

**CEDAR CITY PLANNING COMMISSION**

**MINUTES**

July 21, 2020

The Cedar City Planning Commission held a meeting on Tuesday July 21, 2020 at 5:15 p.m. in the City Council Chambers, 10 North Main, Cedar City Utah.

Members in attendance: Mary Pearson–Chair, Craig Isom, Ray Gardner, Jennie Hendricks, Jill Peterson, Hunter Shaheen

Members absent: Adam Hahn -Excused

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

Others in attendance: Michael Platt, Shawn Ekker, Rick Sargent, Chad Westwood, Ernie Willmore, JR McLaughlin, Laura Henderson, L. Hemsley, Teri Kenney

The meeting was called to order at 5:14 p.m.

**ITEM/REQUESTED MOTION      LOCATION/PROJECT      APPLICANT/PRESENTER**

**I. Regular Items**

**1- Approval of Minutes (July 7, 2020)**

**(Approval)**

**Jill moved to approve the Minutes of July 7, 2020, seconded by Craig and the vote was unanimous.**

**2- PUBLIC HEARING**

**PUD Amendment                      1500 West Shurtz Canyon Road      Vista Dev. /Platt & Platt  
(Recommendation)                      Cedar Edge PUD Phase 3**

Michael Platt presented and explained how 2 of the buildings need to be moved 6' to the north in order to miss the power transformers. That is the only change.

Mary opened the public hearing; seeing no comments, Mary closed the public hearing.

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

**3- PUBLIC HEARING**

**PUD- Vicinity                      153 West 1150 South                      Willmore/Platt & Platt  
(Recommendation)                      South Rim Townhomes PUD**

Michael Platt presented and said they plan to build 63 units in 3 phases. He pointed out the area and where phase 1 would be, then moving further east to phase 2 then phase 3.

Jennie said that on the Sketch notes there were concerns about the drainage and the soils. Mike said they have done the Geotech and they will put piers under these foundations. As far as drainage, they have talked just today; they will seal all pipes and they are putting in all the correct things so there will be no leaks.

Jill asked where this was in location to the trail. The trail was pointed out just south of this area. Jennie talked more about the drainage and the dirt. Kit said yes, this is an area of town where the dirt does not like water. The Geotech report will give recommendations and they hope those are followed.

Mary opened the public hearing. She asked that anyone with comments come to the podium and state their name.

Lynn Hemsley lives in this area and asked how many stories these buildings will be and how tall this privacy fence will be. Don stated that according to ordinance, they need a 6' site obscuring fence. Mike said they will be 3 story buildings. There is a height restriction in this zone of 35'. They can't go above that.

Lynn said that as you look to the east, the land slopes up, so will the buildings go up or down to that other level. Mike said they are just working on the civil now, that has not been completed. Lynn asked about soil testing and when will they do that? Mike stated they have done the preliminary testing already. During construction they will do more tests. They will make sure that the drainage is taken care of and will not go on to neighboring properties. There will be some hard surface, and then they will run all this into the City storm drain system.

Lynn said basically she has no sort of legal recourse to submit on this development.

She was told this was only the vicinity of this project, it will be looked at by City Council then there will be the final plat when they get a little more specific. Tyler said she was doing what she should do here, by voicing her concerns. She can also bring them up when this comes up for discussion again. That will be on a Council meeting in the near future.

Mary stated that the zoning in this area allows for this development. Lynn said so they are allowed to build up to 3 stories. They will be looking into her bedrooms. She was told there would be a setback of 20' from her property to any building. Mike said they are working on all the civil now.

Mary closed the public hearing.

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

## **II. Staff Items**

### **1- PUBLIC HEARING**

#### **Ordinance Revision to add design Criteria to the SHD Zone (Recommendation)**

**Staff**

Don B. said that this SHD is shown on the general Plan to be right around the university. The purpose and intent is for the housing of SUU students. Currently the zone requires a 15' front setback and a 50' maximum height. There is nothing else to make these setbacks different than fire and building codes. Staff has received direction to take a look at this and address potential impact to neighborhoods and to go over the design criteria. This is geared to be objective as possible. These things they will look at they all understand are very subjective. Sometimes you just see things that say, "match the neighborhood", but what does that mean exactly. He will go through this quickly. (see attachment)

The first deals with the setbacks. Most lots around this zone have a 25' front, total of 16' on the sides

and 20' in the rear. The proposal makes no changes to the 15' front in the SHD but they indicate that you should follow the regular R-3-M zone setbacks. And any building of 3 stories a minimum of 10' on each side. This would be less impact to other homes.

