

**CEDAR CITY PLANNING COMMISSION**

**MINUTES**

March 10, 2020

The Cedar City Planning Commission held a meeting on Tuesday, March 10, 2020 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, Jennie Hendricks, , Ray Gardner, Hunter Shaheen, 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: Elma Jean May, Bob Browne, Irene Carroll, Jill & Brad Bassett, Jim Holland, Dallas Buckner, Brent & Lyn Turek, Jeanne Payne, Eric & Rosa Guzman, Tim Watson, Colin Campbell, Teri Kenney, Asita Robeson, Jeff Robeson, Harold Pease, Sonja Black, John Black, Dave Sills, Jeannene Pease, Alex Meisner, Andrew Stratton, Mary Ellen & Jim Ewert, Blair Hadley, Roger Favero, Patrick Sawyer, Brean Buckner, Reed Erickson, Ed & Linda Benson, Kristine & Steve Barskey, Richard & Terri Lonas, Lynn White, Angelina & Roland Stearns, Wayne & Teri Hartley

The meeting was called to order at 5:17 p.m.

<b><u>ITEM/ REQUESTED MOTION</u></b>	<b><u>LOCATION/PROJECT</u></b>	<b><u>APPLICANT/ PRESENTER</u></b>
<b>I.     <u>Regular Items</u></b>		

**1- Approval of Minutes February 18, 2020  
(Approval)**

**Adam moved to approve the minutes of February 18, 2020, seconded by Hunter and the vote was unanimous.**

<b>2- Easement Vacate/Create (Recommendation)</b>	<b>200 N 2650 W</b>	<b>Coronado/GO Civil for Crescent Hills 3</b>
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Dallas Buckner presented and pointed out Phase 3 of the Crescent Hills. This is the final plat and will be going to City Council. There are existing easements and a sewer line that runs through this development. They will get all re-routed through the streets. They will have these agenda items on Council so they will vacate the easement while they place these new roads. The other will be the road dedicated to the City.

Kit said there were no issues, this has been reviewed by staff.

**Craig moved to send a positive recommendation to the City Council for this easement re-alignment; seconded by Jennie and the vote was unanimous.**

**3- Road Vacate & Dedicate  
(Recommendation)**

**Hovi Hills Dr.**

**Vermillion Hills Ent./  
Watson Eng.**

Tim Watson presented and said they are proposing a road vacating and then re-dedication of a section of the new Hovi Hills Drive. Last fall after the dedication went through, they obtained a little more information from the golf course and they wanted to see if they could save 2 trees. This would also help provide public safety. He pointed out the area and the 2 large cottonwood trees. The dedication from last fall is right on the edge of those trees. After the grading is done, they may lose those trees. At the request of the golf course, they will pull that road further away from those trees. It will become a little straighter in there. The hatched space will be vacated, and the new alignment will be the straight road. He pointed out the 2 trees also. This way they can do some nice landscaping around these trees.

Ray talked about the sharp turns.

Tim said they are working with the golf course to get the best route for this road and then they will move a Tee box forward as part of this road construction.

**Adam moved to send a positive recommendation to the City Council for this road vacate & dedicate. Seconded by Ray and the vote was unanimous.**

**4- PUBLIC HEARING**

**General Land Use Amend  
Low Density to Mixed Use  
(Recommendation)**

**250 S Cross Hollow Rd.**

**Armbrust/Watson Eng.**

Mary pointed out that items 4 & 5 were on the same property and could be discussed together.

Tim Watson said the Armbrust family owns this area and about 400 more acres. This is zoned CC and they desire to re-zone this MU. It would allow them to do everything from residential to commercial. It could be high density residential or commercial. It will match the property just south of the B&B which is also mixed use. The market would control what went in there. Their intent for now is to do commercial as there is not a lot of commercial along that road. The new bakery was just built. They just want to be flexible. So, the request is to change the General Land Use which is to be low density to the mixed use. It does not make much sense to have residential right up next to that 100' roadway. The villas across the street is medium density and acts as a buffer against that main road in there.

Then Item #5 is to change the zone to match this.

Craig asked where this was from the RV park? It is just on the north side.

Mary opened the public hearing.

Jim Holland said he lives at 292 South 2875 West. Just to the east. He moved in 2018 and relocated from Denver. He loves Cedar City. They have several relatives in this area. He was drawn to Cedar City for the outdoor settings. He has looked at the growth. It is interesting that 42% of the residents in Cedar City are in rentals. Compare that to homeowners of 53.6%. according to the census. He thinks all are short sighted to think we will not grow. He would be supportive of the commercial growth would be best as they lack services in this area, but don't re-zone this to multiple use in this

neighborhood.

John Black lives at 291 South 2875 West. He appreciates all the time that people take in service to our community. He has done that and is familiar with the process. He bought where he is because they like it there. He fears that the value of the homes will change if they put mixed use there. If it is true that the Armbrusts want to use this as commercial, then keep it commercial. Let them take a shot at some commercial there. A second reason; all the people on this west side of Leigh Hill have very little commercial and it is a drive to come downtown. They need some commercial to come in.

Mary closed the public hearing.

Adam wanted to clarify; it is currently in the General Plan as low density but is zoned Commercial. That is a conflict for the zone to stay as it is, maybe they need to change the General Land Use plan. Don said that can be looked at in the General Plan process.

Tim said his understanding was that many years ago, that was re-zoned to central commercial and they understand that the General Land use would be in place; there are many sections of town that the general Land Use does not match what the current zoning is. If you know this, it makes much more sense than to leave this as low-density housing.

Jennie wanted Don to let them know again what all can go in Mixes Use. Don said it can be commercial and it can be residential. You can also have residential in commercial if the first floor remains commercial and you put the apartments above. You can do mixed use in the commercial zone, but the commercial has a higher height. In mixed use, you can do either one, can do all commercial or can do all residential. It all defaults to the R-3-M as far as density, height of buildings, and you can go taller in the CC.

Mary said so you can go from low density to mixed use and still be zoned commercial. In the Commercial you can go higher on multiple residential units.

Tim said they can build commercial and residential; the bottom floor just must be commercial use. The height in MU is not as tall as you can be in commercial. You can't have the height in R-3 that you can in commercial. He also said, yes, you can achieve the same thing in commercial if you abide by the current residential/commercial mix. There is not lots of commercial being developed in Cedar City now. It would restrict the ultimate height in this area.

Don said in the mixed use you can have a 35' tall building. In Commercial it can be 50' tall.

Mary wanted to make certain that these residents are opposing this change to the mixed use. They need to know that if it remains commercial the buildings can be higher.

Craig felt that height would be a concern.

John Black stated they are aware of the height in the two different zones. If it remains commercial, that is the first thing that would go in there, the residences would be above that and they do have to have commercial on the bottom. There is not much going on now, but in the future, they would hope to see some commercial in this area. He hopes that the Armbrust's or someone else will do that.

Mary said they can vote on these separate if they need to.

Craig said they need to do something with item 4 as the maps do not match and this is not zoned correctly.

Tyler stated that those 2 maps don't have to match. Sometimes they get confused; the General Land Use is a 20-year plan so the City can determine down the road what you want to see. They don't have to match, or you don't have to make them match. This is just a vision. It provides guidance to investors of what they can do. Don't get hung up if they don't match.

Hunter thought that having commercial on the bottom is better but there are other concern here. He understands there is also a problem with affordable housing. They need housing and they are coming. They need to agree what is best for this surrounding area.

Hunter moved to send a negative recommendation on changing this to MU. It does not make sense to have that as low density and you can't put homes there as more low density. You need to have a back yard, and not to have that boarder roads. That will put the front yards to that street.

Adam said he differs, he feels there is no good reason to refuse what the landowner is trying to do here, and you don't listen to the few public clamors. That is not a good reason. It may provide a buffer.

Adam understands those and their situation, but they don't own this land. That property owner has a vision of how they want to develop. It still falls within the idea of the city to have commercial there, and that would require 50% commercial and they feel that would be fantastic.

Mary said they have a motion to send a negative for items 4 & 5. There was no second, that motion failed.

**Adam moved to send a positive recommendation to the City Council for items 4 & 5, seconded by Craig and the vote was 4 ayes with 1 nay so the motion passed.**

**5- PUBLIC HEARING**

**Zone Change CC to MU  
(Recommendation)**

**250 S Cross Hollow Rd.**

**Armbrust/Watson Eng.**

Discussed and voted on under Item #4

**6- PUBLIC HEARING**

**PUD- Amendment  
(Recommendation)**

**1121 S Cedar Knolls**

**Favero/Watson Eng.**

**Quail Courts at Cedar Knolls PUD**

Tim Watson presented and said this PUD is currently under construction. They have 4 units; the 2 closest buildings to the street are under construction. They have worked with the hotel and the property owners to the north side. On the south, there is a tall retaining wall. Once they got construction started, Mr. Favero came back and said they needed extra room to get a couple of feet in the back yard of those other units. They were able to squeeze 2 feet in the parking and so those 3 buildings will be shifted about 2 feet as shown. It makes a little difference in the rear yard between the first and those other buildings. That is the only amendment. Because this is a PUD, they had to send notices out. It is not affecting any other property owners; it is not encroaching on anyone. The 8 units on the north will stay the same. The roadway remains 26' wide for fire access. They have not

shorted any parking. They will just have a little more back yard. From the end of the parking, they had 2 feet, so they will move those buildings 2 feet out.

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

**Jennie moved to send a positive recommendation to the City Council for this PUD amendment; seconded by Craig and the vote was unanimous.**

## **7- PUBLIC HEARING**

### **Ordinance Amendment -Transportation Map to add Wording regarding the Widening of Westview Drive (Recommendation)**

**Harold Pease**

Harold Pease presented and wanted to review what has happened so far. (see attachment #1) They have been in this game now for 12 months. The community on Westview Drive was first notified on March 30<sup>th</sup>. Letting them know the City wants an additional 25' of what they already have in order to make that street 100' wide. That is very disturbing. That was their first notification. The next time, in their water board meeting, it was packed with lots of people and all of them angry with the City. No one wanted a 4-lane highway there on Westview Drive. They formed a committee and called it share the traffic. Next, in July 1 they were able to come in and on March 1 they flooded this room with all those having trouble on the south end. It is now about 45' of asphalt. That was quite a shock. There were lots of presenters on that agenda, there were several of them that stood up and had concerns with what was happening to their City without proper planning. They all agreed somehow that all the traffic from the west side of this mountain was dumping into their little village. Most wanting to get to Wal-Mart, this was basically the shortest way through Eagle Ridge. They shared time with them, had people there at the council and they had some in the halls. They are concerned, because there is no place to discuss this. The City has a process they were told. They do one small item at a time. There is this holy sacred map in engineering that was done some time ago. They follow that no matter what. They formed a committee; they met on July 1. Many of those here tonight were at that meeting. As they were sharing concerns, Councilman Phillips arranged a meeting with staff and the people on Westview that were affected. In that meeting they proposed alternative choices because it just seemed to them that they have Westview Drive, and lets just make that wider. This area would be the next Eagle Ridge. They are all concerned. In that meeting they planned to share the traffic. You have 3 routes coming thru this valley. They can all share the traffic. They are proposing 2 things; 1- they wanted the land to come from the undeveloped side versus the developed, and 2- before you jump on making this a 4 lane ugly highway, like Freedom Boulevard, (U-56) in front of all these residents homes, they would propose the 3 routes. They have 5700 West, that will take traffic from north to south, then Westview Drive to take some north and south, then you have 4700 West. They asked this committee to take a serious look. They talked with Paul Bittmenn, the City Manager and he talked about their plans to widen 4700 West to a 75' wide road. That is what they want. If they share the traffic, no one has to have a mega giant one in their front yard. That was pleasing to hear. The problem, then they did not hear from the City for 3 months. No one was working on options, or any other ideas of where this property will come from. They already have 66'. There is the compromise, from 45' of just the asphalt, then to 55' and then to 65' and then to 75' wide just over the last 6 months. This was concerning. No one is looking at other options. There has been lots of back and forth, and he will leave copies of this history with all members.

On December 6<sup>th</sup>, their group (9 of them) got together that they are not interested in a freeway in their front yards. They met and were able to get the City to move. He is grateful for those who have helped them get moving. They are united in what they are asking. He was given a call and on December 19<sup>th</sup> they went through Project Review with no opposition. They continued to the Planning Commission on January 21<sup>st</sup>. Just prior to January 21<sup>st</sup>, something happened. The City planner phoned and invited him to a meeting with he and Kit, the engineer. They informed him that Cedar City staff met that morning and had decided not to enlarge this road to the 100', but only to the 75'. They seemed very excited to tell him that. The new plan is a 2-lane street with a middle turning lane. He asked if this was definite. Everyone in that room was very excited about that news. They do not want all that valley traffic running through there when there are other north-south options. Also, they do not want all the traffic from Enoch to Kanarraville. No one wants this. Mr. Meisner does not want this. They have built 5700 West as a north-south corridor, and now they plan to widen 4500 West to 75'. That gives them 3 corridors. With them sharing that traffic, no one needs to have all the traffic. There is no justification to widen Westview Drive over 75'. That was agreed to at the last meeting- the January 21 meeting. Most were here. The City Engineer when talking about Westview drive said:

"They are looking at narrowing that from 100' to 75' right-of-way." He argued that since the Public Utility Easement already existed there that they "don't have to acquire some of the PUE along there." He spoke of the problem of a 100' road being "there would be tons of earth work to cut into that hillside and make a flat plane". He does not think that is feasible just to do the cost of all that earth work. This would be clear through all the subdivisions. They are now really considering making this only a 75' road; feels like the traffic.... We are anticipating having there, that may be adequate. You can have 2 travel lanes and a turn lane. They are looking at that to make it all work.

Narrowing that road to 75' will not be the large impact of what a 100' wide road would be. This is an acceptable width for their needs. They have staff agreeing. Meisner does not want the residents driving thru his anymore than they do. They don't want more than a 75' wide road. They have the president of the HOA here to make that case as well. No one wants a 100' wide road. They want to make their case to have that be set at 75'. Most of the problems and issues of the other side then go away. They want to continue.

Craig had a question. Asked Kit if the staff and engineering felt that this 75' was fine. Kit said they did at one point, but Westview Drive is one corridor that extends from there to Mid Valley Road and those corridors are very important to the City. To make sure they get the clarification, they felt that for that short time, but they are now back to 100'.

Harold P. continued; said the City is only considering widening this 1 road. If 75' was almost good enough, then that is the only solution, they need to do what the City said they will do with 4500 West. Then just  $\frac{3}{4}$  of a mile further, there is another corridor that can go straight. No one cares whether city cars are going through residential areas and that is what you have a freeway for. Those in Enoch will get on the freeway, get to Kanarraville just as fast as they can. They would not choose this route to get there, even Cedar City people will get on the freeway to get to Kanarraville. Why do we all have to get there. Coming from the west, and all those out there, they need to get here. To

have this widened, especially at the southern part, where there will be even more residential and then you plan to put a school in there. It seems someone has not gotten back to the argument of the 75' wide road. That was almost good enough at one time. They call upon them to share the roads. They would all be happy and then a week later it is not good enough. It would be good enough to widen those other roads of 4700 West. That was the plan initially. Many know the upper half is mostly commercial. They all know that will be a highway. It is all commercial until about 800 South. Seems to him that they have not heard them, and the City has paid no attention at all. They are planning for lots of people to move into this valley; they will all be out in that valley, not on this mountain, and will be looking for some central place between 4700 West and Westview Drive to get to Kanarraville. You can get there going down 4700 West.

There are other options to be presented to you. They bought from SUU and they have kept Westview Drive large and fat as a commercial area right through there. When you get down to the residential, you can go over and around the farm where there are no corners and go right into 4700 West. Divert all the traffic that way. So, 40 years from now, they need a better way to have all those go north and south. They can share the traffic. They invite the City to have a way to let the little person talk and say, OK, look at this. They get a little tiny thing, get permission to speak, then they go to others, then the City Council. It has to be like that. Where is the door to speak? They look at the big map. They say sometimes a councilmember will look at that, sometimes the Engineer, and they determine where the roads should be. That is how they got Eagle Ridge. They don't want the problems they have over there. They probably already own the land. They own 66' in front of his house now and they want 75'. That means 9' has to come from someone. That is much more doable for them than 25' on their side, counting what they already have in the front yards. They all come here and beg them not to do this to them. Use the existing 3 arteries, 4700 West, then 5700- West. Expand each of them to 75'. Last is this width. Make 4700 West that wide. Proceed to north and south to Hamilton Fort. From 800 South north, make that all straight. It can go straight. This is the time to do that. Don't wait until there are people up both sides of the street.

Mary wanted to come back to the commission; ask any questions of Mr. Pease.

Craig had a statement; they just commenced to update the Master Plan and will have a committee specifically on the transportation. They will be very thorough and thoughtful and encourage Mr. Pease to be a part of that process. That map as they all know, needs to be updated. This commission has long been frustrated with the outdated plan. Craig would like to see them put Mr. Pease on that transportation committee for this update.

Mr. Pease went to the Mayor on how to get this reviewed again. What if on this magic map, you found a nuclear waste dump. So, anyone who digs here will die. Would you change the road then? Yes. They are as serious to them as if a nuclear waste dump were there. You have a school planned on that road. All would be happy with the 75'.

Mary wondered again, if they are re-doing the master plans, are they premature on this, when they will make significant changes.

Hunter asked about this being an agenda item. The agenda was to look at putting some wording on the master planned street map, not to widen Westview drive from the east side, but from the

undeveloped west side. They are addressing the 75' roadway. That is not the agenda item. Pease said they are limited to speaking just this much.

Mary asked again, if they are planning to address these things, is this premature?

Kit said that a large part of the update will be roads and transportation. Will they proceed forward with this before they get the master plan done? Kit said this road will get attention in the master plan process.

Mary wondered if they are not doing anything with this road until that master plan is done, there may be no issues.

Kit pointed out there was no definite schedule on the master plan. Transportation is always a part of the master plan process.

Don stated the whole General Plan will be under consideration. The contract is signed, they should be, and they are eager to get started. They have given them a maximum of 1 year. The transportation component will be looked at separately. He thought they had a grant from UDOT to help look at that transportation portion.

Mr. Pease said it is 45' of asphalt now, then they went to 55', then 65' and now to 75' is that not enough? Will they do anything with any other route? The letter they received from Bittmenn to them in August of 2019 says that the current Cedar City street master plan has a 75' wide street planned in the vicinity of 4500 West. If that is coming, why this discussion. Second; why wait? They all know that government goes at a snail's pace. Are they going to wait until they are all here then say it will be a 100' street? They will have even more unhappy people than they have now. They are happy with 75'. At one time they were so happy that Don and Kit could not wait to tell him about it. They are close enough to move now, and not wait for another magic plan to have a road move in across the street.

Hunter stated, that is not the issue; it is the agenda item.

Paul Roland said on one agenda they had the wording, then on the next it just said regarding the widening of the road. They were confused.

Adam stated these are the things they can work with. The scope of the agenda is limited to what it says. If they wanted to discuss limiting the road width to 75' that is what should be on the agenda. There are different issues.

Mary can see the confusion; they are asking a different question to this body. They get it. They hear these things every 2 weeks.

What can they do now? Go back to the City. There is 1 guy that does not want any less.

Mary stated that the agenda item was to have all the extra feet all come from Mr. Meisner's side of the road, not your side. That is all they are prepared to go over about the widening of this street. Just the fact that all extra footage will come off the west side.

Don said their proposal is to add a text amendment to the map. Just dealing along that section of road that affects these people- that is what he understood. At the last meeting the committee tabled as there was an unknown, whether this road was going to be 75' or 100' wide. The request remains the

same. If they need 9 more requests, whatever that is, the item is should that all be taken from the east side or the undeveloped west side.

Mary stated they can only address that issue this evening. He wants to know where they go from here.

Harold P. said they are all concerned with the City buying more and more and squeezing them in. they will use eminent domain on them. He wants all to trade places with them. You would make the same arguments. Talked about the letter from Paul B. They don't want 75' either. What they have now is nice. That is what is reasonable. Considering all traffic, if they do other things, there is no place for citizenry.

Mary said they do need to get to the bottom of this road; will it be 75' or 100' wide. They want all extra to come off Mr. Meisner's property. She stated the issue is they are wanting to voice their opinions of this road width being 75' or 100'. They don't know if that has been thru City Council at this time. They are not prepared to talk about that item.

Kit said the 75' option never got out of staff. It never did get to City Council.

The issue is that was never on the agenda. Harold P. wants to know where they go to voice their opinion. As far as staff, the decision in staff is to keep that at 100'.

Kit said that after looking at the master plan, that corridor for Westview Drive is a corridor from the south end of the valley clear up to Mid Valley Road and with that road being that important, it needs to be 100' wide.

They can make a recommendation to discuss the 75' wide.

