



AGENDA

HIGHLAND CITY PLANNING COMMISSION Tuesday, June 30, 2015 – Special Meeting 7:00 p.m.

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah

CALL TO ORDER: Chris Kemp, Chair

- Attendance – Chris Kemp, Chair
- Invocation – Commissioner Chris Kemp
- Pledge of Allegiance – Commissioner Steve Rock

APPEARANCES:

Time has been set aside for the public to express their ideas, concerns, and comments on non-agenda items. Speakers will be limited to three (3) minutes.

WITHDRAWALS AND CONTINUANCES:

None

PUBLIC HEARING ITEMS:

1. **CU-15-02:** A request by Tim Aalders for the approval of a conditional use permit for a 93 unit townhome project called Blackstone. The property is approximately 7.81 acres in size and is located at the northeast corner of Town Center East and Parkway East.
Administrative
2. **PD-15-01:** Rob Gulbrandsen is requesting approval for a planned development of 25 empty nester units and 60 single-family homes called Highland Oaks. The property is approximately 36.61 acres and is located at the northeast corner of Highland Blvd. and 11800 North.
Legislative

OTHER BUSINESS:

1. Oath of Office – Scott Temby

APPROVAL OF MINUTES:

- May 26, 2015 – Regular Meeting

PLANNING STAFF REPORT:

COMMISSION COMMENTS AND SUGGESTIONS:

ADJOURNMENT:

NEXT MEETING: *July 28, 2015* at 7:00 pm City Council Chambers

Legislative: An action of a legislative body to adopt laws or polices.

Administrative: An action reviewing an application for compliance with adopted laws and policies.

FOR SPECIAL ACCOMMODATIONS

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Recorder at (801) 772-4506 at least 48 hours prior to the Commission meeting.

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this 23rd day of June 2015. These public places being bulletin boards located inside the City offices and located in the Highland Justice Center, 5400 W. Civic Center Drive, Highland, UT; and the bulletin board located inside Lone Peak Fire Station, Highland, UT. On this 23rd day of June, 2015 the above agenda notice was posted on the Highland City website at www.highlandcity.org.

Kelsey Bradshaw, Planning Coordinator



Community Development

SUBJECT: PUBLIC HEARING – Conditional Use Permit Multi-Family Townhome Project (CU-15-02)

MEETING DATE: June 30, 2015

TO: Planning Commission

FROM: Nathan Crane, Community Development Director

REQUEST: Conditional Use Permit for an 86 Unit Attached Multi Family Development

PARCEL SIZE: 7.8 Acres

LOCATION: Northeast Corner of Town Square East and Parkway East

APPLICANT: Tim Alders

OWNER: Frank and Maria Carlone

BACKGROUND:

The site is designated as Mixed Use Development on the General Plan Land Use Map. The site is zoned Town Center Flex-Use District. Multi-family residential developments are permitted in this district subject to review and approval of a conditional use permit.

A maximum of 342 units are permitted in the Town Center Flex-Use District. A project cannot exceed 12 units per acre. Toscana was approved for 200 units leaving 142 units. If this project is approved 56 units will remain.

A Conditional Use Permit is an administrative action.

SUMMARY OF REQUEST:

1. The applicant is requesting approval of a conditional use permit for an 86 unit multi-family development. All units are three bedroom units that are 3,667 square feet (3,139 square foot of living area and 528 square foot garage). The number of units per building will range from three to eleven. Owners will own each unit.
2. The primary ingress/egress to the project will be from Parkway East and Town Square East/ Parkway East will be completed as part of this project.

3. The project will be built in two phases. The first phase will be north of Parkway East and the second phase will be south of Parkway East.
4. The maximum setback is provided along Parkway East and Town Square East.
5. Approximately 2.27 acres (29.75%) of the site will be landscaping (24%) and hardscape (5.3%) exceeding the requirement for 15% landscape and 5% hardscape areas. Amenities include a pool, play structure, and gazebos.
6. All roads within the development are private and will be owned and maintained by a Home Owners Association (HOA). The roads include 26 feet of asphalt with two feet of flat curbing.
7. The site provides 233 parking spaces. Each unit will have a two car garage (24'X 22') and there are 75 guest parking spaces. The Development Code requires 3 spaces per unit. The standard two car garage is typically 24' X 24'
8. Each unit will have their own garbage and recycling containers. The containers will be stored in the garage.
9. A wrought iron fence will be on the perimeter of the property except adjacent to street right of ways.
10. The buildings are three stories and 36' 11" high to the top of the roof. The maximum height permitted is 50 feet. The maximum number of stories is three. The applicant has chosen a Tuscan architectural theme. Colors include different shades of brown.

CITIZEN PARTICIPATION:

Notice of the June 18, 2015 Neighborhood meeting was mailed to all property owners within 500' of the proposed plat on June 3, 2015. Four residents attended the meeting. The developer presented and overview of the project. One gentleman came to the meeting asking if they could be rentals, developer said they were not intended to be. One person was concerned with the density and building height, the developer assured her that they were in compliance with the code. One couple was concerned with the rod iron fence and children feeding their horses through it and her flood irrigation.

Notice of the June 30, 2015 Planning Commission meeting was published in the Daily Herald on June 14, 2015. Notice of the meeting was also mailed to all property owners on June 10, 2015. No comments have been received.

REQUIRED FINDINGS:

The City Council must determine that the proposed use meets three findings prior to granting a Conditional Use Permit. The burden of proof rests with the applicant. Each finding is presented below along with staff's analysis.

1. **The use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The property to the north and east is zoned Town Center Commercial Retail and is the Ridley's shopping center, Tim Tire, Arctic Circle, Ace Hardware, and an existing home. The property to the south is zoned Town Flex-Use and is planned for a City library. The property to the west is zoned Town Center Civic. The proposed use is compatible with the surrounding properties.

2. The use complies with all applicable regulations in the Development Code.

The proposed density is 11.27 which is less than the maximum of 12 units per acre permitted.

The number of units will not exceed what is allowed in the district.

There does not appear to be enough room in the garage for these containers and two vehicles. In addition, some of the garage space may be used for personal storage. This could result in the loss of a parking spaces and/or the storage of garbage and recycling containers in the private drive. Staff recommends that trash enclosures be used.

The Fire Marshall has reviewed the site plan for fire access requirements. The proposed project meets the requirements of the Fire Code.

An irrevocable maintenance fund will need to be established by the CC+R's to ensure maintenance of the private roads. Staff is recommending that a note be placed on the final plat to inform potential home buyers of this issue.

Public water, sewer, and storm drain lines are proposed in the private roads. The City Engineer and Public Works Department will need to approve the location of all utilities prior to final plat approval. In addition, an easement to allow access to these lines will need to be included.

The location of water, sewer, and pressurized irrigation lines in relation to lot lines and building foundations will need to be reviewed with the civil improvement plans to ensure adequate spacing.

The City Engineer is concerned about the location of the balconies in relation to the right-of-way line. As such a stipulation requiring a minimum of five feet from the balcony to the right-of-way has been included.

The character and long term success of this type of development requires an effective homeowners association and involved property owners. These types of units may be very attractive to investors and could become rental units over time. The developer will be able to limit the number of initial investors, but has no control over subsequent buyers. Staff has no way of knowing if rental units will be more of a problem here than in any other single family neighborhood.

With the proposed stipulations, the conditional use will meet all requirements of the Development Code.

3. Conditions are imposed to mitigate any detrimental effects.

Stipulations have been included to ensure compliance with the Development Code.

CONCLUSION:

With the proposed stipulations, the proposed conditional use appears to meet the findings for a conditional use permit.

RECOMMENDATION:

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the Blackstone Townhome project subject to the following stipulations:

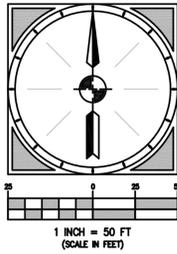
1. The site plan shall conform to the site plan, elevations, and landscape plan dated June 2, 2015, except as modified by these stipulations.
2. The location of water and sewer lines in relation to lot lines and building foundations shall be reviewed by the Engineering Department and Building Division with the civil improvement plans to ensure adequate spacing and appropriate locations.
3. Potential homebuyers shall be informed by CC&R's, affidavit, and posted notice in the model home sales office of the following:
 - a. Ownership and maintenance of private streets.
 - b. Responsibility for repairing private streets after utility maintenance.
 - c. Parking restrictions for residents and visitors.
 - d. Ownership and maintenance responsibility for all common areas.
 - e. No more than four unrelated persons may live in a unit.
4. The property owner shall establish an irrevocable maintenance fund by the CC+R's to ensure maintenance of the private streets. In addition, all private streets shall be constructed to meet Town design standards.
5. A note shall be added to the Final Plat and the Covenants, Conditions, and Restrictions stating the Homeowner's Association shall be responsible for the maintenance of all private streets.
6. The civil construction drawings shall meet all requirements as determined by the Town Engineer.
7. The final landscape plans shall be reviewed and approved prior to issuance of a building permit.
8. A comprehensive sign plan addressing private drive signage, building addressing and permanent directional signage shall be submitted and approved prior to final plat approval. All signs shall be uniform in theme and appearance.
9. The Fire Marshall shall approve the location of all fire hydrants prior to approval of the civil construction plans.
10. Parking shall be prohibited on all private roads.

11. Trash enclosures shall be used instead of individual cans.

ATTACHMENTS:

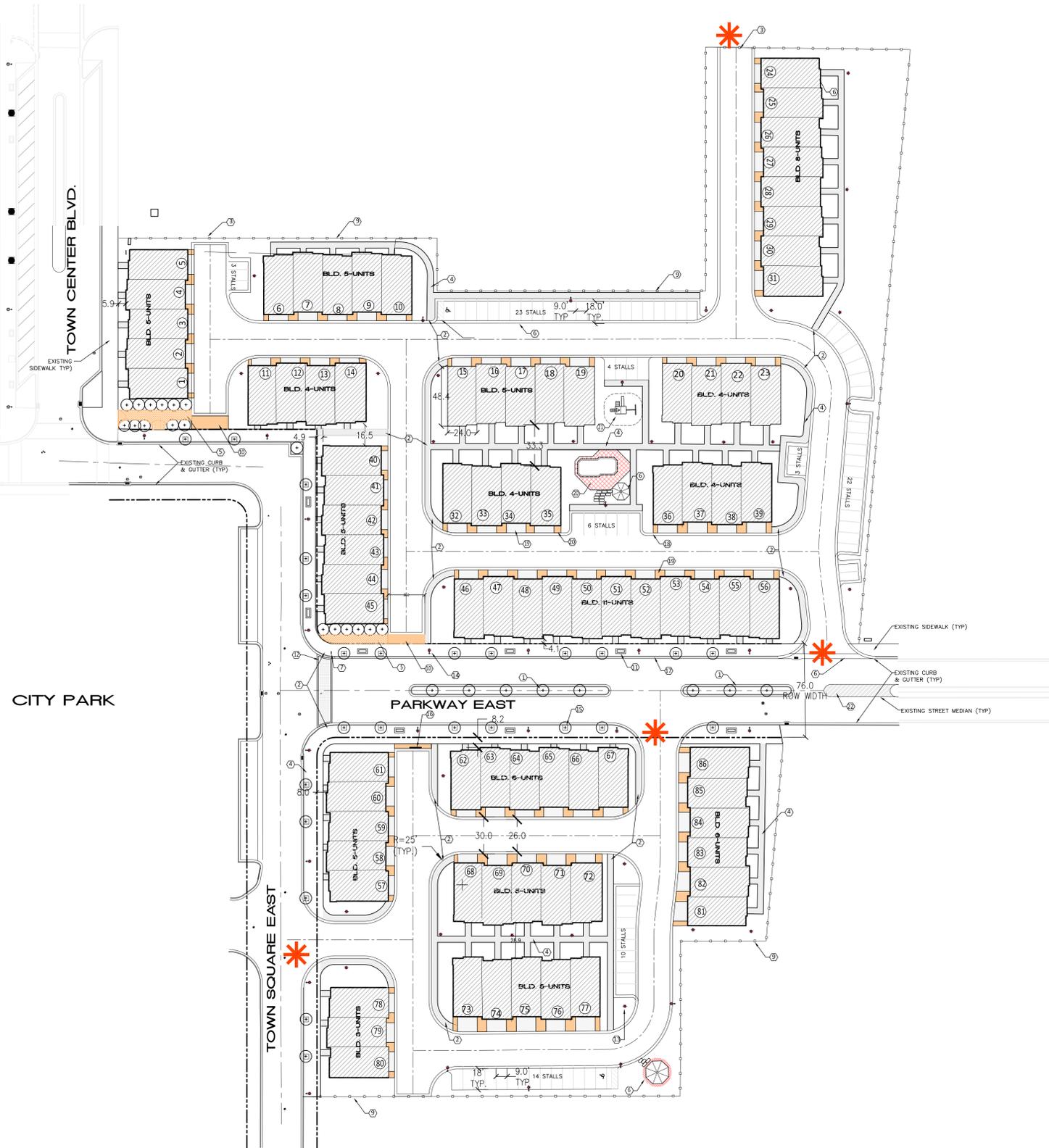
Attachment 1 – Site Plan, Landscape Plan, Elevations

Attachment 2 – Neighborhood Meeting Summary



PARKWAY WEST

CITY PARK



LEGEND

- ① LANDSCAPED STREET MEDIAN
- ② ADA RAMP
- ③ ACCESS GATE IN EXTERIOR FENCING
- ④ NEW SIDEWALK
- ⑤ PASEO/ PLAZA AREAS-SEE SITE PLAN DETAIL SHEET
- ⑥ GAZEBO/ GRILL AREA
- ⑦ STOP/ STREET SIGN
- ⑧ EXISTING 5' WIDE SIDEWALK TO BE UPGRADED TO A 15' WIDE SIDEWALK
- ⑨ WROUGHT IRON FENCING-SEE DETAIL SHEETS
- ⑩ FIRE ACCESS
- ⑪ LANDSCAPE PLANTER
- ⑫ CROSSWALK
- ⑬ POLE LIGHT-SEE LIGHTING SITE PLAN
- ⑭ STREET LIGHT-SEE LIGHTING SITE PLAN
- ⑮ STREET TREE AND GRATE-SEE DETAIL SHEETS
- ⑯ BIKE RACK-SEE DETAIL SHEETS
- ⑰ HIGH BACK CURB AND GUTTER
- ⑱ ROLLED GUTTER (All private roads)
- ⑲ CONCRETE DRIVEWAY
- ⑳ COMMUNITY FACILITY AREA
- ㉑ CHILDREN'S PLAY AREA
- ㉒ RECONSTRUCT MEDIAN FOR NEW INTERSECTION

JURISDICTION

LEGAL JURISDICTION: HIGHLAND CITY
DISTRICT/ PLANNING ZONE: TOWN CENTER FLEX USE

AREA TABULATIONS

| AREA | AREA | % of total |
|-------------------|-------------------------|------------|
| TOTAL AREA: | 7.8 acres | 100% |
| BUILDING(S) AREA: | 2.45 acres (107,136 sf) | 32% |
| LANDSCAPE: | 1.87 acres (81,293 sf) | 24% |
| HARDSCAPE: | 0.4 acres (18,955 sf) | 5% |
| ROADS: | 1.8 acres (79,436 sf) | 23% |

PARKING TABULATIONS

| | |
|---------------------------|--|
| TOTAL UNITS: | 86 |
| ON SITE PARKING PROVIDED: | 872 GARAGE 86 STALLS 258 TOTAL ON SITE (3.0 SPACES/ UNIT) |

ACCESSIBILITY

ALL UNITS TO OFFER ELEVATORS FOR HANDICAPPED ACCESS

Project access point-full access

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CITY ENGINEER

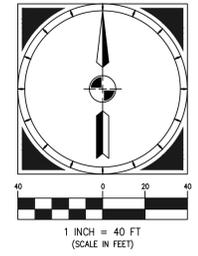
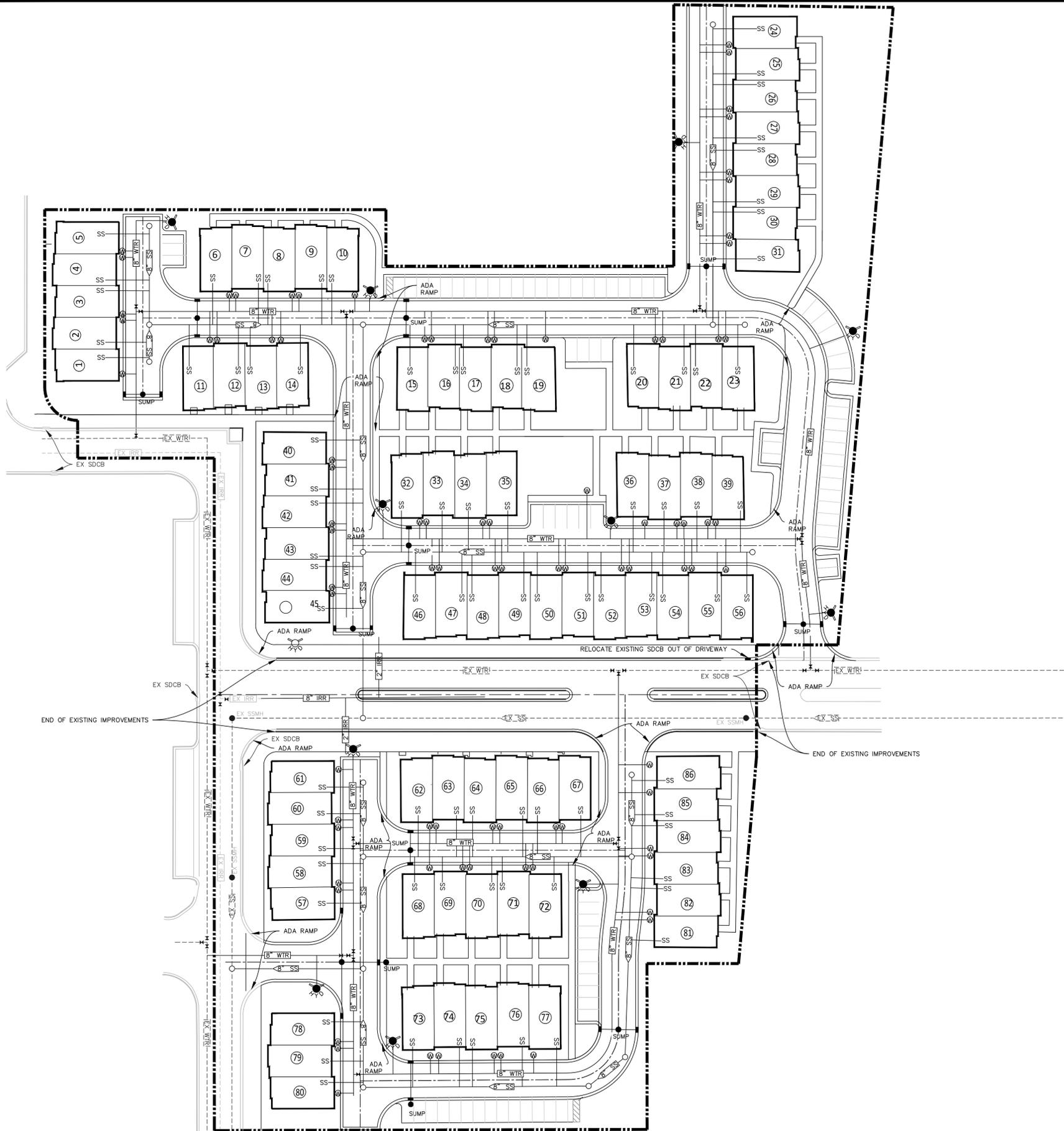
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PROJECT MANAGER: BMB
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BLACKSTONE PROJECT

PROJECT: C15-006
SHEET: C-1

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LEGEND

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| | WATER METER |
| | PROPOSED FIRE HYDRANT |
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| | PROPOSED VALVE |
| | EXISTING VALVE |
| | STORM DRAIN SUMP |
| | PROPOSED STORM DRAIN CATCH BASIN |
| | PROPOSED STREET LIGHT |
| | SANITARY SEWER MANHOLE |

UTILITY NOTES

1. ALL CONSTRUCTION TO BE DONE ACCORDING TO HIGHLAND CITY STANDARDS AND SPECIFICATIONS.
2. CULINARY WATER—48" MIN. DEPTH TO TOP OF 8" DUCTILE IRON PIPE, POLY-WRAPPED.
3. SEWER—8" SDR-35 PVC PIPE WITH 5' DIAMETER MANHOLES.
4. WATER TEES, ELBOWS, PIPE BEDDING AND TRENCHES SHALL BE INSTALLED PER HIGHLAND CITY STANDARDS.
5. ALL VALVES TO BE FLANGED TO THE TEE.

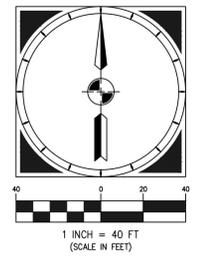
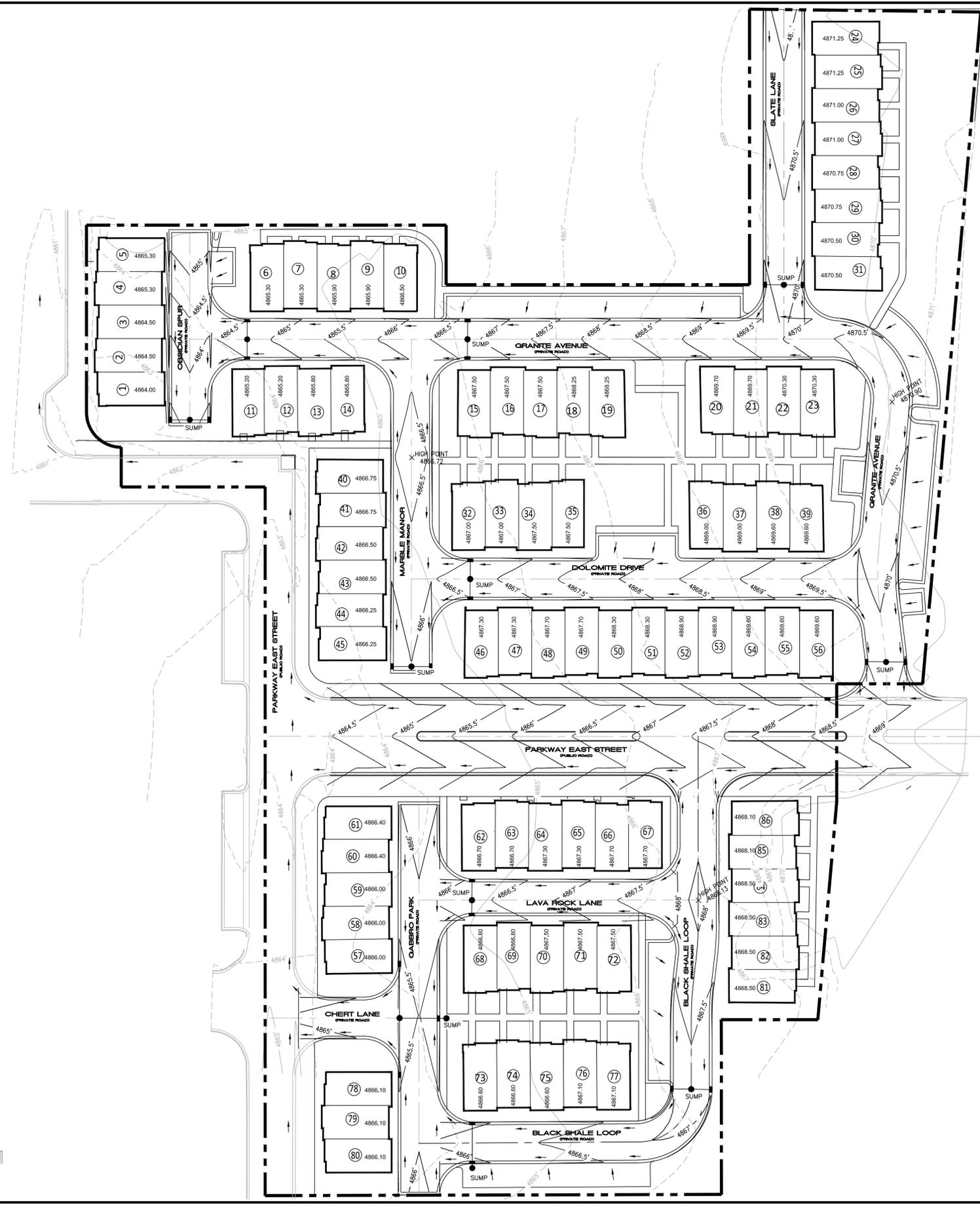
Summit Engineering Group Inc.
 Structural • Civil • Surveying
 55 WEST CENTER • P.O. BOX 176
 HEEBER CITY, UTAH 84032
 P. 435-634-9229 • F. 435-634-9231
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PROJECT: BLACKSTONE TOWNHOMES
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 SHEET TITLE: UTILITY PLAN

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| SHEET | C-2.1 |



STORM DRAINAGE NARRATIVE

THE SITE IS RELATIVELY FLAT, SLOPING TOWARDS THE WEST. THE EXISTING ROADS ARE DRAINED TO INLET BOXES AND CONTROLLED BY SUMPS. THE SITE WILL FOLLOW A SIMILAR APPROACH AND COLLECT THE STORM WATER THROUGHOUT THE SITE AND DIRECT THE FLOW TO SUMPS TO PERCOLATE INTO THE GROUND. HISTORICALLY THE FLOW HAS FOLLOWED THIS SAME PATTERN OF PERCOLATING INTO THE GROUND AT THE SITE. THE NUMBER OF SUMPS SHOWN AND THE LOCATIONS FOR THE SUMPS ARE PRELIMINARY. STORM DRAIN CALCULATIONS, SUPPORTING THE SUMP LOCATIONS, WILL BE PROVIDED IN THE FINAL STORM DRAINAGE REPORT.

GENERAL NOTES:

1. ALL CONSTRUCTION TO BE DONE ACCORDING TO HIGHLAND CITY STANDARDS AND SPECIFICATIONS.
2. ALL STORM DRAIN BOXES TO BE 3'X3' INSIDE DIMENSION UNLESS OTHERWISE SPECIFIED.
3. STORM DRAIN PIPE IS 15" RPC. SLOPE FROM BOX TO BOX IS 0.2% MIN. AND SPECIFIED.
4. CONTRACTOR TO MEET ALL ADA REQUIREMENTS FOR THE SITE.
5. PIPE SLOPE FROM BOX TO SUMP IS 1.0% MIN.

