Scott Juges reported that the Resolution will authorize Staff to go to market for up to \$30 million, although they anticipate that it will be closer to \$20 million. Zions Bank Vice President, Mark Anderson added that the Resolution will kick off the bonding process. They anticipate bond sales to begin on May 22, 2025, and close by approximately June 4, 2025, so it will be on the current year's tax rolls. He reported that the Salt Lake County School District was issuing a \$100 to \$200 million General Obligation (“GO”) Bond on May 20, 2025, and in his experience following another bond produces better yields.

Item 4.7 was Consideration of Resolution 2025-15 Approving an Appointment to the PTOS Committee. Mr. Gerber stated that he and Community and Economic Development Director, Mike Johnson interviewed Elise Graham from District 4. She has a real interest in parks, open space, and the outdoors. She was referred by Committee member Chelsea Voss, and they believe she will be a good addition. There are now 14 members on the Committee, with one vacancy in District 3.

Mayor Weichers reported that the final item on the Agenda would be the Consent Calendar, which includes approval of Minutes of the February 4, 2025, and February 18, 2025 Work Sessions and Business Meetings.

### **3.0 STAFF REPORTS**

#### **3.1 PDD-2 – Northern Gravel Pit Development - Background – Community & Economic Development Director, Mike Johnson.**

Mr. Johnson presented the Staff Report and noted that he would be discussing Item 3.2 in conjunction with Item 3.1. The presentations were previously reviewed by the Planning Commission, prompted by a written request from Rockworth Companies to initiate a Zoning Text Amendment of their site-specific Rezone and Development Plan. A piece of that old entitlement remained unresolved, and they have come forward to provide those details and complete the process. Representatives of Rockworth Companies were present at the meeting.

Mr. Johnson provided background information on the project. The site is at 6695 South Wasatch Boulevard, which is the northern 21.56 acres of the Gravel Pit. The property's northern boundary is at Gun Club Road and the City limits, and Holladay City is directly north of the site. The Zoning Text Amendment affects the site-specific Planned Development District ("PDD") 2 Zone, which is both a written Ordinance and site Master Plan.

Cottonwood Heights City Code Section 19.51 creating the Planned Development District was adopted in approximately 2015 to help oversee redevelopment of unique areas that the typical zoning process could not effectively address. The Applicant applied for the Planned Development District process in 2019. The PDD-2 Zone was approved and entitled in 2021 after a full Architectural Review Commission ("ARC"), Planning Commission, and City Council review, including a full site review and impact analysis of uses, building intensities, and impacts. The zone established approved uses, densities, massing, site circulation, landscaping, phasing, etc. The Applicant is now requesting an amendment to that PDD-2 Zone.

The initial mixed-use Development Plan was reviewed, indicating a public roadway accessed from the Cottonwood Heights portion of Wasatch Boulevard. In response to a comment from Mayor Weichers, Mr. Johnson confirmed that the intersection was designed differently, but was changed in response to concerns raised by residents of Holladay. The roadway will include roundabouts and will be designed as a Main Street with on-street parking, wider sidewalks, trails, and bicycle lanes. It will stub into the southern portion of the Gravel Pit pending development of that parcel.

The Development Plan includes:

- Apartments: 300 units in seven stories
- Retail Commercial: Four one-story buildings
- Mixed-Use Commercial: Two three-story buildings
- Hotel: Five stories with 140 rooms
- Condominium: Use and location was approved. Massing, height, and unit count are subject to approval.

Mr. Johnson clarified that the Zoning Text Amendment was not proposing a new use, as the condominium building is entitled. However, the final entitlement was not granted for specific details of the building.

The Site Plan with noted natural hazards was reviewed, including fault lines and required minimum setbacks, as well as an aqueduct easement owned by the Metropolitan Water District that runs through the center of the site. The various building pads were located to offset the impact of those hazards. In response to a question from Council Member Birrell, Mr. Johnson reported that a fault line runs under a portion of the proposed parking structure for the condominium, and the developer will be required to separate that portion. There is a steep slope at the rear of the proposed condominium building, and substantial time has been spent putting in place all the required mitigation and hillside reclamation for the area. That work is currently underway. Phase 1 is establishing and restoring the natural hillside, followed by infrastructure development in Phase 2, and then building construction will begin.

