

**PLANNING COMMISSION MEETING**

Tuesday, February 26, 2019 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: David Driggs, Chair, Presiding  
Commissioners: Jared Anderson, Jeff Dodge, John Dredge, Marie Kraft,  
LoriAnne Spear, Steve Thomas  
Absent/Excused: Eric Schloer  
Chandler Goodwin, City Manager  
Joel Wright, City Attorney  
Jenny Peay, Planning Associate  
Colleen Mulvey, City Recorder  
Others: Charlie Openshaw, Mark Greenwood, Ryan Bybee

1. Call to Order

This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order by Chairperson Driggs at 7:00 p.m.

2. Public Comment

There were no public comments.

3. Approval of Minutes from the January 15, 2019, Special Planning Commission Meeting and the January 29, 2019, Planning Commission Meeting

C. Spear asked for the following corrections: on the January 15<sup>th</sup> meeting minutes on page 5 related to the lighting on each bay door, change the wording “affirmative” to “negative.” C. Spear then asked for clarification related to her question on page 6 regarding the old heritage trees. Mr. Goodwin responded that if the trees were on the property line, then they would likely be removed; however, this would depend on what side of the property line they were located.

**MOTION: C. Spear—To approve the minutes from the January 15, 2019, Special Planning Commission Meeting and the January 29, 2019, Planning Commission Meeting with the stated corrections.** Seconded by C. Dredge.

Yes - C. Dodge  
C. Dredge  
C. Driggs  
C. Spear  
C. Thomas Motion passes.

4. Review/Recommendation and Public Hearing on Amendments to City Code Title 10, Chapter 6 related to Indoor Storage Facilities

Mr. Goodwin explained they needed to discuss the City's interpretation of indoor storage facilities. He said he had spoken with the City's attorney and was comfortable with the language in the amendments to the City code. He read some of the stipulations and asked for the Council's opinion on the changes.

C. Driggs asked how they decided the amendments. Mr. Goodwin explained they were based off the direction from the Planning Commission. There was then subsequent discussion about the building size. Ryan Bybee, project developer, stated the size of the building would be 42,000 square feet.

**PUBLIC HEARING**

There were no public comments.

C. Spear said she was concerned about the language about the material. Mr. Goodwin responded this language was covered under the conditions. This would allow the Planning Commission and Council to mitigate the impact to the surrounding community.

C. Dodge suggested different language to ensure future adherence to the code. Mr. Goodwin clarified the language already protected them for future instances.

C. Thomas asked Mr. Goodwin to clarify if service stations would be allowed in the zone. He was concerned that other businesses that used bay doors would use the land. Mr. Goodwin responded they could change the code to target storage facilities.

C. Thomas noted they needed to be hidden from the public view and mitigated from causing any nuisance. He felt the code was not addressing these issues. Mr. Goodwin said he did not feel the bay doors were imperative to the business model. There was subsequent discussion about the bay doors. C. Driggs suggested that they could limit the bay doors to indoor storage facilities.

C. Thomas asked what they would do if businesses like Jiffy Lube or a car wash occupied this area. He said they needed to make the area look nice if these businesses occupied the property. Mr. Goodwin suggested they create a standard for the City.

C. Dredge said they should not limit the zone to one conditional use. He said limitations would hurt the area. C. Thomas agreed. Mr. Goodwin said the applicant would be responsible for requesting the specific use. C. Dodge stated the language should not be arbitrary and be clear about the zone's use.

C. Dredge suggested they include a section in the code about the bay doors. He said he felt bay doors on the front of buildings made them look more industrial. This was a commercial zone and they needed to keep the look and feel of the development consistent with commercial property.

C. Thomas commented the Planning Commission had the power to prohibit certain things and to limit certain nuisances and hazards. He said excluding bay doors would limit the types of businesses. He felt they did not have the authority to prohibit bay doors.

Mr. Goodwin asked if the issue was bay doors on the front of the building. C. Spear responded in the affirmative. She said she did not want them on the building unless they were shielded from public view. Mr. Goodwin said they could write the code to prohibit the bay doors on the front of the buildings. C. Thomas asked how they could shield the bay doors from public view. Mr. Goodwin responded there were fences, trees and landscaping that would obscure them from view.

C. Dodge stated it would be beneficial to have a standard. He said they should not focus on one applicant or use. Mr. Goodwin agreed. He said they needed to have an exception clause. C. Dodge said he also liked the idea of allowing other types of businesses that used bay doors.

C. Driggs asked if they legally needed to have an exception clause or if bay doors were not allowed in the front of buildings. Mr. Wright stated they could have an exception clause. Mr. Goodwin noted the language currently in the code was not binding.

C. Anderson agreed with C. Dodge. He said they should include automotive pass through businesses like Jiffy Lube or car washes.

There was discussion about the definition of bay doors versus overhead doors. C. Spear stated that an overhead door was a vague definition.

Mr. Goodwin asked about including a square footage. C. Driggs asked what a rational size was. C. Dredge said there was no reason to put a limit due to the other language in the code. C. Thomas commented bay doors were considered vehicle entrances. This was different from a loading area. He said a loading area was what they needed to screen.

C. Thomas asked the applicant if vehicles could be stored in the storage facility. Mr. Bybee responded in the negative.

C. Spear stated they needed to agree on the square footage.

Mr. Goodwin went over the changes suggested by the Commission. There was subsequent discussion on the square footage. Mr. Goodwin was then asked to read the amendments with the changes. C. Driggs asked for a motion.