Next is the landscaping; that is an important component. They want to make sure they have landscaping around the street side, with trees along the front. The ordinance will not require just where to plant these trees, just a number of trees needed. This will make sure they have some but also give them flexibility.

You then have parking; the purpose of this is that no parking areas will be between buildings and the street. Not in the setbacks and the idea is to get the parking off there so it does not look like a large commercial style parking lot in front.

Hunter asked if Don had seen some built with all the parking in the front? This was discussed; the Founders Hall parking is all in the back, but you can see some from the streets. Don stated they want to have landscaping as a buffer zone between streets and the buildings.

Don went on; there are lots of condensers and mechanical equipment with these larger buildings. These items will need to be screened with a permanent structure that will match the building.

Hunter said with some construction they still have some things that must be exterior mounted. These cables and things will be required to be flashed and painted to match the building.

Don continued with the architectural, they don't want to just see blocks full of block buildings. They want to break things up. At least 20% of the wall facing the street needs to be recessed or projected out. This will avoid the box look. Without dictating a certain style, they can just play with the box and he had some slides showing examples of this.

Also, on different roof lines you can get away from just a plain roof. There were examples of this on slides. They can use parapets or cornices on the roof to break things up and give it a better look.

Ray asked if the intent was to change the roof elevation or just see some type of transition every 30'. Don said they just don't want a box look with a basic roof.

Don went on with exterior entrances. Again, they can recess these or project them with a porch to break things up and at least one entrance needs to be on the street side. They just don't want to see a long façade with all the entrances piled in the back. Also, if a building is on a corner, the primary entrance should be oriented with all the houses along that side of the street. This is to keep consistency with the block. They want the primary entrance on the ground level, and entrances on the upper floors are permitted, but the corridors need to be away from the street frontage. They don't want the motel look on these buildings.

Next, they will mention colors. He struggles with this one. He has not seen any problems with outlandish colors. The intent is to choose a color pallet that you want but all of the colors need to be in muted tones. At least use 3 colors on any building and bring out the architectural detail. Colors chosen should be of the earth tones.

Lighting they have to not direct that onto residential surrounding areas. Even those in parking lots should be shielded.

Lastly, you are required to use at least 2 different materials. The idea is you don't have a New York style all glass building. Use at least 2 materials. It is hard to dictate using so much brick or stone. That does not work. It may not match the style of architecture.

Jennie said that choosing a color is the hardest thing; she lives in an HOA with similar language, but they have pink and purple as people say those colors are also found in nature. So, the color becomes the hard thing.

Don agreed, that is very difficult; it all depends on who is interpreting that. In his mind, you cannot tell them you can't go with a certain color but be more muted in the tone. Stay away from fluorescent colors.

Craig wanted to know just what was driving this change; or where did the direction come from. Don said that management asked him to work on this zone. Tyler said that also comes from feedback of what they hear out in the City and also a couple of City Council members. They wanted them to dial this back a little bit and try and preserve the character of homes around the SUU campus.

Mary asked why 3 colors. She really likes what they are trying to do. Is in favor of this rather than nothing at all.

Hunter wanted to look at Landscaping item D where it says the street trees will be approved by Council. He wondered if there were a list of trees to be used or something like that. Don said that the City staff has a member who is an arborist. They want to use trees that won't tear up streets and sidewalks. Hunter thinks that most want to know up front what they can and can't do. He can see this as a follow up item.

Mary opened the public hearing.

Teri Kenney wanted to go back to the setbacks. She wondered if there were a driveway, would that be outside the setback. She was told that the drive can be in that setback. The setbacks are for the structure itself. Teri felt then, that 8' was not enough. They have talked about 10' also. Don said if you have to drive along there, the minimum for a 2-way drive is 24'. There is no setback there now, and this minimum could be overruled by building codes or any fire code. They are just saying here to use the same setbacks that are in the R-3-M zone. If you go by those setbacks, one side can actually be a minimum of 6'. Much of this area is zoned R-3-M now and they use those minimum setbacks.