Mayor Weichers stated that he was involved in a meeting with the developers and engineers, and the expertise required to reclaim the hillside was substantial. Mr. Johnson confirmed that it required multiple teams of engineers, and City Staff to participate in weekly meetings with the developer's team to perform inspections and compliance checks.

The Landscaping and Phasing Plans were reviewed. It was noted that the condominium building will be the seventh and final phase of the site; however, the Applicant wishes to finalize the entitlement for that phase. Rockworth Companies has agreed to develop a hillside trail system with a public access easement and anticipated future connection to the Bonneville Shoreline Trail. The central area of the site will contain a common area plaza and surface parking.

The initial visual renderings were reviewed. Mr. Johnson noted that the originally proposed condominium building was 12 stories tall with 99 units, and the original Staff review and impact analysis was based on that information.

Mr. Johnson reported that the Planning Commission hearing held a public hearing, and courtesy notices were sent to all property owners within 1,000 feet of the subject property including residents and officials of Holladay City. After two meetings of discussion and consideration, the Commission unanimously recommended approval of the Amendment. As part of the PDD process, the application will be reviewed by the ARC prior to final review by the City Council.

The proposed Zoning Text Amendment was discussed next. The current Code states that a residential condominium location is approved at the location shown, but it does not establish building height, massing, density, etc. The Applicant proposes the removal of that element and replacing it with language entitling the full details of the condominium use, which includes:

- A total of nine to ten unit floors above three to four levels of parking, which equates to 12 to 14 total stories.
- The building footprint will be as shown on the Development Plan.

- Parking will comply with parking minimums, with a ratio of one and one-quarter to two stalls per unit.
- A total unit count of 75 to 110.

Mr. Johnson stated that the overall entitlement will be granted by the Planning Commission, ARC, and City Council, but Building Permits will be required for each phase. At the time of Building Permit submittal, building-specific fault trenching must be completed to further verify that the fault hazards are where they are suspected, and review by the ARC is also required to approve the final architectural design of each building. However, the phases will not require the Planning Commission or City Council approval.

The Ordinance requires that 15% of the total number of multifamily units must be affordable, priced at 80% of Adjusted Median Income or less. The Applicant is proposing to include most of the affordable housing in the apartment building, and they will be required to submit quarterly or biannual reports verifying that the units are being leased to qualifying households.

Mr. Johnson reported that the proposal does not include a specific building height. Renderings show the building at approximately 130 feet, but the Planning Commission recommended setting a maximum building height of 150 feet. He then provided an overview of the way height would be measured on the site.

The Gravel Pit is considered a Tier 1 PDD Area, which allows for the most development flexibility as it is a unique property that has no natural grade. For the purposes of development in this area, height is governed based on elevation above SR 190 adjacent to the project site. The closer to SR 190, the lower the maximum allowed building height, allowing for a maximum height of 60 feet for a 20- to 50-foot setback and as much as 300 feet for a 500-foot setback. The condominium building is set back from SR 190 by between 450 to 500 feet.

In comparison to Gun Club Road and its adjacent homes, the most direct visual impact will be to two homes with driveway access to Gun Club Road. Most of the other development in that subdivision either accesses internal streets, fronts on other roads, or is at a much higher elevation. The condominium building has a maximum elevation of approximately 4,968 feet. Adjacent to the closest house on Gun Club Road, the elevation is 4,915 feet, which establishes a visual impact of 55 to 60 feet above the road. The next-closest developed area on Gun Club Road will be approximately level with the top of the building. Some homes will be visually impacted, but the impact lessens to homeowners further to the east. Approximately two-thirds of the building will be below grade. Mayor Weichers noted that the visual impact on the two homes will be only south toward Wasatch Boulevard. Mr. Johnson clarified that there is no access to the site from Gun Club Road. The portions of Wasatch Boulevard that are owned by Cottonwood Heights and Holladay were discussed, as well as the impact the project will have on the two nearby homes.

Mr. Johnson reported that the traffic study conducted during the original entitlement included a 100-unit condominium building, and City Staff believes that the study remains valid. The original intersection design was reconfigured based on collaboration and input with Holladay City staff, elected officials, and residents at the time. Not considering the future development of the southern

Gravel Pit, the projected level of service post-development was a C. The main access will be off of Wasatch Boulevard. Until such a time when a connection is made to a larger development and it becomes a more cohesive roadway system, the property owner is required to maintain a separate easement access near the ski shop, which is currently being used for construction vehicles. Mr. Johnson compared the original uses assumed by the traffic study and approved or proposed uses and noted that the impact will be substantially the same even at the maximum of 110 condominium units.

