

CEDAR CITY PLANNING COMMISSION

MINUTES

February 19, 2019

The Cedar City Planning Commission held a meeting on Tuesday February 19, 2019 at 5:15 p.m., in the Cedar City Council Chambers, 10 North Main, Cedar City, Utah.

Members in attendance: Mary Pearson–Chair, Craig Isom, Ray Gardner, Jennie Hendricks, Hunter Shaheen and Adam Hahn

Members absent – Jill Peterson-excused

Staff in attendance: City attorney-Tyler Romeril, City Engineer Kit Wareham, City Planner Donald Boudreau, and Michal Adams

Others in attendance: Louie Tong, Louise Slack, Layne Slack, Todd Benson, Marcus Hansen, Sue & Dennis Houston, Jason Smith, Randy Collins, Evelyn Lovrin, John Lovrin, Stephen Ashworth, Dennis Almond, Evelyn Ashworth, Kim Almond, Judy Pierson, Rich Pierson, Chris Nelson, Dallas Buckner, Alan Jones, Neil Mathews, Quinn Mathews, Jason Ashworth, Rachel Hunt, Robyn Brown, Todd Brown, David Lambeth, Cherri Delgado, Dawn Haberkorn, Kimber Hemon, Dan Roberts and Tom Braun

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

ITEM/

LOCATION/PROJECT

**APPLICANT/
PRESENTER**

REQUESTED MOTION

I. Regular Items

**1- Approval of Minutes (February 5, 2019)
(Approval)**

Jennie moved to approve the minutes of February 5, 2019, seconded by Adam and the vote was unanimous.

**2- Subd. – Vicinity
(Recommendation)**

**Fiddlers Canyon Rd
Fiddlers Cove Phase 2**

Nichols/GO Civil

Dallas Buckner of GO Civil presented and pointed out the area. He said they are doing phase 1 now, and this will continue as an extension of that phase. It is all zoned R-3 and the same type that is being built in phase 1 will remain except possibly those few lots to the very north they may make into twin-home lots. Kit pointed out the elementary there in Fiddlers and the detention pond. That pond will be built with phase 1. Jennie asked how many units this phase was? 32. Jennie asked Kit if that Fiddlers Canyon Road was large enough to handle all the additional traffic? Kit said yes, they have done several traffic studies along that road. Craig asked if this was part of the overall RDO that was accepted. Yes, it is. They have the density for the entire area already spelled out.

Jennie moved to send a positive recommendation to the City Council for this Vicinity of Fiddlers Cove Phase 2, seconded by Hunter and the vote was unanimous.

3- PUBLIC HEARING

**PUD – Vicinity 1450 W -N of Industrial Rd. Heaton/Jett/GO Civil
(Recommendation) Fort Cedar Commerce Center PUD Phase 3**

Dallas Buckner of GO Civil presented and pointed out the area. There are 2 phases there now, this would just be adding another 5 lots to the Fort Cedar Commerce Center.

Mary opened the public hearing. There were no comments, so Mary closed the public hearing.

Craig moved to send a positive recommendation to the City Council for this PUD vicinity, seconded by Adam and the vote was unanimous.

4- PUBLIC HEARING

**General Land Use Amend Approx. 1805 N Lund Mark I Dev./
Low to High Density Residential GO Civil Eng.
(Recommendation)**

Dallas Buckner of GO Civil presented and said that this was the same one from the last meeting. They did the mailers again, so this will now be the R-3 zone, and the annexation is ready to record. Then the zone change was conditional upon that annexation being completed. They want to do R-3 in this area.

Craig asked Dallas to remind them of what was all around this area. Dallas pointed out this would be Sycamore Trails phase 4. This is Mr. Meisner's development. The other phases are across the street. He pointed out Hunter Glenn Phase 2 and an area that is under construction now. Mary said this was circled all by low and medium density. Dallas pointed out the other phases across the street that are R-3 now. In order to change this zone, they also need to change the General Land Use map. Mary pointed out that they can do items 4 & 5 together as they are the same property. Mary said she could not see the other R-3 area. It was pointed out.

Ray was concerned about doing a pocket of R-3 when it was all surrounded by lower density.

Hunter had that same concern. They had one in this area not long ago for Mixed Use and they sent a negative recommendation on that one. He has a hard time with the R-3 in the rest of this low density area.

Adam did disclose that his company has done work for Mark Meisner; not that they were on this particular project, he just wanted to disclose that.

Mary opened the public hearing; there were no comments, so Mary closed the public hearing.

Dallas said that on the other R-3 area, they had the potential to put 43 units. There are only 30 there. If they put this as the R-3 zone, they will not develop to the maximum.

Hunter said that along with his concern of little pockets of higher all over, that he would move to send a negative recommendation to the City Council on this. Ray Seconded that and the vote was 2 for and 3 against so that motion did not pass.

Jennie said her concern was that there was really a shortage of affordable housing. If you have smaller lots sizes and smaller houses, they become more affordable. She can also share the concern of the pocket zoning. In her mind these things are competing.

Mary said the problem was that they had one 4-plex in that mix. Why not cut that down to a duplex.

If they were to go back to the R-2 they can do the entire development but that one 4-plex. Dallas pointed out that it would mess with the geometry of shortened back yards. He said that they could re-configure this development, but as far as having back yards, those would be cut back the way the roads are laid out.

Mary pointed out that all the surrounding area was a lower density. Dallas said part of their justification is in trying to do lower income housing with only single-story units.

Craig said it was too bad that no one was here for this public hearing that lived in this area. They did send out notices, so all have been informed.

Craig will move to send a positive recommendation to the City Council for items 4 & 5, seconded by Adam and the vote was 3 for with 2 against, so it passed.

5- Zone Change AT to R-3-M (Recommendation) **Aprox. 1805 N Lund Sycamore Trails area** **Mark I Dev./ GO Civil Eng.**
Done under Item #4

6- PUBLIC HEARING
General Land Use Amend Approx. 100 E Knoll St. Homer's Boys LLC/ Alan Jones
Low Density Residential to Commercial
(Recommendation)

Prior to beginning this item, Jennie disclosed that she owns property in Canyon Ridge. There were several comments sent via e-mail on this item; see the attachment.

Alan Jones presented; he said this is approximately 3 acres. It has been in the Jones family going on 3 generation now. It is used for horse corrals. It is being rented to a third party. His parents' generation would like to market this property. They came to him for his opinion on what he thought it should be. It is currently zoned RA which does not exist and was historically residential/agricultural. Alan pointed out the surrounding area and things to the south and the old Drive In theater are zoned R-3 for high density residential. The property all to the east is R-1. There is commercial to the west. They have a number of different zones in this area. There are large areas of GC to the west and high density residential. The property across the street is owned by the same family all but 1 piece which is the Mathews. It is also being used for horse corrals. Adam asked if there was still a home on that R-1 piece. Alan said there was, it was a rental unit.

Mary opened the public hearing.

Steve Ashworth who owns property adjacent to this wanted to give a little background. 25 years ago, he went here to the golf course to develop. They started on Main where the light is now, and there was no light there then. That street did not exist. He went to the Nakkens and made it all work out, so they could have that light there. He ran the sewer all the way back there, the gas line, the asphalt all at their expense. On this area of Knoll Hill there is a handful of true R-1 properties. There are CC&R's that protect this area. There are larger homes, with nice garages, and amenities. With the CC&R's, it makes this a great neighborhood. His development is next to this. He put in the curb

and gutter and they have lots there. He knew this was all to be R-1 property. He hopes that they will not be living next to a large commercial building after all that their neighbors have put into this area. They should not take a little chunk and slide it into this R-1.

