

PUBLIC HEARING AND REGULAR PLANNING COMMISSION MEETING

Thursday, June 26, 2008 7:00 p.m.

Public Safety Building

3525 W Cedar Hills Drive, Cedar Hills, Utah

Present: Cliff Chandler, Chair, Presiding
Commission Members: Scott Jackman, Bobby Seegmiller, Glenn Dodge, Gary Maxwell,
Donald Steele, Craig Clement (7:07 p.m.)
Greg Robinson, Assistant to the City Manager-Planning
Brad Kearn, Building and Zoning Official
Courtney Hammond, City Meeting Transcriber
Others: Nancy Steele, Brent Uibel

PLANNING COMMISSION MEETING

1. This meeting of the Planning Commission of the City of Cedar Hills, having been posted throughout the City and the press notified, was called to order at 7:00 p.m.

PUBLIC HEARINGS

2. Amendments to the City Code, Title 10, Chapter 6A, Section 2, Use Requirements – Sexually Oriented Businesses (7:01 p.m.)

No comments.

SCHEDULED ITEMS

C. Seegmiller was recognized as a voting member.

3. Approval of the Minutes from the May 29, 2008, Public Hearing and Regular Planning Commission Meeting (7:03 p.m.)

MOTION: C. Jackman - To approve the minutes from the May 29, 2008, Public Hearing and Regular Planning Commission Meeting. Seconded by C. Maxwell.

Yes - C. Chandler
C. Jackman
C. Maxwell
C. Seegmiller
C. Steele

Motion passes.

4. Review/Recommendation on Final Plat for the Dimond Subdivision (7:04 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the improvements, drainage calculations, and water rights are required before final approval. 4000 West is an improved paved road that is the main north/south access in the area.

MOTION: C. Maxwell - To approve the Dimond 2-lot subdivision located at 4000 West and 9486 North with the stipulations that improvements including curb & gutter, sidewalk, asphalt, utilities and drainage improvements with appropriate drainage calculations will be required for both lots. Water rights for the additional lot will also be required. Seconded by C. Jackman.

- Yes - C. Chandler
- C. Clement
- C. Jackman
- C. Maxwell
- C. Seegmiller
- C. Steele

Motion passes.

5. Review/Recommendation on The Charleston at Cedar Hills Assisted Living Center Site Plan and Exterior Elevations (7:10 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the Charleston is expanding to the original anticipated size. They were initially allowed to build with the understanding that it would be expanded at a future time. As a result, stucco popouts were allowed. With the expansion the City requires a brick exterior to match the rest of the building. The fire chief needs to verify that the 10-foot easement on the east side is adequate as well as adequate access to the rear of the building from the south side. The fence is on the inside of the property line, so the access is not truly 10-feet.

Commission Discussion:

- C. Steele stated that he is concerned about the 10-foot fire access because the concrete wall is inside the property line and there is a storage shed along the access route.
- C. Chandler stated that he doesn't have an issue with the easement and fire access. He feels that if the fire chief approves, the access is adequate.

MOTION: C. Jackman - To recommend approval of the Charleston Assisted Living Center addition subject to fire chief approval as access to the back of building will be limited. Seconded by C. Maxwell.

- C. Steele stated that he would like the motion to express that the access is not 10 feet.

AMEND MOTION: C. Steele - To recognize that the 10-foot setback is not 10 feet of access and the fire chief should be made aware of that. Accepted and seconded by C. Maxwell.

Yes - C. Chandler
C. Clement
C. Jackman
C. Maxwell
C. Seegmiller
C. Steele

Motion passes.

6. Review/Recommendation on Amendments to the City Code Title 3, Chapter 1, Business Licensing and Title 10, Chapter 6A, Section 2, Use Requirements – Sexually Oriented Businesses (7:25 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that there are two ordinances. One has all the details of sexually oriented businesses. The other sets the zone and makes it a conditional use in the code. Brad Kearl stated that the City currently does not have an SOB ordinance. It is prudent to get it in place for the commercial center. He has looked at ordinances from other cities. This ordinance is an attempt to cover all bases. The licensing procedures for SOBs are extensive. By law, the City needs to provide them with some area. This puts them in the middle of Cedar Hills Drive. The permitted location is 600 feet from any school, church, or housing. This ordinance is a living ordinance that can change and evolve over time.

Commission Discussion:

- C. Steele stated that he feels there is an opportunity to be litigated because restricting them to an area that is logistically undoable may be interpreted as being zoned out. He has put together an SOB ordinance in another city, and commended Brad for putting together an excellent ordinance.
- Greg Robinson stated that just because there is something existing in the allowed area for SOBs doesn't mean that they are zoned out.
- C. Chandler stated that in Section 12, he would like to delete 10%, to state that no portion of the license can be transferred. He would like to see the term of revocation lengthened to more than one year.
- C. Seegmiller stated that he would like to see bond payments and all other restrictions tightened.

MOTION: C. Jackman - To recommend approval of the Sexually Oriented Business ordinance, using the amended copy, subject to attorney review, specifically to review if it is too restricted, if it is possible to increase the bond, that section 21 E be increased to greater than one year, that section 12 scratch out "in excess of 10 percent," and that Section 6B2 start with "The." Seconded by C. Maxwell.

Yes - C. Chandler
C. Clement
C. Jackman
C. Maxwell
C. Seegmiller
C. Steele

Motion passes.

MOTION: C. Jackman - To recommend approval of the Ordinance amending Title 10, Chapter 6, Article A, Section 2 of the City Code, entitled Planned Commercial Development Projects, Use Requirements. Seconded by C. Seegmiller.

Yes - C. Chandler
C. Clement
C. Jackman
C. Maxwell
C. Seegmiller
C. Steele

Motion passes.

7. Discussion Regarding a Library/Community Center (7:50 p.m.)

Commission Discussion:

- C. Seegmiller stated that he wanted to discuss where the City is with the community center. He has spoke with Craig Frank who promised to get it in front of Governor Huntsman. He is not necessarily a supporter because it may compete with Golds and other gyms.
- C. Jackman stated that the desired location for a community center is on the land south of Lone Peak High school, and it is state owned.
- Greg Robinson stated that the City is collecting impact fees for the community center. The feasibility study looked at the possibility of joining with Highland, Alpine, and the Alpine School District to create a larger community center. It is a slow process. If Cedar Hills does not join with other cities and the District, Cedar Hills will still move forward, but the location will be different. There has been a survey with resident feedback on the community center, whether residents would be willing to be taxed for the community center, etc. There was a movement to create a tri-city taxing district.
- C. Dodge stated that he has talked to Highland City about a recreation center. They are concentrating on building a library and city hall. A community center would be an asset to the community.
- C. Maxwell stated that there was interest in a tri-city recreation center. It was moved down on the priority list because of the golf course debt. The effort was to pay down the golf course debt and get the commercial district running.

8. Committee Assignments and Reports (8:12 p.m.)

- C. Clement: The Parks and Trails Committee discussed the Bonneville Shoreline Trail, which because of several developer issues, is now dead. In lieu, there will be an improved aqueduct access trail. At a future date the Bonneville Shoreline Trail will be installed. Mesquite Park is almost finished. Playground equipment at Mesquite and Heritage Park have been installed with motion activated lights.
- Greg Robinson: There are four pumps in the pond for the pressurized irrigation system. Two pumps are down. The remaining pumps cannot keep up with water demand. The new pumps should be installed within a few days.

ADJOURNMENT

9. Adjourn

This meeting was adjourned at 8:28 p.m. on a motion by C. Maxwell, seconded by C. Jackman and unanimously approved.

Approved by Commission:
July 31, 2008

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder