

**CEDAR CITY PLANNING COMMISSION**

**MINUTES**

January 5, 2016

The Cedar City Planning Commission held a Meeting on Tuesday, January 5, 2016 at 5:15 p.m., in the Cedar City Council Chambers, 10 North Main, Cedar City, Utah.

**Members in attendance:** Rich Gillette-Chairman, Fred Rowley, Mike Mitchell, Jill Peterson, Chris McCormick, Mary Pearson and Jennie Hendricks

**Members Absent:**

**Staff in attendance:** Kit Wareham, Drew Jackson, Paul Bittmenn and Michal Adams

**Others in attendance:** Murlan Carter, Dave Clarke, Tim Watson, Heath Oveson, Brent Drew, Leo Huppert, Jim & Ann McCoin, Ken Young, Dixie Tienken, Joyce Evans, John Ashling, Andrew Wilson, Larry Quinlan, Norm & Melissa Stauffer, Kevin & Cindi Goodwill, Kyle Rump, Evan Jones, Lyn Turek, Chris Marchant, Don Adams, Jackson Carter, Dave Carter, Ashlee Carlile, Sean Zortman, Annette Quickstrom, Randy Halters, Shannon Johnson and Landin Eldridge

The meeting was called to order at 5:15 p.m.

|  |                                |  |
|--|--------------------------------|--|
| <b><u>ITEM/<br/>REQUESTED MOTION</u></b> | <b><u>LOCATION/PROJECT</u></b> | <b><u>APPLICANT/<br/>PRESENTER</u></b> |
|--|--------------------------------|--|

**I. Regular Items**

**1- Approval of Minutes (December 15, 2015)  
(Approval)**

**Jennie moved to approve the minutes of December 15, 2015, seconded by Jill and the vote was unanimous.**

|  |                    |   |
|--|--------------------|---|
| <b>2- Parcel Modification<br/>&amp; (Recommendation)</b> | <b>180 S 200 E</b> | <b>Corry &amp; Stratton/Platt<br/>Platt</b> |
|--|--------------------|---|

Dave Clarke presented; he pointed out the corner lot and where the old house sits on it. The owner wants to divide it into two lots. It is large enough to do this and is in the R-2-2 zone. One parcel would be 8800 square feet, the other 9200 square feet. The sewer and water are in the road and the parcel split off would have to connect. Any development would need to go through Project Review and put in all the utilities. That is different and would be addressed when a building permit is pulled. Kit said everything looks good.

Dixie Tienken who lives at 241 E 200 S has no objection to them splitting this lot, her objection is all the lots that are split, and they squeeze in little duplexes that become rentals. If it were just a single home, that would not be bad, but she would not like to see any more little duplexes that

become rentals. She was not sure, but has seen instances where family members do things like this to older residents and sometimes they are not even aware of what is going on with their property. Kit pointed out that the parcel they are creating is not large enough to place a duplex on. It is less than the required 9000 square feet.

**Jill made a motion to give City Council a positive recommendation for this Lot modification at 180 S 200 E. Seconded by Jennie and the vote was unanimous.**

**3- Minor Lot Subd. 400 – 500 W. on 1325 N Merchant/InSite Eng.  
(Approval) 3-D Holdings**

Jeff Merchant said they were here a couple of months ago changing the ordinance to have requirements for parking at assisted living centers. They neglected to do this minor lot at the same time. They would like to split the some 9 acres in half and they will take the east side next to the Delcore building and build the assisted living center with various phases. The current owner will keep the west half for now. It may later become developed also.

Kit said that all was in order for the minor lot but there will be a few issues when they build like the frontage on the roads.

Jeff was asked if he has purchased the property yet. He said they will close on that this week as soon as this minor lot goes through. They have the Mylar all signed for the property split. They have been working on this for about 5 months now.