John Lovrin lives within 300' of this area. He is on the corner of Knoll and Fairway Drive. He moved in here last October. He understood this entire area is to be residential. They need to consider the increase in traffic, that of the new apartments, and that curve in the road. He is concerned with traffic, noise, and lights within that close of an area to his property. It will potentially change his view. The lights and the noise of commercial in his neighborhood. These are things they did not expect to change in this area.

Layne Slack said his father-in-law lives on the property around the turn. He has that property up for sale. They have the same concerns; traffic, lights, and it will reduce the value of their property. He is opposed to what they would put there.

Mark Hensworth lives in Canyon Ridge and has several concerns; the traffic, also, he is not sure what is happening with the apartments that have 80 units and only 80 parking spaces. That is 160 trips on that narrow undeveloped street there. There is a fairly sharp turn at the bottom of the hill. They will be over stressing the traffic capacity. He is concerned with emergency access. That care and share facility only has 1 ingress. It is not much larger than a driveway. He is amazed that they let that happen; if something happens on that narrow road, and that will all cut down on emergency access. He is not sure about traffic surveys. He thinks they all need to keep the future in mind here.

Todd Brown is soon to be a resident of Canyon Ridge. They put in that 80 unit complex on the other side of the golf course. There is no walking path. If there were commercial there on that corner, a number of people will cut across the golf course and no place to walk but on that road. There will be concerns with them crossing the golf course and putting them at risk to have commercial property there.

Jason Ashworth feels the same. He pointed out there are 3 acres there. He understands this, there is R-1 all around. They are doing a pocket zone on that and he owns right across the street. If that is zoned commercial, you do not know what can go in there. It can have lights, noise, there is just a lot of opposition that he would have.

Adam asked in looking at this map, that all that green is R-1? It is zoned RA but could be developed as R-1.

Alan would like to address some of these issues. He understands, and they have anticipated all these concerns. They respect all the residents of the Canyon Ridge area. This property is currently zoned RA and the boundary of that continues up knoll hill. There is 1 home on the corner there, and they are the closest neighbor to this property. He believes there is still property owned by the Ashworth's across the street from the R-1. He knows their concerns of not wanting to live next to commercial lights, there could be traffic concerns, and in his view that is all overstated. They have the stop

lights, they come to commercial property, and no one would come on down into this residential area.

Layne Slack said he is not in favor of this happening. That one area was re-zoned to R-2 and there was a nice plan for some upgraded condos. They were meeting the criteria of the zoning. They now have 80 units in there. If they start putting commercial there it will increase the traffic. None of this corresponds to the R-1 as they all thought when they went to build in there.

Louise Tong Slack said when Mr. Jones talked about generations of property owners, they are also generations of property owners. They built a home 5 years ago. They did not want to live in a commercial area or they would have built in one. Mr. Jones does not live there. He does not understand the traffic problem there. She would ask that they not change this from what it is now. Leave it so those that live there can plan and build there. They need a safe area. They do not need extra commercial property going in there.

Randy Collins lives in Canyon Ridge. His concern is the safety and traffic. He purchased a truck from the Ford dealer there and would walk from his house. That sharp corner there, the road that comes on down is really narrow. That was in the summer when there is no snow. He has seen cars slide off that road. He understands that Mr. Jones would like to have this commercial, so they can get more money for this property. They do not know what would go in there.

Mark Hensworth said one thing that Mr. Jones said is he does not believe the traffic would be as bad as they are saying. That is true, they don't know. With that large development he does not know how many people will go thru there. They don't know. That road there is narrower than City standard. It is steep in some places. People on Fairway would not be happy with that road as an access point. In commercial you can have up to 60,000 square feet buildings. With that new development in there that little road is the only legal pedestrian access. They will be on the golf course and walking down that narrow road. They do not know what type of impact that will have on Main street. What will happen to that intersection. There are so many unknowns.