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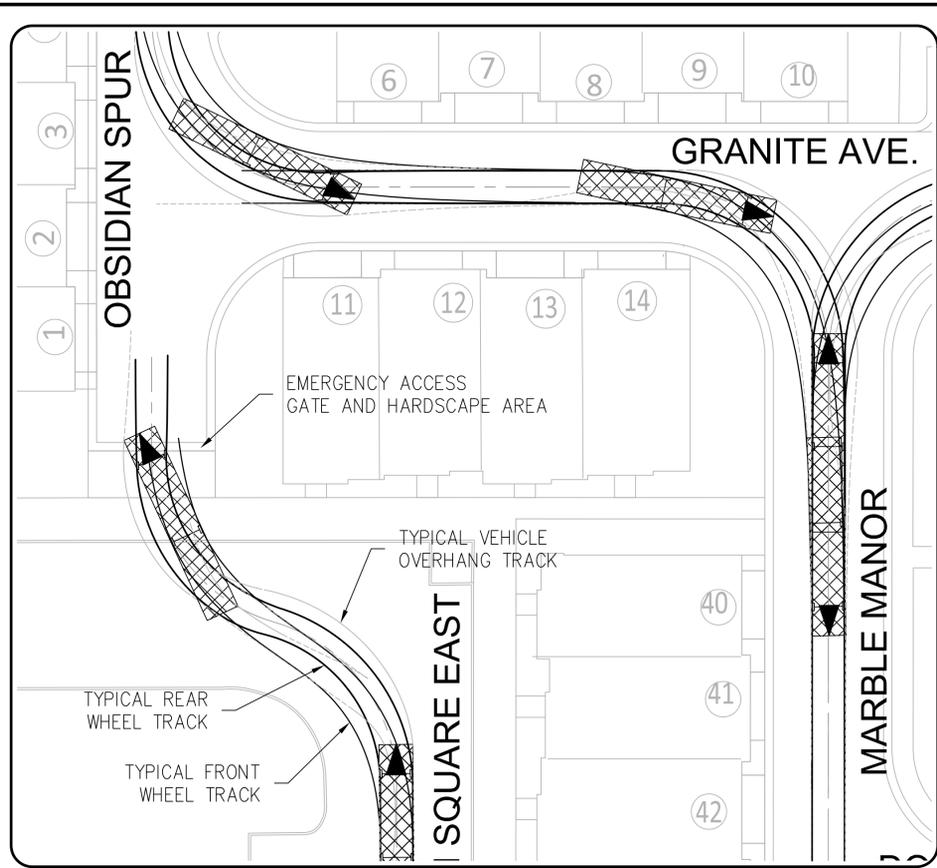
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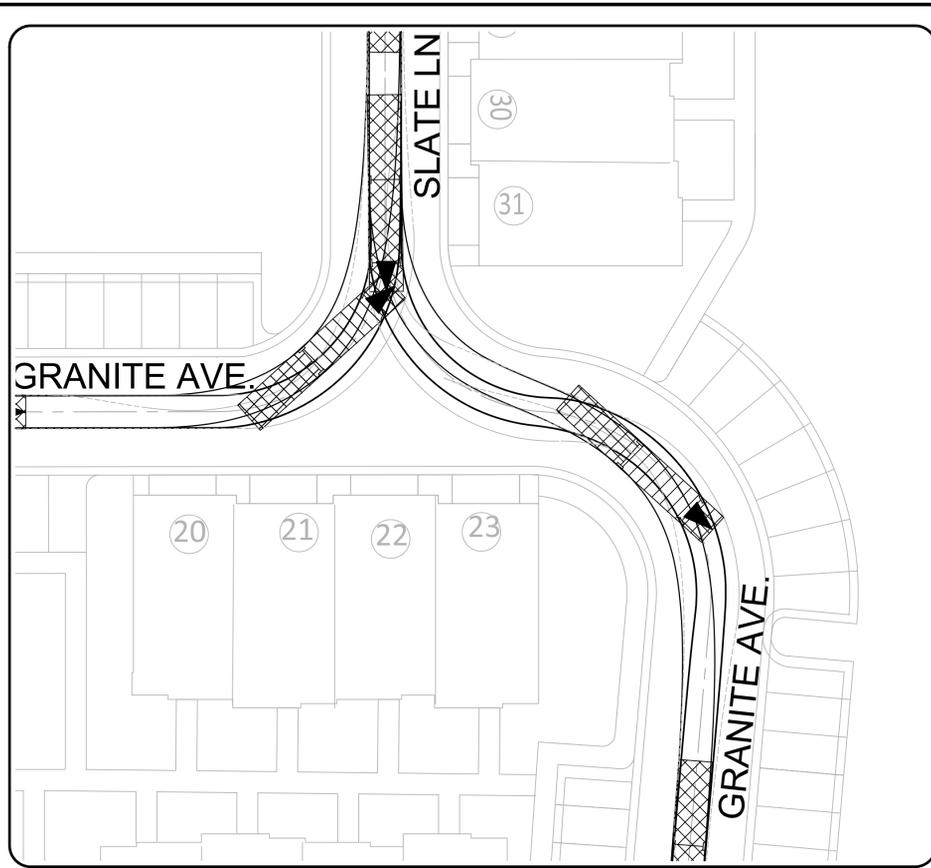
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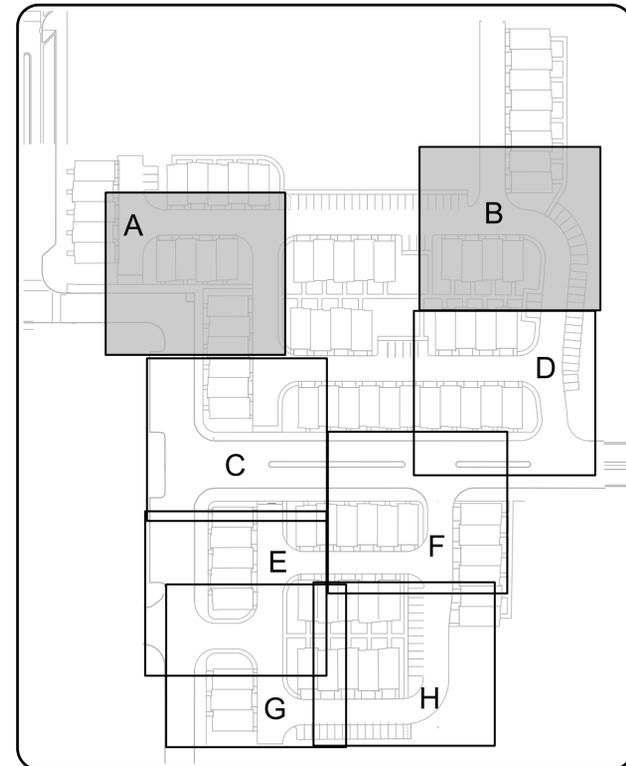
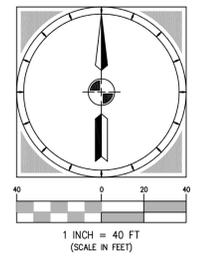
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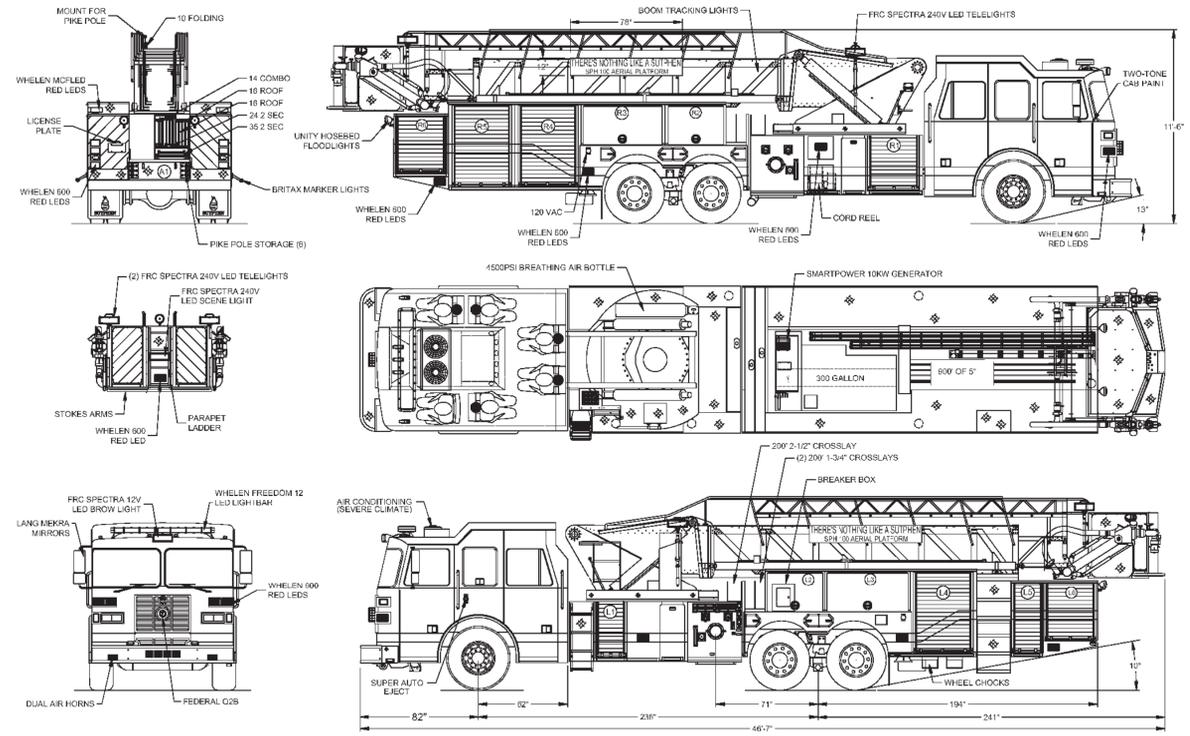
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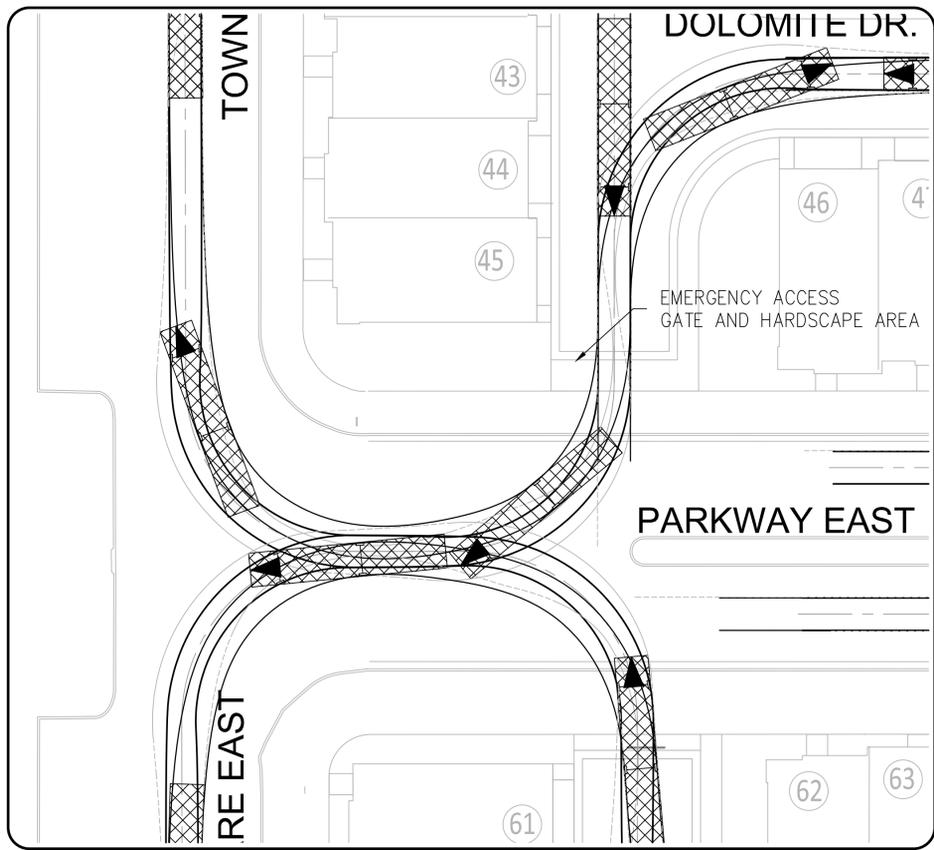
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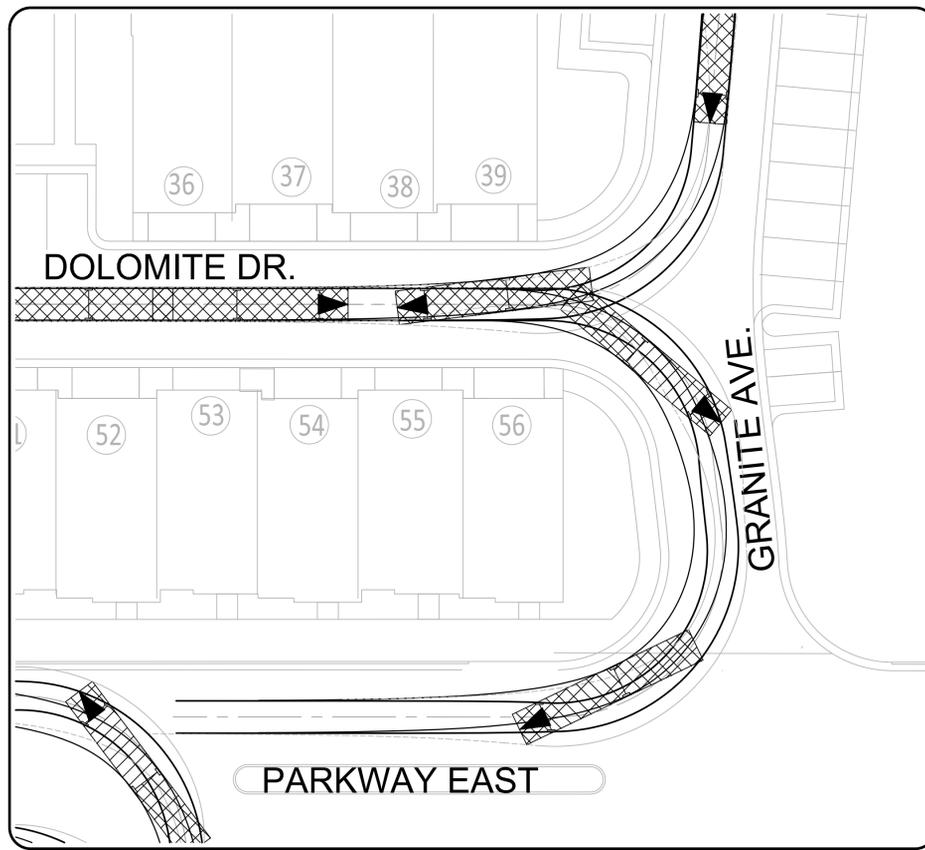
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PROJECT: BLACKSTONE TOWNHOMES
A RESIDENTIAL SUBDIVISION
SHEET TITLE: FIRE TRUCK INGRESS AND EGRESS
PROJECT: C15-006
SHEET: C 3.1

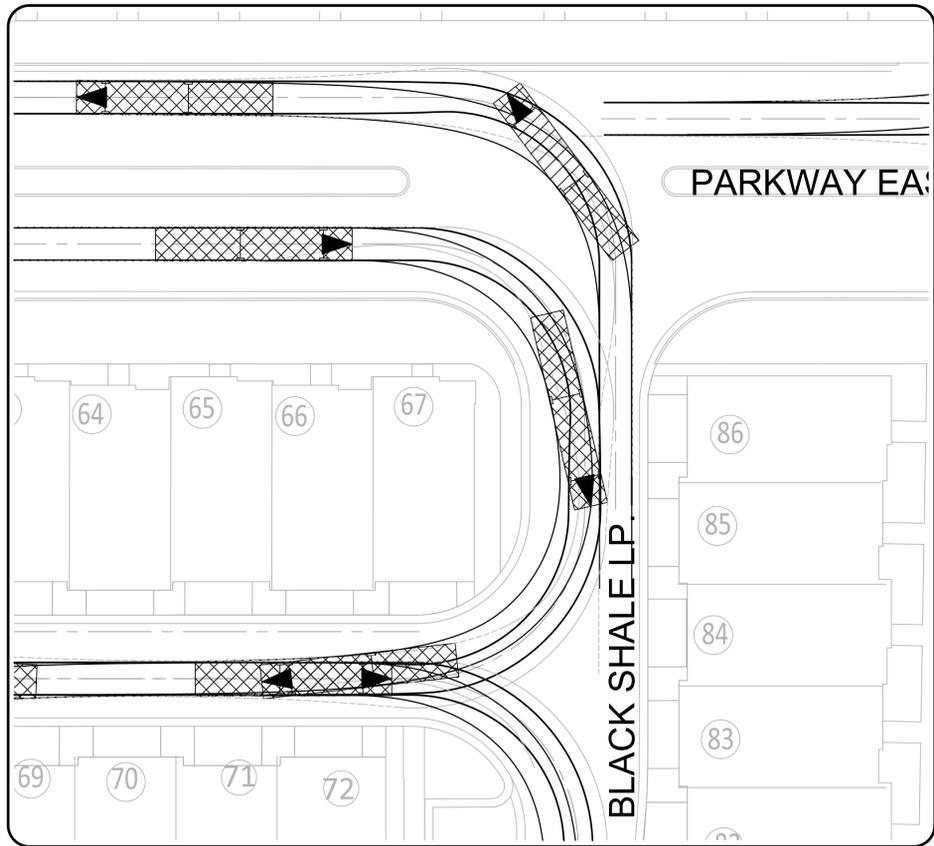
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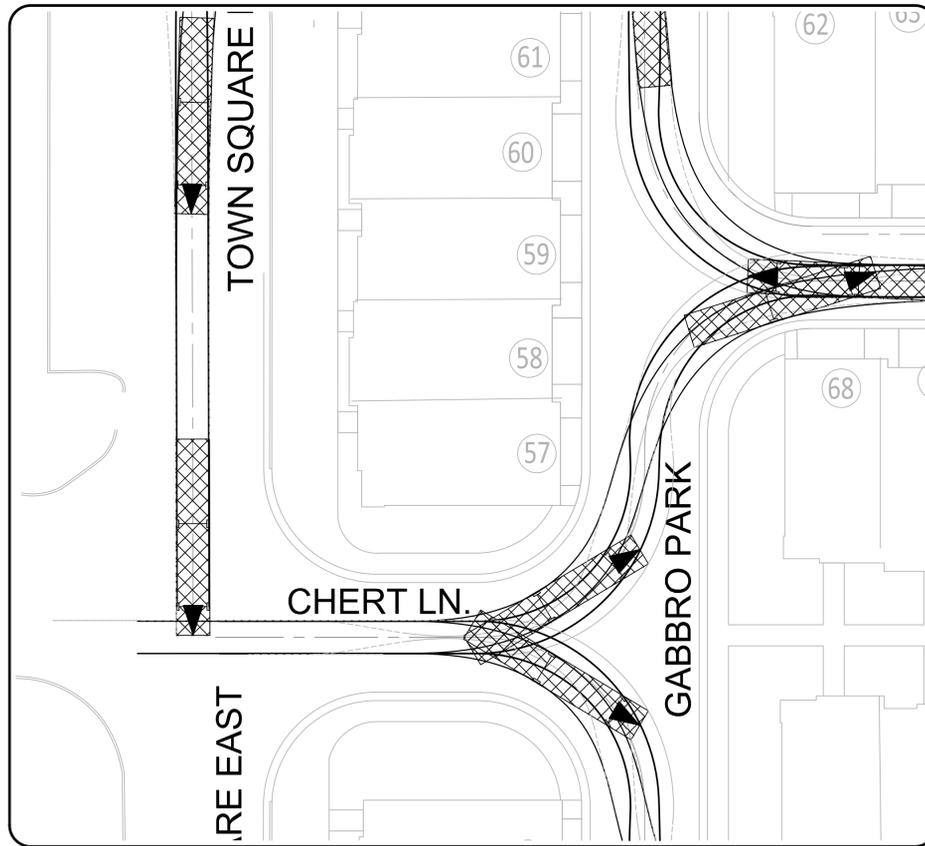
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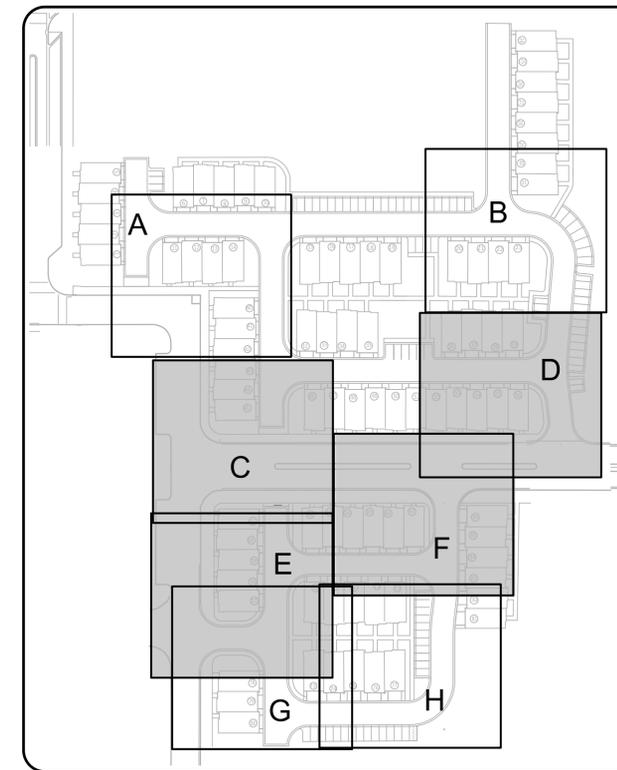
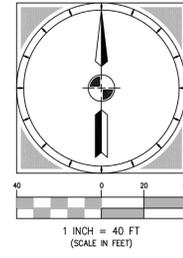
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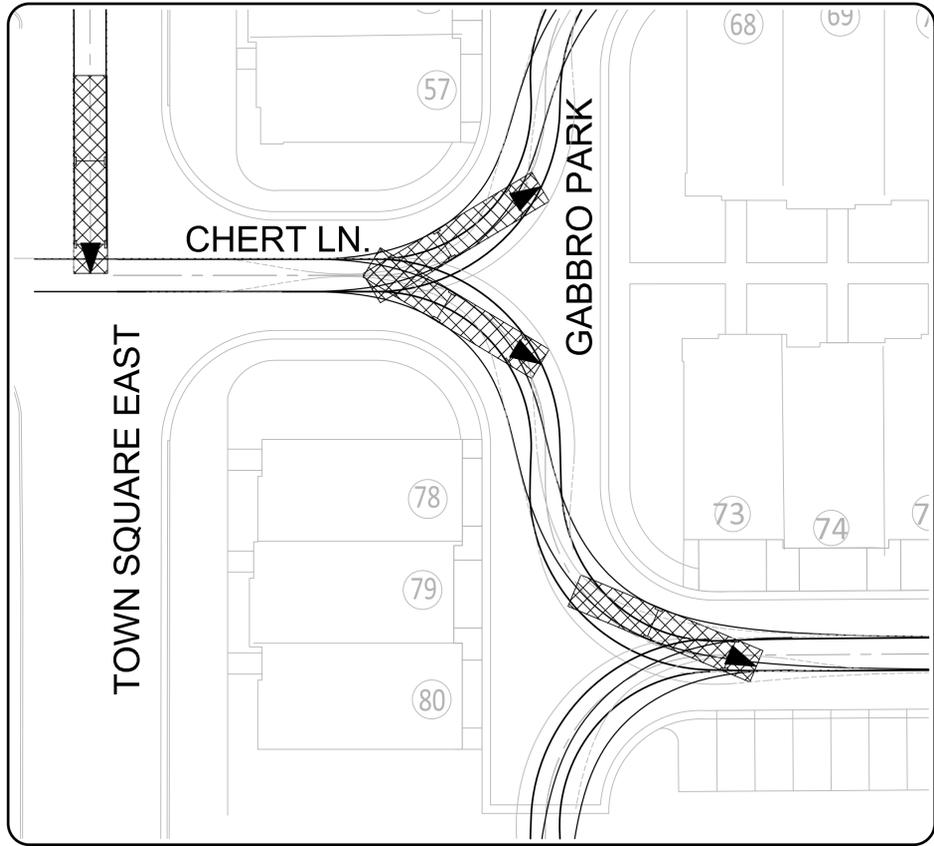
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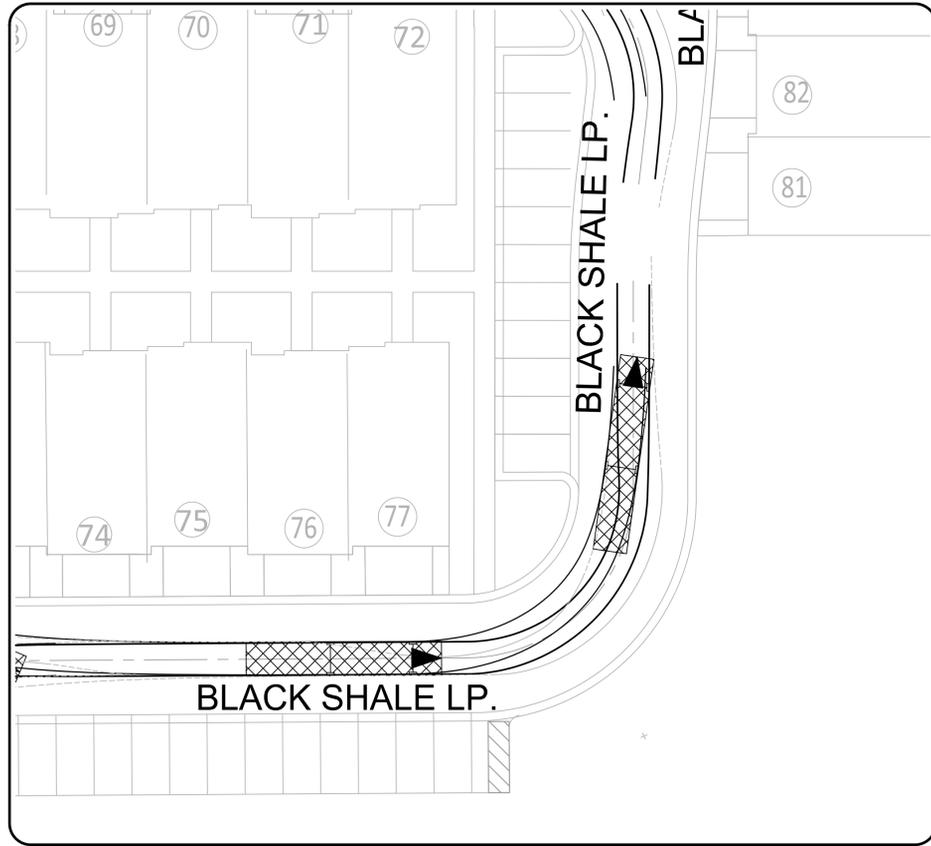
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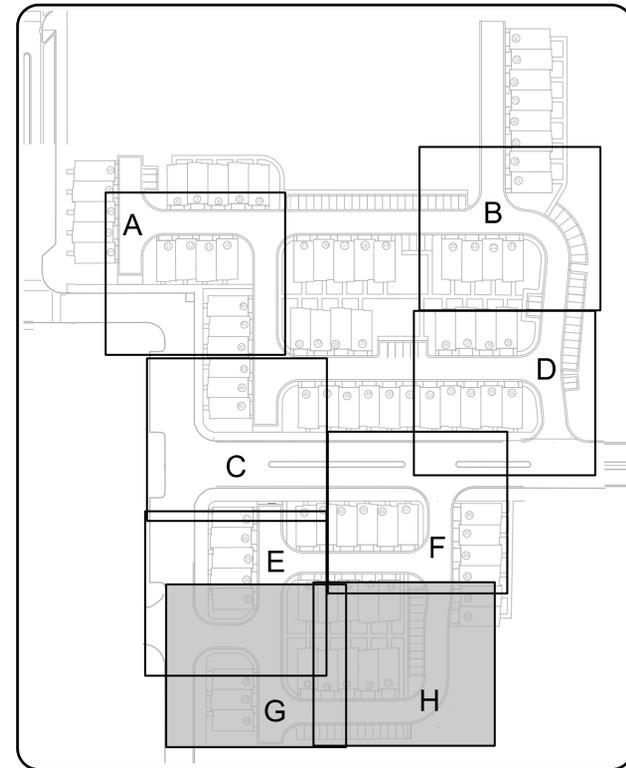
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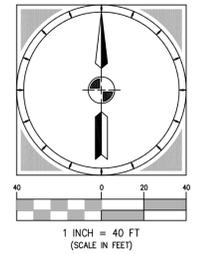
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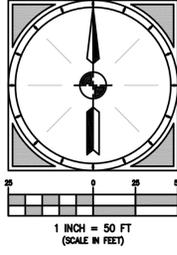
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A RESIDENTIAL SUBDIVISION
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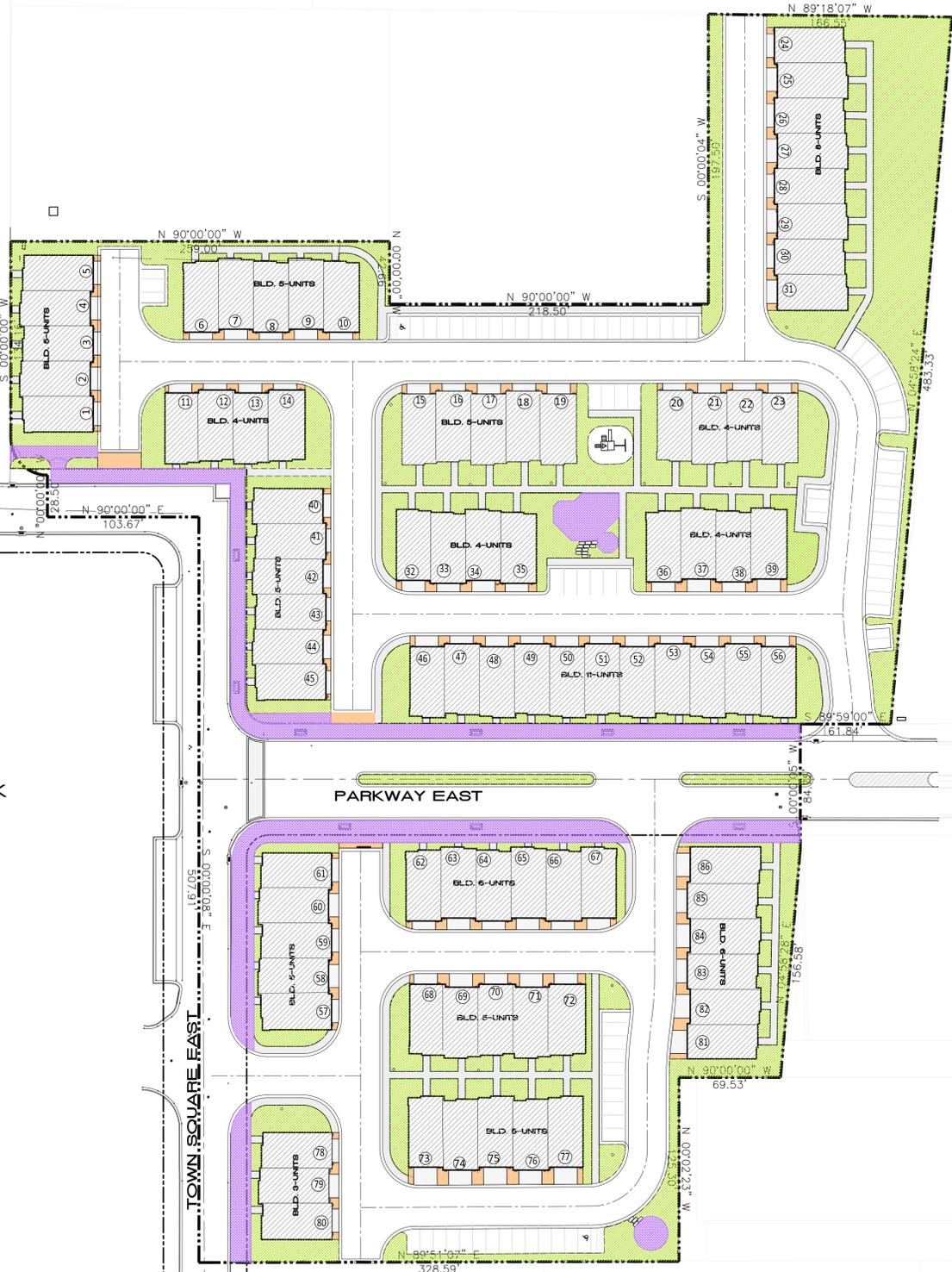
WEST