Teri would like that to be wider. These buildings end up so large that they will tower over a house next door. The height is measured to the top plate.

Teri said that second on her wish list would be to cut down on the height. 50' is just too high. If you are keeping it all in a mode that fits the neighborhood, 50' does not fit that. So wider setbacks on the sides, and less height on the buildings. Even with driving on one or both sides, they are already too tall. She also feels they should consider the future; they don't know if all students will come in great numbers or do school work on line. It would be sad to end up with large buildings and then they no longer use them- then what to you do with those.

Laura Henderson lives in this SHD zone. She has been impacted with what is going on. She thanked them all for even suggesting these amendments. They have a beautiful older neighborhood. The fact that they want to entertain these changes is wonderful. She also would like to see the setback larger than 8'. Another point is that something that tall, they can then look into bedrooms. The project on 300 West is 35' tall and there are concerns about people looking into bedrooms. This is a tricky thing to deal with. The other is parking; it is good to put that in the rear, and it is nice to have walls around. Lighting becomes an issue; she has seen students come and go and the headlights bounce off all the neighboring houses. Some are really bright. She has stayed in contact with the person building on 300 West and some lighting is better than other. If walls were extended up to where those driveways are, that would be nice. There are just some things they want to see.

Teri Kenney also wanted to thank all the members of the Planning Commission and Council for their concerns of the people in the community.

Laura Henderson wanted to say 1 more thing; as they talk about signage, they need to also use dark colors on the lettering. Most she has seen are black and lettering is about 5" high. That seems to be the trend. That is not as obnoxious to the neighbors.

Mary did not think they had addressed signs on the buildings. That was another thing they can consider.

Mary closed the public hearing.

Jill liked the idea of a larger setback on the sides also. 8' is not very much. They all would need a driveway. Don said that a one-way drive has to be 12' and if it is a 2-way drive, that has to be 24' minimum.

Laura Henderson said that project on 300 West has 2 buildings and they have put the drive between the buildings. That will put the side setbacks at 6'. If they place the drive in the middle like that, those side ones are very small.

They talked more about driveways and locations.

Craig felt that staff had done a tremendous job and thinks these are all practical suggestions. He is concerned about color. Not sure where you can go there.

Hunter said they put it as simple as it can be. He thinks that is about as good as you can make it. Don agreed that color is a really tough one.

Craig also felt that those who have built so far have done a really good job. As you drive around and look, some buildings are quite nice. They have been responsible and with these guidelines they will get variation.

Craig moved to send a positive recommendation to the City Council for these ordinance additions. Jennie seconded.

Some wondered if they can put in suggestions or leave it as it has been stated? Tyler felt it would be worked over a bit by he and Don as they have taken notes. They can work on those suggestions before this goes before the Council.

Hunter said rather than stating they use the same setbacks as in the R-3-M zone, can they just take

that wording from that zone and put it in here so you are not jumping back and forth to see what that says? They will make note of that also.