Steve Ashworth had one more comment about this becoming commercial. That would be a perfect fit for Parkway dealership to expand and the one thing that irritates them is they all test drive up and down the hill that they live on. That is an unsafe situation. He is talking about the mechanics that drive up and down that hill to test things. They can put more acres of trucks there and not be fair or safe for anyone in that neighborhood. It should not be spot zoned commercial in this residential area.

Craig understands that is a funny little road. That road would be developed when anything along it develops. Kit said it is master planned as a 55' road as a minor collector. As those properties along that are developed, that road would be improved. It always takes some time for all property to develop. Kit will check, but he thinks there is a budget item to do some things with that turn there.

Louie Tong lives within 300'. It is residential, and they have dealt with the City on other things. There has been a whole lifetime living on that property. He has watched the homes develop. They are better homes. that may sound selfish, but they need a nice place and he hopes they don't take

10- PUBLIC HEARING
PUD – Vicinity Approx. 200 W 1425 N. Burgess/GO Civil
(Recommendation) 1425 North Townhomes PUD
PULLED

II Staff Items

1- PUBLIC HEARING

Ordinance revision regarding permits and street completion

Chapter 32-9 1.M 5

Kit W.

(Recommendation)

See attachment #2

Kit said they have had issues in newer subdivisions with developers who go in and put in all the improvements, then contractors come in the build. They are finding that lots of those home builders are damaging the street improvements that the City has passed off after the developer is all done. They want to make sure they have the leverage on a home builder to repair any street they may have damaged in the course of building a home. Most recently in the subdivision next to Genpak, there have been broken sidewalk and it was the home builder that broke that.

Mary said what is being proposed seemed reasonable. The fact that you can't get a home occupancy until all those things are repaired.

Jennie asked so whoever pulled the building permit would be responsible for that?

Kit said they could, in a situation when the home was being built, but after the builder is done and the builder left, then who would be responsible. It would be the homeowners as they can't get occupancy until they fix all the things in the street.

Mary opened the public hearing.

Tom Braun was not sure about the actual proposal. He and Kit talked, and he felt that as you come in as a builder, you can build as the subdivision is being built. There are no roads, they are working on them. There are no expectations for occupancy until that is all done and accepted by the City. So, if occupancy was issued, that would go on the City. So, you have a building permit, then that home is there prior to acceptance by the City and not until it is accepted is the occupancy permit issued. It is on the builder. If they bring in a landscaper later, that is no different than a subdivision that has been there 10 years. You don't get an occupancy permit. He is thinking and asking and making sure you get the building permit and not just asking to get occupancy prior to the subdivision being completed and accepted. He was just not sure what this is. They cannot get a permit prior to the subdivision being complete?

That is how it states now. As with an inspection on any given house, they make sure it is all in good condition prior to occupancy.

Tom gave the example of Old Sorrell Ranch. They are trying to get a Parade home done by August. They need to start the construction at the same time as the developer starts construction. At what point is a permit available to build. You say to get a permit everything has to be installed and

accepted. Tom said that is something that makes no sense. It is a matter of construction in general and there is no liability on the City to not allow building permits prior to that.

It has always been that way. He thinks if you can't get a building permit, how do you ever get occupancy.

Kit said once you get all the improvements, the problem is after all that is in. Then the home builder causes damage. Then all of a sudden, they come to the City and want to have the street all improved as it is not new like the home.

Adam stated that when the subdivision is developed, you have all the fronting improvements in and accepted. Only then can you get a building permit. You cannot get the occupancy permit until all those improvements are up to grade. It should never be on the homeowners as long as all the boxes are checked. When the inspections happen, they inspect all that. They all know those are public improvements. Kit said this will make that happen. Adam stated that when he built his home, they drove the track hoe over the section where they would be doing the driveway anyway. That portion they would be replacing. This is ensuring that it would all be made good again.

Hunter said so they can't start to build if there is no pavement. Have they done that in the past? Other entities are different. Tom said from what he is hearing, they can't even get a permit until roads are all done.