The original intersection design proposed reconfiguring Wasatch Boulevard near SR 190 to become a more formal three-way intersection. It was not signalized due to its proximity to SR 190, but there were stop signs to manage traffic. Due to concerns that it would disrupt the standard flow of traffic into Holladay, it was agreed that Wasatch Boulevard would be left as-is and the internal roadway system would be developed as a secondary access. Council Member Birrell stated that the area is heavily bicycled and asked what consideration is being given to ensure the cyclists' safety. Mr. Johnson stated that the internal roadway is designed to incentivize slow speeds and has back-in angled parking to encourage safe mobility for all users. Any improvements to extend active transportation infrastructure outside of the project area would need to be a collaboration between Cottonwood Heights and Holladay City, as that was not included in the original entitlement.

Mr. Johnson reported that GeoStrata Engineering and Geosciences recently provided a status update letter on the project. The PDD-2 Ordinance includes the requirement for site-specific work for each phase, including fault trenching for the condominium building footprint and finalizing slope stability mitigation. If there is a substantial change in the site layout based on unanticipated hazards, the plan must be amended and submitted for City approval.

The property is part of the Wasatch Boulevard Master Plan, which recommends limiting commercial redevelopment in other areas of the corridor and focusing it on the Gravel Pit area. While the building height is much taller than allowed anywhere else in the City, the Wasatch Boulevard Master Plan establishes the policy vision that the Gravel Pit is the appropriate area for this density.

In response to a question from Mayor Weichers, Mr. Johnson confirmed that the City Council will vote on the Zoning Text Amendment after review and vote by the ARC, and he expected it to be on an April agenda.

In response to a question raised by Council Member Hyland, Mr. Johnson confirmed that the Planning Commission recommended adding a maximum height limitation, and the Applicant was comfortable with that requirement. At the Council's direction, that language could be added to the Amendment.

Council Member Birrell stated that she believed there was a reason the previous administration did not agree with this building height. None of those members are still on the Council, so the current Council had to decide if they wanted to set the precedent to allow this height so close to the mouth of Big Cottonwood Canyon. She also noted that the project originally included 36 senior living units, but none are now planned. As the City's population ages, that type of housing

is much needed, and she was disappointed that the developer was not following through on that proposal. Mr. Johnson clarified that the senior housing was part of the original proposal, which also included two six-story office buildings. When the project was approved in 2021, the senior housing had already been removed from the plan, and a higher percentage of deed-restricted affordable units were included. In response to a comment from Council Member Birrell, Mr. Johnson clarified that the administration of those units is up to the Applicant. The requirement is for 15% of the total number of units, and it does not specify rental or for sale.

Mayor Weichers stated that he feels bad for the effect on the view of the two homes as they look south to Wasatch Boulevard. North of Gun Club Road, homes go up the mountainside another 1,000 feet. The proposed building will sit down in a gulley and will not have a lot of visual effects. If homes were built higher, it would have a similar effect. The setback from SR 190 is included in the Ordinance, and the proposal makes sense in light of that. Council Member Hyland stated that she would prefer to include the 150-foot maximum height. Mayor Weichers and the other Council Members agreed. In response to a question from Council Member Hyland, Mr. Johnson confirmed that the entire site was designed to accommodate the fault hazards, and there is no other practical location for the condominium building.

**3.2 PDD-2- Northern Gravel Pit Development – Zoning Text Amendment - Community & Economic Development Director, Mike Johnson.**

This item was discussed in conjunction with Item 3.1.

**3.3 On-Street Parking Discussion – City Manager, Jared Gerber.**

Mr. Gerber indicated that the discussion arose due to concerns about parking on the City’s narrow roadways. Council Member Hyland stated that she has received complaints from people who live on very narrow streets.

Streets of concern include:

- Chris Lane
- 2375 East
- Chadbourne Drive
- Sunhill Road
- Starling Drive
- Portsmouth Avenue

Council Member Hyland stated that she owned property in Logan, which has occupancy limits for long-term rentals, and the number of cars in front of a rental home generally corresponds to the number of unrelated individuals living there. She does not believe those types of limits would be enforceable. However, Logan also prohibits unpermitted street parking in certain areas from November 15 through March 15 due to snowplow issues. There are some exceptions for permits due to the hardship new restrictions could present to properties with one-car garages, etc. Chief Russo stated that he reached out to the Logan Police Department, and they indicated that the policy is working well for them. Council Member Hyland indicated that the restrictions would affect

short-term rentals, which are more likely to occur during snowplowing season. She asked the Council for their opinions on parking restrictions.