Hunter said per this road width, they are not the ones that will say it is only 75'. The City Council is the only group that can make that decision.

Don said part of the question is the process. How do you get from A to B. The process is the thing they want to know.

Would that process be the same as this? Should they be able to come back? Yes.

Mary wanted staff to make it clear what the process is. It must be presented at Project Review. That is the first step. Then after that it goes here, the Planning Commission makes a recommendation and then after that it will go to City Council. It must go through Project Review.

Kit said that Project Review is not any official meeting. There is no voting. It is basically staff members and developers. Harold P. asked then, if they can skip that.

Mary said they want them to recommend the width of this road being 75' or 100'. They are not comfortable with that as it was not an agenda item.

Mary never had the chance to open the public hearing and did that now.

It was said they have 4 people on this commission that will not pass anything about road width tonight.

Harold P. asked if they could table this again. They want to bring up the discussion of the 75' wide road vs. the 100' wide road, then bring this back again.

Mary thanked them all for coming tonight. They all understand how very important this is to all of

you in the whole community. From a legal standpoint, and most of them here are fairly seasoned, they cannot address something that has not gone thru the proper steps before it gets to them. Mary felt they can rescind this for now, and not address it, they would need to go back and come again with the 75' vs. 100' road width then this item of taking it all off the undeveloped land. If that is limited to 100', take it from the undeveloped land, there are things they can talk about; where it is coming from, they need to think about the future, the area they are living in, the school that will be in there, they all need a reasonable time frame. Craig can appreciate that. They can't do anything with the 100' tonight. He can tell them just as a member of the commission, he would give this a negative recommendation to that wording now. He did not think that is what they are after. They have a broader view. It would be agreed then to table this and get this together as far as their concern; they are a roadblock to what people want. Harold P. said they got the issue before you, and they could get to you no other way. This has been bottled up by staff all these months. This is the way it is. He wondered if anyone would be opposed to table this again. They will be back in 1 month. Mary talked steps; the next step would be back to Project Review, then to Planning Commission where they can have a public hearing, then it will go onto City Council where they will make a final decision. **Craig moved to table this item pending that process. Ray seconded and the vote was unanimous.**

### **Staff Items**

#### **1- Update to Engineering Standard Drawings (2)**

**Kit W.**

Kit said there were a couple of Engineering Standard details he is proposing changes on. They both relate to the sewer division and the sewer system in the City. They will modify Detail S-7 which is a site plan to move a wet well to a different location on lift station sites. This is so they can maintain them better and give crew better access.

The next drawing are things that will be added to that detail of a lift station. They are changing the typical SCADA system to the Dorsett type SCADA system. They have used this Dorsett type for many years, and they support the well and give a good product. Next the detail is to require developers to put in and utilize that Dorsett SCADA system. One last thing on this detail is they will require developers to provide an enclosure around the electronics to that wet well. It will be a specific type, one is solid concrete, the other is a fiberglass.

Adam wondered if this would increase the cost for these changes. Kit felt very little cost and it will give them a more reliable system. Craig said it is more for safety of those that work on them.

Jennie was also concerned about the cost; Kit said they are talking about 1-2 thousand extra for this lift station. That increase is not that significant, as a lift station system runs them about \$35,000.

**Craig moved to send a positive recommendation of these standard drawing updates to the City council, seconded by Hunter and the vote was unanimous.**

**2- Property trade between UDOT and Cedar City**

**Kit W.**

Kit said that UDOT owns property along Westview Drive. It is about ¼ mile from the highway intersection. UDOT plans to dispose of that piece of land. In order to do that, they want to make a trade to square it up with the road right-of-way. The property trade is that UDOT will give the City 2176 square feet and the City will give them 168 square feet of City property, the smaller triangle. It is a good deal for the City as they are trying to do improvements on Westview Drive. This trade will give that right-of-way that they need to make that road. This parcel is just south of the childcare. **Jennie moved to send a positive recommendation to City council on this land trade; seconded by Ray and the vote was unanimous.**

The meeting adjourned at 6:55 p.m.



Michal Adams, Executive Assistant

# Attachment # 1 (2 pages)

## Westview Drive Widening History March 30, 2019-March 8, 2020

March 30, 2019— — Letter from Hymas & Associates to all Westview residents, presumably from the City Council, announcing the intended acquisition of portions of our properties for future enlargement of Westview Drive.

May 1, 2019— —Opponents to a 4 laned Westview Drive highway and the intended acquisition of land for it filled City Council Chambers. Filled every seat. Public participation — all spoke against it. Harold Pease proposed two ideas to proposals. A.) Any additional land for highway widening must come from undeveloped land over developed land. B). Widen 4700 W. as well to accommodate valley traffic. Pease gave Mayor Wilson, at her request, his notes to be included in minutes.

July 1, 2019— —Councilman Phillips organized a meeting with City staff and Share the Traffic Committee for the purpose of hearing our proposal to reduce the intended proposed width of Westview Drive at 100ft and enlarge the width of 4700 West splitting the traffic load so that no one had it all. We presented the city with our study that the 4700 W. alternative route effected far fewer existing homes. City probably already had the land for both roads. Mayor Wilson and Kit Wareham were in attendance. Meeting was held at 2:00 p.m. They agreed to study the alternative plan and get back with us.

August 5, 2019— —City Manager Paul Bittmenn wrote me rejecting decreasing the width of 100 ft for Westview Drive and announced. "The current Cedar City streets master plan has a 75-foot-wide street right of way planned in the vicinity of 4700 West." Regarding the width of Westview he announced "Staff is not adverse to acquiring all the right of way from undeveloped property if that opportunity exists where the road can be moved off the current alignment without compromising safety and traffic flow."

August 5, 2019— —I responded by email to Bittmenn, Phillips and Wilson thanking them for their plan to widen 4700 W to 75 ft which would "effectively share the north / south traffic" through the valley. Then stated in bold print: **With this letter we officially request that all property necessitated by the widening of Westview Drive to 100 feet be taken from the undeveloped land on the West side of Westview Drive.** What more is required to put this in place and binding ASAP ending any future threat of land confiscation in our front yards?"

HEARING NOTHING FOR THREE MONTNS we realized three things. 1) that the City was doing nothing on either proposal 2) that the City only allowed change one piece at a time through a Planning Committee and 3) that City pressure was mounting to sell a sizable portion of our front yards. The Share the Traffic Committee opted to focus first on having any widening of Westview Drive come from undeveloped rather than from developed land—our first of two proposals.

Nov. 6, 2019— —After three months of silence I wrote making the same official request again to all the same parties. Sometime thereafter Paul Bittmenn phoned advising me that he had assigned Don Boundreau to process us through the hurdles. Don phoned soon thereafter scheduling Project Review for us

December 10, 2019— —All but one of the effected Westview residents met with city officials making our proposal a third time in person. The proposal in red: "We ask again, today, that you act on this over five-month-old request ASAP before any new development on the East side of Westview makes complicated a simple decision made now." The meeting was very positive. Don Boudreau phoned soon thereafter scheduling Project Review for us

December 19, 2019— —Project Review proceeded Thursday at 8:30 a.m. with no opposition to our request that all property for any widening of Westview Drive be taken from undeveloped land rather than developed land. Jeff Robisen, an effected Westview resident, attended with me

Dec. 28, 2019— —Sent emails to all city officials and staff members thanking them for their assistance in our proposal and to keep them appraised of our progress.