Kit said lots of the time you will not have that happen, but they have some developers that start building spec homes and they are all done at once. It would be based on the occupancy permit then the home owner really has no liability. Tom said contractors will replace sidewalk that is broken during construction. Kit said if it is just one house at a time, it usually is okay, but when they build 10 at a time, then they come in and break things.

Adam wondered what the harm would be if they struck the first item that said no building permit. If the development was under way, and the builder was constructing at the same time, but no occupancy would be given until the development was all completed. Kit said the problem there is you have people and contractors all say that is alright when they issued the building permit.

So, Tom said it then becomes the contractor to get the occupancy permit no matter who it was that broke the concrete. You don't get that occupancy until you take care of any issues. If not getting a permit has always been in the ordinance, then he is just spinning his wheels. He wants to have a building permit prior to the subdivision being accepted and as construction is going on. Knowing that you can't get occupancy until the subdivision is completed and accepted. After it is all complete and accepted by the city what happens if there is a contractor who runs over that. Kit said they are trying to also keep the home builder responsible. That is what adding the certificate of occupancy will do.

Jennie said they are talking about timing. Whether it is an individual home or a series of spec homes. They are all being sold before they are finished. They have a buyer, they are under contract, and they have a date of occupancy. Or Substantial Completion. That is when you have the C of O. The lender, the seller, the buyer, they are all gearing toward that date. She recognizes the issue here, the very last guy working on a house runs over the sidewalk and they are all expecting that C of O, but it

does not happen. That sidewalk has to be fixed and the buyer is in danger of losing the loan, the seller of losing that sale, and you can't just say you can't get that C of O until all of this is finished. Is there any way to maybe do some escrow or something to make that work so they are not holding up all transactions?

Kit said ultimately, they are trying to protect that home buyer. It gives them leverage to get that all fixed, so they can get that C of O.

Tom said so whether it is a single home or multiple homes the starting point is once that subdivision is platted and then they can go in and build prior to improvements. And then the house sits there for 5-6 months until the City accepts the subdivision. That is not on the City at all. If you can't get occupancy because the roads are not finished, so be it. You don't accept it without that being completed. When that is accepted, then you can issue the C of O when they are all in. If you are doing a 15 lot subdivision and all are pre-sold, putting in all things; the building of homes all at the same time as the streets and nothing has to be accepted and no occupancy can be given until all things are done. That is nothing on the City. You have released the liability to a person of that property. If someone runs over the sidewalk, they replace it. You can't get any C of O as the City sidewalk is ruined and that has to get fixed.

Dan Roberts said the solution is to make the contractor responsible for that. Have him sign a contract that he will replace any broken concrete or put some money into escrow. You have things like weather that can make that go longer. When can you asphalt streets, it is just a matter of assigning responsibility of who broke that then have them fix that before they can get that C of O. Make an estimate and put that in escrow. What happens, like in Old Sorrel, if you have to wait 3-4 months to get the street in, and the builder can't be building, you are dealing with lots of money for all. Whoever is responsible before they get that C of O has to pay for that.

Ray said it seems like two different things; the problem is it already says you have no building permits. Kit said they have not given permits until the subdivision is all done.

Dan felt they should let projects go on hand in hand; not one before the other. Don't take any liability until all is fixed.

Kit said there is usually no problem when a home builder is doing one home at a time. The biggest problem is when they do 5-6 at a time, put the landscaping in all the homes, then it becomes a problem .

Mary said to just get rid of the building permit line, and then you have the C of O left and it all has to be in and in good repair prior to that.

Adam thinks if you strike out building permit, and the City takes no liability, then you get the developer and builder to get all things passed off in the end.

Tyler said that is the exact argument and that would be included in every law suit.

Mary likes the double protection. Kit said they are trying to protect the homeowners.

Jennie liked what Dan said, with weather like this no one will be pouring sidewalk tomorrow. They have scheduling. Then they have homeowners scrambling and moving, and if there any way to do

something of who is responsible, have them sign something.