CITY PARK

TOWN CENTER BLVD.

TOWN SQUARE EAST

PARKWAY EAST



LEGEND

- Landscape Area
81,294 SF-24% of project area
- Hardscape Area
17,984 SF-5.3% of project area
- Driveway
- Other Hardscape Areas
- Other Sidewalks

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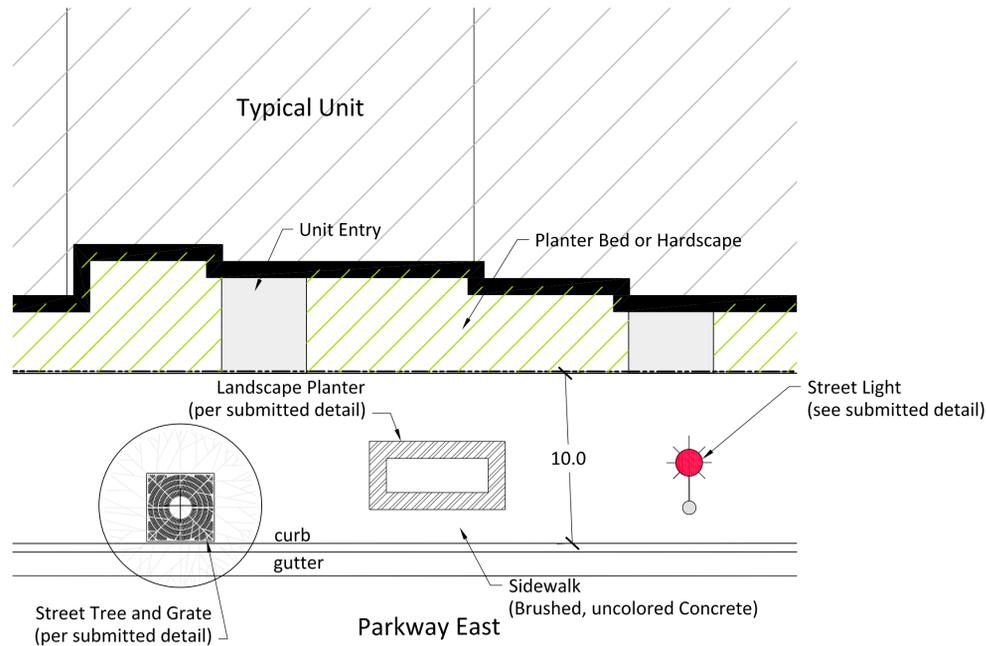
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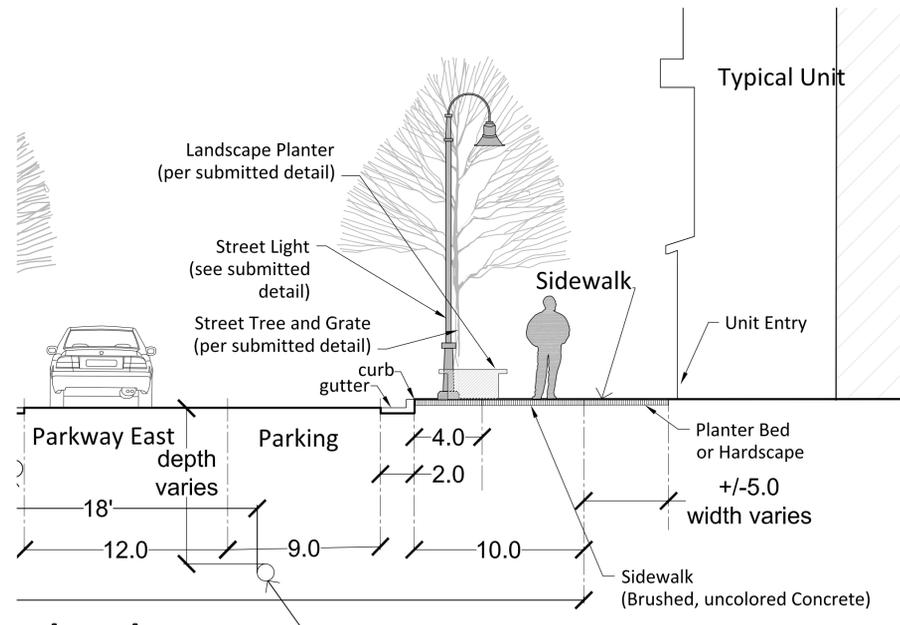
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LANDSCAPE CALCULATIONS

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C15-006
 SHEET:
C-4

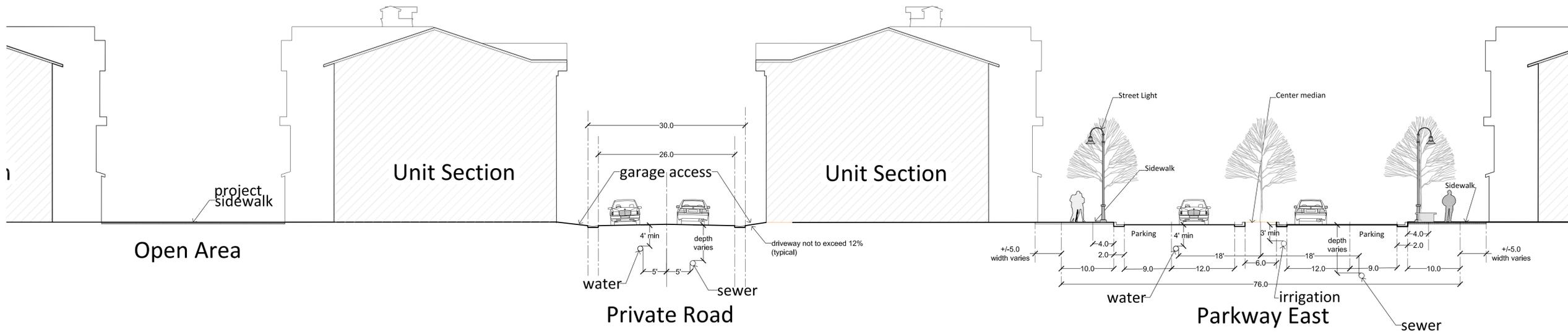
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Sidewalk Plan View
1"=5'



Sidewalk Section
1"=5'



Section A-A'
1"=10'

| NO. | DATE | REVISIONS |
|-----|------|-----------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |

CITY ENGINEER

DESIGN ENGINEER'S SEAL

PROJECT ENGINEER: BMB
PROJECT MANAGER: BMB
DRAWN BY: SCS
SCALE: AS SHOWN
ISSUE DATE: 6-2-15

BLACKSTONE PROJECT
ROAD SECTIONS

PROJECT: C15-006
SHEET: C-5

\\Sep-arwen\Users\BMB\Projects\Blackstone\Road Sections\Road Sections.dwg 6/2/2015 11:28:39 AM

SHADE TREES

| SYMBOL | BOT. NAME/COMMON NAME | QTY. | SIZE |
|--------|---|------|------------|
| ○ | ACER X FREEMANII 'Jeffers Red' AUTUMN BLAZE MAPLE | | 2" CALIPER |
| ⊗ | PYRUS CALLERYANA 'Chanticleer' Chanticleer Pear Tree | | 2" CALIPER |

ORNAMENTAL TREES

| SYMBOL | BOT. NAME/COMMON NAME | QTY. | SIZE |
|--------|--|------|------------|
| ⊗ | MALUS 'Spring Snow' SPRING SNOW CRABAPPLE | | 2" CALIPER |
| ⊗ | TILIA AMERICANA 'Redmond' REDMOND LINDEN | | 2" CALIPER |

EVERGREEN TREES

| SYMBOL | BOT. NAME/COMMON NAME | QTY. | SIZE |
|--------|-----------------------------------|------|-------|
| ⊗ | PINUS LEUCODERMIS BOSNIAN PINE | | 5'-6' |

LARGE SHRUBS

FORSYTHIA X NORTHERN GOLD - NORTHERN GOLD FORSYTHIA
 EUONYMUS ALATUS COMPACTA - DWARF BURNING BUSH
 PRUNUS CISTENA - PURPLE SANDCHERRY
 CORNUS ALBA ELEGANTISSIMA - VARIEGATED DOGWOOD

MEDIUM SHRUBS

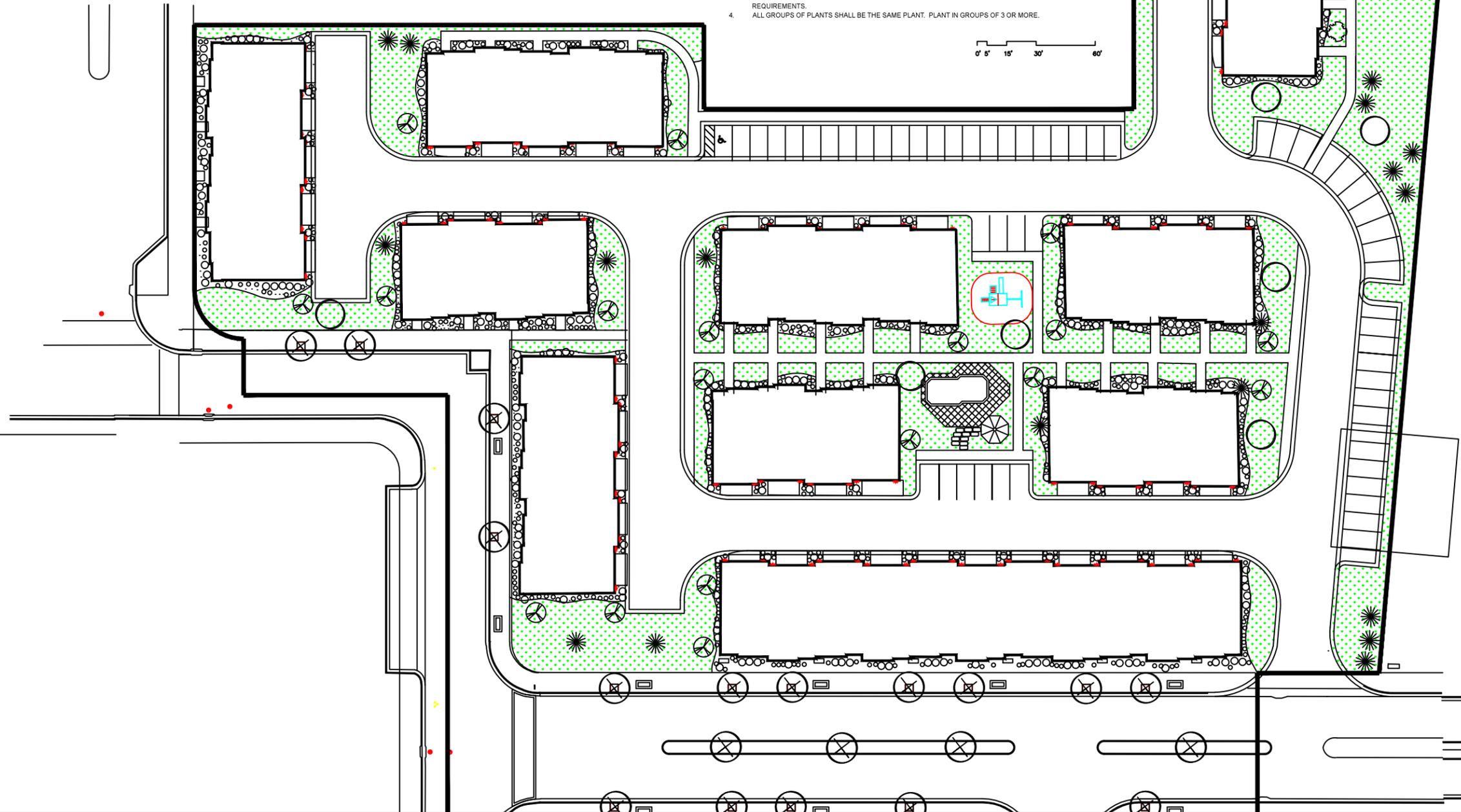
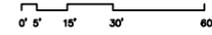
BERBERIS THUNBERGII 'Crimson Pygmy' - CRIMSON PYGMY BARBERRY
 CALAMAGROSTIS ACUTIFOILA 'Karl Foerster' - FEATHER KARL FOESTER

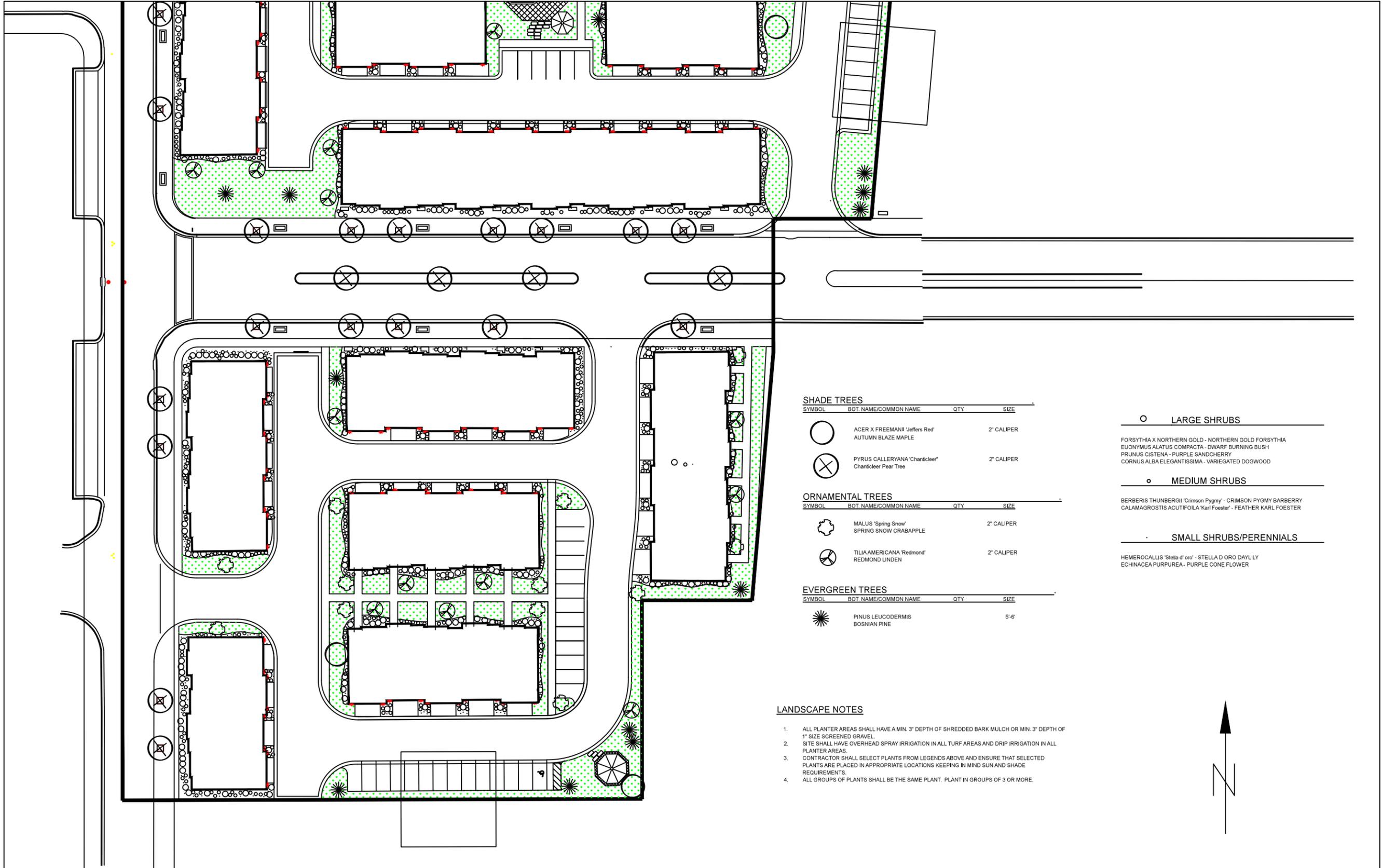
SMALL SHRUBS/PERENNIALS

HEMEROCALLIS 'Stella d'oro' - STELLA D ORO DAYLILY
 ECHINACEA PURPUREA - PURPLE CONE FLOWER

LANDSCAPE NOTES

1. ALL PLANTER AREAS SHALL HAVE A MIN. 3" DEPTH OF SHREDDED BARK MULCH OR MIN. 3" DEPTH OF 1" SIZE SCREENED GRAVEL.
2. SITE SHALL HAVE OVERHEAD SPRAY IRRIGATION IN ALL TURF AREAS AND DRIP IRRIGATION IN ALL PLANTER AREAS.
3. CONTRACTOR SHALL SELECT PLANTS FROM LEGENDS ABOVE AND ENSURE THAT SELECTED PLANTS ARE PLACED IN APPROPRIATE LOCATIONS KEEPING IN MIND SUN AND SHADE REQUIREMENTS.
4. ALL GROUPS OF PLANTS SHALL BE THE SAME PLANT. PLANT IN GROUPS OF 3 OR MORE.





SHADE TREES

| SYMBOL | BOT. NAME/COMMON NAME | QTY. | SIZE |
|--------|---|------|------------|
| ○ | ACER X FREEMANI 'Jeffers Red' AUTUMN BLAZE MAPLE | | 2" CALIPER |
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EVERGREEN TREES

| SYMBOL | BOT. NAME/COMMON NAME | QTY. | SIZE |
|--------|-----------------------------------|------|-------|
| ★ | PINUS LEUCODERMIS BOSNIAN PINE | | 5'-6" |

LARGE SHRUBS

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- EUONYMUS ALATUS COMPACTA - DWARF BURNING BUSH
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MEDIUM SHRUBS

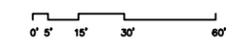
- BERBERIS THUNBERGII 'Crimson Pygmy' - CRIMSON PYGMY BARBERRY
- CALAMAGROSTIS ACUTIFOLIA 'Karl Foester' - FEATHER KARL FOESTER

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Blackstone
 Highland, Utah

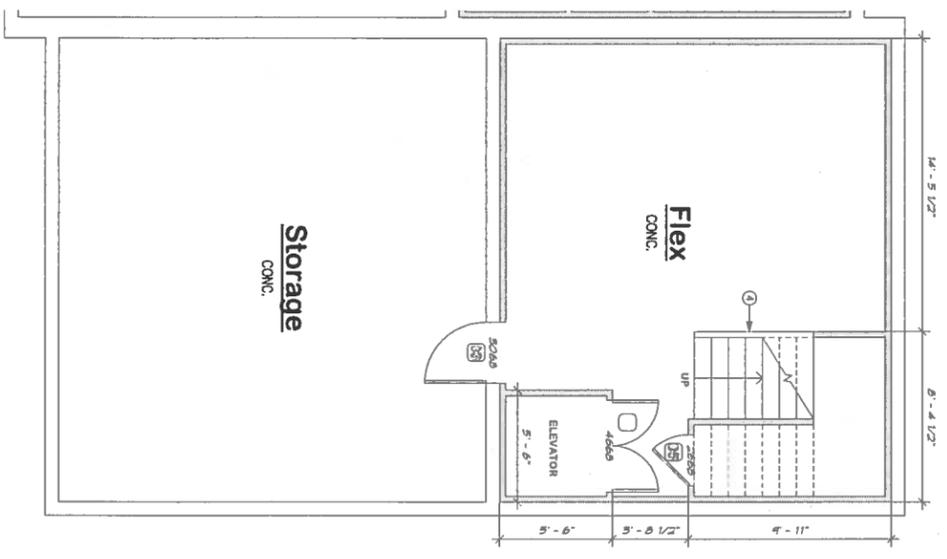
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|-------------|-------|--------|-------|---------|-----------------------|-------|
| A | 3'-0" | 6'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 11 |
| B | 3'-0" | 4'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 8 |
| C | 3'-0" | 3'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 8 |
| D | 3'-0" | 6'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 8 |
| E | 3'-0" | 6'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 16 |
| F | 4'-0" | 5'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 2 |
| G | 4'-0" | 6'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 6 |
| H | 1'-0" | 3'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 1 |
| I | 5'-0" | 5'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 1 |
| J | 4'-0" | 4'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 2 |
| K | 3'-0" | 5'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 1 |
| L | 3'-0" | 2'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 1 |
| M | 2'-0" | 2'-0" | WNTL | LOW-E | INSULATED WHITE CLEAR | 1 |
| Grand Total | | | | | | 171 |

| NUMBER | WIDTH | HEIGHT | THICKNESS | JAMB MATERIAL | HARDWARE | DESCRIPTION | COUNT | |
|-------------|--------|--------|-----------|---------------|----------|-------------------------------------|--------------|---|
| 01 | 3'-6" | 8'-0" | 0'-2" | FR | WOOD | LOCK & DEAD BOLT INSULATED COLONIAL | 1 | |
| 02 | 2'-8" | 6'-8" | 0'-1 1/2" | FR | WOOD | LOCK & DEAD BOLT INSULATED COLONIAL | 1 | |
| 03 | 3'-0" | 6'-8" | 0'-1 1/2" | FR | WOOD | LOCK & DEAD BOLT INSULATED COLONIAL | 2 | |
| 04 | 2'-8" | 6'-8" | 0'-1 1/2" | FR | WOOD | LOCK & DEAD BOLT INSULATED COLONIAL | 1 | |
| 05 | 2'-8" | 6'-8" | 0'-1 1/2" | FR | WOOD | LOCK & DEAD BOLT INSULATED COLONIAL | 3 | |
| 06 | 2'-4" | 6'-8" | 0'-1 1/2" | FR | WOOD | COLONIAL | 4 | |
| 07 | 1'-4" | 6'-8" | 0'-1 1/2" | FR | WOOD | COLONIAL | 1 | |
| 08 | 4'-0" | 6'-8" | 0'-1 1/2" | FR | WOOD | KNOS | DOUBLE PANEL | 1 |
| 09 | 2'-8" | 6'-8" | 0'-1 1/2" | FR | WOOD | KNOS | DOUBLE PANEL | 5 |
| 10 | 2'-8" | 6'-8" | 0'-1 1/2" | FR | WOOD | LOCK & DEAD BOLT GARAGE DOOR | 1 | |
| 11 | 16'-0" | 8'-0" | 0'-1 1/2" | FR | METAL | LOCK | 1 | |
| Grand Total | | | | | | | 28 | |

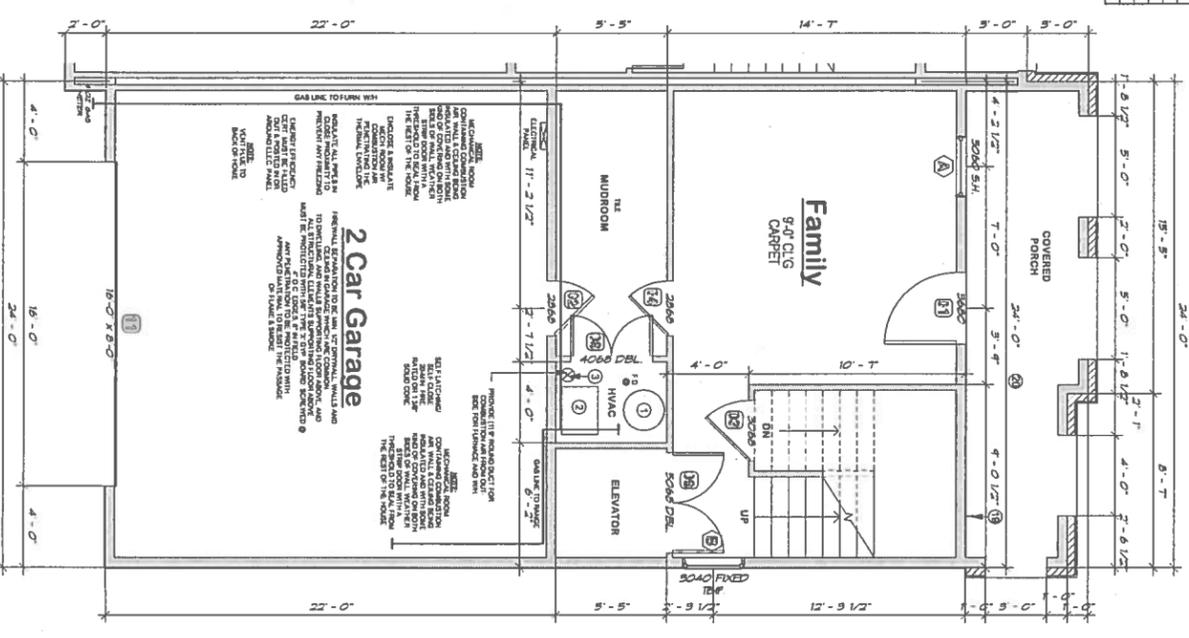
NOTE:
A BACK WATER VALVE IS REQUIRED TO PROTECT PLUMBING FIXTURES THAT ARE LOCATED BELOW THE ELEVATION LEVEL OF THE NEAREST UPSTREAM MANHOLE. THE VALVE SHALL BE INSTALLED IN THE ELEVATION OF THE MANHOLE COVER SHALL NOT DISCHARGE THROUGH THE BACK WATER VALVE.

