

1 **Highland City Planning Commission**
2 **February 25, 2014**

3
4 The regular meeting of the Highland City Planning Commission was called to order by Planning
5 Commission Chair, Christopher Kemp, at 7:03 p.m. on February 25, 2014. An invocation was
6 offered by Commissioner Steve Rock and those assembled were led in the Pledge of Allegiance by
7 Commissioner Chris Kemp.
8

9 **PRESENT:** Commissioner: Christopher Kemp
10 Commissioner: Brady Brammer
11 Commissioner: Steve Rock
12 Commissioner: Scott Temby
13 Commissioner: Tim Heyrend
14 Commissioner: Sherry Carruth
15

16
17 **EXCUSED:** Commissioner: Abe Day
18

19 **STAFF PRESENT:** Community Development Director: Nathan Crane
20 Secretary: Samantha Stocking
21

22
23 **OTHERS:** Mckaiden Carruth, Ursula Wayman, F. Dee Roberge, Darrell &
24 Virginia Petersen, Addy White, Heidi Boyer, Jeri Symmes, Dan
25 Symmes, Laird Sessions, Mark Thompson, Griff Johnson, Mike
26 Carlton, Jed Robinson, Jared Lucero, Parker Enloe, Maren
27 Mouritsen
28

29 **A. PUBLIC APPEARANCES**
30

31 Commissioner Chris Kemp read an opening statement for the Planning Commission.
32

33 “This Planning Commission is composed of Highland City citizens who have been
34 appointed by the City Council to serve on the Commission as a civic responsibility. In the
35 interest of maintaining a fair and efficient hearing, the Commission adheres to the following
36 steps:
37

38 The Chair calls the agenda item;
39 Staff gives a brief report and recommendation;
40 Applicant then may give a presentation;
41 Opposition and support give testimony, no more than three minutes per speaker;
42 Applicant may give a response, and
43 The Commission has a discussion and makes decision.
44

1 Anyone wishing to speak before the Commission must fill out a speaker information form
2 and hand it to Nathan Crane, Community Development Director. We expect all that
3 participate will be civil in their public discourse and that they will be respectful of others
4 whether they agree or disagree with any action taken. The Commission will stand against
5 any incivility when we see it.
6 We thank you in advance for your participation.”

7
8 **B. PUBLIC HEARING ITEMS**
9

- 10 1. Jed Robinson and Jared Lucero are requesting to replace a through street with a cul-de-sac to
11 accommodate a proposed five-lot subdivision located at 11164 North 4800 West. The
12 proposal will eliminate the planned connection to/from Spruce Drive to 4800 West.
13 *Legislative.*

14 Commissioner Kemp opened the public hearing.
15

16 Nathan Crane, the Community Development Director, indicated that the item presented is a request
17 by a developer to replace a planned through street with a cul-de-sac to accommodate a four lot
18 subdivision. The parcel size is just over four acres, zoned as R-1-40. Section 5-8-105 of the
19 Development Code requires that proposed streets be extended to the boundary lines of the land to
20 be subdivided. Unless prevented by topography or other physical conditions or an opinion of the
21 Planning Commission, such extension is not desirable for the coordination of the subdivision with
22 the existing layout or the most advantageous future development of adjacent tracks. Referring to the
23 slide presented of the proposal, the proposal would accommodate four lots. When the Spruce
24 project was developed in 2007 there was a planned connection with a stub road on the east that
25 would eventually connect to 4800 west. Mr. Crane indicated that there is a power line/water
26 easement which prohibits any access to 4800 west. There would also be a number of property
27 owners that would be impacted by the through extension.
28

29 Future planning for the area includes a planned extension for the road which would provide the
30 needed utility services; culinary, sewer and pressurized irrigation. The Manor subdivision, located
31 just below the proposed cul-de-sac, is currently on septic tank; the only way to serve the subdivision
32 in the future is through the planned connection which is part of the water master plan. Petitions
33 showing support of the proposed cul-de-sac were provided, however the two most affected areas,
34 the Roberge residence did not sign the petition and the Petersons have since submitted a letter of
35 opposition to the request. An additional letter of opposition regarding the request has been received
36 from a resident in the subdivision.
37