Tyler pointed out they can do bonding. The City enters into agreements like a SID, then you get to ten years past due, and no one wants the City to start suing people because a contractor has not fixed a sidewalk.

Jennie said so you just don't let them build again.

Hunter said so maybe this not getting a building permit has not been enforced in the past. Kit said it has always been enforced since it was put in.

Mary can see this is a protection for the homeowner.

Randy Collins said he was just listening, but what he got from Kit is that they can all have acceptance, everything is put in, and you give the C of O. Then the landscaper comes in and the landscaper is not under the builder, and so who do you hold responsible.

Kit pointed out that with one on one, you just deal with the contractor and the homeowner. When you have 1 on 5 dealing with one contractor building all those homes, who will stick up for all 5 of those homeowners.

Mary closed the public hearing.

Adam moved to send a negative recommendation to the City Council on this ordinance change, seconded by Jennie; the vote was 2 for, and 3 against. The motion failed.

Craig moved to send a positive recommendation to the City council on this ordinance change; seconded by Ray and the vote was 3 for, with 2 against. The motion passed.

The meeting adjourned at 6:45 p.m.

Michal Adams, Executive Assistant

Paul Bittmenn

From: Elaine Vickers <vickers@suu.edu>
Sent: Tuesday, February 19, 2019 4:52 PM
To: Paul Bittmenn
Subject: Potential rezoning on Knoll Street

Dear Mr. Bittmenn,

My name is Elaine Vickers and I am a resident and property owner in the Canyon Ridge subdivision. It was brought to my attention today that there is an item on tonight's planning commission agenda addressing the potential rezoning of property on Knoll Street from residential to commercial. I have a prior commitment and will be unable to attend tonight's meeting, but I wanted to take this chance to voice some very serious concerns about this rezoning.

The southern portion of Knoll Street is already dangerous in terms of visibility, is hazardous during the winter months, and will be getting a large increase in traffic in the near future as the apartment complex is completed. As such, I'm afraid commercial rezoning would create a significant safety and traffic hazard unless careful thought and planning are put into restructuring the road first. Until such restructuring is in place (or at least carefully thought through), I would be very concerned about safety on Knoll Street.

In addition, I'm concerned about property values and am unsure why the rezoning would be necessary. I'm concerned that the vast majority of my neighbors hadn't heard anything about the proposed changes until today. I'm concerned that we're moving forward with a plan that could potentially be a serious detriment to the surrounding neighborhood in a lot of ways--without having been presented with clear reasoning as to why such a change is necessary or desirable to anyone in the community beyond perhaps the current property owner.

I urge the committee and all appropriate parties to seriously consider the implications of such a change and its impact on the surrounding neighborhood and to deny the current rezoning request in light of all the potential problems it would create and the insufficient information and notice given to the community regarding this change.

Thanks so much for your time.

Best,
Elaine Vickers

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**ELAINE B VICKERS, PhD | LECTURER OF CHEMISTRY
DIRECTOR, SUU CENTER FOR STEM TEACHING AND LEARNING
COLLEGE OF SCIENCE AND ENGINEERING | SOUTHERN UTAH
UNIVERSITY**

**Science Center 217 | 351 W. University Blvd. Cedar City, UT 84720
O (435) 586-1939 | E vickers@suu.edu**

Paul Bittmenn

From: Kent Reid <kent@mgmfunding.net>
Sent: Tuesday, February 19, 2019 4:52 PM
To: Paul Bittmenn
Cc: Tia Reid
Subject: Rezoning near Knoll st

Dear Mr. Cousins

I would like to ask you to oppose the rezoning of the property located Approx. 100 E Knoll St.

I live in Canyon Ridge and I have concern over the increase in traffic in the area. The road is already very congested and we are about to have another 80 apartment tenants that will be using this road for access. Allowing this to be commercially zones will potentially add even more commercial traffic and increase congestion.

Please oppose this zoning change.

