

MINUTES OF THE COTTONWOOD HEIGHTS ARCHITECTURAL REVIEW COMMISSION (“ARC”) MEETING HELD THURSDAY, JANUARY 26, 2023, AT 6:00 P.M. THE MEETING WAS HELD IN PERSON AT 2277 EAST BENGAL BOULEVARD (CITY COUNCIL WORK ROOM), COTTONWOOD HEIGHTS, UTAH, 84121

Members Present: Chair Scott Peters, Commissioner Stephen Harman (via Zoom), Commissioner Scott Peters, Commissioner Sarah Kovac, Commissioner Niels Valentiner

Staff Present: Community and Economic Development Director Mike Johnson, Senior City Planner Samantha DeSeelhorst, Associate Planner and Sustainability Analyst Ian Harris, Culture and Human Resources Director/City Recorder Paula Melgar, System Administrator Alex Earl

Excused: Commissioner Zahra Hassanipour, Commissioner Scott Henriksen, Commissioner Scott Chapman

BUSINESS MEETING

1.0 Welcome and Acknowledgements.

Chair Scott Peters called the meeting to order at 6:04 p.m. and welcomed those present.

1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.

There were no ex-parte communications or conflicts of interest to disclose.

2.0 Discussion Items

2.1 (Project SUB-22-005) Review and Potential Action on a Request by Ivory Homes for a Certificate of Design Compliance for a Planned Unit Development and Public Park at 3625 East Doverhill Drive.

Community and Economic Development Director, Mike Johnson, introduced New City Planner, Ian Harris and welcomed him to Cottonwood Heights.

Mr. Johnson presented the Staff Report and stated that the above item involves is for review and potential action on a request by Ivory Homes for a Certificate of Design Compliance for a Planned Unit Development (“PUD”) and public park at 3625 East Doverhill Drive. The property is owned by The Church of Jesus Christ of Latter-day Saints and is 6.17 acres in size. The parcel is zoned R-1-8 Single-Family Residential. Ivory Development has proposed a 13-lot subdivision with a City Park in the middle of the property. The Planning Commission unanimously approved the subdivision plat layout. Because it is a PUD, the City ordinance requires the Architectural Review Commission (“ARC”) to also review the request.

1 Mr. Johnson provided the property background and stated that in 2020, the City became aware that
2 the owner was considering this property as surplus and it was previously damaged by a fire. Rather
3 than repair the damage, the Church decided to surplus and sell the property. The following year,
4 the property was listed for sale by Ivory Homes who notified the City of the surplus property
5 listing. The City submitted an offer to purchase three acres of open space. After much discussion,
6 the Church made the final decision to offer the eastern two acres for sale to the City with the
7 remaining acreage to be put under contract by Ivory Homes. Mr. Johnson stated that there has
8 been a good-faith effort by all parties to find a mutually beneficial solution.

9
10 Ivory Development presented a PUD in 2021 consisting of 17 lots and a public park. The PUD
11 was approved by the Planning Commission with modifications. A Fault Study was conducted
12 where multiple fault lines were discovered on the site that created a lot of unbuildable areas. All
13 of the involved parties were tasked with coming up with another configuration, particularly the
14 City in achieving a functional park. A revised PUD concept was submitted in late 2022 that
15 received unanimous approval from the Planning Commission. A property rendering was
16 displayed.

17
18 Mr. Johnson reported that the park is a small, neighborhood-scale park with limited parking and
19 walking access. The existing pavilion in the southwest corner will interface with a playground
20 area and will be surrounded by water-wise landscaping. He noted that the park design was
21 presented to the Parks, Trails, and Open Space Committee. The feedback received included the
22 addition of parking stalls near the pavilion, a circulating walking trail, and grading the site to
23 preserve the sliding hill that has historically been used on the property.

24
25 The revised lots received a setback modification as allowed in PUDs. Lot 109 has a reduced
26 setback adjacent to Wasatch Boulevard with Lots 110, 111, and 112 having reduced interior side
27 yard setbacks. All lots are substantially in excess of 8,000 square feet in size. Mr. Johnson
28 provided a grading profile. Ivory Homes proposed a retaining wall solution to retain the existing
29 grade. He explained that the ARC's authority includes the following:

- 30
- 31 • Preservation of critical environmental resources;
 - 32 • Provision of high-quality amenities;
 - 33 • Incorporation of creative design layouts of buildings and circulation;
 - 34 • Provision of greater efficiency in the layout of roads, utilities, and other
 - 35 infrastructure;
 - 36 • Conformance to the General Plan, Area Master Plans, and Overlay Zones;
 - 37 • Compatibility with surrounding development;
 - 38 • Implementation of environmental design (design responsive to natural features and
 - 39 aesthetic qualities of the community, preservation of open spaces, enhanced
 - 40 pedestrian circulation, etc.); and
 - 41 • Provision of architectural standards and elements to ensure consistency with the
 - 42 General Plan and Area Master Plans.
 - 43

44 The number of lots, street layout, setback reductions, and other subdivision details were outside
45 the purview of the ARC and have already been approved by the Planning Commission. Staff

1 recommended the ARC focus on the factors listed above giving special attention to pedestrian
2 circulation elements and the proposed parking design and public park space amenities.

3
4 Peter Gamvroulas from Ivory Development, appreciated Mr. Johnson's presentation and was
5 available to answer questions.

6
7 Chair Peters thanked those who have worked together to get to this point. He identified several
8 issues he wished to discuss. It was his understanding that the pads for Lots 105 through 109 will
9 be elevated slightly from those to the south. It was suggested that those lots be as low as possible
10 to minimize blocking the views from the existing homes along Brighton Point. He was hesitant to
11 set a pad height but he felt that it should be within a five-foot range above existing grade. He
12 recommended that fill added to the north site be kept at a minimum to achieve functionality
13 throughout.

14
15 Senior City Planner, Samantha DeSeelhorst, reported that generally any deviation or change to
16 grading must be necessitated by other standards. Any recommendation regarding grading should
17 be considered with a caveat to ensure feasibility.

18
19 Chair Peters addressed the retaining walls and was confident that they meet City requirements
20 while ensuring safety. Although only visible to homeowners, he felt that attention to the aesthetics
21 of the retaining wall should be considered. He expressed concern with access from the existing
22 neighborhoods to the park as well as from the proposed development to the park. The long-term
23 plan for the City includes a crossing to Ferguson Park. He stressed the need for access from
24 Street B to Wasatch Boulevard to make the future connection. Connectivity issues were discussed.

25
26 Mr. Gamvroulas reported that they were agreeable to park access and willing to explore easement
27 options that may accommodate a walking path.

28
29 Setbacks issues were reviewed. Chair Peters felt that 10 feet between single-family residential
30 development is too tight. The City reached out to the property owner to the south who has not
31 expressed any willingness to participate in the proposed Ivory Development. The property is
32 unbuildable, overgrown with weeds, and could be an alternative location for a connection to
33 Wasatch Boulevard. He strongly encouraged the City to look at eminent domain options to acquire
34 the property. He stated that if the parcel could be acquired, Lots 110, 111, and 112 could be made
35 wider and increase the setback between buildings.

36
37 Mr. Johnson that eminent domain must be used for a public purpose and then given to private
38 development if they wish to widen out lots. Acquisition would be a willing negotiated purchase
39 of land. He stated that the five-foot setback was discussed at length by the Planning Commission
40 who concluded that Ivory Development limits reductions to mitigate the impact on existing
41 residential adjacent areas. Options for lot maximization were discussed.

42
43 Commissioner Valentiner raised a question regarding visitors being required to park in the
44 driveway. He preferred to create a sidewalk with loop access to avoid the street. Ms. DeSeelhorst
45 stated that the City standard is to have two off-street parking stalls per single-family residence or

1 two per residential dwelling. It was the consensus of the Parks, Trails, and Open Space Committee
2 Meeting that pedestrians are still able to gain access through Doverhill Drive.

3
4 Chair Peters appreciated that the design has evolved to include a larger opening. He believed that
5 the parking as laid out creates a visual barrier to the park. Sidewalk access from Doverhill Drive
6 to the main loop and parking near the pavilion was recommended. The slopes of the retention
7 basin should be more shallow to create a more natural feel. He felt that a nice amenity could be
8 created if the slope was pulled away from the pavilion to provide an architectural feature.

9
10 Amenities were discussed. It was suggested that the “Tot Lot” be in line with the pavilion grade
11 level with the west side grading, which would be steepened to create containment. Commissioner
12 Kovac was in favor of a playground with adequate child and toddler swings. The residents prefer
13 walking to local parks and believed that the amenities should take precedence over parking.
14 Benches, landscaping that provides shade, and usable spaces were recommended.