38 Staff has some concerns with the project. Mr. Crane indicated that these concerns stem from the
39 best interest of the City. Communication has been clear with the applicant. A through street is most
40 desirable to provide the adequate infrastructure that is needed for the site in the area. Other
41 developments have been required to have stub roads; in this location and in other locations
42 throughout the City. There is not an alternative connection to 4800 West. The request would require
43 road between two existing homes; the space is about 65 feet wide which could accommodate a
44 public road. The impact on water, sewer and traffic, the City believes flows better. The City

1 Engineer is also requesting a through street at that location. Based on the information the Staff
2 believes the proposal meets the findings listed in the staff report listed before the Commission and is
3 recommending that this be a through street instead of a cul-de-sac.
4

5 Jed Robinson, the applicant, introduced himself. He explained that the purpose of the project was to
6 create a cul-de-sac for family and friends to live in. There was no desire to create problems for the
7 surrounding neighbors. After talking with many of the property owners surrounding the proposed
8 project, the consensus was encouragement to move forward with the project as long as they (the
9 other property owners) would not be negatively affected. Traffic is a concern for the property
10 owners. A petition was signed by everyone including the Roberge and Peterson residents, although
11 they were concerned about being land locked. After speaking with the two property owners that
12 would potentially have the road between them, Mr. Robinson found out that there was plans for the
13 road on a plat many years ago. The City brought up some concerns that needed to be addressed. Mr.
14 Robinson hired an engineer to look at and address the concerns.
15

16 Mike Carlton, the engineer hired for the proposal, addressed the concerns the City Staff brought
17 forward. A water model was asked to be produced to see how the proposal would mesh with the
18 current Highland City water model. There is a four inch waterline located at the proposed Pace
19 Manor cul-de-sac; that line is quite small for what would normally be needed for fire flow. When this
20 area was developed, including Manor Lane, it appears to have been developed under previous
21 standards that do not meet today's standards when it comes to fire flow. Mr. Carlton believes that
22 the City of Highland has understood that there are some needed upgrades in the area. The water
23 model demonstrated that either way, cul-de-sac or through street, the four inch line will have to be
24 upsized. The other option if it is not upsized it would have to connect over to Spruce Drive and at
25 this time that will not happen; the Petersons and Roberges do not have any intentions of developing
26 right away, so there would no waterline across their land. Manor Drive has an undersized waterline
27 as well. It is currently a 6 inch line which will need to be connected to a different waterline
28 eventually to improve the fire flows in that area as well. The Staff report points out that there is a
29 conflict with the water model if the proposal for the cul-de-sac is put in place. The proposal is to tap
30 into the waterline via the Roberge property when it eventually develops. The facts of the water
31 model back up the needs for either the through street or the desired cul-de-sac. Future sewer service
32 is also a concern. The Peterson and Roberge property would be able to connect to sewer in the
33 future if the cul-de-sac is approved. The traffic study concluded that the cul-de-sac would only
34 produce a small amount of traffic. The dead-end portion of the road would be improved with the
35 addition of the cul-de-sac. The four lots would still fit regardless of a through street or a cul-de-sac.
36

37 Commissioner Temby inquired why there was a request to change from a through street to a cul-de-
38 sac.
39

40 Mr. Robinson responded that through asking around the consensus was to have a cul-de-sac. Prior
41 developers wanted the through street, but his request was always for a cul-de-sac.
42

43 Commissioner Brammer expressed concerns with the proposed project. The proposal would
44 essentially create to developments and lock the second portion to develop a specific way. The City
45 has not analyzed the second development. The hired engineer has looked at it for a specific portion

1 rather than both sides of the development. The property owners directly affected would need to be
2 involved in the process to have it subdivided properly.

3
4 Mr. Carlton responded that the original application indicated the four lots. They were asked to
5 provide a possible development plan for the property to the east of the proposed cul-de-sac. This
6 proposal was just an option of how the property to the east could develop for the desired cul-de-sac.
7

8 Commissioner Brammer inquired if any utility models were run through the property as well as the
9 desired model that was presented.

10
11 Mr. Carlson provided that they would be more than willing to provide that information if it is
12 wanted. He is aware that the City does not like utilities to be located in the side lot lines.

13
14 Commissioner Heyrend inquired about the depth of the sewer pipe on 11200 North. The City has
15 stated that a through street is a better option for the City because the utilities are better
16 interconnected. He stated that he understands the benefit of a cul-de-sac, but it is more difficult for
17 safety vehicles to maneuver. If a city is presented with a choice, it is common for the city to choose a
18 through street over a cul-de-sac for those purposes.