Council Member Birrell shared a story about living in Newport Beach, California, and expressed the belief that public roadways are for the public. She believes safety is about the speed at which motorists drive, and she recommended that they find ways to decrease speeds on those roadways. Council Member Hyland stated that there are differences between Newport Beach and Cottonwood Heights, specifically snow. She is equally concerned about safety, especially for children walking between parked cars. She believes that speed is a separate issue. Chief Russo reported that there was an incident where a pedestrian was hit by a vehicle that was not speeding. At 25 miles per hour, a vehicle travels 37 feet per second, and a skilled motorist's reaction time is three-quarters of a second. When someone emerges from behind a parked car, it can already be too late, even at slow speeds. A young cyclist was also hit last year on Chadbourne Drive.

Council Member Newell asked if residents would be allowed to park on the street during the winter. Council Member Hyland clarified that they could set the boundaries, but any regulations would affect residents. The concerns are safety, snowplowing, and in some cases too many unrelated residents per home. In response to a question from Council Member Newell, Council Member Hyland stated that parking in Logan is regulated by zone.

Potential issues surrounding equitable enforcement were discussed. The City previously had a Permit Parking Ordinance that was used in some areas but was removed due to the inability to equitably enforce it. Mayor Weichers noted that the Council agreed on the importance of equity. He is also concerned about the safety of narrow streets. He slows down when he drives on those roads due to his concerns, but a teenage driver likely would not. He believes there are many areas of the City where parking regulations would make sense, and one potential solution would be to limit it to certain times of the year.

Council Member Birrell expressed a preference for prioritizing enforcement during storms. Mayor Weichers noted that the Police Department is usually busy with accidents during inclement weather. In response to a question from Mayor Weichers, Mr. Shipp reported that residents are reminded of the regulations via the website and newsletter. He noted that citing vehicles during a storm is not effective. The vehicles would need to be impounded to help the snowplows get through, and that would require more manpower. To impound a vehicle, the police or code enforcement officer must wait with the vehicle until the tow truck arrives, which removes those officers from service during that time.

Council Member Newell asked where the cars would go if they cannot park on those streets and if it would cause new issues on other streets. Council Member Hyland suggested restricting parking to one side of the road. Council Member Birrell expressed an interest in learning about Logan's parking restrictions but reiterated that she believed they needed to focus on slower speeds.

Mayor Weichers asked about national standards regarding red curbs. Mr. Shipp reported that the City Council can dictate where red curbs are located. That will incur maintenance costs as they need to be repainted yearly, as well as costs for signage. Enforcement will require the time and attention of the Police Department. He noted that the City Engineer has the authority to prohibit

parking in areas where there is a perceived safety issue, and they can do so without the Council's input. In response to a question, Mr. Shipp stated that there are no parking restrictions on Nantucket Drive or Portsmouth Avenue. They try to avoid red curbs in neighborhoods.

Unified Fire Authority Assistant Fire Chief, Riley Pilgrim stated that they experience challenges and delays when cars are parked on both sides of narrow streets, but he has not heard of a circumstance in which an emergency vehicle could not get through.

Council Member Newell stated that they would need very clear regulations if they restricted parking to one side of the street, especially if it was on alternating days. He reiterated his concern about parking overflowing onto other streets and noted it could be difficult for mothers who have to walk two to three blocks with their children.

It was decided that the issue would be addressed on a case-by-case basis if residents expressed concern about specific streets.

### **3.4 Rental of Private Property Amenities/Spaces – City Manager, Jared Gerber.**

Council Member Hyland stated that the commercialization of the residential zones is a concern. City Code already includes requirements for Conditional Use Permits, so anyone who is operating a business should technically be licensed. However, she believes there may be a need for additional restrictions around renting backyard amenities and parking spaces via apps like Swimply. The app rents hot tubs, swimming pools, sports courts, and homes, and currently has a Cottonwood Heights listing for a pool that states it can accommodate 50 people. She believes the intrusion into the City's residential neighborhoods will continue to increase, and she requested the Council's feedback on whether the issue should be addressed now or in the future.