Respectfully

Kent Reid

Paul Bittmenn

From: Gary Suiter <g.suiter@att.net>
Sent: Tuesday, February 19, 2019 3:33 PM
To: Paul Bittmenn
Subject: Knoll St. Rezoning - Request to NOT rezone this area

To Paul Bittman and the Cedar City Planning and Zoning Commission

I urge the Commission to NOT rezone the Knoll St. lots to commercial. I believe this area should be made available for HOUSING so it will blend in and compliment the surrounding properties. Putting a commercial enterprise in this area would lower any existing residential property value that currently exists, introduce a travelway safety hazard for surrounding families as well as exacerbate current traffic travelways that will be additionally impacted by the addition of 80 new apartment units in the immediate area .

I the Cedar Ridge HOA and many residents in the immediate area were not made aware of this issue until 1:30 pm on 2/19/19 and will not be able to attend. We are sending the Commission emails to voice our objection to this change being that many of us have previous engagements that we cannot get out of.

DO NOT APPROVE THIS REZONING REQUEST FOR KNOLL ST.!!!

Gary Suiter, Cedar Ridge Resident
760-413-3169

Paul Bittmenn

From: Jim&Katy Herbold <jimkatyherbold@gmail.com>
Sent: Tuesday, February 19, 2019 3:14 PM
To: Paul Bittmenn
Subject: Proposed zoning change, 100 E Knoll - OPPOSED

As property owners nearby, we stenuously object to this change. Although we would love to see the delapidated structures removed, putting any sort of business there is a bad idea.

With the new apartments tiny Knoll street will be overwhelmed with additional traffic. Please don't make an already bad situation worse.

Let someone build a nice home there.

Paul Bittmenn

From: Jared Zimmer <jared@jaredzimmer.com>
Sent: Tuesday, February 19, 2019 3:58 PM
To: Paul Bittmenn
Subject: Fwd: Canyon Ridge Important Information about rezoning
Attachments: Planning Commission Agenda 2.19.19.pdf

Hello Paul,
Unfortunately, I have an apt with an out of state client this afternoon & will miss this meeting. I would like it known... I'm STRONGLY AGAINST the zone change on 100 East Knoll. Maybe I'm jumping the gun here... but, I do not recall getting anything in the mail about this.

I can go off on reasons... which I doubt are important in this email... but, I oppose the change & I know many others in the area are as well.

Let me know if I need to do anything further.
Thanks,
Jared

----- Forwarded message -----

From: <kimberly@camutah.com>
Date: Tue, Feb 19, 2019 at 1:24 PM
Subject: Canyon Ridge Important Information about rezoning
To: <cherylzimmer@hotmail.com>, <jared@jaredzimmer.com>

Dear Owners,

It has just been brought to the attention of the Board, that an item on the Planning Commission Agenda, for tonight **FEBRUARY 19, 2019 AT 5:15pm** is worded this way:

6. **PUBLIC HEARING** General Land Use Amend Approx. **100 E Knoll St.** Homer's Boys LLC/ **Low Density Residential to Commercial** (Recommendation) Alan Jones

7- **Zone Change RA to CC** Approx. **100 E Knoll St.** Homer's Boys LLC/ (Recommendation) Alan Jones

We do not know any other information but feel it is important for Canyon Ridge Owners to attend. The agenda is attached for your reference.

Thank you,
Canyon Ridge Board

Paul Bittmenn

From: Patricia Belski <bnbrv2@yahoo.com>
Sent: Tuesday, February 19, 2019 3:49 PM
To: Paul Bittmenn
Subject: Rezoning of Knoll St

I am a resident of Canyon Ridge. I am currently out of town and cannot attend tonight's meeting. I am completely against the rezoning of Knoll St from Low Density Residential to Commercial. We already were surprised by the low income housing on the golf course. Potentially heavy traffic in our small neighborhood could be damaging, even dangerous to our neighbors and our streets that, as an HOA, we have to personally pay for. Don't think that all of the traffic would stay on Knoll St. It won't. And the neighboring Fairway Dr, a small residential street, would be overwhelmed by traffic. This is a bad idea for Knoll St. Develop what's already zoned commercial on North Main by Love's Travel Stop.