January 2, 2020— —Phone call from Don Boudreau inviting me to a meeting to firm up our proposal that **all additional property necessitated by the widening of Westview Drive be taken from the undeveloped land on the West side of Westview rather than the developed.**

January 6, 2020— —Steve Carroll, President of the Cross Hollow Association, attended with me as he sought inclusion in our request for the community property just south and adjacent to us. After meeting I filed and paid the fee for The Planning Commission approval. Everything looked good.

January 7, 2020— —Wrote to neighbors advising them of intended Planning Commission meeting January 21, 2020. A registered letter from the City with that information followed.

January 9, 2020— —City Planner Don Boudreau phoned inviting me to another meeting with he and Kit Wareham, City Engineer. I was informed that Cedar City Staff, presumably that morning, had decided not to enlarge Westview Drive to 100ft as before but instead to 75ft. They seemed excited to tell me, having tried unsuccessfully several times already that morning. The new plan is a two lane street with a middle turn lane. I asked if this was definite and was assured that it was. All in the room were very excited with the news. It had been a unanimous vote excepting one individual, presumably the City Manager.

January 15, 2020— —I forwarded the above exciting news regarding staff vote to my neighbors.

January 21, 2020— —Met with Planning Commission. Nine Westview property owners spoke in favor of the proposal. Of the three property owners on the west side of Westview only one showed to contest. He argued that if all the property needed to widen Westview Drive he would lose 1.5 acres out of his 135 acres.

[Kit Wareham, City Engineer's view January 21, 2020. Addressing Westview Drive widening.](#)

[“They are looking at narrowing that from 100’ to a 75’ right-of-way.”](#) He argued that since Public Utility Easement already existed there that they “don’t have to acquire some of the PUE along there.” He spoke of the problem of a 100’ road being “there would be tons of earth work to cut into that hillside and make a flat plane. He does not think that is feasible just to do the cost of all that earth work. This would be clear through all the subdivisions. They are now really considering making this only a 75’ road; feels like the traffic ... we are anticipating having there, that may be adequate. You can have a turn lane and two travel lanes. There would also be lanes on the outside to make turns off this road. They are looking at that to make it all work.” Then he made our case for us. **“Narrowing this road to 75’ will not be that large of an impact then what a 100’ wide road would be.”** What he said is that this is an acceptable width for city needs. (Cedar City Planning Commission minuetts, January 21, 2020).

Attachment # 2 (2 pages)



# Cedar City

10 North Main Street • Cedar City, UT 84720  
435-586-2950 • FAX 435-586-4362  
www.cedarcity.org

## Mayor

Maile Wilson-Edwards

## Council Members

Ronald R. Adams  
Paul Cozzens  
Terri W. Hartley  
Craig E. Isom  
R. Scott Phillips

## City Manager

Paul Bittmenn

August 5, 2019

Sent via Email to:

[Sbcsales20@hotmail.com](mailto:Sbcsales20@hotmail.com); [daryl\\_owen@keysight.com](mailto:daryl_owen@keysight.com); [HaroldPease@icloud.com](mailto:HaroldPease@icloud.com)

Re: Future Westview Drive Expansion

Dear Mr. Pease and Mr. Owen.

This letter is a follow up to our meeting on July 22, 2019. During this meeting various residents of the Cross Hollow Hills Subdivision met with Mayor Wilson, Councilmember Phillips, Drew Jackson, and me. The topic of the meeting was the future expansion of Westview Drive. During the meeting Mr. Pease presented a "share the traffic" plan. The basic structure of the share the traffic plan was to reduce the City's future plans for Westview Drive to a 55-foot road and increase the future plans for 4700 West to a 55-foot road. Another portion of this plan was to purchase future right of way from undeveloped land where possible.

Subsequent to this meeting City staff met to discuss the share the traffic plan and the City's streets master plan. As staff we cannot support the share the traffic plan. Please allow me to explain the reasons why. These reasons are listed in order to organize the thoughts, not to indicate priority.

1. The current Cedar City streets master plan has a 75-foot-wide street right of way planned in the vicinity of 4700 West. The share the traffic concept included a 55-foot-wide street in the vicinity of 4700 West. Staff is not able to endorse a plan that would decrease the width and carrying capacity along 4700 West from a planned 75-foot-wide road to a 55-foot road.
2. Decreasing the future right of way along Westview Drive from 100-foot-wide to 55-foot-wide would significantly reduce the carrying capacity in this area. Additionally, the Westview Drive corridor is an important regional north to south traffic corridor. Where the south end of Westview Drive connects to the I-15 frontage road in the vicinity of Hamilton Fort, the north end of Westview Drive turns into the Lund Highway in the vicinity of U-56. The Lund Highway is a major regional north to south traffic corridor not just serving Cedar City residents but County and Enoch residents in this valley. Decreasing the traffic volume on the south end of this traffic corridor would create a loss in capacity and future traffic problems.

3. With the share the traffic plan between 4700 West and Westview Drive the total road width would be 110 feet. With the City's existing streets master plan there is a total travel width of 175 feet between Westview Drive and 4700 west. Staff can not endorse a reduction of 65 feet in traffic capacity.
4. While Cedar City is seeking right of way to preserve Westview Drive as a 100-foot-wide right of way, the City does not have present plans to develop the entire width. The exact date for the full development is not something that can be ascertained at this point. There are several growth-related factors that will influence the full build out. Cedar City recently expanded the width of Westview Drive in the vicinity of the SUU farm. This expansion did not build out the entire road width. The City would anticipate a similar staged expansion of Westview Drive along the southern end as well. If their ways to cooperate on purchasing the right of way and agreeing with individual landowners on future development timing this may be something that would benefit both parties.
5. If there are issues individual to each lot that would need to be addressed such as relocation of a fence or a structure, these are issues that Cedar City would like to discuss with each individual property owner. There may be avenues for the City to pay for moving items such as fences or structures. These are decisions that are very fact dependent. The City will evaluate these issues on an individual basis.
6. The 100-foot road width is scheduled to be purchased by dividing the road at the centerline of the road and acquiring 50% of the right of way from each side of centerline. Staff is not averse to acquiring all the right of way from undeveloped property if that opportunity exists where the road can be moved off the current alignment without compromising safety and traffic flow.
7. As an informational item, all of Cedar City's street rights of way include not only asphalted road. There is also curb, gutter, and sidewalk included on both sides of these typical road sections to accommodate pedestrians and storm water. Not all the 100-foot right of way will be paved into road.

While the above information does not endorse the share the traffic plan, I hope the information gives you reasons why. Also, where there is room to compromise as we proceed the City is very interested in working with individual property owners. Thank you for your time and consideration.