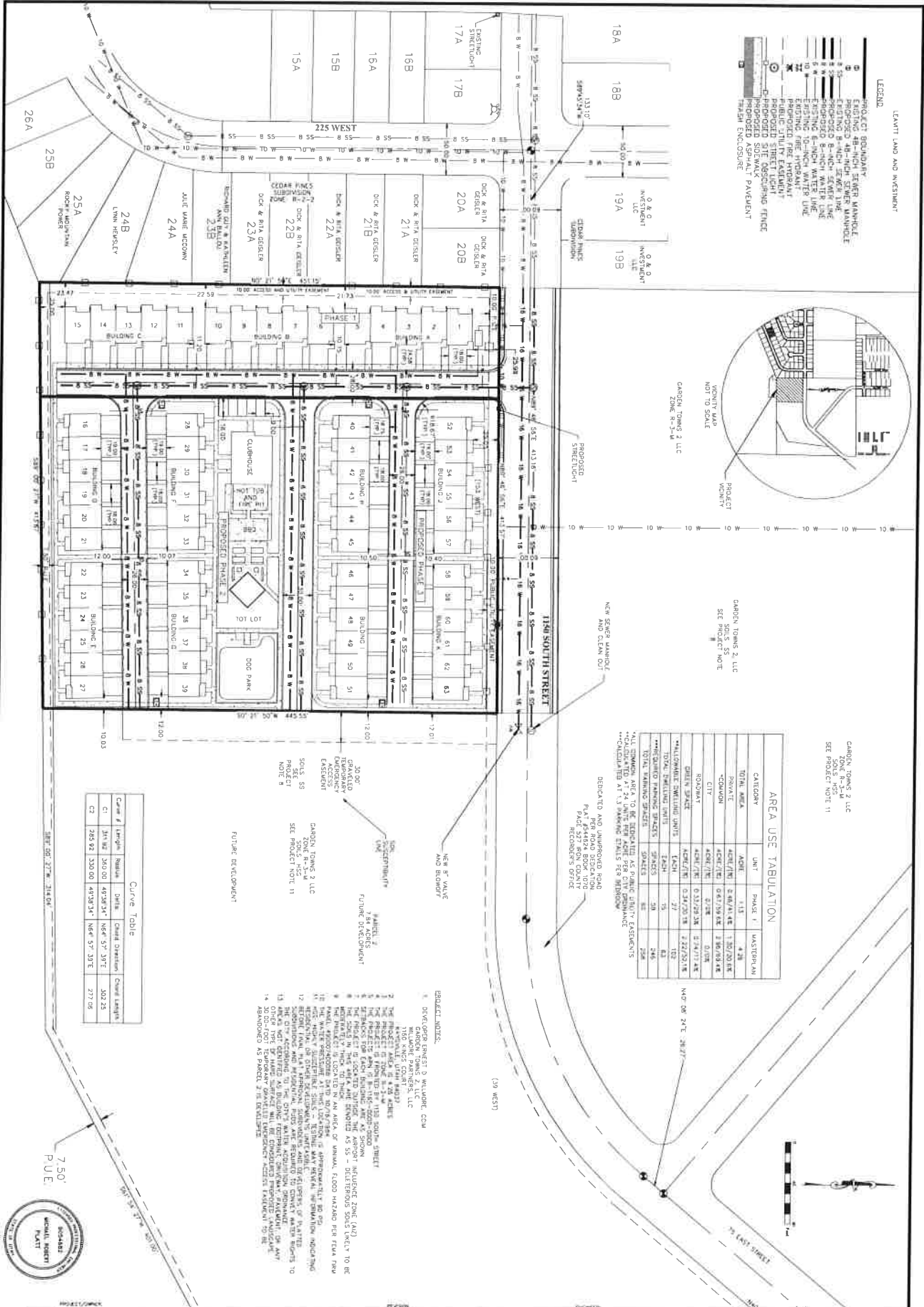
**Craig made the motion to send a positive recommendation to the City Council for these ordinance additions. Seconded by Jennie and the vote was unanimous.**

The meeting adjourned at 6:00 p.m.

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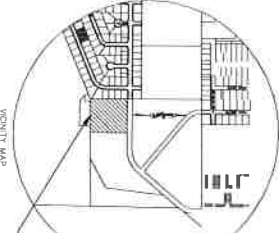
Michal Adams, Executive Assistant





**LEGEND**

PROJECT BOUNDARY  
 EXISTING 48-INCH SEWER MAINHOLE  
 PROPOSED 48-INCH SEWER MAINHOLE  
 EXISTING 6-INCH SEWER LINE  
 PROPOSED 6-INCH SEWER LINE  
 EXISTING 6-INCH WATER LINE  
 PROPOSED 6-INCH WATER LINE  
 EXISTING FIRE HYDRANT  
 PROPOSED FIRE HYDRANT  
 PROPOSED STREET LIGHT  
 PROPOSED STREET LIGHT  
 PROPOSED SITE OCCUPANCY FENCE  
 PROPOSED SIGNMAK PAVEMENT  
 EXISTING FISH ENCLOSURE



**AREA USE TABULATION**

CATEGORY	UNIT	PHASE I	MASTER PLAN
TOTAL AREA	ACRES	1.13	4.28
PRIVATE	ACRES	2.84	1,202.00
COMMON	ACRES	0.67	2,909.84
CITY	ACRES	0.28	0.00
ROADWAY	ACRES	0.33	0.24
GREEN SPACE	ACRES	0.14	0.22
TOTAL DEVELOPING UNITS	TOTAL	27	103
TOTAL PARKING SPACES	SPACES	30	246
TOTAL TRAVEL SPACES	SPACES	30	246