NOTE:
FLOOR DRAINS MUST HAVE TRAP PRIMERS OR DEEP SEAL TRAPS.

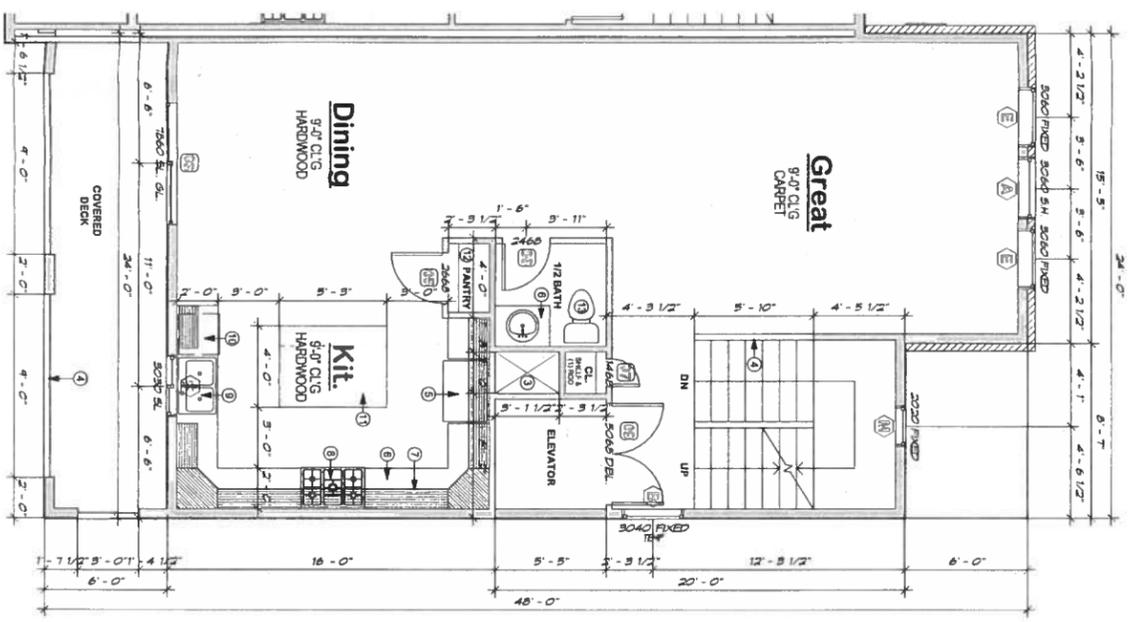
PRE-CAST LEVEL



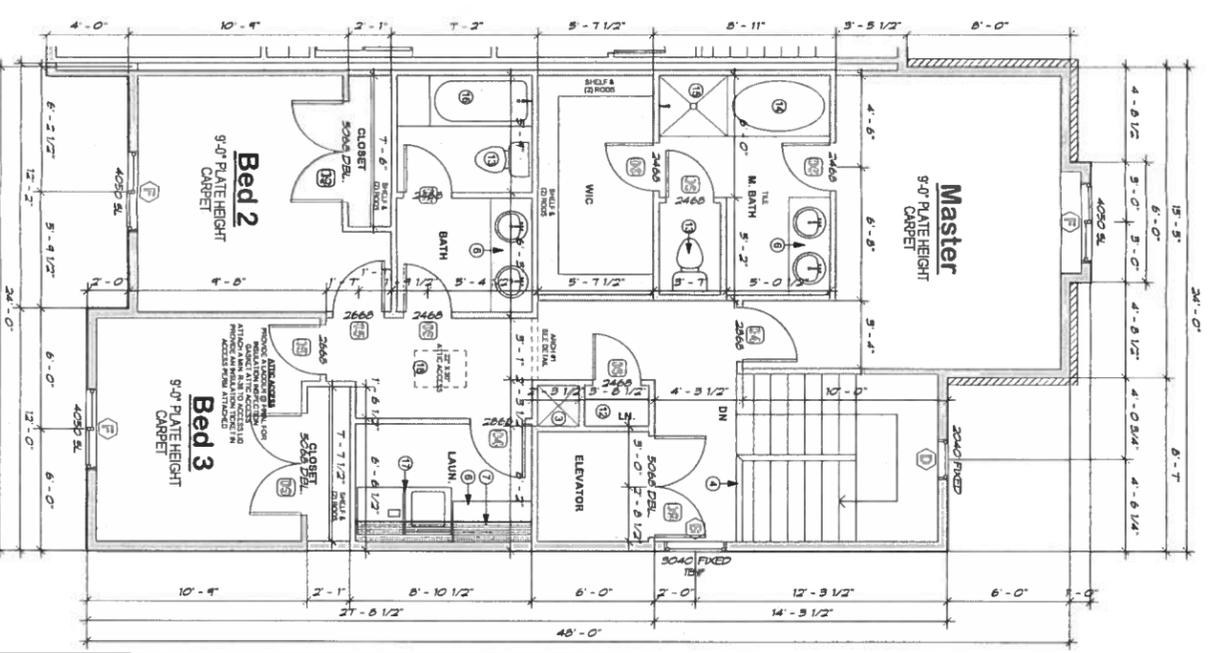
GROUND LEVEL



MAIN LEVEL



UPPER LEVEL



NOTE:
MAIN LEVEL WINDOWS HEAD HEIGHT @ 7'-8\"/>

NOTE:
8\"/>

NOTE:
2 X 6 STUD WALLS ASSUMED TO BE 5 1/2\"/>

FLOOR PLANS

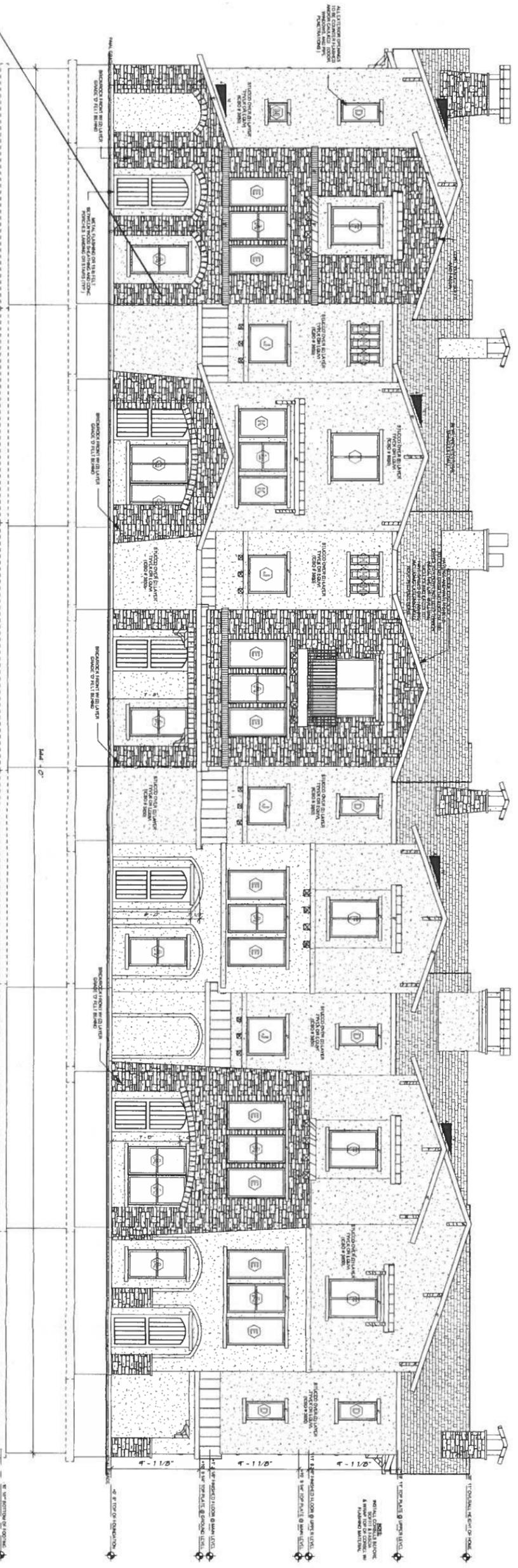
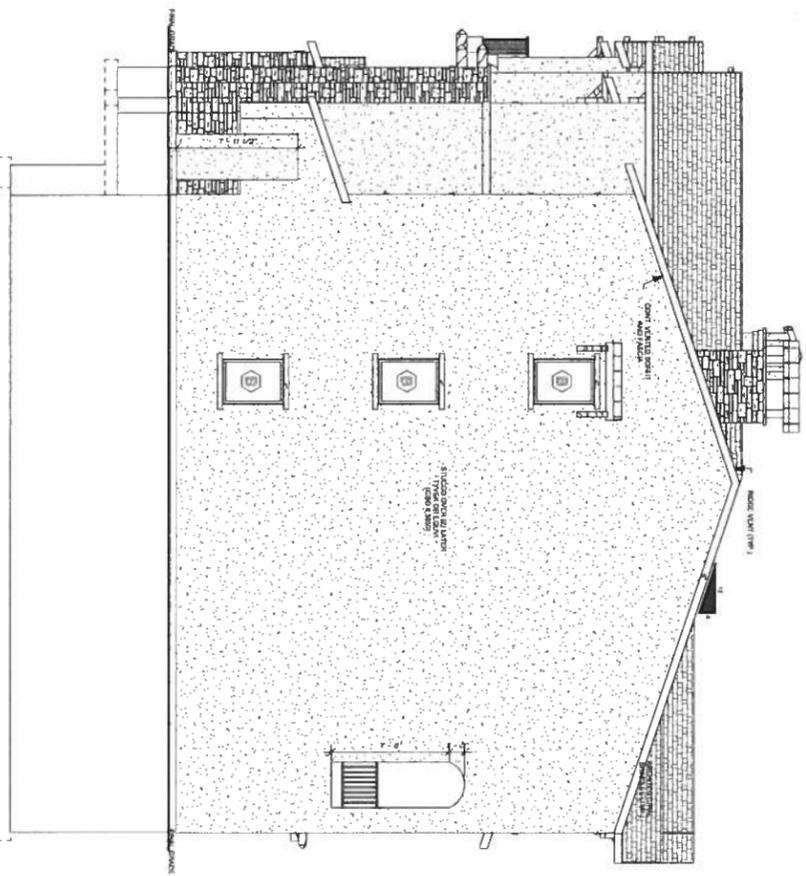
Scale: 1/4\"/>

WALKER HOME DESIGN
www.walkerhomedesign.com
813.555.5525

KEYNOTES
1. (1) 30 GALLON GAS WATER HEATER WITH 40 GPM FLOW RATE. 2. 2\"/>

Blackstone 6 Unit Townhomes
Group
2,285
OCT. 2014
DSW

6 UNIT RIGHT ELEVATION



NOTE:
GROUND LEVEL WINDOW'S
HEAD HEIGHT @ 7'-8" UNO

NOTE:
MAIN LEVEL WINDOW'S
HEAD HEIGHT @ 7'-9" UNO

NOTE:
UPPER LEVEL WINDOW
SILLS TO BE A MIN. OF 24"
ABOVE FLOOR

NOTE:
INSPECTORS ARE
REQUIRED FOR ALL
STUCCO & EIFS SYSTEMS

NOTE:
NO MECHANICAL VENTS
ON FRONT OF HOME

6 UNIT FRONT ELEVATION



WALKER
HOME DESIGN
811-226-6459
www.walkerhomedesign.com

KEYNOTES

Designed for
Blackstone
6 Unit Townhomes

Blackstone
Group

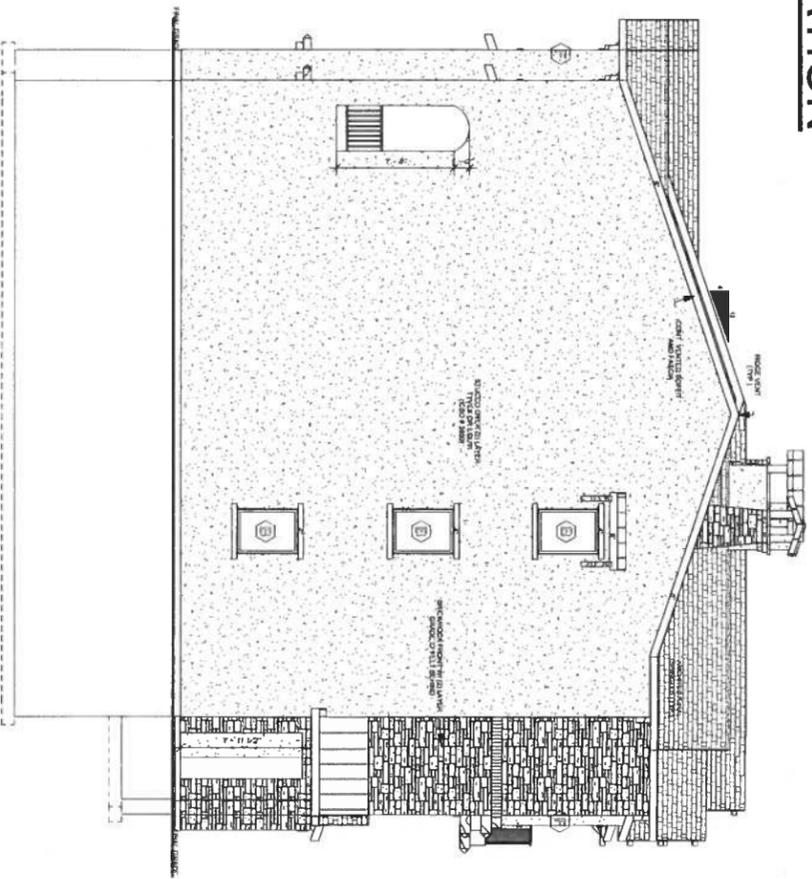
Finished Footage 2,285

Date OCT. 2014

Drawn by DSW

2/22/14 PRE-CAST 413
12/27/14 FLEX 441
Sheet 5
d 12
SCALE: 3/16" = 1'-0"

6 UNIT LEFT ELEVATION



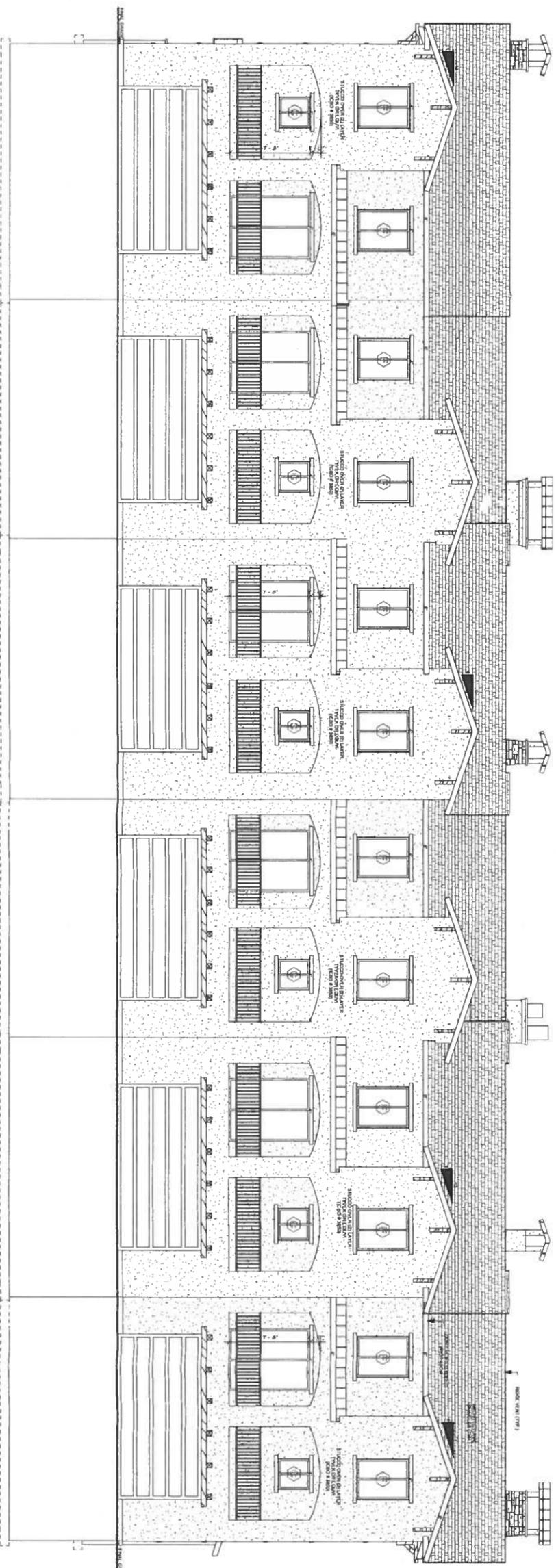
NOTE:
GROUND LEVEL WINDOWS
HEAD HEIGHT @ 7'-8" UNO

NOTE:
MAIN LEVEL WINDOWS
HEAD HEIGHT @ 7'-8" UNO

NOTE:
UPPER LEVEL WINDOW
SILLS TO BE A MIN. OF 24"
ABOVE FLOOR

NOTE:
INSPECTIONS ARE
REQUIRED FOR ALL
STUCCO & EIFS SYSTEMS

NOTE:
NO MECHANICAL VENTS
ON FRONT OF HOME



6 UNIT REAR ELEVATION



WALKER
HOME DESIGN

817-535-5419 ext. 200
www.walkerhomedesign.com

KEYNOTES

| | |
|--|-------------------------|
| <p>© Walker Home Design, Inc. All rights reserved. This drawing is the property of Walker Home Design, Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Walker Home Design, Inc.</p> | |
| <p>Designed for Blackstone 6 Unit Townhomes</p> | |
| <p>Group</p> | |
| <p>Finished Footage</p> | <p>2,285</p> |
| <p>Date</p> | <p>OCT. 2014</p> |
| <p>Drawn by</p> | <p>DSW</p> |
| <p>Project</p> | <p>PRE-CAST 413</p> |
| <p>5262515 5277136 SKM</p> | <p>FLEX 449</p> |
| <p>d</p> | <p>GROUND LEVEL 491</p> |
| <p>12</p> | <p>MAIN LEVEL 667</p> |
| <p>TOTAL 3,207</p> | <p>UPPER LEVEL 872</p> |
| <p>SCALE: 3/16" = 1'-0"</p> | |

6/18/15

Summary of Neighborhood Meeting held at the Community Center on 6/18/15 at 6:30 PM.

Tim Aalders, Matt Robinson, Aise Allart, and Al Rafati from Holt Development Group were at the community center at 6:15 P.M.

At 6:35 the first neighbors started showing up to the meeting. Tim started the meeting by handing out architectural drawings and site plans to the neighbors. Tim explained that that we are building 86 townhomes in the Highland Town Center. We walked the neighbors through the site plan pointing out amenities, parking, access points, etc. We went through the architectural drawings showing the quality of the townhomes. Tim invited everyone there to come see our parade homes in Lehi, so they can see the quality of our homes.

One gentleman came to the meeting because he owned multiple rentals in Toscana. He asked us if we were going to compete with Toscana and have rentals. Matt Robinson explained to him that our townhomes are not going to be rentals. We designed the units to be larger and nicer than Toscana. At the \$290,000 – \$340,000 price range, rentals don't make a lot of sense. He left after we answered his question.

There were only two neighbors who had concerns at the meeting Kathy and Willard and Lujeanne Spykes.

Kathy over the course of an hour asked multiple questions.

She was concerned that these units are 3 stories and block views.

Tim responded that the townhomes are designed within the Town Center Code.

She raised concerns about the parking situation.

Tim responded that Toscana's parking ratio was 2.2 parking spots per unit. Tim explained that we raised our parking ratio to 3 to help alleviate the parking situation. Tim explained that we are in compliance with the code. We explained that the city does not want driveways, or people parking in the driveways.

She raised concerns that no one would want to buy these townhomes.

Tim respectfully disagreed. Tim stated that if they don't sell, then Kathy will get to enjoy the open field for longer than expected. Even if they don't sell fast, everyone is better off because we are paving the dirt road.

She raised concerns about these townhomes being rentals.

We explained that we are not planning on using the townhomes as rentals.

She raised concerns about the amount of open space

Kathy wanted us to build cottages like the ones she lives in. We explained that the cost of land is so expensive that it is not financially feasible to build cottages. Tim explained that he has lived in Highland of 19 years. It is very important to him to design a project that makes Highland a better place to live and makes him proud. He explained that we didn't push for max density. We could have tried to squeeze 10-20 more townhomes on the property. He explained that the townhomes will be very high quality with elevators, media rooms, granite, 3 tone paint, custom cabinets, etc.

Tim also explained that Holt Development Group is designing a community for some of the older members of Highland where they can sell their large house on a large lot and still live in Highland. It's a place where they can live in a nice 3,200 sq. foot town home in Highland for around \$300,000. They will no longer have to take care of a large yard.

She raised the concern about townhomes being built in the town center

We explained that we in compliance with all the zoning codes. We are not asking for any exceptions to the code. She then went on to explain that there is another developer who is looking into building a 4 story assisted living community in the town center. She said the developer is looking to get permission to build 4 stories by building the city a library. She explained how angry this made her and that she would fight it.

Willard and Lujeanne Willard were the other neighbors to raise a concern. Their first concern was a rod iron fence. They were nervous that kids could reach through the rod iron fence to feed her horses. She was also concerned by the fact that they still flood irrigate their land and want to make sure that they don't flood the townhomes. They were angry at the city because the city forced them to do a bunch of work on their property that was not necessary.

We finished around 7:30 and thanked everyone for coming.



Community Development

SUBJECT: PUBLIC HEARING – Zoning (PD-15-01)

MEETING DATE: June 30, 2015

TO: Planning Commission

FROM: Nathan Crane, Community Development Director

REQUEST: Rezoning to allow residential and non-residential mixed use development under the Planned Development (PD) District

PARCEL SIZE: 36.61 Acres

LOCATION: Northeast corner of 11800 North and Highland Boulevard

APPLICANT: Rob Gulbrandsen

OWNER: Cherylin and Kipley Siggard and Karin and Ronald Carling

BACKGROUND:

The site is currently located in Utah County and the applicant has applied for annexation.

The property is not included in the General Plan Land Use Map. The property is included in the Highland City Annexation Plan that was adopted in 2007.

PD Districts are allowed under Article 5 of the Development Code.

The adoption of a Planned Development (PD) District is a legislative process.

SUMMARY OF REQUEST:

1. The request is to zone approximately 36.6 acres to PD-2 (Planned Development) to allow a 1.64-acre office/retail center, a 6-acre (25 lot) empty nester lots and a 28.97-acre (60 lot) single-family residential subdivision. The applicant has submitted a PD plan and narrative and intends to subdivide the property at a later date. A subdivision plat will be required prior to development.

Office/Retail Center

2. Generally, the proposed commercial uses are similar to the PO (Professional Office) and

Residential Professional (RP) Districts. The proposed uses include:

- Retail Sales of Merchandise and Food
 - Restaurants
 - Medical Office, Care and Facilities
 - Professional Offices
 - Educational Institutions
 - Sports and Fitness Centers
3. Access to the retail center will be available from 11800 North.
 4. Parking is shown behind the buildings on the conceptual master plan. However, no development or architectural standards have been provided.
 5. Staff is concerned with the short and long term viability of the commercial site.

Active Adult Community

6. A 25-unit age restricted empty nester development is proposed. The lots minimum lot size is 7,500 square feet. This area is integrated within the rest of the development. The maximum density is 4.17 units per acre. The applicant has verbally stated that these units will be age restricted however, this not addressed in the narrative.
7. The applicant is proposing a private road that is 32 feet in width with 20 feet of asphalt.
8. All recreation areas and roads within the community will be private and owned and maintained by a HOA.
9. The PD District includes a general architectural theme for these homes. However, no standards are included nor are sample elevations included.

Residential Subdivision

10. A 60-lot single-family residential subdivision is proposed with a maximum density of 2.07 dwelling units per acre. All lots are a minimum of 11,200 square feet. There are three different lot categories as follows:

| Minimum Lot Area | Number of Lots | Average Lot Area | Percentage of Total Lots |
|------------------|----------------|------------------|--------------------------|
| 11,000-14,001 | 22 | 12,905 | 36% |
| 14,001-17,974 | 34 | 16,123 | 57% |
| 17,974-21,804 | 4 | 20,996 | 7% |
| Total | 60 | 14,942 | 100% |

11. The front yard setback is 25 feet, the rear yard setback is 30 feet, and the side yard setback

is 10 feet.

12. The PD District includes a general architectural theme for these homes. However, no standards are included nor are sample elevations included.

13. Primary access to the site will be available from Highland Boulevard and 11800 North. All internal roadways will be public.