Sincerely,
Patricia Belski
554 E Hillview Dr
Cedar City, UT

[Sent from Yahoo Mail for iPhone](#)

Paul Bittmenn

From: Susan Brown <flyskwrl@icloud.com>
Sent: Tuesday, February 19, 2019 3:32 PM
To: Paul Bittmenn
Subject: Re: Opposed to planning commission agenda items 6 and 7 for 100 Knoll St

Hello Mr Pittman,

My previous email incorrectly stated my subdivision; it is Canyon Ridge not Cedar Ridge.

Susan

> On Feb 19, 2019, at 3:13 PM, Susan Brown <flyskwrl@icloud.com> wrote:

>

> Dear City Manager Paul Pittman,

>

> We reside in Cedar Ridge and are opposed to the planning commission agenda items 6 and 7 concerning approx 100 Knoll St for both a general land use amendment to change low density residential to Commercial and a zone change RA to CC.

>

> Sincerely

> Christopher and Susan Brown

> 599 E 1275 Cir N

Paul Bittmenn

From: Marc Hemsworth <mrhemsworth@gmail.com>
Sent: Tuesday, February 19, 2019 3:25 PM
To: Paul Bittmenn
Subject: Zoning change for Knoll St.

My name is Marc Hemsworth and I am a resident of the Canyon Ridge development. It has been brought to the neighborhood's attention that there is a proposed zoning change for the 100 block of Knoll St. From Residential/agricultural to commercial. I wish to go on record as being opposed to the proposed change for the following reasons

-Knoll St is a narrow road with poorly defined boundaries. There is no curbing or sidewalk for the large majority of the proposed zoning change. We do not know what effect the opening of the new Care and Share facility will have on both vehicular and pedestrian traffic. This stretch of roadway is mostly rural in character and further development may have far reaching and as yet unknown consequences. As it stands now there will be only one ingress/egress road to the new C&S facility, how that passed Fire Department approval I will never know, and more traffic on a narrow winding street will make emergency access that much harder

-Parallel to my first point will be the effects of increased traffic on Knoll St. on traffic at the intersection with Main St.

-Residents of our community were conspicuously kept unaware of the Care and Share development and we have understandable concerns that the same thing is happening again. The applicant is only listed as Homer's Boys which gives no indication of the type of development that may occur. An attorney's office or an accountant's office going in might have little effect on traffic and the aesthetics of the neighborhood. A box store or yet another auto repair facility (code name for parked damaged cars) would be quite another situation.

It is my intent to attend tonight's meeting and I would greatly appreciate meeting you to more fully discuss the issues.

Thank You, Marc Hemsworth

Paul Bittmenn

From: Ryan Johnson <ryansummitjohnson@gmail.com>
Sent: Tuesday, February 19, 2019 4:33 PM
To: Paul Bittmenn
Subject: Rezoning Proposal for Knoll

Hello,

I want to share my concerns regarding the rezoning proposal on Knoll Street. Changing this to commercial could negatively impact our neighborhood, and it's important to take into serious consideration the feedback of the residents in this area. Our neighborhood has already been impacted by the zoning that allowed multi-family housing. Extending commercial zoning on Knoll will also change the feeling of this area, especially with residential lots already right by the area proposed for this change. Please keep in mind that these zoning changes have real, financial impacts on property values for a lot of residents out here.

Please leave this area as low density residential.

Sincerely,
Melanie & Ryan Johnson
474 E Hillview Dr
Cedar City, Utah

A T T A C H M E N T #2

ORDINANCE REVISION

CHAPTER 32

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No building permits or Certificates of Occupancy will be issued in a platted subdivision or a detailed minor lot subdivision (not including PUDs) until all fronting street improvements are installed and accepted by the City.