DEVELOPER: CAROLYN TRACT 2 LLC  
 SOLE S.S. HOLDINGS  
 SEE PROJECT NOTE 11

NEW SEWER MAINHOLE AND CLEAN OUT  
 1140 SOUTH STREET  
 PROPOSED STREETLIGHT  
 EXISTING FISH ENCLOSURE  
 EXISTING 48" SEWER MAINHOLE  
 EXISTING 6" SEWER LINE  
 EXISTING 6" WATER LINE  
 EXISTING FIRE HYDRANT  
 EXISTING STREET LIGHT  
 EXISTING FISH ENCLOSURE

DEVELOPER: CAROLYN TRACT 2 LLC  
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**Curve Table**

Curve #	Length	Radius	Chord	Chord Direction	Chord Length
C1	341.84	350.00	492.83	N64°57'39.7"	303.23
C2	282.92	330.00	492.83	N64°57'39.7"	271.05





## SECTION 26-III-22 SUU HOUSING DISTRICT ZONE (SHD)

(A) **Objectives and Characteristics:** The SHD Zone is established as a district in which the primary use of the land is for housing for Southern Utah University (SUU) purposes. The area covered by this zone is intended to be the primary housing area for SUU. For this reason, the zone can be located around the SUU campus in the SUU Student Housing Area of the City's general land use plan. The area is intended to provide housing for SUU students. The SHD Zone is characterized by wide, clean, well-lighted streets, with landscaped street frontages and ample pedestrian and bicycle ways. Buildings on the lots shall be separated from structures on neighboring lots as required by currently adopted Building and Fire Codes.

(B) **Permitted Uses:** The following uses shall be permitted in the SHD Zone: (1) Any use permitted in the R-1, R-2-2 and R-3-M Zones. (2) Boarding and rooming houses. Chapter 26 - Article III- Page 10 (3) Private Schools. (4) Non-profit Community Service Clubs, except those whose activity of which is customarily carried on as a business. (5) Planned Unit Developments approved per this ordinance. (6) Residential facility for persons with a disability, not to exceed twelve (12) residents (see Article XVI). (7) Raising and keeping chickens for non-commercial purposes and subject to Article IV - Supplementary Regulations.

(C) **Lot Area Requirements:** There shall be no minimum lot area requirements for this Zone.

(D) **Lot Width Requirements:** there shall be no minimum lot width requirements for this Zone.

(E) **Building Setback Requirements:**

(1) Side Setback: ~~shall be in compliance with currently adopted building and fire code as adopted at the time of the land use application.~~ Same as the R3-M Zone and 10 feet for buildings over three stories.

(2) Front Setback: shall be a minimum of 15' from the street right-of-way line and in compliance with currently adopted building and fire code as adopted at the time of the land use application.

(3) Rear Setback: ~~shall be in compliance with currently adopted building and fire code as adopted at the time of the land use application.~~ Same as the R3-M Zone.

(F) **Building Height Requirements:** The maximum height of any building shall be fifty (50) feet in compliance with currently adopted building and fire codes.

(G) **Building Size Requirements:** In compliance with currently adopted building and fire codes.

(H) **Dwelling Unit Density Requirement:** No requirements.

(I) **Parking Requirements:** Required parking in the SHD Zone is 0.75 parking stalls per occupant.

(J) **Special Provisions:**

1) All off-street parking space shall be hard surfaced.

~~2) Landscaping—see Article VII, Landscaping.~~

~~3)2) See Article IV, Supplementary Regulations to all zones.~~

~~4)3) Compliance with City Subdivision Ordinance and City adopted Building and Fire Codes.~~

~~5)4) In addition to the International Fire Code, these Fire Department provisions are required for Group R occupancies:~~

~~a) Any required Fire Department Connection (FDC) will be located in the front or side setback of the building as directed by the Fire Chief.~~

~~b) Full automatic sprinkler system designed and installed per the current International Fire Code.~~

~~c) Full Commercial Fire Alarm System designed and installed per the current International Fire Code shall be installed in Group R occupancies where any of the following conditions apply:~~

~~i. any bedroom is located in a three or more story building,~~

~~ii. any bedroom is located in a basement, or~~

~~iii. the building contains 16 or more bedrooms.~~

~~d) Section 26-III-22(J)(5)(b) and (c) shall not be required for single family dwellings, duplexes and legally subdivided townhomes.~~