14. The applicant is proposing public roads that are 56 feet in width with 34 feet of asphalt.

Recreation Areas

15. Open Space is proposed as follows:

| Location | Acres | Percent |
|---------------------|-------|---------|
| Highland Boulevard | .72 | 2.05% |
| 11800 North | .75 | 2.15% |
| Retention Ponds | .60 | 1.70% |
| Trail System | 1.25 | 3.57% |
| Skye Estates Buffer | 0.77 | 2.20% |
| Community Park | 1.18 | 3.39% |
| Oaks and Creek | 1.86 | 5.33% |
| Total | 7.12 | 20.37% |

Utilities

16. Utilities will need to be extended to the site to serve the property. All costs associated with these extensions will be the responsibility of the developer. There is capacity in the existing system to serve the development if the sanitary sewer connects to the TSSD line in Highland Boulevard.

CITIZEN PARTICIPATION:

Notice of the June 4, 2015 Neighborhood meeting was mailed to all property owners within 500' of the proposed plat on May 20, 2015. Thirty residents attended the meeting. The developer reviewed the proposed project. Residents expressed concerns and questions regarding the number of lots, size of lots, traffic impact, impact on school population, retaining the scrub oak, questions about zoning as R-120 instead of PD1 zone, and the sewer system smell and overload (Attachment).

Notice of the June 30, 2015 Planning Commission meeting was published in the Daily Herald on June 14, 2015. Notice of the meeting was also mailed to all property owners on June 11, 2015. Staff has received 17 emails in opposition to the proposed development and has met with two residents who also oppose the project (Attachment 4).

ANALYSIS:

Open Space

- A PD District must include a minimum of 20% of the area as residential recreation areas as follows:
 - Park site with a minimum size of 5 acres
 - Trails
 - Clubhouses
 - Sport Courts

The following areas cannot count toward this requirement:

- Areas less than 5,000 contiguous square feet
 - Public rights-of-way
 - Trails behind lots
 - Utility corridor easements unless substantially approved
- 4.15% of the proposed recreation area is public right of way; 2.20% is extra lot depth next to Sky Estates which is not a recreation area; the community park is 1.18 acres; there are no specific standards that show that the utility corridor will be substantially approved; the retention pond is not useable open space; and there is a large steep open space area located behind homes. The proposed PD does not meet the recreation area requirements.

Architectural Design and Theme

- Each project shall include an architectural theme and standards. The proposed PD does not include architectural standards nor a specific theme.

Landscaping

- The proposed PD does include the required parkway detail along Highland Boulevard and 11800 North. The narrative includes a description of enhanced landscaping along these roads. However, there are no standards or exhibits. In addition, there are no standards for the rest of the development.

Utilities

- The developer will be responsible to provide utilities to the site consistent with City standards. The current proposal for culinary water is not consistent with City standards as 8 lots will be on a dead end water line.

Circulation

- A traffic study or analysis has not been completed. Staff believes the private streets are too narrow and has asked the applicant to revise the private streets to include 30 feet. The applicant is proposing 20 feet of asphalt.

Justification

- As proposed the PD does not justify the increase of 46 lots from what would be permitted in the R-1-40 District.

Conformance with Development Code

- The proposed development does not meet the requirements of the PD District. There is not enough detail in the narrative to regulate future development.

FINDINGS:

The proposed PD meets the following findings with stipulations:

- The proposed development does not meet the requirements of the PD district and the Highland City Development Code.

RECOMMENDATION:

The Planning Commission should hold a public hearing and recommend **DENIAL** of the proposed PD District.

PROPOSED MOTION:

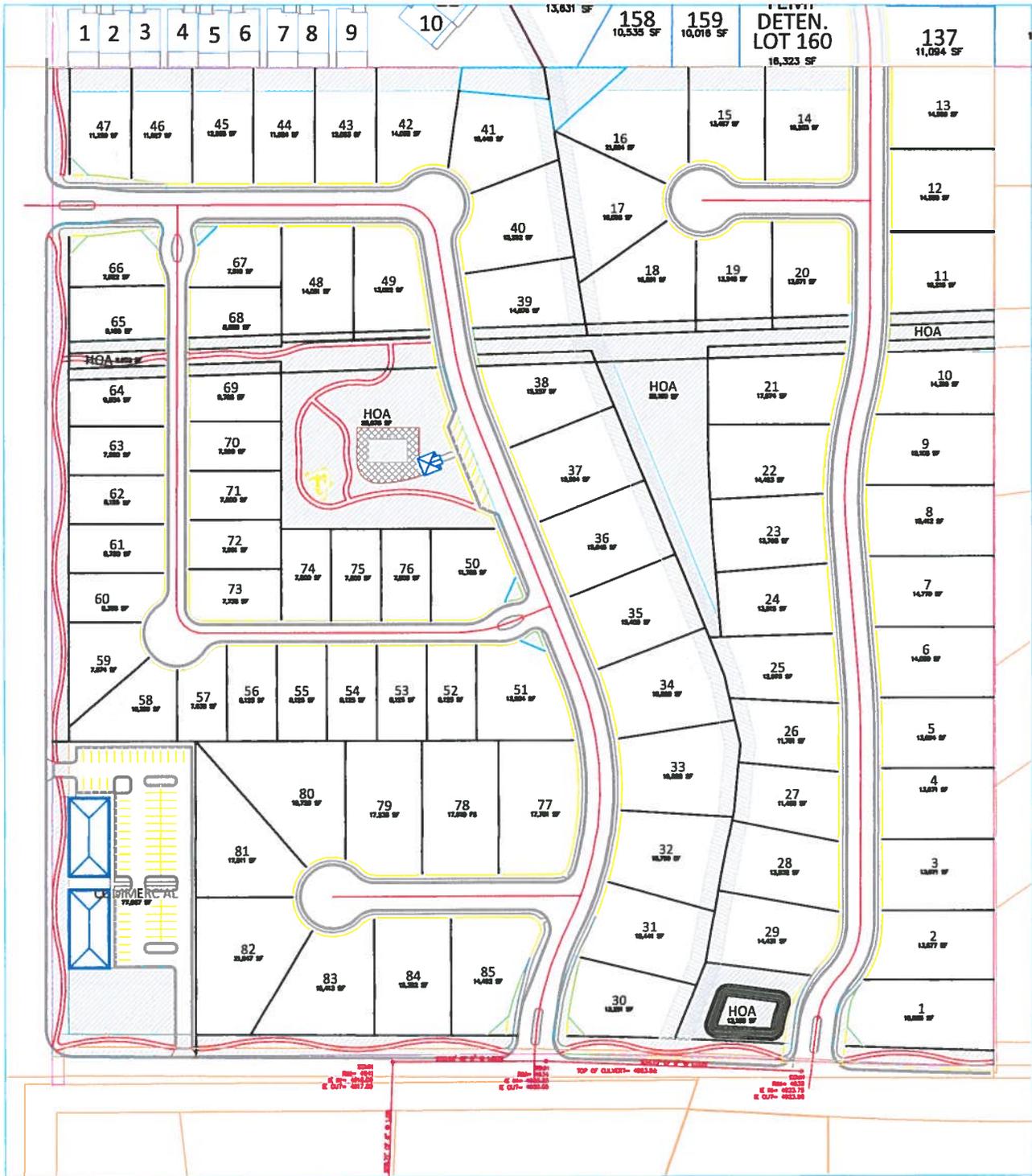
I move that the Planning Commission accept the findings and recommend **DENIAL** of case PD-15-01 a request for a Planned Development District.

ATTACHMENTS:

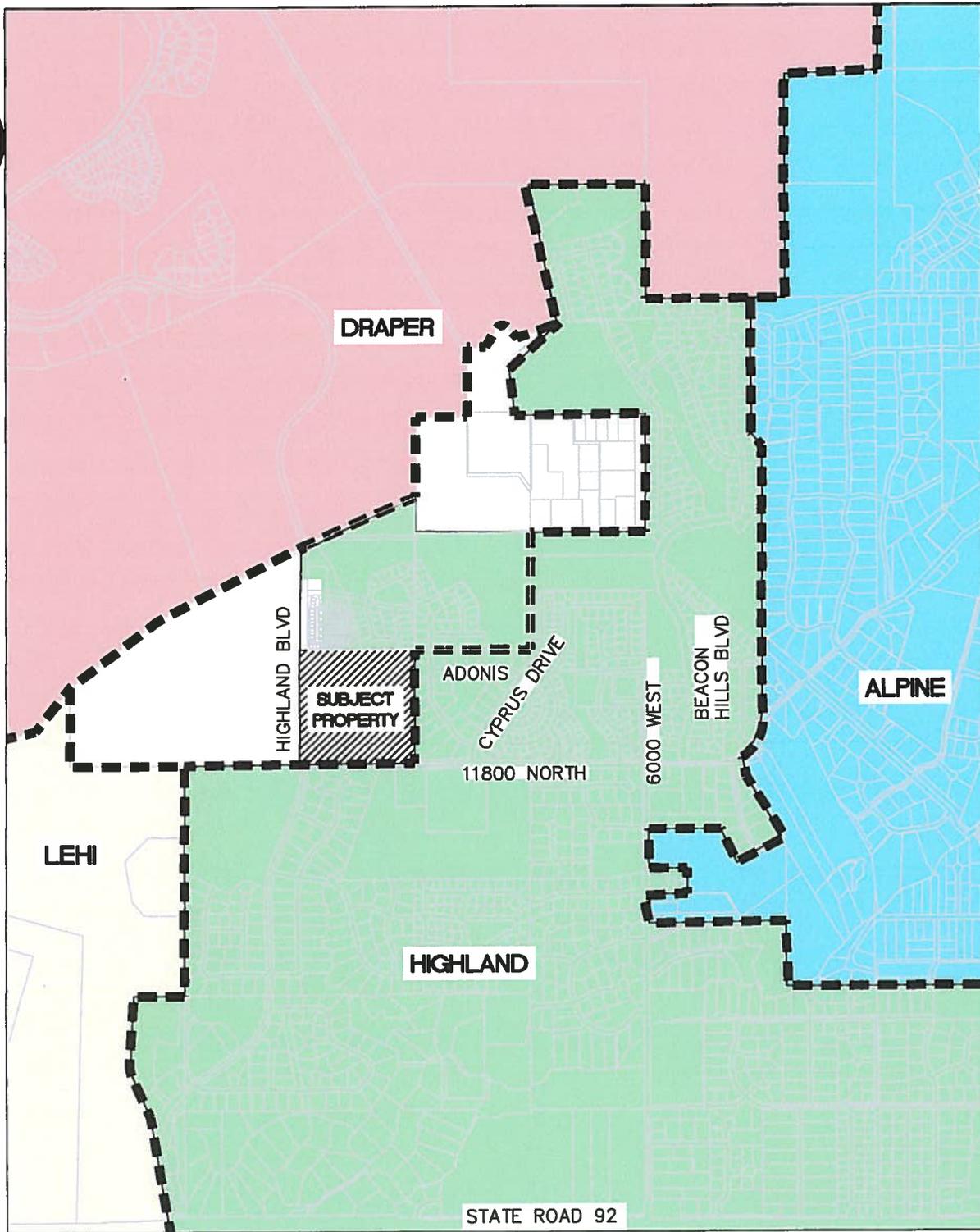
- Attachment 1 - Proposed Planned Development District
- Attachment 2 - Article 5 Planned Development District
- Attachment 3 - Neighborhood Meeting Summary
- Attachment 4 - Citizen Correspondence

HIGHLAND OAKS

SITE PLAN



VICINITY MAP



WILDING
ENGINEERING

14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.553.8112
WWW.WILDINGENGINEERING.COM

HIGHLAND OAKS

A PLANNED DEVELOPMENT IN HIGHLAND UTAH

INTRODUCTION

Highland Oaks is a 36.61 acre proposed development located at the north east corner of Highland Blvd. and 11800 North. Presently located in unincorporated Utah County, it is proposed that this parcel be annexed into Highland City and receive a zone designation of PD-1. The parcel has no improvements and consists of grasses and scrub oaks with two drainage creeks which drain storm water from the offsite foothill areas to the north.

The design of Highland Oaks and its zoning as a PD-1 zone is appropriate in fulfilling certain objectives of the Highland City General Plan. The General Plan acknowledges the desire to continue large lot development while providing for circumstances where higher density with open space and amenities are appropriate to accommodate the needs of divers population such as affordability, age related design and value, recreation and active lifestyle. The Plan also focuses on retaining existing vegetation features and providing view corridors to enhance the beauty of the surrounding landscape.

The requirement of the Development Code, as amended, shall apply except where explicitly stated otherwise herein by this PD.

Highland Oaks accomplishes these objectives by providing the following:

1. Open space is maintained by an Owners Association.
2. Trails connect to three existing Highland City Trails.
3. Density is much lower than other PD zoned or open space developments.
4. Recreation amenities are provided and maintained by the Owners Association.
5. Landscape plantings will exceed the size, quantity, and maturity of other developments and City requirements.
6. Building lot layout and design that follows the natural topography and drainage features and retains much of the existing scrub oak and native vegetation. This minimizes over-lot mass grading.
7. Provides for Office Retail development conducive to the existing development surrounding the property.
8. Introduces a solution for an important segment of the aging population with the Cottage Empty Nester Single Family lots and homes that provide single level living with sufficient space to accommodate the increasing need for parents to provide transitional living for needy family members.
9. The Cottage lots are abundantly landscaped and professionally maintained by an Owners Association consistent with the abundant landscape nature of Highland City. The Cottages also provide care free living and extended travel and service opportunities for those who still desire single family detached living.

PROJECT OBJECTIVES

- Provide variable lots size and cost for modest diversity to attract the demographics that already reflects Highland City's population.
- To create a community for multiple owner builders and local custom builders which is designed to maintain consistent architectural harmony through CCR's.
- Provide HOA maintained open space with homeowner amenities that increase landscaped and improved spaces without requiring costly maintenance by Highland City Public Works.
- Require strict landscape compliance to create a richly appointed yard landscape with much more than minimum improvements and timing of improvements often disregarded by owner builders and homeowners after the builder has completed the home.
- Highland Oaks will provide the preservation of natural vegetation along the existing drainage corridors and maintain the existing natural topography.
- Meet Highland City standards with regards to streetscapes along Highland Blvd, and 11800 North with abundantly landscaped pathways, privacy fencing, meandering concrete sidewalks, and wider than the adjacent property.
- Provide distinctive entry features with abundant landscaping.
- Maintain standards of open fencing and vegetation screening for a more open landscape appeal.

PERMITTED USES

The following buildings, structures, and uses of land shall be permitted in Highland Oaks and upon compliance with requirements set forth in this narrative:

Single Family Residential:

- Project Sales office and Model Homes will conform to Section 3-4108(11) of the Development Code.
- Trails & recreation amenities as approved in the project narrative.
- Single-family dwellings, conventional construction, which include a garage of sufficient size for storage of two automobiles (see 10-102(16) for definition of Dwelling).
- Accessory uses such as detached storage buildings not to exceed 150 square feet floor area, a yard gazebo of size not to exceed 250 square feet of covered space, sports courts and lighting. All accessory uses must be approved by the Homeowners Association Architectural Review Community.
- Public utility lines and subject to 5-114(6).
- Household pets subject to Highland City Code.
- Fences, walls, hedges as approved by the Homeowners Association Architectural Review Community.
- Gardens, fruit trees.
- Keeping of large animals, small animals, and chickens as defined by Highland City shall not be permitted.

Cottage Empty Nester Homes:

- Project Sales office and Model Homes will conform to Section 3-4108(11) of the Development Code.
- Trails & recreation amenities as approved in the project narrative.
- Accessory uses such as detached storage buildings, sports courts and yard broadcast lighting are not permitted.
- A yard gazebo of size not to exceed 250 square feet of covered space. All accessory uses must be approved by the Homeowners Association Architectural Review Community.
- Public utility lines and subject to 5-114(6).
- Household pets subject to Highland City Code.

Professional Office / Retail:

- Retail Merchandise and Food
- Restaurants
- Medical Office, Care Services, and Health and Medical Facilities
- General Office
- Sports and Fitness
- Retail and Office Signage
- School and Educational Uses
- All other uses permitted under Highland City Commercial Code.

PROJECT DENSITY

Highland Oaks will include a minimum of 85 Single Family Lots comprising of 25 Cottage Empty Nester Homes, 22 quarter acre lots, 34 third acre lots, and 4 half acre lots, and a maximum of 26,000 square feet of Office Mixed Use Commercial.

Density

| Product Style | Acreage | Units | Density |
|-----------------------------|---------|-------|---------|
| Single Family | 28.97 | 60 | 2.07 |
| Cottage Empty Nester | 6.00 | 25 | 4.17 |
| Office Mixed Use Commercial | 1.64 | NA | NA |
| Total | 36.61 | 85 | 2.32 |

| Lot Area | Number of Lots | Percentage of Total | Average Lot Area |
|-------------------------|----------------|---------------------|------------------|
| 11,259 – 14,001 Sq. Ft. | 22 | 36% | 12,905 SF |
| 14,001 – 17,974 Sq. Ft. | 34 | 57% | 16,123 SF |
| 17,974 – 21,804 Sq. Ft. | 4 | 7% | 20,996 SF |
| 20.58 Acres | 60 | 100% | 14,942 SF |

DEVELOPMENT STANDARDS

Single Family Estate Lots

| Description | Specification |
|------------------------------------|------------------------------------|
| Building Height Maximum | 35' Greatest Height from Any Grade |
| Home Width Minimum | 57' |
| Rambler Main Floor Minimum | 2,000 |
| Two Story Above Grade Minimum | 3,000 |
| Multi-Level Above Grade Minimum | 3,000 |
| Garage Minimum | 2 Car |
| Maximum Garage Doors Facing Street | 3 |

| Property Line Set Back | Minimum Set Back |
|-------------------------------|-------------------------|
| Front Set Back | 25' |
| Rear Set Back | 30' |
| Side Set Backs | 10' |

Cottage Empty Nester Lots

| Description | Specification |
|---------------------------------|------------------------------------|
| Building Height Maximum | 28' Greatest Height from Any Grade |
| Home Width Minimum | 45' |
| Rambler Main Floor Minimum | 1,460 |
| Two Story Above Grade Minimum | 2,800 |
| Multi-Level Above Grade Minimum | 2,200 |
| Garage Minimum | 2 Car |

| Elevation | Minimum Set Back |
|------------------|-------------------------|
| Front Set Back | 20' |
| Rear Set Back | 20' |
| Side Set Backs | 5' |

RESIDENTIAL RECREATION AREAS

To provide for family and seniors active lifestyles, Highland Oaks provide for a minimum of 7.12 acres of Residential Recreation Areas. All Recreation Areas will be maintained by the Owners Association. The recreation areas are to be shared by all residents within the subdivision. The developer will provide funds to install these areas and set up the Owners Association to transition long term maintenance.

- **Community Park** – The Highland Oaks Community park will include 1.18 acres of recreation area and is contiguous to additional open space and trails for a full community access and flow.

- **Community Pool** – The community pool is located within the Community Park adjacent to additional family amenities such as the equipped tot lot, ball court, pavilion, and abundantly landscaped setting with trails and seating. The pool area is fenced with a 6' Black open rail fence to promote openness to the park and other family activity stations. Interior and exterior work out areas will be provided adjacent to the pool.
- **Walking Trails** – Approximately 5,190 feet of trails will be constructed on the property and will connect to existing trails in four separate locations to provide extensive access for all Highland residents and is an important connector to complete the North West trail system.
- **Pocket Park** - A pocket Park is provided as a rest station with benches and stretch area for two of the four trail connectors.
- **Cottage Active Senior Landscaping** – Within the Cottage Senior area will be extensive landscaping fully maintained along walking areas to provide community openness and socialization and will also connect to the trail system for full community and Highland City access.
- **Community Access** – Each point of ingress for the community has been expanded and enhanced with additional landscaped open space and tree lined dividers to be maintained by the Owners Association. These areas will provide a distinct identity for the community and reflect the high end appearance to maintain and enhance property values.
- **Native Plant Preservation** – An Easement will protect the native scrub oaks along the site drainage features to protect this natural feature and maintain an open view corridor. Permanent monuments will be placed on each lot on which the Native Plant Preservation Easement lies to insure non-disturbance by the lot owner. A consideration to require a signed and recorded instrument identifying the easement will be a part of the closing documents at each property closing.
- **Community Buffer and Landscaped Open Space** – A continuous streetscape with planting in excess of City specification is provided along community exterior along Highland Blvd and 11800 North. This area will include a combination of open and privacy fencing which will jog to create points of interest and accommodate diversity of plantings and reduce the straight line typical of fenced streetscapes. A meandering walkway with elevated berms will contribute to the landscape typical of Highland City.

| HIGHLAND OAKS OPEN SPACE | | | |
|---------------------------------|-----------------------|--------------|----------------|
| Open Space Location | Square Footage | Acres | Percent |
| Highland Blvd Streetscape | 31164 | 0.72 | 2.05% |
| 11800 North Streetscape | 32760 | 0.75 | 2.15% |
| Retention Ponds | 25924 | 0.60 | 1.70% |
| Trail System Easement | 54315 | 1.25 | 3.57% |
| Skye Estates Buffer | 33443 | 0.77 | 2.20% |
| Community Park | 51594 | 1.18 | 3.39% |
| Oaks & Creek | 81151 | 1.86 | 5.33% |
| TOTALS | 310351 | 7.12 | 20.37% |

ARCHITECTURAL DESIGN AND THEME

In addition to the park like landscaping required in the community, Architecture for the Cottage Senior Homes and Single Family Estate Homes will be strictly governed by an architectural control committee and recorded design guidelines to maintain the highest standard possible.

Single Family Estate Homes

Estate homes will be professionally designed to include features true to the style of each home presented. Controlled by the Architectural Review Committee and recorded design standards, these homes will range in style from Cape Cod to old world with special attention to consistent coloring throughout the community. Roofing consistency will be maintained to create continuity.

- Roofing Material to be 50 year architectural shingles in dark gray and black walnut tones. Brightly colored shingles particularly in green, red, and yellow tones are prohibited.
- Vinyl Siding is prohibited.
- Color for the various materials on each home shall be a tone on tone compliment. White and gray finishes for Cape Cod style homes will be considered.
- Facia, guttering, and trims shall not be white unless the home style is typical in those trims such as Cape Cod style.
- A single exterior material shall not dominate the home. Several materials with complimentary coloring should be used unless dictated by the classic style of the home.
- Columns supporting upper roofing and decks shall be a minimum of 15" wide and finished in materials used on the main structure.
- A design focus group will be engaged consisting of designated builders, the developer, architects, and city staff prior to set architectural standards prior to final plat approval.

Cottage Senior Homes

The design style for the Cottage homes is an old world influence with stone and stucco frontages, distinctive larger facia and columns and high quality windows with grids. Roofing is high end shingle treatments of the same color to promote the theme. Stone and stucco colors are muted and blend from home to home.

LANDSCAPING

The developers of Highland Oaks are committed to abundant landscaping to enhance property values and create distinction. An attached landscape drawing is provided herein as an exhibit.

Landscaping for the Single Family Estate Lots will be reviewed by the Architectural Review Committee with the home style and home finishes and have a finish requirement date dependent on the season.

SIGNAGE

Community signage will be integrated into the landscaping of the HOA maintained area at each entry and will consist of natural stone materials and engraved or metal lettering.

UTILITIES

A preliminary Utility plan is included in the exhibits attached. An agreement for a sewer easement on private property to the south of 11800 North extending to an existing manhole in Sunset Drive has been acquired subject to Staff review of the sewer easement language attached.

CIRCULATION

Preliminary circulation elements are included in the exhibits attached.

COMPATIBILITY

Highland Oaks is a corner orientation fronted by approximately 2600 feet of City roadways at an intersection serving a school, church, most of the North West area of Highland City, and one of two access points to the SunCrest community to the north. When annexed it will be on the edge of Highland City directly across Highland Blvd to Lehi City. It is adjacent to Skye Estates to the South and West of Mercer Hollow Estates.

The density proposed by Highland Oaks is substantially less than Skye Estates when all dwellings are considered and the Single Family Estate lots are approximately 20% larger by average than those to the north. The lots along the east property have been designed to be deeper lots to buffer the low density of Mercer Hollow Estates.

JUSTIFICATION AND MITIGATION

This site is in a high impact location on the edge of Highland City and adjacent to Lehi. It is a transition site from the traditional Highland neighborhoods to the edge of the city transitioning to Lehi. It falls within the North West area that includes a diversity of developments of greater and lesser densities than is proposed for this project. Skye Estate is likely the last development reaching into the North West area and is of a much higher density. These densities were considered by the General Plan for the areas within Highland that are adjacent to other cities.

The native vegetation, which is mostly scrub oak, and the natural drainage will be preserved in the PD-1 zone by designing slightly small lots that contour to the terrain and drainage which will help to protect these areas. In lower density applications, mass grading is likely and the natural openness is lost to newly landscaped very large back yards. These natural features also preserve the open view corridor to the north through Skye Estates continuing the view to undeveloped foothill areas.

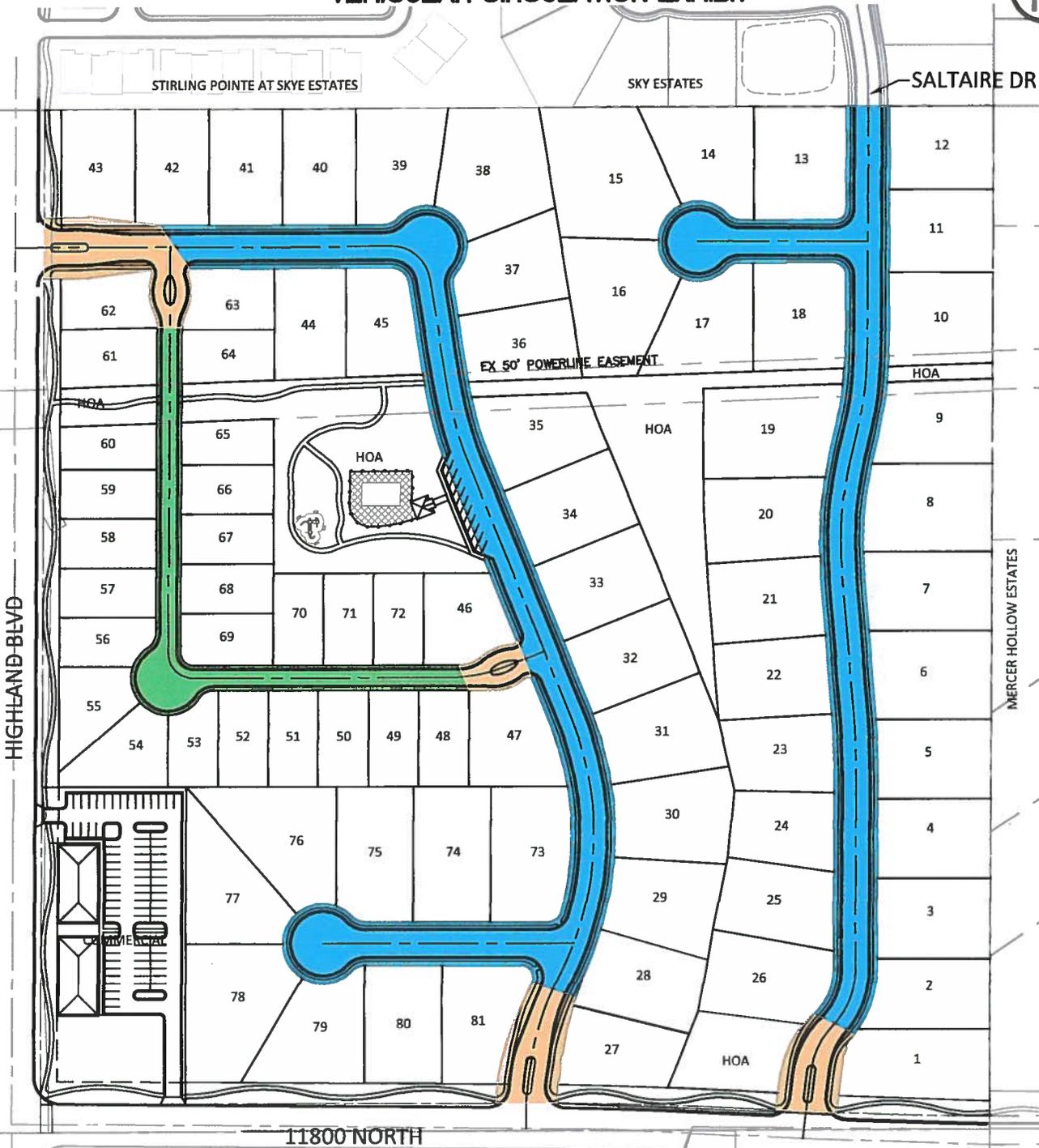
The PD-1 Zone allows for flexible layout to follow the natural features and provides for the installation of enhanced community amenities such as a community pool, park, and activity orientated installations maintained by the Owners Association helping to lighten the City burden. The additional homes will help to provide higher tax revenue for the city while limiting the cost to maintain.

