

**PLANNING COMMISSION MEETING**

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

Present: John Dredge, Vice Chair, Presiding  
Commissioners: Jared Andersen, Jeff Dodge, Marie Kraft, LoriAnne Spear  
Absent/Excused: David Driggs, Eric Schloer, Steve Thomas  
Chandler Goodwin, City Manager  
Jenny Peay, Planning Associate  
Colleen Mulvey, City Recorder

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 Vice Chairperson Dredge at 7:00 p.m.

2. Public Comment

There were no public comments.

*C. Dredge recognized C. Anderson and C. Kraft as voting members.*

3. Approval of Minutes from the February 26, 2019 Planning Commission Meeting and the March 7, 2019 Special Planning Commission Meeting

**MOTION: C. Spear—To approve the minutes from the February 26, 2019 Planning Commission Meeting and the March 7, 2019 Special Planning Commission Meeting.**

Seconded by C. Dodge.

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

4. Review/Recommendation and Public Hearing on Amendments to the City Code Title 10, Chapter 3 Regarding Re-zoning a Parcel located at approximately 9390 Timpanogos Cove from Open Space to the H-1 Hillside Zone, and to Amend the Official Zone Map to Reflect these Zone Changes

Chandler Goodwin explained that this was a part of Canyon Heights Subdivision Plat G. In 2013, Mr. Miller built his home on Lot 13 and the City owned Lot 14 which was not buildable. The City made an agreement to sell the open space. Mr. Miller was requesting that the City remove the open space designation of this lot. Mr. Goodwin continued by describing the land and its issues.

C. Anderson asked why the property was not buildable. Mr. Goodwin responded this was due to the power and drainage easements through the property. He reviewed the diagram of the easements, and noted that there wasn't very much property that was encumbered by the easement. The City had no plan to develop the property, but the power and light easements needed to remain intact. Mr. Goodwin suggested they conduct a study to determine the boundaries. He concluded that the City needed to be given access to the drainage easement.

## PUBLIC HEARING

Ann Teerlink stated that this was the only natural drainage in the area and was concerned that disrupting it would be problematic. She suggested they consider these matters while developing the property, and agreed that a drainage study was necessary. C. Anderson asked where Ms. Teerlink lived in relation to the property. Ms. Teerlink located her home on the map of the area. She noted changes to the property could potentially damage homes because of the drainage.

Scott Teerlink stated that the City made a mistake selling the property and the previous owner made a mistake by developing over the property line. He said re-zoning was only complicating the issue. He remarked that nature would always win and the drainage was a major issue to the surrounding homes.

Nate Miller explained that a lot of dirt was moved when they built their house in this neighborhood. He said their goal was to remove the property line, enclose their basketball court, and add a deck; this would not affect the easements.

C. Spear asked how they planned to get heavy equipment on the property. Mr. Miller explained that there was an access point to bring the equipment to the property. Mr. Goodwin concurred and added that the natural drainage needed to be maintained. He identified where the aqueduct ran through this property. C. Dredge noted the inlet was on this property. Mr. Goodwin said this was common.

Mr. Goodwin explained that there were concerns about the burn scar on the hillside. There were ways to make these changes without encroaching on the easements. The City could also easily access the property. He noted a pool was not permitted on the side set back regardless of the re-zone. He then continued by explaining the property was already in the H-1 zone. This would not be out of the ordinary for the area to allow this re-zone.

C. Spear asked if the proposed development would affect the drainage. C. Anderson responded this was better answered by the engineers. Mr. Goodwin explained that they would do a geotechnical study and said there were some options for them to consider. The property could be rezoned, it could remain open space, or the City could purchase the property. He said it would be a bad idea to repurchase the land.

C. Spear asked if they could remove the open space until the study was complete, to which Goodwin answered affirmatively. He explained that the drainage system had a natural capacity. A large storm or mudslide could cause significant problems. C. Anderson said this was an issue for the building permit.

C. Anderson asked if the City could require an easement in return for amending the plat. Mr. Goodwin responded in the affirmative. C. Anderson said this would ensure the building did not encroach on the easement.

Mr. Miller said his goal was to combine the two plats and to build a minimal structure. C. Dodge said he was not opposed to any of his plans and suggested a structural limit line. Mr. Goodwin said they would want this identified on the plat.

C. Dodge said they needed the geotechnical study to be specific about the area they were developing. Mr. Goodwin identified certain areas that could sluff off in the event of an earthquake, and stated that this was something they needed to consider. He asked if they should table this item until they had the geotechnical study or approve with the condition of obtaining one. When asked by C. Spear who would pay for the study, Mr. Goodwin noted that this would be obtained by the property owner.

Steve Weber, neighbor to the applicant, suggested the study consider the proposed development as well. Mr. Goodwin explained they were not proposing making the lot buildable; Mr. Miller only wanted to expand his home.

**MOTION: C. Anderson—To table this item pending the results of the geotechnical study specifically on the slope stability, and the preliminary plat showing descriptions of all easements and structure limit line.** Seconded by C. Spear.

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

ADJOURNMENT

This meeting was adjourned at 7:58 p.m. on a motion by C. Spear, seconded by C. Dodge and unanimously approved.

Approved:  
April 30, 2019

/s/ Colleen A. Mulvey, MMC  
City Recorder