(K) Design Criteria: Buildings within the SHD zone are encouraged to present a street side elevation that is visually and physically penetrable, incorporating architectural elements that provide visual interest and relief from flat surfaces such as the textured materials, offset planes, differentiated piers and columns, varied roof lines, and other projections. All plans shall include site plans, elevations, and color renderings as necessary demonstrating compliance with the following minimum standards:

(1) Landscaping:

a. Landscape plan required. All setbacks adjacent to the street shall be improved with landscaping and shall not include more than 50 percent rock and or gravel materials. Street trees shall be planted on private property along all street frontages at a minimum of 1 tree for every 30 linear feet. All trees shall be maintained by the adjacent property owner.

b. Tree plantings are not required to be of equal spacing.

c. Minimum 24-inch box trees required.

d. Trees shall be selected from an approved street tree as determined by the City

Council.

(2) Parking:

- a. Building shall be oriented towards the public street with no onsite parking or drive aisles allowed between the building and street sidewalk, nor within any setback adjacent to a street.

(3) Screening:

- a. Mechanical equipment including air compressors, backflow prevention, irrigation, control boxes, and similar equipment located at grade or on a rooftop shall be shielded from view by permeant materials compatible with the exterior colors and materials of the building.
  - i. Conduits associated with new construction shall be located on the interior of the building
- b. Each Development shall provide facilities for the storage and collection of refuse as follows:
  - i. Unless enclosed in a building, all waste materials shall be located within an enclosure encompassing 6-foot masonry walls finished to match the building.
  - ii. Enclosures shall not be allowed in any yard which abuts a public street, between the primary building and any adjacent street frontage, and shall be located a minimum of five feet from adjacent residential properties.
  - iii. Enclosures which are visible from a public street shall have the access openings oriented away from the street frontage.

(4) Architecture:

- a. A building shall not have a total measurement greater than 100 linear feet along any wall, roof, or footprint.
- b. Building wall offsets, including projections, and recesses shall be provided along any building wall facing a street. The total measurement of such offsets shall equal a minimum of 20 percent of the building wall length. The minimum depth of any recess or projection shall be 2 feet. The maximum spacing between such offsets shall be 30 feet.
- c. Rooflines shall be vertically articulated at least every thirty feet along the street frontage with the use of architectural elements such as parapets, varying cornices, reveals and varying roof form. Flat roofs with a horizontal fascia are prohibited unless there is a change in the roofline at least every 30 feet with a minimum vertical change in the roofline of three feet. Any building with a flat roof shall incorporate at least one change in plane.
- d. Primary building entrances and paths of travel shall be visible from the primary street frontage and shall provide direct pedestrian access from a city sidewalk. If a site fronts on two streets, the primary street frontage shall be determined by aligning the entrance with the predominant front yard pattern of the adjacent residential streets.
- e. Exterior entrances serving multiple units shall have a roofed projection or recess with a minimum depth of five feet with a length that is a minimum of one foot beyond each side of the entrance doors. Exterior entrances serving a single unit shall have a recess or roofed projection at a minimum of three feet in depth and a length that is a minimum of one foot beyond each side of the entrance door.



- f. Projections into required setbacks shall be governed by Section 26-IV-1(F) of this ordinance. All projections shall maintain a minimum of 10 feet from any street property line and shall not be placed within any public utility easement. Projections shall not be utilized to increase the square footage of any building.
- g. A minimum of one primary entrance shall be located at the ground floor. Exterior entrances shall be permitted at upper floors; however no exterior access corridor shall be permitted adjacent to any street frontage.
- h. Blank walls (facades without doors or windows) shall be less than 30 feet along any street frontage.
- i. Buildings shall incorporate earth tone colors which include a color scheme that draws from a color palette of browns, tans, greys, greens also including some blues, reds, whites and creams. The colors in an earth tone color palette are muted and flat in emulation of colors generally found in nature. Building shall also include at least three colors to bring out the architectural detail of the building.
- j. The placement of exterior lights shall not direct light onto adjacent residential properties or lots and shall be installed in such a manner that the light source will be sufficiently obscured or shielded to prevent glare.
- k. All buildings shall incorporate at least two primary building material as part of the exterior façade. Mirrored glazing as a primary building material shall be prohibited.