Sincerely,



Paul Bittmenn  
Cedar City Manager

Cc: Mayor Wilson  
Councilmember Phillips  
Kit Wareham, City Engineer  
Drew Jackson, Chief Building Official









**WATSON  
ENGINEERING  
COMPANY, INC.**  
472N 250W, Suite 7  
Cedar City, UT 84721  
Tel: (435) 586-3904  
www.wateng.com

**FAVERO & ASSOCIATES LLC**  
CEON CITY, IRON COUNTY, UTAH  
1111 W. 1111 S. R. 11 W. S. 11 M.

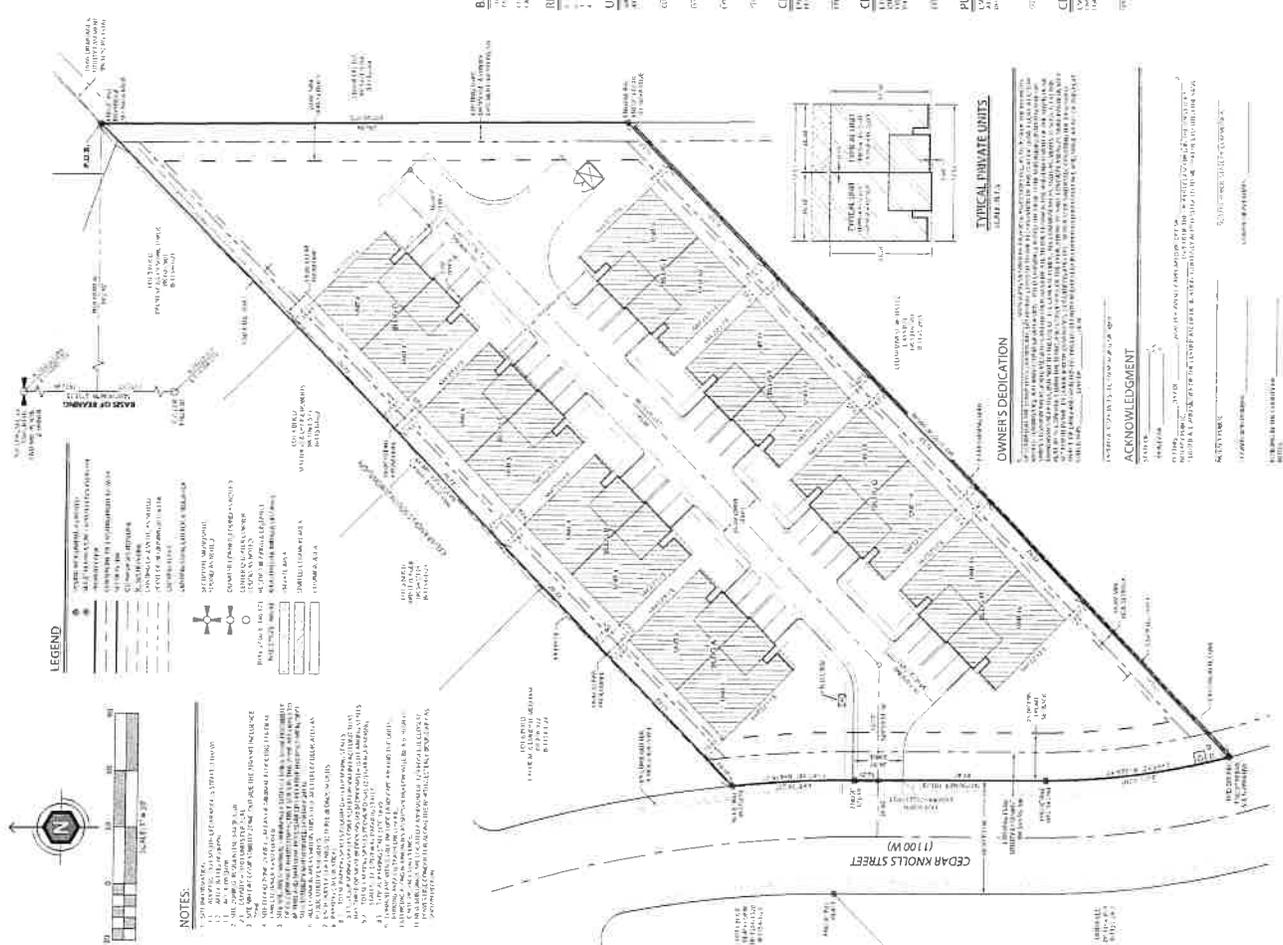
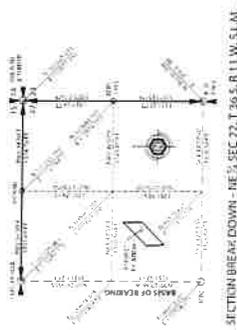
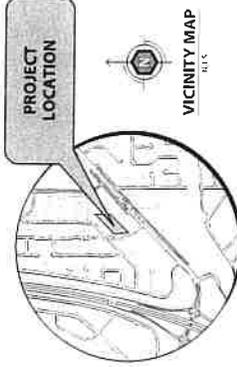
PRELIMINARY  
FOR REVIEW

DATE: 11/11/2011  
DRAWN BY: T. G. WATSON  
CHECKED BY: T. G. WATSON  
DATE: 11/11/2011

1 of 1

# AMENDED FINAL PLAT QUAIL COURT AT CEDAR KNOLLS TOWNHOMES, P.U.D.

LOCATED IN A PORTION OF THE SW 1/4, NE 1/4 OF  
SECTION 22, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN  
CEDAR CITY, IRON COUNTY, UTAH



**LEGEND**

[Symbol]	EXISTING IMPROVEMENTS
[Symbol]	PROPOSED IMPROVEMENTS
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- NOTES:**
1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
  2. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
  3. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
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  20. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.

**SURVEYOR'S CERTIFICATE**

I, the undersigned, being a duly licensed and qualified surveyor, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that the same is a true and correct copy of the original as shown to me by the owner of the same.

**LEGAL DESCRIPTIONS**

LEGAL DESCRIPTIONS OF THE LANDS SHOWN ON THIS PLAT ARE AS FOLLOWS: [Detailed legal descriptions of the property parcels.]

**POWER COMPANY NOTE**

THE POWER COMPANY HAS BEEN ADVISED OF THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAT AND HAS ADVISED THAT THE SAME ARE CORRECTLY LOCATED AND DEPTHS ARE AS SHOWN.

**UTILITY NOTE**

THE UTILITY COMPANIES HAVE BEEN ADVISED OF THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAT AND HAVE ADVISED THAT THE SAME ARE CORRECTLY LOCATED AND DEPTHS ARE AS SHOWN.

**SOILS NOTE**

THE SOILS HAVE BEEN SAMPLED AND ANALYZED AND THE RESULTS ARE AS FOLLOWS: [Soil analysis results.]

**POST OFFICE APPROVAL**

THE POST OFFICE HAS BEEN ADVISED OF THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAT AND HAS ADVISED THAT THE SAME ARE CORRECTLY LOCATED AND DEPTHS ARE AS SHOWN.

