

1 approval. Because there has been a change in the request to that Design Certificate, they are
2 bringing the matter back for consideration by the Commission.

3
4 Commissioner Bevan opened the public hearing.

5
6 Sylvia Bennion gave her address as 3689 Racquet Club Circle and expressed concern over what
7 the Planning Commission approves and what actually gets built, even though their approval did
8 not approve the present design. She stated that David Weekly Homes indicated that the top floor
9 will have no living space and no heat and just a 100 square-foot enclosure to a rooftop deck. She
10 emphasized a lack of trust in the approval process and discontent over her \$400 increase in property
11 taxes.

12
13 Phillip Thompson gave his address as 3689 Racquet Club Circle and expressed concern over some
14 of the traffic study parameters. He believed the traffic study did not accurately represent peak
15 traffic.

16
17 Commissioner Griffin remarked that there are very specific standards set by the City as well as
18 engineering standards. He invited Mr. Thompson to meet with staff to further discuss his concerns
19 as this is an architectural request and does not involve the traffic study that was completed over
20 one year ago.

21
22 Woody Noxon gave his address as 3705 East Racquet Club Drive and recommended that the
23 Commission put limitations on height, external dimensions, and specify square footage. He
24 believes that the more specific they can be as a community to the developer the better. He
25 commented that it helps with the enforcement of what was originally approved.

26
27 Dagmar James gave her address as 3606 East Jonathan Drive and commented that they were not
28 very informed. She commented that the proposed structure looks more like an office building than
29 an apartment.

30
31 Commissioner Bevan remarked that the Architectural Review Committee (ARC) reviews the
32 architecture as they are not allowed to build outside specific parameters. The builder has to make
33 the decision as to what is desired by buyers. He commented that just because someone does not
34 like a design does not mean others will feel the same. The ARC is made up of knowledgeable
35 architects, landscape architects, developers, and property owners in the area.

36
37 City Attorney, Shane Topham, stated that the City does not get involved with declarations of
38 restricted covenants on projects since they are private contracts between developers and
39 subsequent owners. In this case, the developer who recorded the Master Declaration indicated that
40 the design complies with those declarations.

41
42 A question was raised about the rationale for the change. A Commission Member responded that
43 the request was initiated by the developer after the property changed hands. Commissioner Griffin
44 explained that architecture has changed to a more contemporary look with the implementation of
45 more organic materials.

1 John Kennington gave his address as 251 Pippin Drive asked if it would be possible to view the
2 south elevation. He questioned the height and dimension limits of that side. The external
3 dimensions and grading of the property were described.

4
5 The developer's attorney, Dennis Pool, explained that the plans have been approved. He did not
6 want to add ambiguity to the process and stated that if any changes occur, the architect will come
7 back before the Commission.

8
9 An unidentified resident expressed concern with parking issues and clear views for egress and
10 ingress onto Fort Union.

11
12 There were no further comments. The public hearing was closed.

13
14 **3.2 (Project #SPL-16-001) Public Comment on a Request from the City of Cottonwood**
15 **Heights for Site Plan Approval of a Proposed Public Works Salt Storage Structure at**
16 **6579 South 3000 East, Cottonwood Heights, Utah.**

17
18 Mr. Berndt presented the staff report and depicted several drawings of the new Cottonwood
19 Heights Public Works site plan being proposed.

20
21 Chair Bevan opened the public hearing.

22
23 Ray Dillman gave his address as 2606 Old Mill Circle and raised questions regarding the
24 dimensions of the storage building. Mr. Berndt explained that the storage building is about 5,000
25 square feet in size. Mr. Dillman inquired about noise and Mr. Topham assured him that the City
26 will comply with its own ordinances.

27
28 An unidentified citizen expressed support for the improvement this will bring to his neighborhood.
29 He urged the Commission to continue making improvements for those who live around the area.

30
31 There were no further public comments. The public hearing was closed.

32
33 **4.0 ACTION ITEMS**

34
35 **4.1 Project #CUP-16-009) Action on a Request from Mohsen Panah for Conditional Use**
36 **and Master Development Plan Approval for a Restaurant/Apartment Addition to the**
37 **Existing Building at 2578 East Bengal Boulevard.**

38
39 (19:02:35) Chair Bevan stated that the above request is for Conditional Use and Master
40 Development Plan approval for a restaurant and apartment addition to the existing building located
41 at 2578 East Bengal Boulevard.