Mr. Johnson reported that home businesses are allowed in all residential zones with a business license. If the business does not have employees or clients visiting the site, a Conditional Use Permit is not required, and there is no registration fee. If clients are coming to the home, a Conditional Use Permit and public hearing are required to determine the number of employees or visitors, parking, hours of operation, etc. If someone is renting their sports court or pool without a business license, that can be enforced. In response to a question from Mayor Weichers, Mr. Johnson confirmed that someone teaching piano lessons would be required to apply for a business license and go through the Conditional Use process. The City has home tattoo and massage studios, as well as counseling and therapy services. There are currently no business licenses for the uses Council Member Hyland mentioned. Mr. Gerber stated that they would need evidence that the home is operating as a business in order to issue a citation.

Mayor Weichers stated that they would need to gauge the nuisance level. For example, a few piano lessons might not generate complaints, but 10 extra cars on a regular basis, because someone is renting out their pool, would. Mr. Johnson compared it to home daycares, which have capacity limits and require a clear pick-up and drop-off plan. Council Member Birrell agreed with Mayor Weichers that preemptive regulation may not be needed. Council Member Newell agreed that the popularity of these types of rentals is increasing.

Hourly home rentals and backyard events were discussed, as well as potential difficulties with regulation. Council Member Hyland asked the Council to be aware of potential problems, and she will bring the issue back up if the need arises. Mayor Weichers noted that if someone complains, the City has the authority to enforce the business licensing requirement.

### **3.5 Highland/Bengal Intersection and Alternate Design Discussion – Senior City Engineer Ben Nelsen.**

Senior City Engineer, Ben Nelsen reported that the Council’s direction at the last meeting was to bring all alternatives back for discussion. The focus of the discussion would be the federal project area on Highland Avenue from 2160 East to Bengal Boulevard.

Issues that the project will address include:

- The right-turn pocket onto Villaire Avenue is not a standard length.
- The crosswalk on the north side of Villaire Avenue is a potential safety hazard.
- No pedestrian facilities on the north side of Bengal Boulevard.
- No left turn capacity from Bengal Boulevard turning south on Highland Drive.
- The blind corner for right turns onto Highland Drive from Parkridge Drive.
- Unclear lane delineation for vehicles traveling east from Parkridge Drive to Bengal Boulevard.
- Bypass lane with a pedestrian crosswalk, which is a potential safety hazard. The bypass lane also conflicts with the bicycle path, and there is no bicycle lane through the intersection traveling north on Highland Drive.
- Insufficient weave lengths between the bypass merge and right-turn pocket into the condominiums.

Mr. Nelsen reported that all six alternatives would extend the right-turn pocket to Villaire Avenue, address the left-lane pocket shortage, and add double left-turn lanes from Bengal Boulevard to Highland Drive.

In response to a question from Council Member Birrell, Mr. Nelsen clarified that there would be a dedicated right-turn lane to Villaire Avenue. The multi-use trail on the north side of Bengal Boulevard is for both pedestrians and bicyclists. Vehicles turning right onto Villaire Avenue should look for pedestrians or cyclists crossing on the trail. Mr. Johnson pointed out that it is no different than any other intersection. An accident where a cyclist was injured was discussed. A truck was merging onto Highland Drive, and the cyclist failed to yield and rode into the path of the oncoming truck. Council Member Birrell expressed her opinion on the danger of slip lanes.

Mr. Nelsen noted that Alternative 1 would require a retaining wall or slope stabilization to support the multi-use trail, and it does not address the other safety issues.

Alternative 2 adds a bicycle lane in the bypass lane so cyclists can transition onto Bengal Boulevard without being in a travel lane.

Alternative 3 shifts Bengal Boulevard to the south, which minimizes the need for slope stability along the trail.

In response to a question from Council Member Birrell, Mr. Nelsen reported that the blind corner at Parkridge Drive and Highland Drive will be addressed in the final design and will require property acquisition.

Alternative 4 adds a right turn lane and removes the bypass lane, which resolves the pedestrian crossing hazard at the intersection and allows for both north and eastbound pedestrian access. It also improves traffic flow to and from Bengal Boulevard.

In response to a question from Council Member Hyland, Mr. Nelsen confirmed that there would be two through lanes traveling north and a dedicated right-turn lane on Highland Drive. The pocket length would be increased to accommodate as much right-turn traffic as possible. This alternative would require additional property acquisition.