**Fred made a motion to approve the minor lot subdivision along 1325 North as stated. Jennie seconded and the vote was unanimous.**

**4- Zone Change HS & R-3-M Old Hwy 91 & Davis/ InSite Eng.  
To MU Shurtz Canyon Drive Penda LLC  
(Recommendation)**

Brent Drew said he was here to represent InSite Engineering as Ron was out of town. He pointed out the map and said they want to change this all to the Mixed Use zone. There are around 9 acres and they are in three different zones now. That makes it too hard to work with. The MU zone would give them more flexibility. This also conforms to the general land use plan.

Leo Huppert who owns in the Southern View said they bought in good faith that they knew what could go in next to them. It now looks like they propose to change most to commercial

It was explained that in the Mixed Use zone you could have any type of commercial and any type of residential. Most of it is zoned the R-3 now which is very dense residential like apartments. He was concerned with any industrial uses. He was told they would be limited to only commercial and residential and that no industrial would be allowed.

**Chris made a motion to give the City Council a positive recommendation on the zone change to MU at the Shurtz Canyon location. Seconded by Jennie and the vote was unanimous.**

**PUBLIC HEARING**

- 5- General Land Use Change                      400 N Block between                      Jim Andus/Watson Eng.  
Medium Density to Mixed Use                      300 & 400 West  
(Recommendation)**

Rich opened the public hearing.

Tim Watson presented and said the Mr. Andrus had asked him to assist him with this area. He owns some apartments there now, has purchased 2 other parcels, and has options on another parcel. They have worked on getting three additional properties in with this zone change and land use change.

There are separate owners on the others and they have letters written, not signed yet but verbal approval from all the other property owners. They all agree to the zone changing. Tim will make sure that all the letters are signed prior to this moving on to City Council. This is a medium density area and they are asking it to be changed on the general land use plan to Mixed Use. There is mixed use on the east side and this would help clean the area up.

Jennie asked if there were any of the surrounding property owners here. Tim said he has 4 or 5 letters that came back with the wrong address. SMJ being one as it was in a company name not the person's name so the post office returned that one. They have not heard any objections to this. This area has many different things already; there is some commercial, there are existing apartments complexes to the north and they have received no comments for or against this.

Kenneth Young who is working with Mr. Andrus in planning this project has spoken to Mr. Jenkins, and he is one that supports this. They have others that are in favor, they just don't have the written signed letters back yet. Everyone he has talked with is in favor of giving the area a face lift.

Kit pointed out that the east side of the street is all in the mixed use on the General Land Use plans so this would not be a spot area.

Murlan Carter does not own property in this area but knows that anything Jim does to the property would only be an improvement

Fred wondered if an owner in this change decides he does not want to change can they be taken out. Kit said they can pull any of them out of the zone change.

Paul said their recommendation should be specific about not going to Council until they have all the letters signed.

Jim Andrus said he bought some apartments on this street then drove around the area after. It turned out that two homes to the south were for sale and so he got those and wants to see what he can do to clean up the area. He looked at housing projects but does not want any low-income housing. He wants to put in things that will re-build the area. He has an option on another piece and his goal is to put in housing. Not student housing, but some for couples and small families that will enhance the area and keep it all cleaned up. There is the new chapel in this area, the North Elementary will be re-built and this could be a nice area where people will want to live. He has rentals in St. George and has found that once you get the right people there they want to live there a long time.

Fred wondered if they change this, how much land is the whole area. About 3 acres. If any people back out of the changes, they will modify the map prior to going to City Council.

Rich close public hearing.

**Mary made a motion to give the City Council a positive recommendation of the land use change as long as the letters from other owners are all signed before it goes to Council. Seconded by Jennie and the vote was unanimous.**

**6- Zone Change GC to MU 427 N 300 W Jim Andus/Watson Eng.  
(Recommendation)**

This is the zone change that was discussed along with item #5.

**Jennie moved to give a positive recommendation to City Council for the zone change from GC to MU on the subject property. Seconded by Chris and the vote was unanimous.**

**7- PUBLIC HEARING  
General Land Use Change Westview Drive at Center St. Kurt Stone/GO Civil  
From Natural Open Space to Eng.  
Central Commercial  
(Recommendation)**

Rich opened the public hearing.

Arlo with GO Civil presented. He said the Stones purchased the property and there is commercial across the street. The Ladybug Nursery is on the south. Currently this strip of land is shown as open space and is zoned R-1. When it was annexed into the City limits the General Land use was not changed.

Kit said that one thing they had talked about a little and Arlo already mentioned was that somehow all along Westview Drive there is that finger of land that is designated as open space. That makes it not developable property. Staff would like to recommend that the entire finger be re-designated as Central Commercial which is what they want it to be. They would like to include that entire finger in this land use change.

Fred asked if that was just the drainage channel or was it wider. Kit said there was more space than just the channel and they are only looking at the general land use plan for this change.

Evan Jones of the Jones family who owns that entire finger was wondering why they want this change. They own that and used to own more there. All the way from the road on the north side the Jones' owned all that section. First, he would like to know the reason to change it to commercial. It has been this way a long time so has it sold, is there a new buyer, or what.

Rich said the property is planned to be open space and that means you cannot use it for anything. It is zoned R-1. All they are discussing at this point is just the General Land use plan. It is just a look to the future of what you may want this to be when and if it ever develops.

Evan J. said it was important to him as to what they planned there. There was a sales sign and if it

has sold he would like to know.

Rich pointed out that all we are talking about here is the land use and the zone. The Planning Commission would not be in the know of what was going there in the future. The Jones property is still in the county. Fred said when and if it ever were to annex into the City the City may want some commercial along this fairly busy road. Fred also pointed out all they are talking about is the 1 smaller piece for the zone change. They cannot change anything that is not in the City already. Paul explained to Mr. Jones that the general land use was anything within the City Annexation Boundary. They can't change the zone if it is not in the City. All the yellow on the map wants to be low density housing.

Lyn Turek wondered even if it were in the County could it be zoned residential. Paul and others said it would be up to the property owners to ask to be annexed or to get a zone change.

It was just an idea to change the Land Use for all this to be commercial which would only save you a step in the future.

The rest is being used now as agricultural. Eventually some may want to annex and develop. The area is all commercial to the north.

If this is to be residential, they wondered how the Ladybug got in there. That was originally in the County then the property annexed into the city.

Paul said the purpose of the General Land Use plan is so they can say "when it comes into the City limits" and "when you develop your land" this is what the City would like to see in this area.

As Westview Drive is only getting busier, it would likely all become commercial along that road. That is what the City can foresee in this area. It is a moot point regarding any property that is still in the county.

Mr. Jones said that for now, they don't want their land to be changed at all. Just like the letter that was sent to them, go ahead and change the one piece that want to change now, and leave all the rest alone.

**Fred made a motion to give a positive recommendation of the General Land Use change for the one piece of property only. Seconded by Jill and the vote was unanimous.**

**8- Zone Change R-1 to CC Westview Drive at Center St. Kurt Stone/GO Civil  
(Recommendation) Eng.**

This is the zone change for the parcel discussed in item #7.

**Chris moved to give the City Council a positive recommendation for the zone change along Westview Drive, seconded by Fred and the vote was unanimous.**

**PUBLIC HEARING**

**9- General Land Use Change Cross Hollow from Coranado/GO Civil  
Low to Medium Density Center to 200 N Eng.  
(Recommendation)**

Rich opened the public hearing.

Heath pointed out the location being the east side of Cross Hollow road, just north of the Sunset

Canyon area and it has Genpak on the north side. The entire 80 acres was planned out back in 2006 but then they hit bad times. They look back now and this area has worked with the water conservancy district and after doing market research, it seems that R-2 single family uses less water as they have smaller lots. The master plan is to have this all R-1. They still want to do most of it as R-1 and have this problem with the Genpak plant on the north side and Cross Hollow Road on the west. If they do some duplexes to back up to the Genpak plant and have a street or two out along Cross Hollow of R-2 for single family only, that would provide a buffer between that and the single homes. He reiterated that the only duplexes would back the Genpak plant. The rest would all be the larger, nicer lots. This will give them a little bit of diversity in marketing the area.