**MOTION: C. Dredge – To recommend the proposed amendments to the City Code, Title 10, Chapter 6A, Section 5, relating to the Planned Commercial Projects Building Requirements, subject to the following modifications: (1) strike section A-7; (2) section A-9 shall read: Structures having overhead doors and loading docks; all buildings listed as either a conditional or permitted use within the SC-1 Commercial Zone may not incorporate any overhead doors or loading docks of any kind along the front elevation of any building. Overhead doors and loading docks shall be located on side and rear**

**elevations of any structure and are subject to conditional use approval by the City Council after Planning Commission recommendation. All overhead doors and loading docks on any use listed in Section 3 of the Title and Chapter shall be screened from view using landscaping, fencing, and other approved methods. Exceptions may be granted for commercial uses with pass through overhead doors for vehicle maintenance and vehicle service. The general appearance of buildings shall maintain an architectural theme consistent throughout the commercial zone. For buildings over 5,000 square feet, the number of exterior overhead doors shall be limited to one per 1,200 square feet of building footprint; (3) section B the words “square footage of the building footprint” shall replace the words “sum of the gross floor area of all floors”.** Seconded by C. Thomas.

Yes - C. Dodge  
C. Dredge  
C. Driggs  
C. Spear  
C. Thomas Motion passes.

5. Review/Recommendation on Concept/Preliminary Plan Approval for Taco Bell

C. Driggs asked if this item was noticed correctly. Mr. Goodwin responded in the affirmative. He noted the Taco Bell was in preliminary plans and the storage facility was in concept and preliminary plans. He said he was comfortable talking about the plans because they were done by the same developer.

Mr. Goodwin said he wanted a dedicated spot for the sign on the development. He discussed the street lighting, parking, and the pedestrian paths. He noted they were not able to do a traffic study because there were no current roads installed.

*C. Thomas left the meeting at 8:20 p.m.*

Mr. Goodwin continued explaining the engineering review had begun. C. Dredge asked if the development had been stubbed for water and sewer. Mr. Greenwood, developer, responded in the affirmative.

C. Driggs asked if the parking stalls included employee parking. Mr. Goodwin responded in the affirmative. He said they had to install the required 14 stalls. Shane Williams, project developer, explained their restaurants would overlap the employee’s shifts during their busiest times.

C. Driggs asked if the color scheme was the same as the other buildings. Mr. Bybee said the colors would match Walmart.

C. Kraft asked if the offsite parking was a temporary fix. Mr. Goodwin responded this would eventually be a parking drive out for another development with additional parking.

*C. Driggs recognized C. Anderson as a voting member.*

C. Dredge moved to approve preliminary plans for Taco Bell subject to fixing north/south elevation.

Mr. Openshaw, project developer, suggested they revisit the walk strip when the rest of the property was developed. Mr. Goodwin agreed.

**MOTION: C. Dredge – To approve the preliminary plans for Taco Bell, located at approximately 9968 North 4800 West, subject to the recommendations: signage is identified, update the landscaping pallet with selections from the approved list, identify locations of fire hydrants, street lights and parking lights, correction of the east/west north/south elevations, and subject to the engineering review.** Seconded by C. Spear.

Yes - C. Anderson  
C. Dodge  
C. Dredge  
C. Driggs  
C. Spear Motion passes.

#### 6. Storage Facility Conceptual and Preliminary Plan

Mr. Goodwin said they needed to identify the hours of operations. He said they also did not want to see outdoor storage. He described how the parking would be situated around the building. Mr. Bybee noted they did not yet have a traffic study. C. Driggs said they should not approve the concept plan until they had a landscaping plan. Mr. Goodwin continued by discussing the street lights. He noted the lighting took into account an eight foot fence on the property line. He briefly discussed fire hydrants.

C. Spear stated that areas of the property needed to be screened from public view. Mr. Goodwin responded that an argument could be made that these areas were not loading docks.

C. Driggs asked if staff discussed the topic of indoor climate control facilities. He said they had never come to a consensus. He asked if this building met the criteria of a climate controlled facility. He said he was concerned if they approved the facility they would move differently than their original intent.

C. Spear stated she was content with the facility being called “indoor climate controlled.” The other Commissioners said they were also content but their concern was with the bay doors.

Mr. Goodwin said it would be inappropriate to change the code after the development was approved. Their changes to the code were necessary as they were trying to fit the property for the intended development.

C. Dredge said he was concerned they did not have all the documents for the preliminary approval. Mr. Goodwin said this was an issue with Cedar Hills being a small City only meeting once a month. He suggested they approve with contingencies.

Mr. Goodwin said they could schedule a special Planning Commission meeting on March 7<sup>th</sup> to further discuss the item. C. Driggs asked who would be available to discuss the item on this date.

**MOTION: C. Spear – To approve the conceptual plans for a storage facility located at approximately 9978 North 4800 West , and table the preliminary plans until the March 7<sup>th</sup> Special Planning Commission meeting.** Seconded by C. Dodge.

Yes - C. Anderson  
C. Dodge  
C. Dredge  
C. Driggs  
C. Spear Motion passes.

ADJOURNMENT

This meeting was adjourned at 9:08 p.m. on a motion by C. Spear, seconded by C. Dredge and unanimously approved.

Approved:  
March 26, 2019

/s/ Colleen A. Mulvey, MMC  
City Recorder