Alternative 5 adds a smart signal to increase safety at the pedestrian crossing and relocates the bus stop across the intersection. Approximately 50% of the City's bus stops are on the far side of an intersection. Mayor Weichers expressed concern about the safety issue at this intersection due to heavy morning traffic. Council Member Newell expressed concern about backup into the intersection, especially for people turning south.

Alternative 6 adds a stop sign instead of a smart signal at the intersection. It is a traffic calming oriented design that includes traffic-calming medians and landscaping. In response to a question, Mr. Nelsen clarified that Alternatives 5 and 6 do not extend the turn pocket.

Cyclist safety with the different alternatives was discussed, as well as safety for students walking to and from Brighton High School and Parkridge Drive. In Alternative 4, they would cross Highland Drive and access the trail to the south, which meets with the existing sidewalk. In Alternative 5, they would cross Highland Drive and access a crosswalk at the smart signal. Alternative six would have the same access but with a stop sign.

Mr. Nelsen reviewed the options chosen for the 30% design:

- All traffic comes to the intersection.
- Right turn pocket at Villaire Avenue is fixed, and the pedestrian crosswalk is moved to avoid conflict with vehicles.
- A bike lane and trail are created that may require a retaining wall or slope stability.
- Addresses the pedestrian crossing hazard at Highland Drive and Bengal Boulevard.
- Fixes the weaving issue related to merging traffic from the bypass and right turns into the condominiums.
- Adds traffic calming along Bengal Boulevard.

Council Member Hyland indicated that she did not want students to have to walk south to go east to school. Mr. Nelsen stated that they could modify the final design to better accommodate

pedestrians. The potential to disallow right turns on red at certain times was discussed as a way to increase pedestrian safety.

Mayor Weichers stated that the bus stop is a priority for him, and he has concerns about its location. He does not see a lot of value in the bicycle lane on Highland Drive because few people ride their bicycles up that hill. He sees the value in Alternatives 4, 5, and 6 in safety for students walking from Parkridge Drive to school. In response to his question, Mr. Shipp stated that no pedestrian studies have been conducted.

Council Member Hyland stated that pedestrian flow should be prioritized, but she did not believe bicycles should be ignored. In response to her question, it was clarified that the trail will connect to planned trails at I-215 and Fort Union Boulevard.

Mr. Nelsen reported that the City match is \$200,000. If they choose a different option than the one presented, some redesign and environmental study updates will be required. The current option is a combination of Alternatives 4 and 6. Mr. Shipp stated that the projects will be presented for discussion at the next City Council meeting, and he will provide more information on redesign costs at that time.

In response to a question from Council Member Hyland, it was clarified that the grant funding is specific to this intersection. Council Member Birrell expressed concern about the intersection of Highland Drive and Creek Road and advocated for putting cameras at intersections to determine which intersections have safety concerns. Council Member Hyland stated that HB 565 is a pilot program for red light cameras, and she is hopeful that it will pass.

Mr. Nelsen stated that a key decision for the Council is whether or not to fund the project. He and Mr. Shipp have been working on a memo regarding funding for each of the projects discussed at the Budget Retreat. In response to a question from Mayor Weichers, Mr. Shipp clarified that the City paid for the 30% design. There was no associated grant funding, and that cost does not count toward the City match. The funding is available and has not been affected by recent federal government decisions.

#### **4.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.**

**4.1 March 14 & 15 – Musical Auditions – *The Lightning Thief*.**

**4.2 March 19 – 1:30 p.m. to 2:30 p.m. – Senior Social (Pet Health) at City Hall.**

**4.3 March 20 – 6:00 p.m. to 8:00 p.m. – Ceramics Open House – Meet the Artist.**

#### **5.0 POSSIBLE CLOSED MEETING TO DISCUSS LITIGATION, PROPERTY ACQUISITION, AND/OR THE CHARACTER AND PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL.**

There was no closed meeting.

**6.0 ADJOURN CITY COUNCIL WORK SESSION.**

**MOTION:** Council Member Newell moved to ADJOURN the City Council Work Session. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 6:38 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, MARCH 4, 2025, AT 7:00 PM IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,  
COTTONWOOD HEIGHTS, UTAH**

**Members Present:** Mayor Mike Weichers, Council Member Ellen Birrell, Council Member Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton

**Staff Present:** City Manager, Jared Gerber; City Attorney, Shane Topham; Community and Economic Development Director, Michael Johnson; Public Works Director, Matt Shipp; Police Chief, Robby Russo; Finance Director, Scott Jorges; City Recorder, Tiffany Janzen; IT Manager, Matt Ervin; Senior City Engineer, Ben Nelson; Unified Fire Authority, Riley Pilgrim

**1.0 WELCOME**

Mayor Weichers called the meeting to order at 7:00 PM.

**2.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Birrell.

**3.0 CITIZEN COMMENTS**

*Maggie Mills* provided updates on the Whitmore Library. “Seeds at the Library” started on March 1, 2025. Residents can pick up seeds to plant, harvest the vegetables, and then return seeds for others to use. They also have all ability kits for teens and adults with intellectual disabilities. For the next three months, there will be kits available for optical illusions, mazes, and puzzles. Council Member Hyland thanked Ms. Mills for coming to the meetings and keeping the Council informed, as well as the information she provided for the newsletter. Council Member Birrell also expressed her appreciation for Ms. Mills’ efforts.

*Linda Leckman* stated that she is the Homeowner’s Association President for Canyon Cove, which is directly north of the area discussed in the work meeting in regard to the Gravel Pit Amendment. She has lived there for 41 years, and she is glad something is being built in the Gravel Pit as it will improve the area. However, she is concerned about the height of the condominium. The amendment includes a potential height of 150 feet, and the builder indicated that they expect to build at 120 feet. Since the building is taller than anything else in the area, it would be better if it were moderated so that it was only five stories above Gun Club Drive, with five stories below that level as well. She requested that they not codify the 150-foot maximum height because it would be out of character for Cottonwood Heights.

*Lori Khodadad* stated that she has lived in Canyon Cove for 25 years. She believes people have a right to do what they want with their property as long as it is within reason. She shares Linda’s opinions. Since there is a 35-foot maximum height in Canyon Cove, she would like the

condominium building to be no more than 35 to 50 feet above Gun Club Road. The past Council did not approve a six-story building at Tavaci, and there is nothing that tall in Cottonwood Heights, Holladay, or anywhere on the East Bench. She believes the Valley needs condominium buildings, and she is glad this developer is building for-sale units instead of apartments.

*Emily Gray* stated that she represents District 5 on the Holladay City Council. They are excited about the development, and she believes all its neighbors will be pleased to no longer have all the dust in their yards. Their concerns are specific to the height of the proposed development. She urged the Council to only allow a maximum height of 80 to 100 feet. She believes that is a reasonable compromise that supports strong commercial development while respecting the character of the East Bench communities. The proposed height exceeds any other height within Cottonwood Heights. In all other zones, buildings near residential zones have a maximum height of 35 feet. However, this amendment would allow the condominium building to rise six stories above grade on Gun Club Road. She believes that if the families lived within Cottonwood Heights City boundaries, the proposal would not be considered. While jurisdictional lines separate the communities, they are still deeply connected. They share roads, schools, and mountain views. She asked that the Council uphold the same principles of reasonable development that apply elsewhere in Cottonwood Heights. It was not about views because even a 100-foot building would block the views, but rather about the intensity of use without a buffer between the single-family zone and this development.

Her second concern is about the Site Plan. A building of this height should have a setback of 100 to 250 feet from Wasatch Boulevard. At this latitude, Wasatch Boulevard is no longer SR 190, and she believes that the developer is attempting to measure setbacks from SR 190 rather than Wasatch Boulevard as stated in the Site Plan, which is in direct violation of the Site Plan. It would be the tallest building along the East Bench. All other cities have deliberately limited building heights to preserve the beauty and character of the communities. This building would be a glaring outlier, as was determined by the previous Mayor and City Council, who explicitly denied this height for this building.

#### **4.0 ACTION ITEMS**

##### **4.1 Consideration of Ordinance 433 Enacting Chapter 11.34 of the Cottonwood Heights Code Concerning Electric Scooters.**

Mayor Weichers reported that this item was discussed during the Work Session.

Council Member Birrell stated that she had already gone on the record with her concerns and hopes regarding this Ordinance.