Highland Oaks also meets some of the objectives found in the General Plan to provide a diversified housing choice by offering 1/3 acres estate lots which are much more affordable than traditional low density lots, to promote family affordability, and the Cottage Senior Homes provide a lifestyle choice in a market niche often ignored which brings the benefits of single family housing, Single level living, adequate space for visiting family, and private beautifully landscaped yards similar to the yards these families have moved from only without the maintenance.

EXHIBITS

1. Property Boundary and Legal Description.
2. Site Plan, Recreation and Landscape Plan indicating land use and densities.
3. Circulation Plan
4. Pedestrian Circulation and Trails
5. Road Cross Sections
6. Preliminary Utility Plan
7. Phasing Schedule – to be submitted

HIGHLAND OAKS VEHICULAR CIRCULATION EXHIBIT

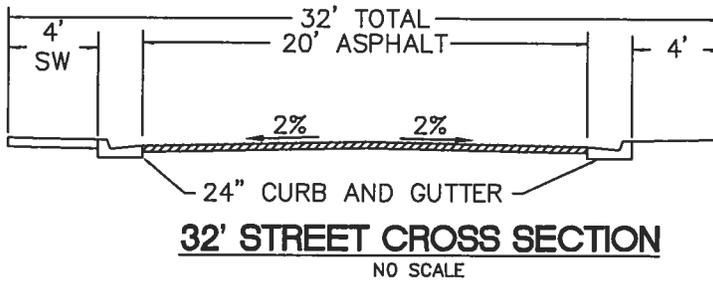
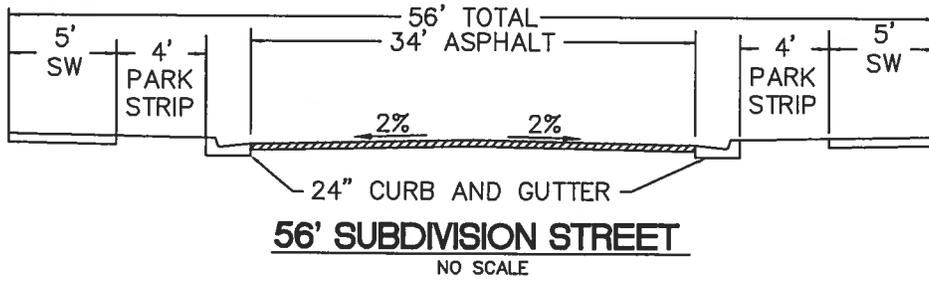


- ENTRANCE AREAS
- 56' SUBDIVISION STREET
- 32' SUBDIVISION STREET

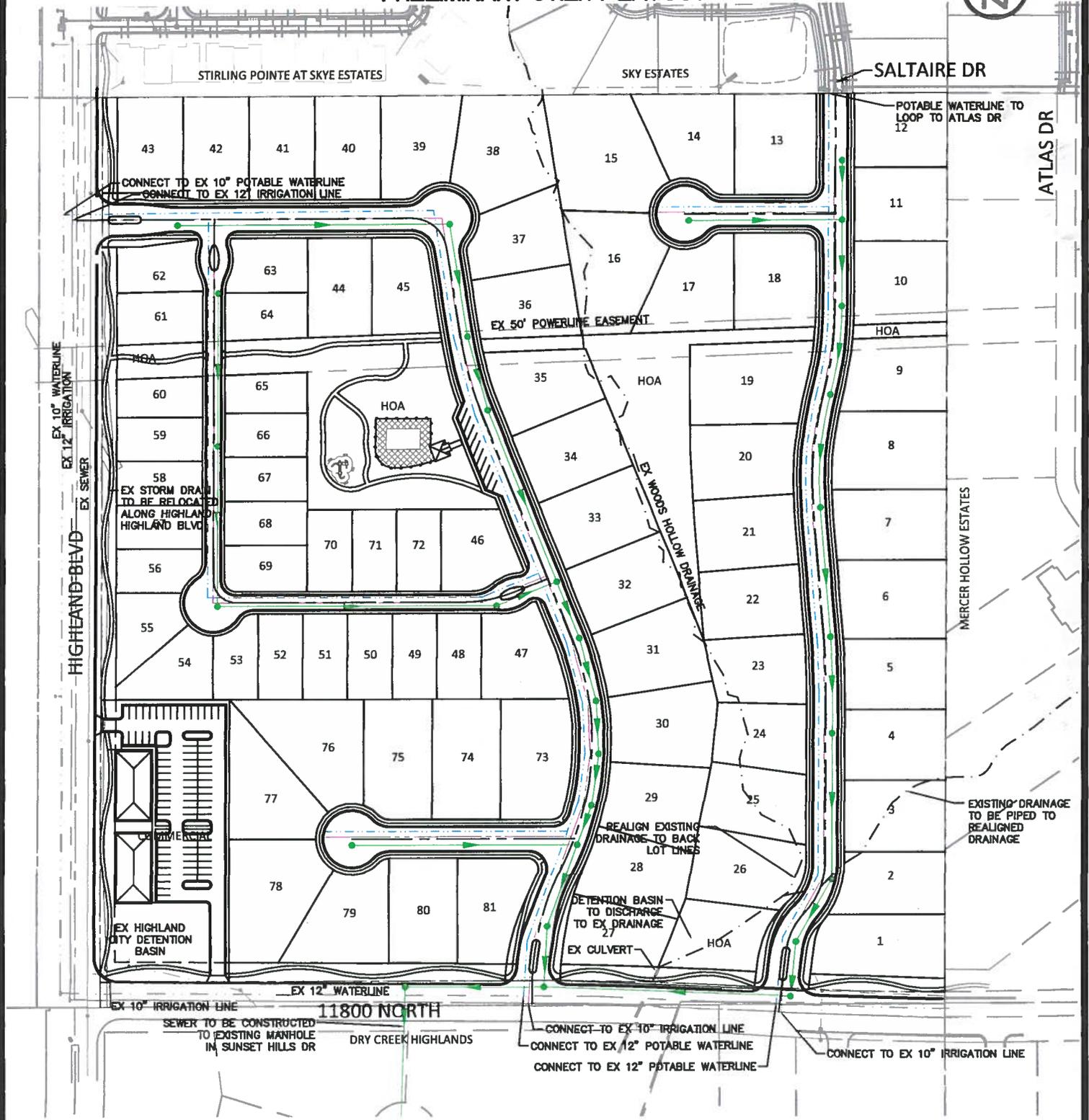


HIGHLAND OAKS

ROAD CROSS SECTIONS



HIGHLAND OAKS PRELIMINARY UTILITY LAYOUT



HIGHLAND OAKS

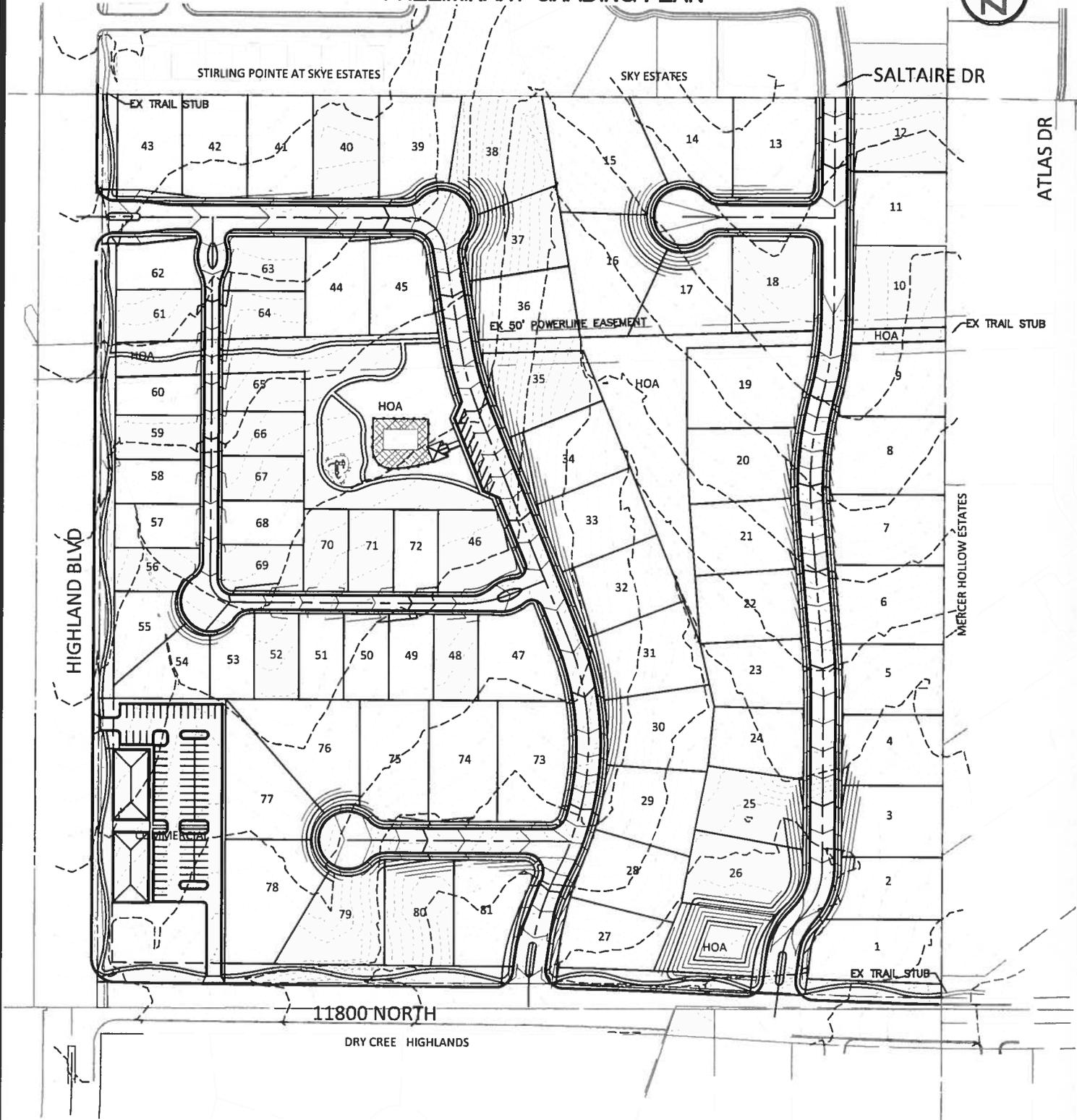
PEDESTRIAN CIRCULATION AND TRAILS EXHIBIT



HIGHLAND BLVD / 11800 N PARKWAY DETAIL TRAIL - - - - -
 6' HOA TRAIL - - - - -



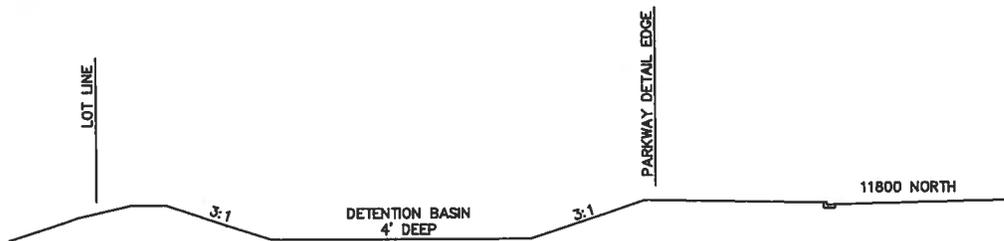
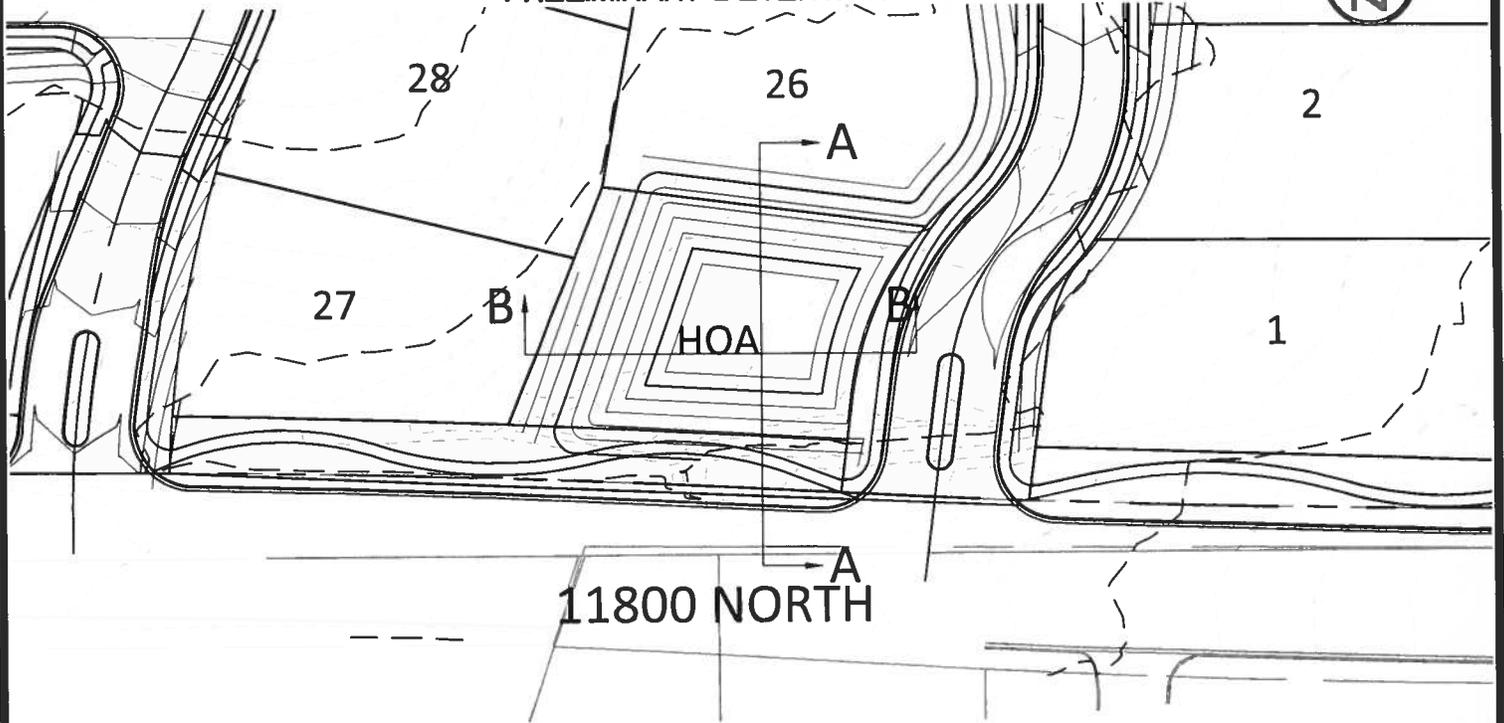
HIGHLAND OAKS PRELIMINARY GRADING PLAN



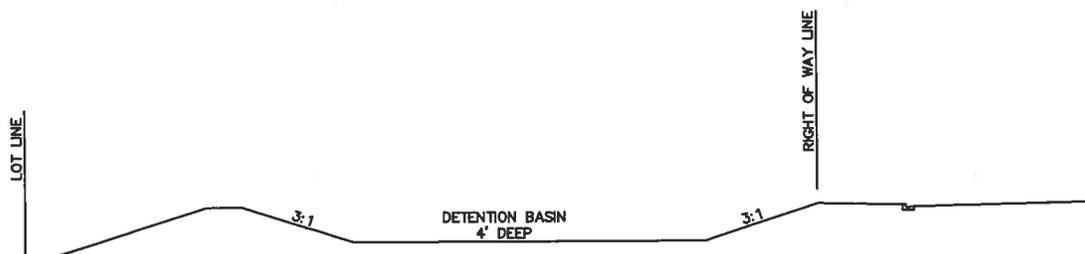
- EX GROUND CONTOUR (10')
- EX GROUND CONTOUR (2')
- PROPOSED GRADE CONTOUR (10')
- PROPOSED GRADE CONTOUR (2')



HIGHLAND OAKS PRELIMINARY DETENTION BASIN



SECTION A-A



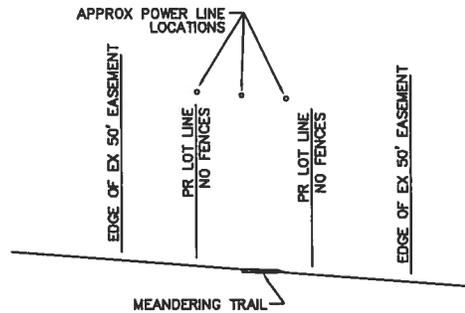
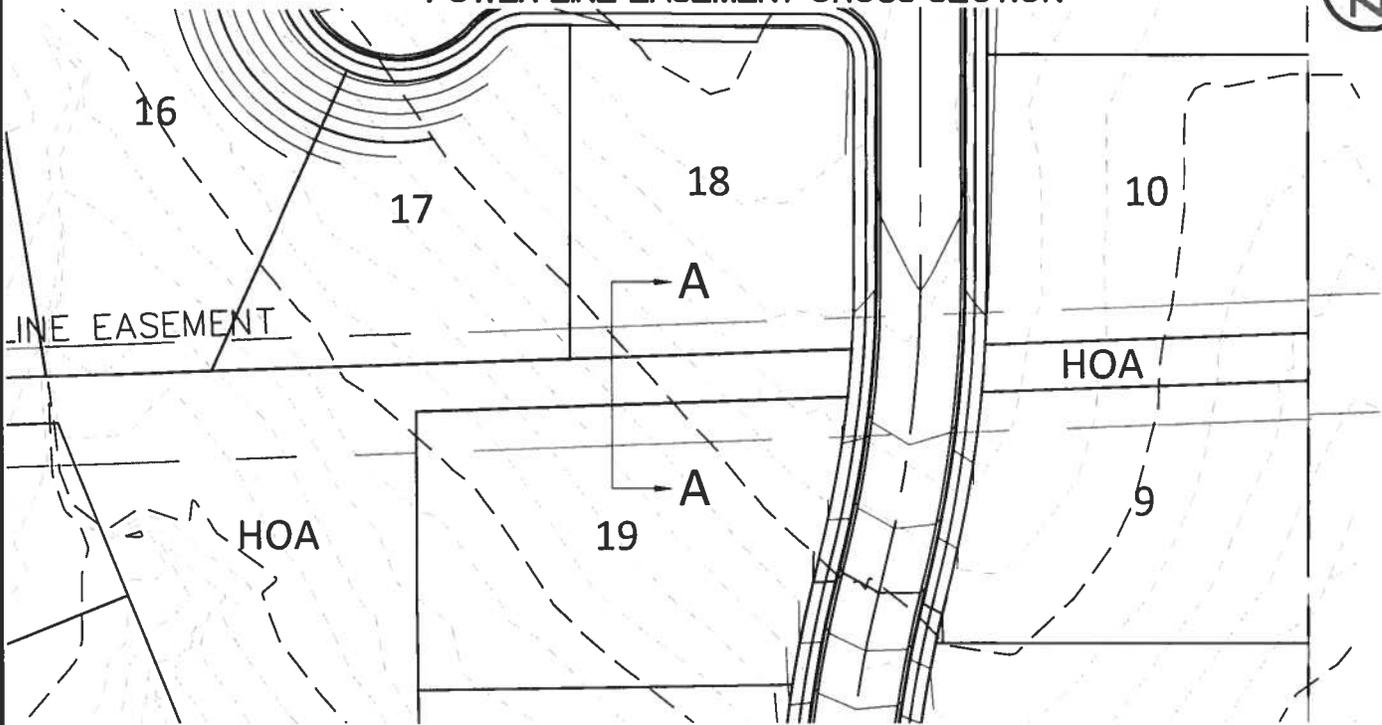
SECTION B-B

NOTE: THE BASIN SHOWN WILL ACCOMMODATE THE DEVELOPMENT EAST OF THE EXISTING DRAINAGE. FOR THE DEVELOPMENT WEST OF THE EXISTING DRAINAGE, THE EXISTING DETENTION POND AT THE CORNER OF 11800 NORTH AND HIGHLAND BLVD WILL BE EXPANDED.

- EX GROUND CONTOUR (10')
- EX GROUND CONTOUR (2')
- PROPOSED GRADE CONTOUR (10')
- PROPOSED GRADE CONTOUR (2')

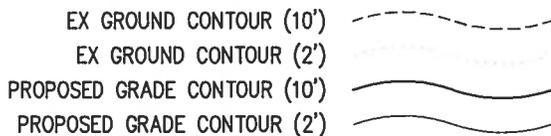


HIGHLAND OAKS POWER LINE EASEMENT CROSS SECTION



SECTION A-A

NOTE: THE ATTACHED EXISTING POWER EASEMENT (ENTRY 2724 RECORDED FEB 21, 1957 IN THE UTAH COUNTY RECORDER'S OFFICE) DOES NOT SPECIFICALLY PROHIBIT USES WITHIN THE EASEMENT. IT DOES GRANT THE POWER COMPANY THE RIGHT FOR INGRESS AND EGRESS NECESSARY AS WELL AS THE RIGHT TO CUT AND REMOVE TIMBER, TREES, BRUSH, OVERHANGING BRANCHES, AND OTHER OBSTRUCTIONS.



2-49 600 103156
53.

2724

(Utah Individual)

TRANSMISSION LINE EASEMENT

.....NIELS FUGAL.....and.....VIOLA FUGAL.....
his wife, Grantor s., of.....Utah.....County, Utah, do hereby convey and warrant
to UTAH POWER & LIGHT COMPANY, a corporation, its successors in interest and assigns,
Grantee, for the sum of One (\$1.00) Dollar and other valuable consideration, a perpetual easement
and right of way for the erection and continued maintenance, repair, alteration, inspection, reloca-
tion and replacement of the electric transmission, distribution, telephone and telegraph circuits of
the Grantee, and.....2 two pole structures ~~two pole towers~~ and.....no.....
guy anchors with the necessary guys, stubs, cross arms, braces and other attachments affixed there-
to, for the support of said circuits, on, under, over, through, and across a tract of land fifty (50) feet
in width, located in.....Utah.....County, Utah, and being twenty-five (25) feet on
each side of the following described center line:

Beginning at a fence on the east boundary line of the grantors' land at a
point 345 feet south from the northeast corner of Section 27, T.4 S., R.1 E.,
S.L.M., thence S.87°44'W. 1330 feet, more or less, to the west boundary line of
said grantors' land and being in the NE 1/4 of the NE 1/4 of said Section 27.

Together with all rights of ingress and egress necessary or convenient for the full and com-
plete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges
incident thereto, including the right to cut and remove timber, trees, brush, overhanging branches
and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoy-
ment of this easement.

WITNESS the hands. of the Grantors., this 1st day of February, A. D. 1957.

Witness:
[Signature] *Niels Fugal*
[Signature] *Viola Fugal*

STATE OF UTAH. }
County of Salt Lake } ss.

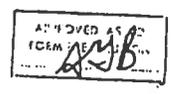
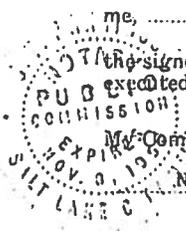
On the 1st day of February, A. D. 1957, personally appeared before
me, NIELS FUGAL and VIOLA FUGAL, his wife

the signer s of the foregoing instrument, who duly acknowledged to me that they
expected the same.

My Commission expires: _____
Nov. 8, 1959

[Signature]
Notary Public.

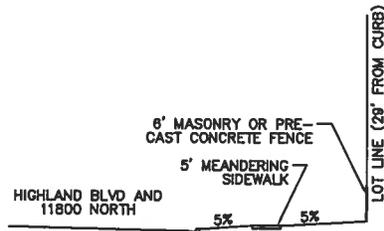
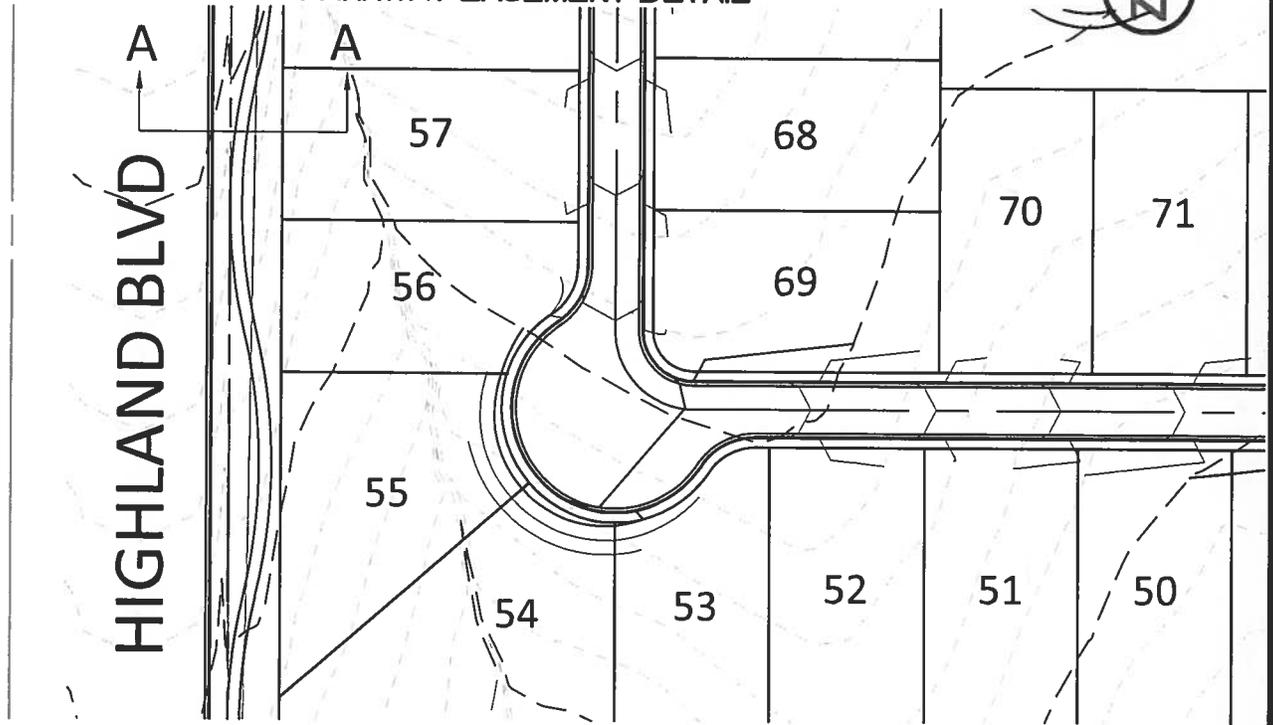
Residing at
Salt Lake City, Utah



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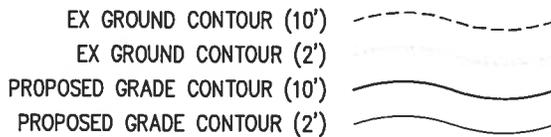
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HIGHLAND OAKS PARKWAY EASEMENT DETAIL



SECTION A-A

NOTE: SEE HIGHLAND CITY PARKWAY LANDSCAPE DETAIL (ATTACHED) FOR OTHER REQUIREMENTS WITHIN THE PARKWAY AREA.