19
20 Mr. Carlton did not know specifically but indicated that within the area the pipes are typically 12 and
21 13 feet.

22
23 Commissioner Kemp opened the hearing to public comment requesting to keep comments less than
24 three minutes.

25
26 Laird Sessions, a resident on Manor Drive, presented a tally of 38 children under the age of 14 who
27 would be impacted by the new subdivision. He is concerned from a safety point of view. He
28 indicated that 4800 would be used as a short-cut which would create more traffic in the area.

29
30 Commissioner Kemp clarified that the through street will not connect to Manor Drive.

31
32 Mr. Crane indicated that there is a piece of private property between the two. The last time this issue
33 was discussed the residents were opposed to the connection to Manor Drive. At this time that
34 option is not being pursued.

35
36 Mr. Sessions restated his comments and indicated that he is in favor of the proposed cul-de-sac.

37
38 Jared Lucero, one of the property owners. Indicated that he and the other owners have been friends
39 for many years and wanted a place to raise their families together. He stressed that they did not want
40 to hurt any of the surrounding property owners in any way. The purpose of the cul-de-sac is to raise
41 the families together rather than using this as an opportunity to make money.

42
43 Commissioner Kemp asked that if there was a substantial increase cost to the City whether through
44 utility connections, snow removal or future maintenance that the four lots on the cul-de-sac would
45 be willing to pay the City's fees for that.

46

1 Mr. Lucero indicated that to some reasonable extent they would. If it turns out to be so expensive
2 that they cannot afford to live there then that would make a difference.

3
4 Parker Enloe, a lot owner of the proposed Pace Manor Subdivision, echoed Mr. Robinson and Mr.
5 Lucero in that he wanted a safe area to raise his family in close proximity to friends and family. The
6 access to 11200 North seems to be a better fit rather than have the high school traffic on 4800 West
7 for the area as a whole. He indicated that he is in favor of the proposed cul-de-sac.

8
9 Darrell Peterson, a property owner that would directly be affected by the cul-de-sac, indicated that
10 he has been a resident for over 40 years. His major concern is becoming land-locked with the
11 development of the proposed cul-de-sac.

12
13 Adrian White, lives in the Spruces Subdivision, is aware that the street would be a through street to
14 somewhere. She would appreciate that it would not be a complete through street but include the cul-
15 de-sac. The traffic has been really backed up when trying to pick kids up from school and other
16 activities. She indicated that she is in favor of the proposed cul-de-sac.

17
18 Heidi Boyer, resident on Spruce Drive, counted 45 children on Spruce Drive. She indicated that she
19 is in favor of the cul-de-sac for the purpose of safety. She also stated that two years ago, a “not
20 through street” sign was requested for Spruce Drive. This road gets a lot of traffic because people
21 do not realize it is a dead end.

22
23 Lindsey Perdy, who resides on Manor Drive, is also in favor of the cul-de-sac. The area gives off a
24 feel of small close-knit community and the cul-de-sac would only add to that feel. She also
25 mentioned that there is opposition for Manor Drive to be connected to Spruces further on down
26 the road.

27
28 Griffin Johnson, resident of Highland, commented that the neighborhood is speaking about their
29 own neighborhood and is supportive of the cul-de-sac. The code approves and supports cul-de-sacs.
30 All service vehicles should be accommodated. He concluded that he is in favor of the cul-de-sac as is
31 the voice of the people.

32
33 F. Dee Roberge, a property owner that would be directly affected by the proposed cul-de-sac,
34 indicated that he is against a road going through his property to accommodate the proposed cul-de-
35 sac. Mr. Roberge is against the cul-de-sac which would result in an access road going through his
36 property.

37
38 Ursula Wayman asked if there was a way to accommodate for the cul-de-sac without having the road
39 go through Mr. Roberge’s property.

40
41 Mr. Crane indicated that the road needs to connect to either 4800 or 11200 to avoid a long cul-de-
42 sac which is prohibited in the City for safety reasons.

43
44 Laird Sessions indicated that the residents on Manor Drive would not be opposed to the
45 neighborhoods being connected with trails/walking paths.