**MOTION:** Council Member Newell moved to APPROVE Ordinance 433 Enacting Chapter 11.34 of the Cottonwood Heights Code Concerning Electric Scooters. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Holton – Yes; Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**4.2 Consideration of Ordinance 434 Amending Chapter 8.04 (“Definitions”) of the Cottonwood Heights Code. (This ordinance will amend Chapter 8.04 of the City Code concerning what constitutes abandonment of animals).**

Mayor Weichers reported that this item was discussed during the Work Session.

**MOTION:** Council Member Hyland moved to APPROVE Ordinance 434 Amending Chapter 8.04 (“Definitions”) of the Cottonwood Heights Code. The motion was seconded by Council Member Newell. Vote on Motion: Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Council Member Holton – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**4.3 Consideration of Resolution 2025-11 Approving Entry into an Interlocal Mutual Aid Agreement for Information Technology Services. (By this Resolution, the Council will Approve the City’s Entry into an Interlocal Agreement with numerous other Utah governmental entities concerning the provision of mutual aid and assistance information technology services in times of emergency).**

Mayor Weichers reported that this item was discussed during the Work Session.

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2025-11 Approving Entry into an Interlocal Mutual Aid Agreement for Information Technology Services. The motion was seconded by Council Member Holton. Vote on Motion: Council Member Newell – Yes; Council Member Birrell – Yes; Council Member Holton – Yes; Council Member Hyland – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**4.4 Consideration of Resolution 2025-12 Approving a Performance Contract with SALT Contemporary Dance. (This Resolution will approve the City’s Entry into a Contract whereunder a public contemporary dance performance with a lecture component will be staged at the Butler Middle School auditorium as sponsored by the city’s Arts Council).**

Mayor Weichers reported that this item was discussed during the Work Session.

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2025-12 Approving a Performance Contract with SALT Contemporary Dance. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Birrell – Yes; Council Member Holton – Yes; Council Member Hyland – Yes; Council Member Newell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**4.5 Consideration of Resolution 2025-13 Approving an Agreement with Bowen Collins & Associates, Inc. for Storm System Survey and Plan Update. (By this Resolution, the Council will approve the City's Entry into an Agreement whereunder a survey of portions of the City's storm system--including the location and status of 400+ manhole covers. Storm System Plan update will be provided).**

Mayor Weichers reported that this item was discussed during the Work Session.

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2025-13 Approving an Agreement with Bowen Collins & Associates, Inc. for Storm System Survey and Plan Update. The motion was seconded by Council Member Holton. Vote on Motion: Council Member Holton – Yes; Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**4.6 Consideration of Resolution 2025-14 Authorizing Issuance and Sale of Not More than \$30,000,000 Aggregate Principal Amount of General Obligation Refunding and Improvement Bonds and Related Matters. (This Resolution will Approve the City's issuance of up to \$30 Million in General Obligation Bonds approved by the City's voters in the November 2024 election).**

Mayor Weichers reported that this item was discussed during the Work Session.

**MOTION:** Council Member Newell moved to APPROVE Resolution 2025-14 Authorizing Issuance and Sale of Not More than \$30,000,000 Aggregate Principal Amount of General Obligation Refunding and Improvement Bonds and Related Matters. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Holton – Yes; Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**4.7 Consideration of Resolution 2025-15 Approving an Appointment to the Parks Trails and Open Space Committee. (By this Resolution, the Council will Approve the Manager's Appointment of Elise Graham to the City's Parks, Trails, and Open Space Advisory Committee).**

Mayor Weichers reported that this item was discussed during the Work Session.

Council Member Hyland was thankful for this person stepping up, and for everyone who volunteers for the City's committees.

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2025-15 Approving an Appointment to the Parks Trails and Open Space Committee. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Council Member Holton – Yes; Mayor Weichers – Yes. The motion passed unanimously.

**5.0 CONSENT CALENDAR**

**5.1 Approval of Minutes of the City Council Work Session and Business Meetings of February 4, 2025, and February 18, 2025.**

**MOTION:** Council Member Newell moved to APPROVE the Consent Calendar, as presented. The motion was seconded by Council Member Birrell. The motion passed with the unanimous consent of the Council.

**6.0 ADJOURN CITY COUNCIL BUSINESS MEETING.**

**MOTION:** Council Member Hyland moved to ADJOURN. The motion was seconded by Council Member Holton. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 7:25 PM.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session and City Council Business Meetings held Tuesday, March 4, 2025.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: \_\_\_\_\_