**IRON COUNTY RECORDER CERTIFICATE**

THE IRON COUNTY RECORDER HAS BEEN ADVISED OF THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAT AND HAS ADVISED THAT THE SAME ARE CORRECTLY LOCATED AND DEPTHS ARE AS SHOWN.

**PLANNING COMMISSION APPROVAL**

THE PLANNING COMMISSION HAS REVIEWED THIS PLAT AND HAS APPROVED THE SAME FOR RECORDATION.

**CITY ATTORNEY APPROVAL**

THE CITY ATTORNEY HAS REVIEWED THIS PLAT AND HAS APPROVED THE SAME FOR RECORDATION.

**CITY ENGINEER APPROVAL**

THE CITY ENGINEER HAS REVIEWED THIS PLAT AND HAS APPROVED THE SAME FOR RECORDATION.

**CITY COMMISSION APPROVAL**

THE CITY COMMISSION HAS REVIEWED THIS PLAT AND HAS APPROVED THE SAME FOR RECORDATION.

**CERTIFICATE OF ACCEPTANCE**

THE CITY HAS REVIEWED THIS PLAT AND HAS ACCEPTED THE SAME FOR RECORDATION.

**LAND USE TABLE**

Lot No.	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
1	10,000	10,000	10,000	10,000
2	10,000	10,000	10,000	10,000
3	10,000	10,000	10,000	10,000
4	10,000	10,000	10,000	10,000
5	10,000	10,000	10,000	10,000
6	10,000	10,000	10,000	10,000
7	10,000	10,000	10,000	10,000
8	10,000	10,000	10,000	10,000
9	10,000	10,000	10,000	10,000
10	10,000	10,000	10,000	10,000



Proposed Text Amendment to the Cedar City Transportation Plan Map from Harold ease:

That all property necessitated by any future widening of Westview Drive to 100 feet be taken from the presently undeveloped land on the west side of Westview Drive rather than presently developed land on the east side.

Eng/eng/street/westview drive/ROW widening wording

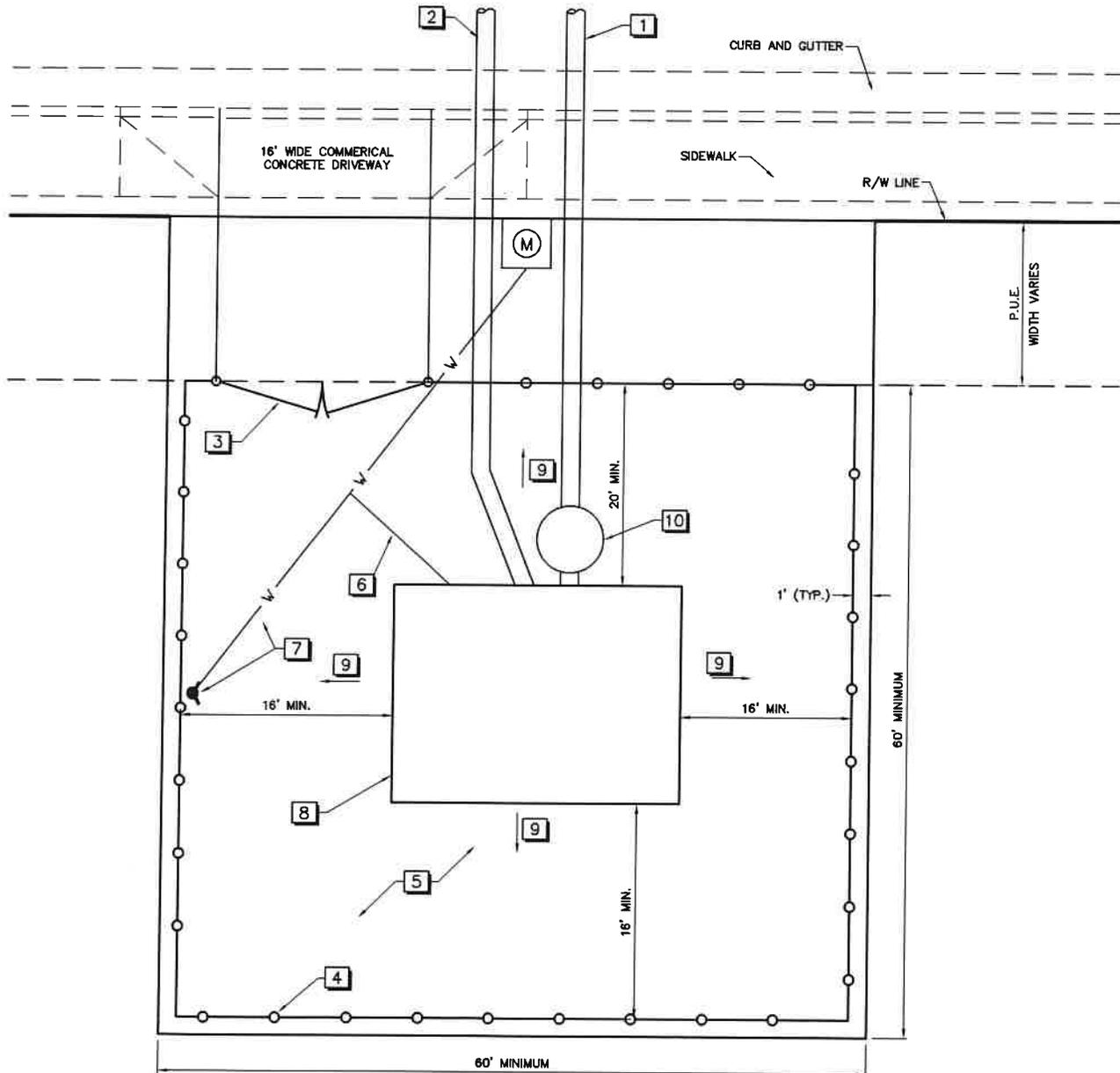
**CONSTRUCTION NOTES:**

- 1 NEW PVC SDR-35 GRAVITY SEWER LINE GOING INTO LIFT STATION. (LINE SIZE PER PLANS)
- 2 NEW PVC C900 PRESSURE SEWER PUMPBACK LINE GOING FROM LIFT STATION. (LINE SIZE PER PLANS)
- 3 INSTALL 16" WIDE x 6" HIGH DOUBLE SWING GATE WITH 3 STRANDS OF BARBED WIRE PER UDOT STANDARD DRAWING FG-6.
- 4 INSTALL 6' TALL CHAIN LINK FENCE WITH 3 STRANDS OF BARBED WIRE ON ARMS PER UDOT STANDARD DRAWING FG-6.
- 5 INSTALL 3" MINUS DRAIN ROCK 6" THICK IN THE ENTIRE FENCED IN AREA.
- 6 INSTALL 1" COPPER WATER LINE INTO BUILDING FOR SELF-PRIMING LIFT STATION.
- 7 INSTALL NEW FROST FREE HYDRANT AND DRAIN ROCK INCLUDING 1" COPPER WATER LINE FROM METER BOX.