The Parkway is designed as a 29' foot wide strip with a 5 foot meandering sidewalk, landscaping and fence.

The length of the parkway will be sodded or planted in grass. The trees will be spaced an average of 30 feet apart and no closer than 7.5 feet from the curb or the fence. Each tree must have a 24' cement now ring for maintenance. This will allow for lawn mowing equipment to maneuver around trees.

All trees will be at least 2 inch callper and be properly staked. Trees will be guaranteed by the developer for 18 months after planting. Tree types are to be approved as on the City Tree Committee list. Any substitutes must be approved by Highland City.

The back side of the parkway has a 6-foot high quality fence constructed of brick, pre-cast concrete, wrought iron, or block approved by the city. Double-fronting lots require masonry fences.

Sidewalk should be installed with gradual curves in a random, less structured format.

The entrance ways to the subdivision will be bordered by 20ft x 15ft planter areas with numerous trees, shrubs, rocks and ground cover. Such entrance ways shall conform to the clear sight requirements with vegetation in the clear sight area not capable of growing over 2 feet in height.

PARKWAY LANDSCAPING DETAIL PLAN

This plan will be submitted by the developer at the time of preliminary subdivision approval and will include the following:

1. The proposed location of trees with the exact location to be approved by the city inspector at the time of planting.
2. Fence design.
3. Sidewalk design.
4. Topography of parkway.
5. Planter area design.

SPRINKLING SYSTEM

The majority of the parkway will be watered with the Hunter I-20 PDP-UP HEAD, or equivalent.

The sprinkler heads will be spaced at 30 foot intervals. Each head will cover a 30 foot arc. Planter areas will be controlled by a separate valve system.

Sprinkler heads will be the RAIN BIRD 1800 HEADS, or equivalent. Spacing will be at 15 foot intervals around the planters. Sprinkler heads which back onto the curb shall not be rotor type. All valve boxes shall be installed away from the curb, preferably on the back side of the sidewalk.

GENERAL LANDSCAPE DESIGN

All grass areas to be HYDRO SEEDED or SODDED. The grass will be seeded first and after growth is established, then the trees will be planted. Topography of the Parkway will be...

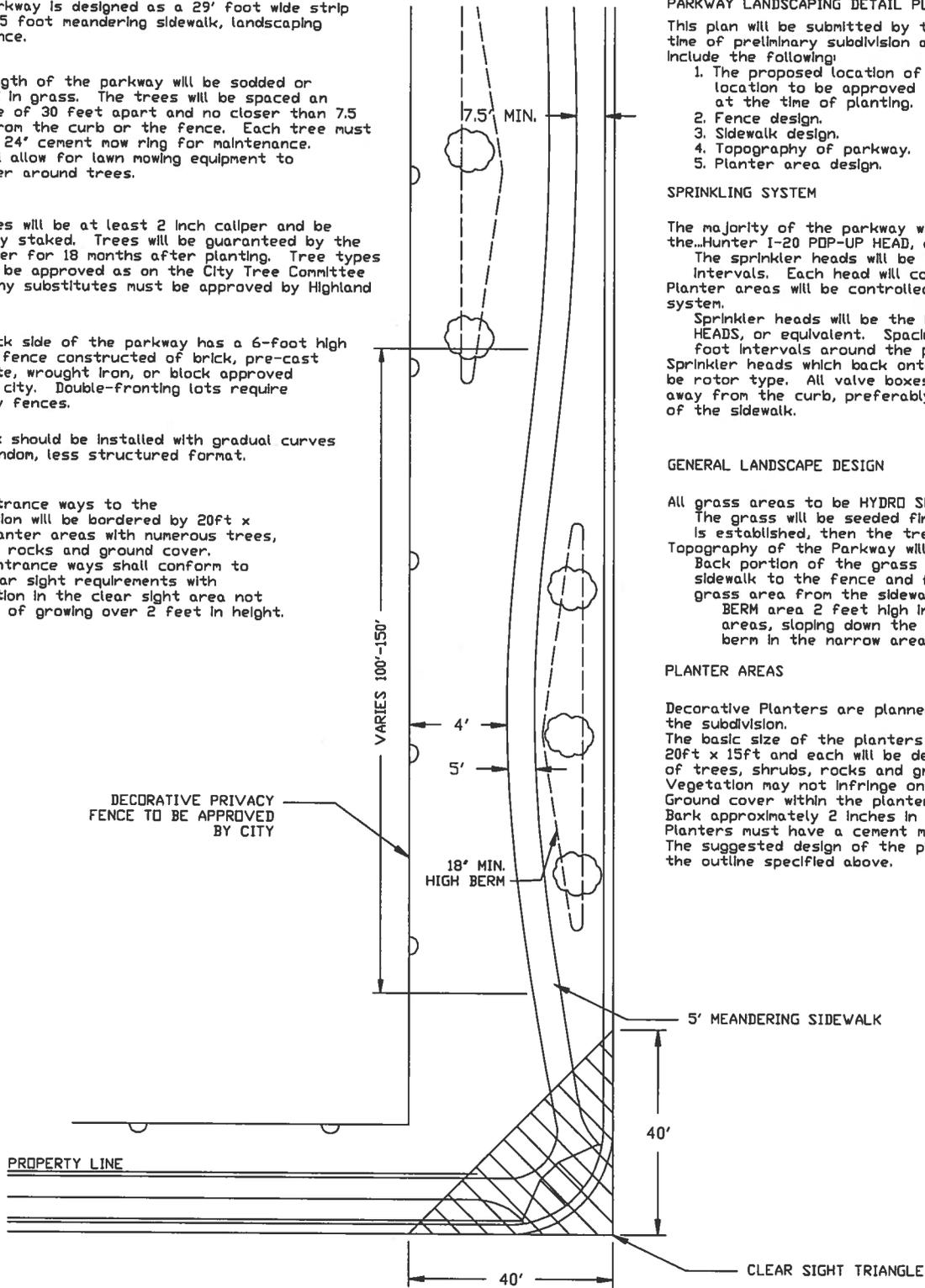
Back portion of the grass area from the sidewalk to the fence and front portion of the grass area from the sidewalk to the curb...

BERM area 2 feet high in the wide areas, sloping down the relatively flat berm in the narrow area.

PLANTER AREAS

Decorative Planters are planned at all entrances to the subdivision.

The basic size of the planters will be approximately 20ft x 15ft and each will be decorated with a variety of trees, shrubs, rocks and ground cover. Vegetation may not infringe on required clear area. Ground cover within the planter will be Shredded Bark approximately 2 inches in depth. Planters must have a cement now edge for maintenance. The suggested design of the planter is indicated in the outline specified above.



| | | |
|---------------------------------|-------------------|---|
| HIGHLAND CITY | | PUBLIC WORKS AND ENGINEERING |
| TITLE: PARKWAY LANDSCAPE DETAIL | | |
| DRAWN BY: | DATE: FEB 12 2008 | |
| CHECKED BY: | APPROVED BY: | |
| | |  |

HIGHLAND CITY DEVELOPMENT CODE

ARTICLE 5

PLANNED DEVELOPMENT (PD) DISTRICT

3-500: Purpose.

- (1) The purpose of the Planned Development (PD) District is to:
 - (a) Promote the development of mixed use developments that include residential and non-residential development.
 - (b) Provide a process which relates the uses, architecture, design and scale of the project to the characteristics of the site and surrounding properties.
 - (c) Require development to be supported by adequate utilities, transportation, and recreation areas to serve the development.
 - (d) Minimize impact on existing or future adjacent development.
 - (e) Encourage development that is consistent with the policies and the guidelines established in the General Plan.
- (2) PD zones are not intended for use for standard residential development, in situations where a proposed development is reasonably feasible under one of the City's existing zoning classifications or in situations where the primary purpose is to obtain a relaxation of standards applicable to similar types of development in other zones.

3-510: Establishment of a PD District.

- (1) General Provisions:
 - (a) A PD District may only be applied to a parcel or a combination of parcels totaling at least ten acres.
 - (b) A PD Districts shall only be located in the mixed use land use category.
 - (c) All PD Districts may have a mix of residential and non-residential uses including office, retail, and business park uses. PD Districts with only non-residential uses are permitted.
 - (d) All approved plans (site plans, subdivisions, buildings, documents and permits, etc) shall conform to the approved PD Narrative.
- (2) Rezoning Required:

All PD Districts shall be established through the rezoning approval process. All actions establishing a PD District shall be considered a legislative action and shall be at the discretion of the City Council.
- (3) Required Findings:

The applicant shall address each of the required findings (set forth below) individually, and shall demonstrate with sufficient, objective information, how the proposed PD complies with each. The City Council, following a recommendation from the Planning Commission, may approve a PD on the subject property upon determining that all of the following findings have been met:

 - (a) The proposed PD is consistent with the General Plan;
 - (b) That there are or will be adequate public facilities, including but not limited to: transportation, water, wastewater, and public safety facilities, etc.
 - (c) The proposed PD will result in compatible land use relationships and acceptable land use patterns with existing and planned land use in the area; and;
 - (d) The development standards of the proposed PD are consistent with or exceed the desired quality of development for the area.
- (4) Conditions and Stipulations of Approval:

The City Council may, in its sole discretion, approve a PD subject to conditions or stipulations. Conditions and stipulations included in the City Council action establishing a PD District shall become part of the regulations governing the use and development of the PD.
- (5) PD Regulations:

The PD Narrative, site plan, design standards and any other documents, exhibits or plans associated with the PD, in the form approved by the City, shall become part of the regulations governing the use and development of the PD and the Zoning Map shall be amended to reflect adoption of the PD and the related documents and plans.
- (6) Expiration:

Approval of any PD zoning is conditioned on development of the first phase of the project commencing within two years of the effective date of the ordinance approving the PD zoning on the property.

 - (a) Prior to the expiration of the two year time condition, the property owner or authorized representative may submit an application for an extension to the City. Upon receipt of a request for extension, the

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Zoning Administrator shall submit the request to the City Council for consideration at a public hearing held pursuant to 603.D.2 below

- (b) The City Council shall, after notices via certified mail to the property owner and authorized representative have been provided at least fifteen (15) days prior to the date of the scheduled hearing, hold a public hearing on the extension request. The City Council may, in its sole discretion, grant one extension of the time condition up to one-year.
- (c) In the event the project's first phase has not commenced within the two year time period and no request for time extension has been received the Zoning Administrator may submit the PD to the City Council for consideration of reversion, pursuant to the hearing procedure set forth in below:
 - (i) The Zoning Administrator shall notify the property owner and authorized representative by certified mail of the City Council's intention to hold a hearing to determine compliance with the two year time condition, and to revert the zoning on the property to its former classification if the condition is determined by the City Council to have not been met. All such notices shall be made at least fifteen (15) days prior to the date of the scheduled hearing. The City Council may, in its sole discretion, either grant an extension of the time condition or revert the zoning on the property to its prior zoning classification.
- (d) Following the commencement of the first phase of the project, the Zoning Administrator shall monitor the project to ensure compliance with the approved PD phasing schedule. Upon the Zoning Administrator's initial determination that the phasing schedule is not being met, no further review or approval of any project site plan or plat shall occur until it is determined that good cause exists for delay in the construction of the project. Should the project fail to proceed as scheduled, a public hearing shall be held by the City Council to determine the cause of the delay. At the public hearing on the matter, if the City Council determines that there is not good cause for the delay, it may impose additional conditions on the PD to ensure compliance with the phasing schedule. If such additional conditions and the phasing schedule are not met, the Zoning Administrator may set the matter for public hearing, according to the process set forth above, on a possible reversion of the PD zoning. If the City Council determines that good cause exists, it may amend the PD development phasing schedule.
- (e) For purposes of this section, the terms "commence," "commencing" and commencement" shall mean physical vertical construction activity in accordance with a valid building permit issued by the City and/or the beginning of construction of on-site and off-site infrastructure including streets, sidewalks, water and wastewater, so long as such infrastructure is completed prior to expiration of the City-issued development permit issued therefore.

(7) Amendment

- (a) The Zoning Administrator or designee shall determine whether a proposed deviation from the approved PD District is a Major or Minor Amendment. Major Amendments shall require City Council approval upon recommendation of the Planning Commission. Minor Amendments shall require administrative approval by the Zoning Administrator or designee only. No amendment to a PD will be approved without concurrent revision of its development plan.
- (b) Major Amendment. Any one of the following shall be considered a Major Amendment of a PD:
 - (i) A ten percent (10%) or more increase in the number of dwelling units.
 - (ii) Any reduction in acreage devoted to commercial uses.
 - (iii) A significant change in boundary lines of development units.
 - (iv) Any change which could have significant impact on areas adjoining the PD.
 - (v) Any change which could have a significant traffic impact on roadways adjacent or external to the PD.
 - (vi) Amending the uses allowed by adding a permitted use, a use permitted with conditions or a use requiring a Conditional Use Permit, unless the Zoning Administrator has determined that the use to be added is analogous to a permitted use.
 - (vii) Changes to, or addition of, phasing for a PD when such changes impact twenty-five percent (25%) or more of the land area contained within the PD district.
- (c) Minor Amendment. All amendments of a PD District not determined by the Zoning Administrator to be a Major Amendment shall be a Minor Amendment.

(8) Modification of Current Regulations:

- (a) All PD Districts shall comply with the development standards in the Development Code. However, based upon a recommendation of the Planning Commission, the City Council may approve modifications from standard Development Code requirements.

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- (b) No modification of development standards shall be permitted unless the applicant provides substantial evidence indicating that the modifications will produce an environment superior to that which could have been produced by strict application of existing standards for comparable zoning districts. Additional mitigation measures may also be required.
- (9) Phasing:
The PD may provide for certain on-site and off-site infrastructure to be constructed in phases, subject to the following limitations:
 - (a) Complete construction of all public infrastructure improvements within the public right-of-way on the exterior of the PD site shall be included within the first phase of development, unless the City Council, in its sole discretion, allows for an alternate infrastructure improvement schedule as part of a development agreement or approved phasing plan. Each phase of development shall be able to function as a single entity.
 - (b) Prior to commencement of the first phase infrastructure improvements, the owner/applicant shall provide financial assurances in the amount determined by the City Engineer and in the form approved by the City Attorney, for construction of such portions of the infrastructure improvements located within the public right-of-way on the exterior of the PD.
 - (c) For mixed-use projects a proportionate share of residential and commercial buildings and/or uses shall be constructed concurrently as determined by the City Council.

3-520 PD Narrative and Development Plan.

The narrative text shall provide uses and development standards for the PD District. The PD Narrative shall be both prescriptive and concise. The PD Narrative shall conform in formatting and organization to the PD application maintained by the Zoning Administrator or designee. The PD Narrative shall sufficiently address all of the following as individual sections:

- (1) Introduction and Opening Statements:
 - (a) Describe the general location within the City, the property boundaries and the surrounding properties.
 - (b) Identify the land use designation(s) of the subject property in the General Plan, the current zoning and the improvements existing on the subject property (for example, vacant or buildings to be demolished).
 - (c) Provide the following statement - "The requirements of the Development Code, as amended, shall apply except where explicitly stated otherwise herein by this PD."
- (2) Proposed Uses:
 - (a) List permitted uses.
 - (b) List uses permitted with conditions.
 - (c) List uses permitted with a Conditional Use Permit.
 - (d) Provide the following statement - "All uses not specifically provided for herein are prohibited."
- (3) Density (Residential only):
State the density for the overall project as well as the densities of each specific development subsection or neighborhood.
- (4) Development Standards:
State development standards that deviate from the Development Code. In the case where no development standard is provided in the PD Narrative, the Zoning Administrator shall determine the applicable development standard to apply.
- (5) Recreation Areas:
Recreation areas shall be an integral part of a PD development, shall be provided in an amount commensurate to the size of the development, in minimum amounts not less than set forth below and shall, to the extent possible, be designed central to the internal functions of the site.
 - (a) Residential Recreation Areas:
 - (i) A minimum of twenty percent (20%) of the net development areas shall be provided.
 - (ii) The following areas shall count as recreation areas:
 - 1. Dedicated park sites with a minimum size of five acres, provided that the location, size and geometry are acceptable to the City.
 - 2. Dedicated tracts for bicycle, equestrian, hiking or multi-use trails.
 - 3. Private park, recreation areas, and clubhouses dedicated to, and maintained by, an Owners' Association that meets the park improvement standards as determined in the development plan.
 - 4. Reserved or dedicated steep slope areas.
 - 5. Basketball, tennis or other sport courts, baseball, softball and soccer fields, tot lots and ramadas with barbeque areas.
 - 6. Any other areas deemed acceptable as determined by the City Council.

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- (iii) The following areas that shall not count as recreation areas:
 - 1. Areas less than five thousand (5,000) contiguous square feet, unless such areas either are part of a larger trail system or contain significant project amenities, as determined by the City Council.
 - 2. Public rights-of-way, dedicated streets and alleys, vehicular drives, parking, parking landscape areas, loading and storage areas.
 - 3. Trails located behind lots unless approved by the City Council.
 - 4. Reserved school and park sites that require subsequent purchase of the land.
 - 5. Concrete or rock-lined areas designated primarily for the conveyance of water.
 - 6. Utility corridor easements, unless substantially improved to make the area usable for outdoor activities. Only that proportion substantially improved shall be counted as recreation areas. "Substantially improved" shall include any of the improvements listed, or any other improvements deemed substantial by the City Council.
- (iv) Meaningful recreation areas shall be included within all phases of a PD project and shall be provided proportional to the amount of development related to each phase, unless otherwise permitted by the Zoning Administrator and included in the phasing schedule.
- (b) Commercial Recreation Areas
 - (i) A minimum of ten percent (10%) of the net development area shall be provided.
 - (ii) Recreation areas shall be provided in the form of pedestrian refuge areas with shaded seating, landscaped and hardscape plaza areas.
- (c) Recreation areas shall be identified and reserved as tracts or parcels on a plat, or as easements when no plat is necessary. Maintenance of these areas shall be provided for by an Owners' Association. A statement shall also be placed on the approved site plan or plat, as appropriate, stating that all landscaping shall be maintained by the Owners' Association. All areas shall be maintained at a level consistent with the approved development plan.
- (d) All recreation areas shall be installed by the developer and/or property owner.
- (6) Architectural Design and Theme:

Each project shall propose a unique high quality architectural theme and standards. Standards shall be included for both commercial and residential uses. Site layout, architecture and landscaping shall be consistent with the Highland City Design Standards.
- (7) Landscaping:

Landscaping shall be provided along street frontages, around the property perimeter, internal to the site and in parking areas.
- (8) Signage:

Unless signage is approved as part of a comprehensive sign package, signage shall conform to the comparable zoning category.
- (9) Utilities:

Each project shall submit preliminary concepts for culinary water, wastewater, pressurized irrigation, storm drain, and utilities. The preliminary concepts shall include: the size and location of culinary water, wastewater, pressurized irrigation, storm drains, etc., and any other information needed as required by the City to evaluate the proposal. Utilities shall be designed to avoid adverse impact on adjacent land uses, public services, and utility resources.
- (10) Circulation:

Each project shall submit a pedestrian and traffic circulation plan. The plan shall include the following:

 - (a) A traffic analysis or traffic impact study, as determined by the City Engineer;
 - (b) The location and cross section of all streets with typical street cross sections;
 - (c) Pedestrian circulation elements;
 - (d) Hours of peak traffic use; and,
 - (e) Measures to mitigate offsite traffic impacts.
- (11) Compatibility:

Each proposal shall include a description of the measures used to ensure compatibility between future and existing land uses. Compatibility measures shall include but are not limited to landscaping, setbacks, building location, lighting, noise, etc.
- (12) Justification and Mitigation:

Substantial justification and mitigation is required for proposed PD standards that do not meet the standards of the comparable zoning district.
- (13) Exhibits:

The following exhibits shall be provided with the Development Plan for a PD:

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- (a) Property boundary and legal description.
- (b) Areas designating land use(s), densities, etc.
- (c) Circulation plan to include arterial and collector streets, and vehicular and pedestrian circulation routes.
- (d) Phasing schedule which shall include a map of the development designating the phases and sequence of development including, but not limited to, land uses, recreation areas, and infrastructure. The map shall include a schedule of development with action dates. All infrastructure improvements shall be shown and scheduled for the entire development.
- (e) The location and acreage of recreation areas as well as listing amenities to be provided at each location.
- (f) Preliminary infrastructure concept plans.

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ARTICLE 6

SUPPLEMENTARY REGULATIONS

- 3-601: Supplementary Regulations Within Zones**
- 3-602: Yard Space for One Building Only**
- 3-603: Occupancy Permit Required**
- 3-604: Each Dwelling to be on a Zoning lot**
- 3-605: Area of Accessory Buildings**
- 3-606: Accessory Buildings Prohibited as Living Quarters**
- 3-607: Storage of Junk and Debris Prohibited**
- 3-608: Percolation Test**
- 3-609: Culinary Water Requirements**
- 3-610: Clear View of Intersecting Streets**
- 3-611: Additional Height Allowed for Public Buildings**
- 3-612: Fences, Walls, and Hedges**
- 3-613: Fractional Numbers**
- 3-614: Home Occupations**
- 3-615: All Lots Shall be on Record at the County Recorder's Office**
- 3-616: Rules for Locating Boundaries**
- 3-617: Amendments to Zoning Code**
- 3-618: Areas Annexed to City**
- 3-619: Inspection**
- 3-620: Building Permits**
- 3-621: Park or Planter Strips**
- 3-622: Purpose of Public Utilities**
- 3-623: Temporary Uses**

3-601: Supplementary Regulations within Zones. The intent of Sections 3-602 through 3-621 is to provide for several miscellaneous land development standards which are applicable in more than one zone. The requirements of those Sections shall be in addition to development standards contained within the various zones. Where the provisions of those Sections may be in conflict with other provisions of this Code, the more stringent shall prevail.

3-602: Yard Space for One Building Only. All required setbacks shall be situated on the same lot as the building or structure to which they apply. No required yard, area, or other open space around a building or use which is needed to comply with the area, setback, or open-space requirements of this Code shall be considered as providing the required area, yard, setback, or open space for any other buildings or use; nor shall any area, yard, setback, or other required open space on an adjoining lot be considered as providing the area, setback or open-space requirements of a building or use.

3-603: Occupancy Permit Required. Land, buildings, or premises in any district shall hereafter be used only for a purpose permitted in such a district and in accordance with the appropriate regulations. A permit of occupancy shall be issued by the Building Inspector to the effect that the use, building, or premises conform to provisions of this and all related ordinances, regulations, and requirements prior to occupancy, for any building erected, enlarged, or altered structurally for the occupancy or use of any land. No permit of occupancy shall be issued until structures are completed to the standards as set forth in the most current issue of "International Building Code (IBC)." Occupancy of a structure prior to issuance of a permit of occupancy shall be deemed a misdemeanor, and such occupancy shall be deemed a separate offense for each and every day of such unlawful occupancy. Such a permit is needed whenever use or character of any building or land is to be changed.

(Ord: #2009-23, 09/01/2009)

3-604: Each Dwelling to be on a Zoning Lot. Only one building which contains a dwelling shall be located and maintained on a zoning lot.

3-605: Area of Accessory Buildings. (Amended 9/5/00) Accessory buildings shall cover not more than five (5) percent of the total lot area.

3-606: Accessory Building Prohibited as Living Quarters. Living and sleeping quarters shall not be permitted in

HIGHLAND OAKS SUBDIVISION NEIGHBORHOOD MEETING

June 4, 2015

SUMMARY:

The neighborhood meeting for Highland Oaks Subdivision was held at the Highland City Multipurpose room on June 4, 2015 at 6:30 pm. In addition to the developer and the developer staff, there were 31 residents that are reflected on the signed in sheet.

A few of the residents expressed concern about school overcrowding and the increasing traffic along Highland Blvd. and 11800 north. Adjacent residents were concerned about adequate buffering between Skye estates and the main roads as well as the desire to retain as much existing scrub oak visible inside the development and along the existing streets.as possible.

There was a discussion about insuring that what is approved will be delivered even if the developer were to sell the project after approval. Several residents expressed concerns over other past developments not following through with the commitments made during approval process, and concerns about trails built on provide property and fencing not installed as a part of previous developments.

The residents expressed appreciation for the proposed landscaping and improvements fronting 11800 north and Highland Blvd. and the fully landscaped and maintained Cottage Homes. HOA ownership and maintenance of streetscapes and common areas was attractive and the better control of maintenance was expressed as a benefit. Some asked if the pool and amenities could be shared with the surrounding neighborhoods and the developer agreed to explore that option.

While concerned about the local traffic and impact on schools, residents appreciated the proposed development proposing high quality homes and improvements without too much density that would preserve the open space and natural vegetation and bring a higher quality landscape installation and maintenance to the streetscapes as compared to several inconsistent under maintained areas in the city.

In addition to the various questions concerning the nature and scope of the proposed development, the residents showed interest and concern about the following:

- Number of lots proposed. What is the balance between the low density and Skye Estates to the north?
- Size of proposed lots. Setbacks both front and rear. Lot depth.
- The increase traffic impact.
- Impact on school population.
- Issues other developments have not lived up to and interest in confidence in what is approved is what will be built.
- Issues related to Highland City fulfilling development commitments particularly over uninstalled fencing and trails on private property and maintaining parks and streetscapes.
- Retaining the scrub oaks both on the interior and perimeter of the project.
- Questions about the possibility of R1-20 approval instead of PD1 zone.
- Minimum home size.
- Sewer system smell and overload.