42
43 *Commissioner Orr moved to approve Project #CUP 16-009, action on a request from Mohsen*
44 *Panah for Conditional Use and Master Development Plan approval for a restaurant/apartment*
45 *addition to the existing building located at 2578 East Bengal Boulevard subject to the following*
46 *conditions:*

- 1
- 2 **1. The approved Master Development Plan.**
- 3
- 4 **2. All provisions in the staff report dated August 31, 2016.**
- 5
- 6 **3. Parking Agreement be entered into with the neighbor.**
- 7
- 8 **4. Trash collection must be inside.**
- 9
- 10 **5. The lean to structure will be to Building Code and acceptable to staff.**
- 11
- 12 **6. The request shall be compliant with the requirements of Salt Lake City Public**
- 13 **Utilities.**
- 14

15 *Commissioner Demma seconded the motion. Vote on motion: Commissioner Ryser-Aye,*
16 *Commissioner Orr-Aye, Commissioner Demma-Aye, Commissioner Griffin-Aye, Chair Bevan-*
17 *Aye. The motion passed unanimously.*

18

19 **4.2 Project #CUP-14-009) Action on a Request from Tony Baros for Consideration of**
20 **Revised Architecture and Recognition of an Updated Certificate of Design**
21 **Compliance for the Canyon Centre Heights Building, a Multi-Family Housing**
22 **Development Located at 7359 South Wasatch Boulevard, Cottonwood Heights, Utah.**
23 **The Architecture is Being Updated at the Request of the New Owner of the Building.**

24

25 Commissioner Ryser's understanding was that the building has already been approved so no
26 conditions can be imposed. Mr. Berndt stated that the Commission could reference that it follows
27 the previously approved conditions.

28

29 Commissioner Orr expressed concern with making a decision the same night as the public hearing
30 and recommended that the item be continued for action at the next meeting. He also would like
31 time to think about the comments made. The applicant stated that not items were brought up that
32 were different from the last approval.

33

34 Mr. Topham explained that the protocol that is generally followed is as Commissioner Orr has
35 stated. Typically, public hearings occur at one meeting and then action takes place at a subsequent
36 meeting. The issues tonight seem to be minor and action could be taken.

37

38 *Commissioner Griffin moved to approve Project #CUP-14-009, action on a request from Tony*
39 *Baros for consideration of revised architecture and recognition of an updated Certificate of*
40 *Design Compliance for the Canyon Centre Heights Building, as previously approved with all of*
41 *the previously imposed conditions. Commissioner Demma seconded the motion. Vote on the*
42 *motion: Commissioner Ryser-Aye, Commissioner Orr-Abstain, Commissioner Demma-Aye,*
43 *Commissioner Griffin-Aye, Chair Bevan-Aye. The motion passed unanimously with one*
44 *abstention. Commissioner Orr abstained on a procedural basis as described previously.*

45

46 **4.3 Approval of Minutes of July 20, 2016.**

1
2 (19:18:04) Commissioner Orr stated he previously asked that approval of the minutes be
3 continued. He requested that those who were absent be corrected to show that Commissioner
4 Peters and Jones were no long on the Commission. That has since been done. He also asked that
5 the minutes include findings that he did not recall from the staff report. The issue pertained to the
6 signs for the Willow Creek Pet Center. The findings indicated that with the approved conditions
7 that it was consistent with City ordinances. For him personally he disagreed with that
8 interpretation in terms of signs ordinances.
9

10 *Chair Bevan moved to vote on approve the minutes of the July 20, 2016 meeting. The motion*
11 *was withdrawn as there were not enough Members present for a passing vote who were present*
12 *at the July 20 meeting.*
13

14 The above item was continued to the next meeting.
15

16 **4.4 Approval of Minutes for August 31, 2016.**

17

18 *Chair Bevan moved to approve the minutes of the August 31, 2016 Planning Commission*
19 *Meeting. Commissioner Griffin seconded the motion. Vote on the motion: Commissioner*
20 *Ryser-Abstained, Commissioner Orr-Aye, Commissioner Demma-Aye, Commissioner Griffin-*
21 *Aye, Chair Bevan-Aye. The motion passed unanimously with one abstention. Commissioner*
22 *Ryser abstained from the vote as she was not present at the August 31, 2016 meeting.*
23

24 **5.0 ADJOURNMENT**

25

26 Commissioner Orr requested that staff try to get the agenda and packet out to the Commission
27 Members one week before meetings so that they have time review it and ask questions. Chair
28 Bevan thought one week was early when they have meetings every two weeks.
29

30 The Planning Commission Meeting adjourned at 7:25 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Planning Commission Meeting held Wednesday, September 14, 2016.*

3
4
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6 
7
8 _____

9
10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary

13
14 Minutes approved: 10/05/2016