46

1 Virginia Peterson expressed that she would like to be guaranteed her property will not be
2 landlocked.

3 Mr. Crane stated that the City cannot guarantee they will not be landlocked because they have no
4 control over private property owner decisions. It was also noted that there will always be access to
5 11200 North.

6

7 Mr. Lucero indicated that if there was an adverse effect of the road going up and connecting to
8 11200 North, the same adverse effect would occur if the road was a through street. Even though the
9 road going up to 11200 North would be taking part of the Roberge property, it seems at the time
10 there are no plans to develop the land. The through street would be forced which would create
11 problems for the service vehicles.

12

13 Commissioner Kemp closed the public hearing.

14

15 Mr. Crane stated that one of the roles of the Planning Commission is to make sure needs are
16 accommodated today and in in the future. The presented proposal would require more road to be
17 built on the Roberge's property than it would if it was a through street. The master plan goes to
18 collector roads and above so a neighborhood road would not be indicated on the plan. It comes
19 down to what is best for the City; the City engineer has said that a through street works best for the
20 City now, and in the future. The desire for a cul-de-sac is understood, but in Mr. Crane's opinion is
21 that traffic may be slightly more.

22

23 Commissioner Rock stated that he understands the desire for the cul-de-sac, but notices that there
24 are many land owners that will be negatively affected by the proposed plan.

25

26 Commissioner Temby inquired about any plans for the expansion of 4800 west. With no affirmative
27 answer he commented that the impact on the Roberge property would be impacted by the
28 connection to 11200 North or even potentially to Manor Drive which would also impact another
29 group of residents. Commissioner Temby stated that he would recommend the original proposal of
30 a through street.

31

32 Commissioner Carruth states she understands the desire for the cul-de-sac. She is concerned with
33 the second proposal because there is no fact and foundation behind it. She is also concerned that
34 plans are being made for a property owner that he does not even want.

35

36 Commissioner Brammer states that the proposal layout makes sense but the development of the
37 plan would force two other parcels to do something in a specific way even though that is not desired
38 right now. Commissioner Brammer is concerned that the Petersen and Roberge properties are being
39 forced into a development plan that may not be what they want.

40

41 Commissioner Heyrend stated that he prefers the traffic flow better as it goes to 11200 North but
42 there are still issues with the cul-de-sac and traffic. The sewer is still an issue that has not been
43 resolved. He agrees that the proposed plan forces the Petersen and Roberge properties to be locked
44 in to a specific road way that is not preferred.

45

1 Commissioner Kemp also stated that he does not like forcing other property owners into situations
2 that would negatively impact their situation. The Roberges would be forced to have a road on the
3 side of the house just to accommodate the proposed plan. He encouraged the Commission to pay
4 deference to the City engineer when he says that the original plan for the area would be best for the
5 City.

6
7 **MOTION: Commissioner Rock moved that the Planning Commission accept the findings
8 and DENY the request for a cul-de-sac for the proposed Pace Manor Subdivision.**

9
10 **Motion seconded by Commissioner Temby. Unanimous vote, motion carried.**

11
12 **C. OTHER BUISNESS**

- 13 • Planning Commission Chair and Vice Chair Elections
14 **A nomination was made to keep Commissioner Kemp as Chair and
15 Commissioner Heyrend as Vice Chair. There was unanimous agreement on
16 the nomination. The Chair and Vice Chair positions will remain the same.**

17
18 **D. APPROVAL OF MINUTES**

- 19
20 • January 28, 2014 – Regular Meeting
21 **MOTION: Commissioner Heyrend moved to approve the minutes from
22 January 28, 2014. Commissioner Rock seconds. Unanimous vote, motion
23 carried.**

24
25 **E. PLANNING STAFF REPORT**

- 26 • New Commissioner Brady Brammer introduced himself and was welcomed to the
27 Planning Commission.
28
29 • The Ashford request was denied by City Council. There were concerns about the
30 impact based on what already exists. The property owners from the South came
31 forward and expressed concern with the project.

32
33 **F. COMMISSION COMMENTS AND SUGGESTIONS**

34
35 **MOTION: Commissioner Heyrend moved to adjourn. Motion seconded by Commissioner
36 Temby. Unanimous vote, motion carried.**

37
38 **Meeting adjourned at [8:28:35 PM](#).**