15
16 Chair Peters stated that nefarious activity has taken place in the existing parking lot and was
17 thought to be partially due to the lack of lighting and adjacent buildings backing up to it.
18 Ms. DeSeelhorst stated that from a planning perspective, the proposed homes would provide built-
19 in security and create natural eyes on the street. The continued presence of homeowners versus an
20 empty sight was an added benefit. She recommended articulating the required lighting details.

21
22 Retention issues were next discussed. Mr. Johnson reported that the City Engineer reviewed the
23 request previously and found that retention will look different than what is presented.
24 Mr. Gamvroulous stated that infiltration testing was conducted and they intend to reduce the
25 required retention number and utilize the park for the bubble-up. He confirmed that the slope will
26 be much less dramatic from the pavilion. Landscaping options were discussed.

27
28 Mr. Johnson stated that procedurally, staff will work with Ivory Development to implement
29 recommendations and come up with a rough cost estimate compared to where it is presently.
30 Recommendations would then be taken to the City Council for the Development Agreement and
31 property acquisition. Staff recommended the ARC make a motion regarding a Certificate of
32 Design Compliance with considerations that would be incorporated into the Development
33 Agreement.

34
35 ***Commissioner Kovac moved to APPROVE Project SUB-22-005 subject to the following***
36 ***conditions:***

- 37
38 • ***Lots 105-109 should be graded with the minimum amount of fill possible that still***
39 ***achieves site functionality.***
40
41 • ***Retaining wall tiers should be designed with planting beds between the levels.***
42
43 • ***Access along Street B should be extended to improve pedestrian connectivity to***
44 ***the park.***
45

- *Add a sidewalk which extends access along Street B into the park, westward.*
- *Provide an easement which allows for future pedestrian access to Wasatch Blvd., eastward, while still allowing Lot 109's owners to landscape their front yard.*
- *Minimize the crowding between homes on lots 110, 111, and 112 by articulating buildings to maximize the sites in different directions.*
- *Animate the park by closing the walking loop internally within the park.*
- *Augment the playground with more amenities for young children, including swings and "tot lot" equipment.*
 - *Sink the playground equipment into the grade to match that of the pavilion. Contact Scott Peters, ARC Chair, with questions.*
- *Reduce neighborhood bifurcation by eliminating dedicated parking spaces, in favor of on-street parking instead.*
 - *If off-street parking is required, minimize the number of stalls on Doverhill Drive to provide clearer visibility into the park.*
 - *Improve the pedestrian access from Doverhill into the park area by making the walking path more clear and easily accessed.*
- *Minimize the slope of the retention basin to keep it as shallow as possible.*
 - *Contour the shape to make this space feel more natural rather than crater-like.*
 - *Maximize the amount of retention safely done on lots to limit the amount needed in the pond.*
 - *Provide a greater buffer between the pavilion and the pond, so that pavilion users aren't tipping right into the pond.*
 - *Loop the walking path around the pavilion.*
 - *Landscape the pond in sod to encourage use.*
- *Add seating and shade trees around the playground, which provide direct shade to the equipment.*
- *Maintain lighting to the pavilion, if feasible.*
 - *Articulate required street lighting to benefit the park.*
- *Include 1-2 pet waste stations along the walking loop.*
- *Utilize low-water species that are also pollinator-friendly in landscaping.*

1 *Commissioner Valentiner seconded the motion. The motion passed with the unanimous consent*
2 *of the Commission.*

3
4 **3.0 Consent Agenda**

5
6 **3.1 Approval of Minutes of January 26, 2023.**

7
8 *Commissioner Valentiner moved to APPROVE the minutes of January 26, 2023, after the*
9 *following process has been met. The Recorder will prepare the minutes and email them to each*
10 *member of the Commission. Members will have five days to review the minutes and provide any*
11 *changes to the Recorder. If, after five days, there are no changes, the minutes will stand*
12 *approved. If there are changes, the process will be followed until the changes are made and the*
13 *Commission agrees at which time the minutes shall be deemed approved. Commissioner Kovac*
14 *seconded the motion. The motion passed with the unanimous consent of the Commission.*

15
16 **4.0 Adjournment**

17
18 *Commissioner Valentiner moved to adjourn. Commissioner Kovac seconded the motion. The*
19 *motion passed with the unanimous consent of the Commission.*

20
21 The Architectural Review Commission Meeting adjourned at approximately 7:45 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights Architectural Review Commission Meeting held Thursday, January 26,*
3 *2023.*

4
5
6 Teri Forbes

7 Teri Forbes
8 T Forbes Group
9 Minutes Secretary

10
11 Minutes Approved: _____