- 8 LIFT STATION ENVELOPE FOR ALL BUILDINGS, CONCRETE, UTILITY METERS, ELECTRICAL EQUIPMENT, WETWELL, ETC.
- 9 2% MIN. SLOPE FROM TOP OF SLAB DOWN TO SURROUNDING GRADE.
- 10 LIFT STATION WET WELL.

**NOTES:**

- 1. THIS DETAIL DRAWING DOES NOT TAKE THE PLACE OF STAMPED ENGINEERING DRAWINGS FOR THE LIFT STATION SITE PLAN. THE DIMENSIONS SHOWN ON THIS DRAWING ARE PROVIDED ONLY TO SHOW THE MINIMUM CLEARANCES THAT MUST BE MET.
- 2. THE FOLLOWING UTILITIES MUST BE INSTALLED TO THE LIFT STATION SITE:  
CULINARY WATER  
TELEPHONE  
POWER  
GAS
- 3. DORSETT SCADA SYSTEM IS REQUIRED FOR REMOTE MONITORING OF THE LIFT STATION.



**PLAN VIEW**

N.T.S.

HEET NO.  
**S7**  
FILE  
907

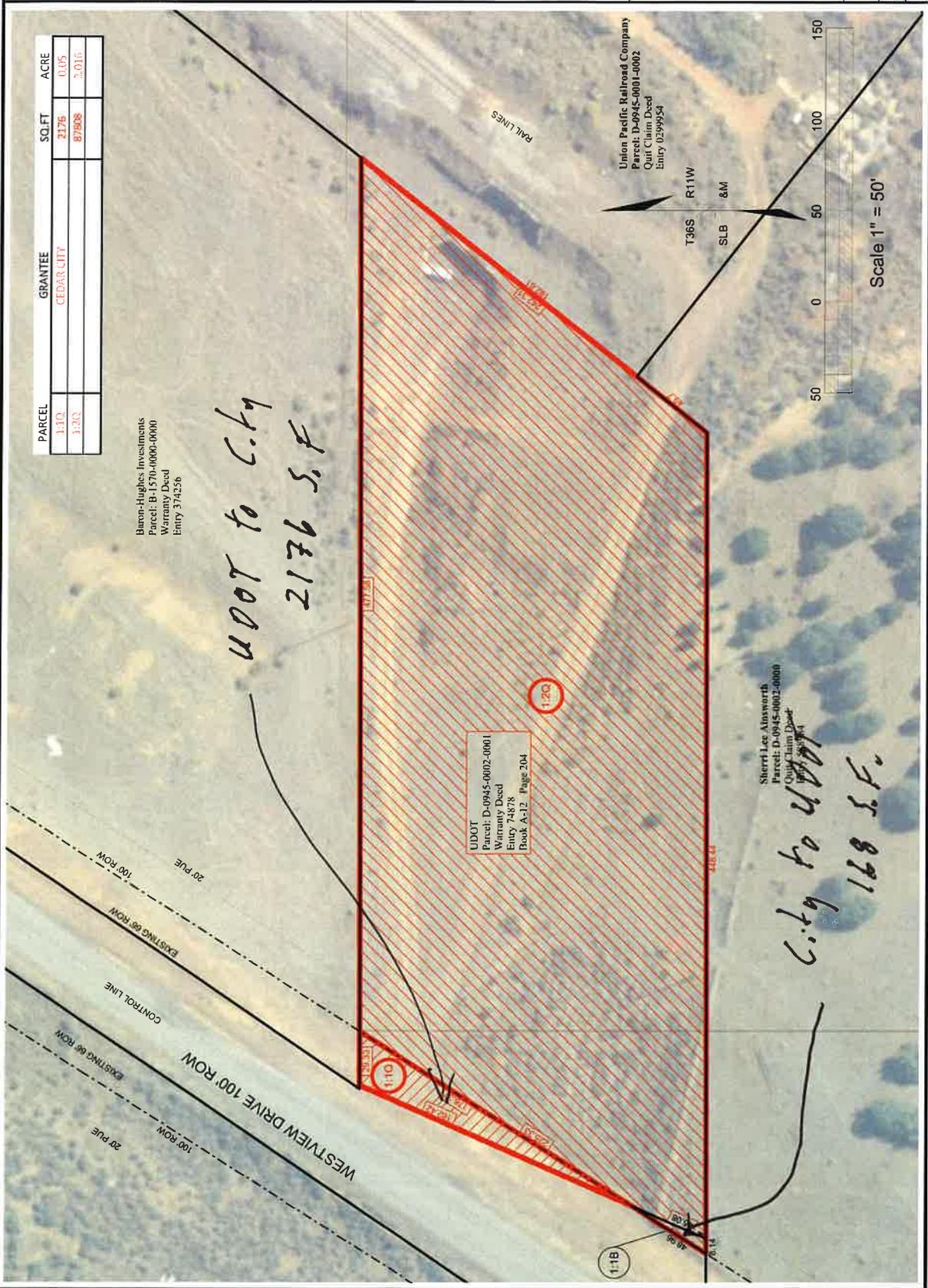
**SEWER LIFT STATION  
SITE PLAN**

**CEDAR CITY**  
10 NORTH MATH STREET  
CEDAR CITY, UTAH 84720  
PH. (435) 688-8885

SCALE: N.T.S.	DATE: 3/2020
DRAWN: T.B.M.	CHECKED: K.C.W.



PROJECT NUMBER: 990050		PROJECT: CEDAR CITY WESTVIEW	
APPROVED: SR56		REGION 4	
DATE: 03/2/2020		226 N WESTVIEW DR, CEDAR CITY UTAH 84720	
UTAH DEPARTMENT OF TRANSPORTATION		IRON COUNTY	
WARD ENGINEERING GROUP		SHEET NO. RW-01	
NO.	DATE	APPROVED BY	REMARKS
1	10/2/20		CREATE 3 PARCELS



PARCEL	GRANTEE	SQ.FT	ACRE
11Q	CEDAR CITY	2176	0.05
12Q		87808	2.016

Baron-Hughes Investments  
 Parcel: B-1570-0000-0000  
 Warranty Deed  
 Entry 374256

Zone change. CrossHollow Road

February 25, 2020

Mike & Mary Cole  
336 S. 2875 W.  
Cedar City, UT 84720  
Phone 951-534-8083

Dear Planning Commission:

Regarding your meeting scheduled for March <sup>10</sup> 10, 2020 at which time you will consider a re-zoning issue along the west side of Cross Hollow Road.

We're writing to voice our opinion as to being opposed to this proposal of changing the zoning from Commercial to Mixed Use.

We purchased our home 2 years ago and part of our decision to purchase was based on the existing zoning of this property ---- zoning which would not permit housing, such as apartments to be built. There will enough traffic with the commercial zoning, please don't change the zoning to make more traffic a reality.

This area of town and the development to the west is without large scale commercial services. We have to drive considerable distances to avail ourselves of these services. The initial zoning at least provides us the opportunity to have commercial services in close proximity to where we live. Should the zoning be changed, the more lucrative option of building multi family housing would most certainly be taken advantage of, thus replacing the commercial option that we need and deserve.

We would most certainly be in attendance at this meeting had we not had a prior commitment in California.

Respectfully,

Mike and Mary Cole