Kevin Goodwin who lived in the Cross Hollow area said he just recently moved in. He has a home in Sunset Canyon. They put in an RV park and are now talking duplexes. He would not be happy with any duplexes and wondered just how many. Heath said possibly 12. He was concerned with more traffic, the road may need to be widened, and some type of traffic light system would help. Heath knows that the side of Cross Hollow that front this would all need to be improved. Kit pointed out that is a 100' wide roadway. The only roadway wider than that in the entire City is the freeway. Once it is improved, it will handle all the traffic.

Landin Eldridge also owns in Sunset and wants to know about the easement between them and this property. Is that to be a future road? Kit said it was to be Center Street but will not go through as the hills to the east are steep and they cannot connect. Landin was concerned with this road being back of his lot. Heath said they do not have the plans yet, and there is a jog in the boundary. He suspected that there would be lots to back those existing there now. They would need to come back when they have a subdivision to have approved.

Mike asked if the footprint for the general land use and the zone change were the same map. Heath pointed out a small drawing on the same map showing the area of the general land use change. Shannon Johnson also lives in Sunset and agrees there should be not higher density next to their subdivision. They want to keep their property values up.

Jill wondered if the quarter acre lots that they own are similar. She was told that 10,000 square feet for the R-1 is about ¼ acre in size. Kit said in R-2 you can be 7,000 square feet for a single family, but a duplex lot has to be 9,000 square feet. Heath pointed out the first 500' would be some smaller lots for single family only. It is pretty close in size to the frontages, but the lots would be slightly smaller.

Cindy Goodwin pointed out then, that the only place they would allow the duplexes would be that area that backs to the Genpak plant. That is correct. When she moved here it was all single dwellings in the area. Was to be the same thing across the street. With all the changes she is afraid the market values will go down. The whole area will change when you do this.

Having the buffer area made lots of sense to most members.

Most of the neighbors were okay with the R-2 single.

Fred said the issue comes to the way things are laid out. An area in town now has commercial next to R-1 and that is a bad way to live. They want to have transition zones between these two types of things. It makes it better to market and increases the value when you do that.

Justin Ludlow did not see why their R-2-1 was twice as deep as that in Sunset Canyon. It is almost double what they have. They also need to consider that as an HOA or have that a PUD so they keep all things up nicely.

Heath said to look at the overall property. This development is 80 acres, not just 40 acres. It is the same mix. There are twice the smaller family lots along the front as the entire development is twice the size. He was not sure if that area would have an HOA or not.

Evan Jones was just curious, with the Genpak plant, were there any complaints about the noise? He lives some ways away from it and can still hear the noise. Thinks something should be done. Yes, the City has had complaints about the plant noises.

Rich closed the public hearing.

**Fred made a motion to give the City Council a positive recommendation for the General Land Use change along Cross Hollow Road as discussed.**

**Mary was opposed with the R-2-2 portion as was Chris.**

**Jennie seconded the motion, and the motion carried 5 to 2.**

**10- Zone Change R-1 to R-2-2 Cross Hollow from Coranado/GO Civil Eng.  
And R-2 Single Center to 200 N  
(Recommendation)**

This is the zone change along with item #9 discussed above.

**Fred moved to give the City Council a positive recommendation for the zone change along Cross Hollow road. Seconded by Jennie with Mary and Chris voting against.**

**The motion carried 5 to 2.**

**11- Zone Change MPD to R-3-M Fiddlers Canyon Road  
(Recommendation) Basin Area across from Elem. Nichols/ GO Civil Eng.**

This item was pulled until the next meeting on January 19<sup>th</sup>.

The meeting adjourned at 6:25 p.m.

---

Michal Adams, Administrative Assistant