RICH & VANA OLSON 11536 Maple Hollow Ct

Bill & Lynn Haines 11572 No. maple Hollow Ct

MARK C. VAN LANGHEVED } 6640 SUNSET HILLS CT.
ELIZABETH VAN LANGHEVED }

Henry Boogaard } 12018 N Brunswick Dr
Shirley Boogaard } Highland, UT 84003

TERRI & DEXTER FRANCIS
12068 N BRUNSWICK DR
HIGHLAND, UT 84003

Near/B. Evans 11597 N. Lone Rk Circle, Highland
Ryan Liljengust 11965 N. Atlas Dr. Highland, UT 84003

Annie & Bob Emmett 11295 N. ATLAS

Bill + Janet Bennett 11769 Sunset Hills Dr. Highland,

Jason & Jen Hardin 6411 Lone Rock Rd. Highland UT

Leslie & Rollin Johnson 15758 S Nestled by Draper UT 84020

Andrew Lillian 12029 N. Cyprus Dr. 84003

TANYA COLLEDGE 11768 S. SUNSET HILLS 84003

Natalie & Tim Ball 11835 N. Atlas Dr. tab0212
@gmail.com

Andrew Ford 4237 W Park Dr Highland UT 84003

Marianne Ormsby 6191 W. Valley View Highland

Brian Kep 6479 Bull River Rd Highland

Rod & Karin Carling 3172 Fox Hollow Dr Sandy UT 84012

BA MARTIN 6378 W. 10690 N Highland, UT

Citizen Correspondence
Proposed Highland Oaks Planned Development District
(June 25, 2015)

Manuel Bueno, received June 4, 2015

Hello Mayor, I hope you are doing well. Thank you for your service to Highland and its residents. I received a flyer on my door about possible zoning of a 36 acre property on the north east corner of Highland Blvd and 11800 North. The flyer indicates the developer is proposing higher than approved/typical density for Highland with lots as small as 8,000 sq. ft.

I want to get your views and opinions of this situation. I am not educated on it at all. I do want to say one of the things I enjoy about Highland City are the larger lot spaces which makes the city maintain its open and outdoor/country feel. I do know that the city years ago adopted and have done various open space subdivisions. I used to live in one of them. And the city has also has done high density in the "city center" area. But even in the open space subdivisions I don't think lot sizes have been that small but I could be wrong.

I like to know all aspects of the story and like to educate myself. If you have time to give some insight into this project and tell me where you stand that would be appreciated. Thank you, Manuel Bueno, resident.

Kevin and Kristi Vick, received June 18, 2015

Nathan,

Kristi and I are very concerned about the development being proposed for the 36 acres on the corner of Highland Drive and 11800 North. We are being informed that the developer is proposing high density housing in exchange for open space for the city. Please don't go down this road again! The open space developments have been such a huge drain on the city's budget, they have never been properly cared for, and frankly, we don't need the additional population in our area. Our schools are already bursting at the seams, the traffic issues with that intersection are well known, and we are also concerned about how the proposed high density housing will affect the property values. Please consider all the negative impact allowing this to go through would have on our community and reject the proposed change allowing for .45 acre lots. I know the city is dependent on continued residential development for much of its tax base, I wish that were not so, and that as a city we would be more welcoming to commercial development and the tax revenue it would generate. Smaller lots are not the answer. "Green space" neighborhoods are a disaster.

Keep the R-1-40 zoning on our hillside.

Thanks,

Kevin and Kristi Vick

Phillip Millward, received June 18, 2015

Mr. Crane...

My wife and I came and built a home in Ivory's Dry Creek knowing that Ivory had plans on three more phases. We expected that. But now other developers have come in and building other communities. We chose this part of Highland for the open spaces and free from traffic congestion. But now have seen the building that is going up around and what it is bringing. Each passing day it worsens. I would hate to think what this beautiful area will be like in the coming years. What kind of impact will it have? Looking at the proposed plot plan of this developer sickens me. What's happening to our once quiet serene paradise. Can you put a stop to this before it gets out of hand?

A concerned resident... Philip Millward

Jeff Warnick, received June 18, 2015

I am writing this email as a concerned citizen of Highland. I live on the corner of Sunset Hills Drive and Highland Blvd. During the 10 years that I have lived here, traffic on Highland Blvd. has increased dramatically. It used to be that a car passed our house every few minutes. There is now a steady stream of cars traveling up and down Highland Blvd., often at excessive speed. In fact, it has become difficult to even pull out onto Highland Blvd. from Sunset Hills Dr.

My concern is that if high density development is allowed on this 36 hole parcel, it will place even more strain on Highland Blvd. Please require the developer of this parcel to adhere to the normal zoning restrictions (R-1-40).

Thank you for your consideration.

Jeff Warnick
6631 Sunset Hills Dr.
Highland, UT 84003

Brea Mefford, received June 18, 2015

Dear Nathan,

I really appreciate your willingness to receive concerns on this issue via email. As a mother of 8, I'm not able to attend city council or planning meetings right now, but I can send an email.

I am very much against changing the zoning to accomodate higher density housing in that area. There are many reasons, and I'm sure this isn't the first time you've heard them. Ridgeline Elementary is already overflowing. So much so, that we drive our kids to another school. Increasing the the housing

density in that area will just put too much demand on that school. I'm also very concerned about the traffic issues. This area is right across from a school and we want it to be as safe as possible. More houses right there will increase the traffic in front of the school.

I'm also concerned about Highland trying to manage any other open space areas. Residents have had to push and push to get the open space areas in Highland Hills maintained better. It has required much repair from the city to fix drainage issues and the latest disaster of the large amounts of grass that was destroyed by the wrong chemical being used to fertilize. Things are better than they were 5 years ago, but honestly they are not great. The open areas often are full of dandelions and just not looking as good as they should. On top of that, areas that were supposed to be open areas are being sold back to residents. So, if Highland isn't able to manage these areas, please don't add more. Please add what Highland is able to support.

We absolutely love living in Highland because of the low density areas and the numerous parks in the area. Please keep that up and don't change the density because a developer has his own ideas. I appreciate you doing your best to look out for the future of our home town.

Warm regards,

Brea Mefford

Riley Frazier, received June 18, 2015

I'm writing to express my concern over the proposed development on the Northeast corner of Highland Boulevard and 11800 North.

While I have not been able to personally review the development plans, it is my understanding that the developer has submitted plans for a high-density housing development. One of the main reasons we chose to relocate to Highland several years ago was the open space required by the current zoning regulations. I would not like to see the current zoning compromised to allow for more building lots. I feel that such a change would have a negative effect on our neighborhood and property values.

Regards,

Riley Frazier
6199 West Argo Circle
Highland, UT 84003

Jennifer Moulder, received June 19, 2015

I am surprised that Highland City would be considering a new high density neighborhood at the corner of Highland Blvd and 11800 N. This corner has been a source of concern for me for some time, but most

recently after the deadly accident there recently. Highland is in the process of looking into that situation, but why would you approve a new development, at a higher density than R-1-40 while that corner is being reviewed?

I have been a Highland resident for 13 years. 10 of those were in an open space subdivision. I moved because I was sick and tired of the back and forth between residents and the city. The city is still dealing with complications from those neighborhoods 13 years later such as selling the land as surplus. I personally grassed and watered the city's land on the other side of my fence because it was such an eyesore. I was repeatedly told that the \$20 open space fee I and my neighbors paid was not sufficient to cover the cost of the required maintenance. That means other city residents are bearing the cost of the open space. The maintenance that was provided was still a significant shortfall from what we were told would be there originally when we built.

The city currently has a problem with where to house its maintenance facilities. At the last city council meeting I attended it was mentioned that the city might need to go back and look at outsourcing maintenance. Maintenance was outsourced previously, and it was better in my opinion than what it is now, but we were told the change needed to be made doing it ourselves would save money. So which is it? Do we save money by having it in-house or should the original maintenance building never have been sold because we will gain funds in the short term, but have to outsource and go back to paying higher maintenance costs?

I'm tired of being told one thing will bring in revenue only to turn around and find out it is costing us money. I've been told by Rod Mann that impact fees can't be used to pay for a streetlight at this corner, it needs to be paid out of general funds. Open space fees don't pay for open space maintenance totally, the remainder comes out of open space funds. I'm tired of development costing me money. Everyone says they are trying to cut costs, then it's time to stand behind that. If this high density development is going to cost general funds in the long run, then now is the time to stop it.

This land should not be used for any lots smaller than R-1-40 because it will only make the current unresolved traffic problem worse, the city still hasn't shown that they can effectively manage open space without increasing costs to other residents, and isn't sure of the future of the maintenance crew. With so many questions unresolved I believe it would be irresponsible of the planning commission to approve this land for anything other than R-1-40 development at this time.

Sincerely,
Jennifer Moulder

Julie Matern, received June 19, 2015

I am against the proposed land use of 85 lots. I am FOR R-1-40 zoning allowing only 39 lots.
Sincerely
Julie Matern

Sent from my iPhone
Julie Matern

Mike Card, received June 20, 2015

Nathan,

I'm a Highland resident living just off Highland Blvd. I want you to know I'm opposed to changing / adjusting any existing zoning that would allow for higher density development in the stated area. The traffic along Highland Blvd is already extremely heavy and will naturally get worse - let's not unnecessarily add to it. We want this to remain an open space community - not a congested, high density community. Let's protect our property values, way of life and safety of our children.

Thanks for not supporting any zoning change in this area.

Mike Card
801-652-4714
11148 Sunflower Dr., Highland

D Kimball Jones, received June 20, 2015

Nathan, I have lived in Highland for over 30 years. We lived on the east side for 20 years. We are now living in the dry creek subdivision, and we've been here for 13 years. This existed for many years. Father's and son's used to be held in this location. The development of Ivory homes was shocking, but not nearly as shocking as the development of our little Westfield Rd to the west. The density of Alpine Homes to the North took my breath away. They are of a much lower home value than Dry Creek. The density of the homes North West of Alpine Homes, where the senior retirement buildings are located, isn't much better. Where is the water going to come from? We aren't maintaining the roads we already have. Have you taken 6000 from Westfield Rd all the way to American Fork? Your alignment will never be the same. Our schools cannot support such density. What has happened to the beautiful rolling hills of Highland? We used to have scrub oak. So many of our citizens have upgraded to Alpine because they know that Alpine in 20 years will never look like Sandy. It will never be as transient as my neighborhood has become. People are renting their basements and I never know who's here to stay. I've told my grown married kids who are relocating back to Utah, to either move to Alpine, or to move on to Midway or Heber. Please save our little corner of what's left of Highland to open area. If there is already an owner, please keep the lots as large as possible and keep the natural vegetation where scrub oak exists. Our city cannot support anymore dense developments of lower budget homes. Help us maintain a more dignified and beautiful city. Thankyou, dkimballjones@gmail.com

Sunny Myres, received June 20, 2015

To Whom it May Concern:

We are in receipt of the mailed public notice regarding the Highland Oaks development.

First, we appreciate the careful consideration given in reviewing this development. We enjoy living in Highland and believe that others should have that same opportunity (we are not anti-growth, but we support responsible growth). More homes means more people, more children in our schools, more traffic and all that comes along with that. Diverse development can be a positive thing in any community. And given that this development is on a fairly busy intersection it lends itself better to more flexibility in zoning.

The proposed development has a mix of product (a positive for community, and city). It has an association (a positive for the residents and city's budget). It has open space (a positive community and city element). On the same token, there is an overreaching request for the density bonus with no benefit to anyone but the developer. The community is not a direct beneficiary to any of what the developer is 'offering' up in exchange for his additional density. And the additional density is well above what should be considered. It is obvious, but it is not the responsibility of the city to make something work for the developer at the expense of the neighbors, community or city.

In it's current form, we object to the proposed plan. We would be more open to a lower density plan (larger lot or combination of larger lot and more open space). The commercial is 'token commercial' and there should be a better way of bringing scale and size rather than a building or two per development (similar to Skye Estates) that have limited potential for success and show no forethought or continuity in land planning.

Thank you for your consideration and attention in promoting responsible and appropriate development in Highland.

Sunny Myres

Matthew Bowman, received June 20, 2015

Dear Mr. Crane:

I moved to Highland last July from Draper. While it's only a 10 minutes away, Highland is a world apart from Draper - and for the better! I've quickly come to love the unique culture that makes up Highland. It reminds me of Draper about 15 years ago. To that end, it's come to my attention that housing developers are trying to pressure the Highland City Council to approve so called "high density" housing in Highland and bypassing the long-standing minimum of .45 acre lots. I wish to voice my concerns over this potential development and submit how damaging it will be to the magnificent environment you and your colleagues have helped shape thus far. There is a direct correlation in Draper between their over development and the decrease in the standard of living I witnessed in Draper. It is a function of increased traffic, increased crime, and over population. Crime in my once safe neighborhood was a key reason why I moved to Highland. The "neighborly feel" that Highland now enjoys was once prominent in Draper - but no more. It would be a huge, costly mistake that cannot be reversed to allow Highland to

become another Draper. Please stick to the formula that has made Highland the wonderful city it has become and not cave in to developers trying to cram as many homes onto an acre as possible.

Cordially,

Matthew Bowman
6075 Ridge Road
Highland UT 84003

Lee Lisonbee, received June 22, 2015

Nathan,

I'm writing you concerning the high density private development in Northwest Highland (Highland Blvd and 11800 N) which is being proposed to the city.

The development of high density housing, especially in this area of Highland will surely have a negative effect on property values of bordering properties and will cheapen the Highland living experience.

I've lived in Highland for the greater part of my life. I've seen the city's growing pains. There have been some poor choices made in the past because of short-sighted financial pros or cons. Now with the hindsight of these poor financial decisions, I fear that money is talking louder than it should in some cases, and if we're not careful what money we listen to, we'll trade immediate cashflow for lowered future value.

Surely other developers will come who want to comply with the City's determination of .45 acre minimum lots, or a compromise can be made to keep the lots much closer to the .45 acre minimum than those currently being proposed by the developer.

Best,

Lee Lisonbee

Cassi Capell, received June 22, 2015

Hello,

I am concerned about the proposed development on the corner of highland blvd and 11800 N. I hate to see any development there at all, but I am especially concerned about small lots and a lot of houses. It will impact the feel of our neighborhood and will decrease property values. I also worry about the traffic and the size of the road. I was drawn to this area of highland because of the large lots and space. I hate to see it change so drastically right around the corner from me. Thank you for your time.

Cassi Capell

Charles Walton, received June 22, 2015

I have lived in Highland for 20 years now and it has been interesting, and some times shocking, to observe the changes that have taken place. I would just say that it would be nice to maintain this part of northern Utah county as having a reputation for larger lots and a slower pace of living.

I don't believe the concept of smaller lots and more open space areas has worked out very well. I seldom see anyone using the open space, yet lots of water and city resources are spent each summer to maintain these areas.

I understand that it will cost more to provide utilities to larger lots than smaller ones, but if the future homeowners are willing to cover that extra cost, why should we be concerned? Especially when larger lots provide a much more beautiful look to our community in general.

Highland should be the premier community of Northern Utah County and we have the opportunity to gain and maintain that status if we develop carefully. If we become another Lehi, then our homes will have no more particular value than a home in Lehi. We should make a determination to become a unique community, known for its larger lots.

I think the developer is being short-sighted in not understanding that there is a demand for larger homes on larger lots and that people will pay a premium for that situation. I doubt the developer would make much more on multiple smaller lots in the long run. They should charge twice as much and will likely get it.

Of course, large homes on small lots would maximize profit for a developer, but it will leave Highland with a section of homes that crowd their neighbors'. Enough profit should be enough and our town should not have to suffer the consequences of a crowded development that will be left behind when the developer moves onto another community.

Charles Walton

Jennifer Newman, received June 22, 2015

Hello Nathan,

My name is Jennifer Newman and I am a resident in Highland Heights. I am writing to object to the developer's plan for the land on the NE corner of Highland Blvd and 11800 North. I have many reason for my objection:

1. It is sad to see the wide open spaces around us be filled in with as many houses as possible. One of the reasons we moved from congested Orem was to enjoy more natural beauty and have more space, around us and between homes.

2. The area is congested enough with the town homes that have gone in north of us in Skye Estates.

3. My children's school (Ridgeline Elementary) already has a large number of kids in each class. I really don't know how it could accommodate any more without proposing such a high number of children in each class that they cannot properly learn and receive the scholastic attention they need and deserve.

4. When my husband and I moved out here we were looking for long-term stability. Our church organization is already constantly changing to keep up with the turnover rate from the homes north of us in Highland Hills.

5. We need stability in this beautiful area. We need to keep the standards we have set. I would propose bigger lots as opposed to smaller ones to keep our real estate value at the level it is at.

Please do not consider the developer's proposal for private development. As a Highland resident I strongly object to the developer's plans.

Thank you for your consideration.

Currently a happy Highland resident,
Jennifer Newman
6166 Valley View Dr
Highland
(801) 756-8924

Jonathan Myres, received June 22, 2015

To Whom it May Concern:

We are in receipt of the mailed public notice regarding the Highland Oaks development.

First, we appreciate the careful consideration given in reviewing this development. We enjoy living in Highland and believe that others should have that same opportunity (we are not anti-growth, but we support responsible growth). More homes means more people, more children in our schools, more traffic and all that comes along with that. Diverse development can be a positive thing in any community. And given that this development is on a fairly busy intersection it lends itself better to more flexibility in zoning.

The proposed development has a mix of product (a positive for community, and city). It has an association (a positive for the residents and city's budget). It has open space (a positive community and city element). On the same token, there is an overreaching request for the density bonus with no

benefit to anyone but the developer. The community is not a direct beneficiary to any of what the developer is 'offering' up in exchange for his additional density. And the additional density is well above what should be considered. It is obvious, but it is not the responsibility of the city to make something work for the developer at the expense of the neighbors, community or city.

In it's current form, we object to the proposed plan. We would be more open to a lower density plan (larger lot or combination of larger lot and more open space). The commercial is 'token commercial' and there should be a better way of bringing scale and size rather than a building or two per development (similar to Skye Estates) that have limited potential for success and show no forethought or continuity in land planning.

Thank you for your consideration and attention in promoting responsible and appropriate development in Highland.

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Highland City Planning Commission May 26, 2015

The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair Christopher Kemp at 7:04 PM on May 26, 2015. An invocation was offered by Commissioner Day and those assembled were led in the Pledge of Allegiance by Commissioner Heyrend.

PRESENT: Commissioner: Christopher Kemp
Commissioner: Brady Brammer (*arrived at 7:54 PM*)
Commissioner: Abe Day
Commissioner: Tim Heyrend
Commissioner: Steve Rock
Commissioner: Scott Temby
Commission Alternate: Steve Nielsen

EXCUSED: Commissioner: Sherry Carruth

STAFF PRESENT: Community Development Director: Nathan Crane
O & M Director: Justin Parduhn
Planning Coordinator: Kelsey Bradshaw
Planning Commission Secretary: Heather White

OTHERS: Resident Mike DeCarlo, Resident Brian Cahoon, Resident Steve Mackay, Resident Stanley Mead, Mr. Kirk Rogers -Vice President of Facilities and Property for the Utah Community Credit Union, McKay Christensen with Mac Development, Resident Cheryl Clyde, Resident Kathy Mead, Resident Jen Ashcroft, Resident Matt Church, Resident Wendy Asay, and Resident Deanna Holland, *See attached attendance list*

OPEN SESSION

Commission Chair Kemp asked for public comment. None was given.

PUBLIC HEARING ITEMS

CU - 15-01:

A request by the Highland City Council for approval of a conditional use permit for a 5,000 square foot park maintenance facility with an outdoor storage yard. The site is located at the southeast corner of Town Center East and Town Center Parkway.

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1 Commissioner Kemp read the process for the public hearing and encourage civility of all
2 participants. He opened the public hearing at 7:07 PM by consent and asked Mr. Crane to present
3 the details of the application.
4

5 Mr. Crane reviewed the application for the park maintenance building. He review the
6 background of the application and explained that the City Council had discussed the need for a
7 new park maintenance building for some time. Mr. Crane explained that the old building and
8 property had been sold for future economic development so the City needed to relocation the
9 department by January 2016. He said the City Council wanted to ensure they were
10 accommodating the existing and future needs of the department and explained that there was a
11 \$300,000 budget for the new facility. The proposed facility would include the following: 5,000
12 square feet, central location, height of 22 feet, 2 overhead doors, hours of operation would be
13 7:00 AM to 5:30 PM Monday - Thursday. He said the location and facility needed to be a
14 balance between the city's needs and the concerns of the budget. Mr. Crane talked about the staff
15 that might use the facility, the work performed in and around the facility, and the equipment
16 stored. He reviewed the following sites that were also considered by City Council:

- 17 - Property west of the existing public works facility at the mouth of the canyon
 - 18 - Victor property adjacent to the gravel pit
 - 19 - Clay property
 - 20 - Property by the storage for the salters
 - 21 - Previous City Hall facility
 - 22 - Old Water Company building on 5600 West
 - 23 - Property near West Park Road Trail
 - 24 - Property previously planned for sports park
- 25

26 Mr. Crane discussed the benefits and drawbacks of each location. He said the proposed location
27 was thought to worked best for the facility. He reviewed the site plan, landscaping plan and other
28 details of the property. He discussed the possible impact on traffic and property values, the safety
29 of the property, and the outdoor lighting design.
30

31 Commission Chair Kemp asked for public comment.
32

33 Resident Mike DeCarlo said he lived three houses down and was adjacent to the property. He
34 thanked the Planning Commission for their efforts. He said he met with Mr. Crane to understand
35 the proposal, the site, and to discuss alternative locations. He understood there were other
36 locations that could store equipment until a new location was found and therefore there should
37 not be pressure to find a location at this time. He wondered where the funds would come from
38 for the facility. He said he, and the group he represented, had concerns about the proposed
39 conditional use application. Community impact would be large in the Town Center and
40 surrounding subdivisions and affect the following safety, children, and family issues - early
41 morning noise, additional neighborhood traffic, environmental impact, surrounding property
42 values, and general aesthetics for the Town Center. He said he received community input. While
43 discussing safety issues, Mr. DeCarlo said it did not make sense to put the building next to a
44 residential neighborhood and park where kids play daily. He pointed out that it was also across
45 the street from a future library and he could imagine kids going to the library as they do now and

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1 getting in the way of trucks. He talked about kids gathering in the evening when he came home
2 from work. He said he knew kids were curious and could see them going into the open gate and
3 possibly the open bays and wanting to see what was there. He said that should be an obvious
4 concern. Mr. DeCarlo talked about the daily noise from the mowers and trucks. He said traffic
5 was also a concern. He said the intersection was pretty active during the morning and evening
6 commutes. He said it was one of the main entrances to the Town Center Meadows Subdivision
7 as well as the Village and other areas. Mr. DeCarlo talked about the impact to the aesthetics of
8 the area. He said it was the hub where the community met, shopped, socialized, and played at the
9 splash pad. He said putting the public building at the proposed location would only make it
10 harder to attract more businesses to the Town Center. He talked about his vision for the Town
11 Center with an outdoor mall, similar to the Provo Riverwoods, with a shopping district
12 associated with mixed use. He said a long term vision of the Town Center was needed to create
13 an attractive look and feel. He thought the conditional use permit for the proposed public
14 building could open the door to other projects in the Town Center that would jeopardize the tone
15 and feel, aesthetics, and longer term goal in developing the Town Center.

16
17 Resident Brian Cahoon said he lived near the subject property. He explained that he was
18 deliberate when choosing his lot and that he convinced his wife on the idea of the Town Center.
19 He said he loved where he lived and was passionate about Highland City and the Town Center.
20 He was upset and shocked when he heard about the proposed public building and did not think
21 that it suited the intended use. He showed a presentation on alternate locations that might be
22 better options. He said two lots on SR-92 would be a good location as well as Mountain Ridge.
23 He suggested 3.5 acres near Highland Hideaway as another possible location. He emphasize that
24 there were other options and that the City did not need to make a hasty decision. He asked the
25 Planning Commission to not approve the conditional use permit.

26
27 Resident Steve Mackay said he lived directly adjacent to the proposed facility. He explained that
28 he met with and spoke to many residents who asked him to consolidate their concerns and speak
29 on their behalf. He said he spent a lot of time going through the Highland Development Code
30 and General Plan. He read from the General Plan regarding the vision for Highland and asked if
31 the proposed facility was consistent with that vision. He quoted more from the General Plan
32 regarding recent development and the importance for the City to maintain its aesthetic appeal. He
33 talked about keeping the Town Center area looking attractive. Mr. Mackay talked about the
34 concerns for safety. He said the area was highly trafficked by children during the peak summer
35 months when the facility would be heavily utilized. He said the proximity of the facility, across
36 from a park and directly en route to and from the Highland City splash pad, raised serious safety
37 concerns. He pointed out that the trucks and other equipment coming and going from the facility
38 would be at the same time when most children would be coming to and going from the splash
39 pad. Mr. Mackay quoted the Highland City Development Code Section 4105, the general
40 requirements for a conditional use, and said that such use would be detrimental to the health,
41 safety, and general welfare for anyone living or working in the vicinity. He thought the proposed
42 facility and location violated all of those conditions. Mr. Mackay said a third concern was the
43 impact of property. He read portions of Section 4101 of the Development Code and said the
44 proposed structure with outside storage was not harmonious with the Town Center nor the
45 surrounding residential neighborhood. He read portions of Section 4105 and said the smells,
46 noise and aesthetics of the proposed facility would be injurious to the residential property

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1 directly adjacent as well as other residential and civic structures. Mr. Mackay said the structure
2 would also be in direct violation of outdoor storage requirements as defined in the Development
3 Code because it would be within five feet of his back yard. He talked about the intent to store
4 equipment and other items inside the proposed storage and pointed out that the current facility
5 had a lot of "junk" being stored outside. He said a forth concern was the destruction of open
6 space in the Town Center. Mr. Mackay wondered why the city was considering taking away
7 open space in the Town Center. In conclusion, he said there was a human side to the issue. He
8 explained that he and his wife purchased their home last September after living in a one-bedroom
9 apartment for years. He said they sacrificed and saved so they could buy their house. He had no
10 doubt that the value of his home would decrease. He talked about his 40 minute commute to
11 work and thought Highland City workers could commute three minutes from a facility at the
12 mouth of the canyon. He asked the Commission to forward a negative recommendation to the
13 City Council.

14
15 Resident Stanley Mead said he lived in Highland for 10 years. He said for the past 30 years he
16 had assisted individuals and corporations resolve litigations without going to court over personal
17 injury and toxic waste clean-up. He said most of the cases were because toxic chemicals were
18 poured on the ground and ended up in the water table. He mentioned associated the health issues.

19
20 Commissioner Brammer arrived at 7:54 PM.

21
22 Mr. Mead said the proposed site was adjacent to one of the wells that provided secondary
23 irrigation water and next to an open irrigation canal. He hoped that precautions would be taken to
24 manage the chemicals and toxic materials inside the facility, however, he had seen that even
25 though there were good intentions, improper handling, and poor processing can lead to toxic
26 waste dumping. He said the results were often very devastating. He asked the following
27 questions: What is the plan for properly managing water run-off from a parking lot? What is the
28 plan for the City for handling water run-off and drainage from the building? Where will it be
29 drained? To what entity, whether city, sewer, or some other drainage system, will it go? How
30 will the City deal with the canal? How is the City going to protect the well head, the well, and
31 the ground water, from a potential toxic waste spill? Mr. Mead noted that the City had gone
32 through a lot of effort to choose a site, but the citizens were opposed to the site. He pointed out
33 that the safety of seniors needed to also be considered. He explained that toxins could
34 accidentally be introduced in the air, which senior were more sensitive to. He asked the
35 Commission to disapprove the conditional use application.

36
37 Mr. Kirk Rogers, representative for the Utah Community Credit Union, said they supported the
38 residents in their efforts. He said a project like the proposed facility would surely devalue the
39 property. Mr. Rogers said it was not in harmony and wanted to lend his voice of opposition to the
40 project.

41
42 Commission Chair Kemp asked for additional public comment. Hearing none, he asked for
43 comments from the Planning Commission.

44
45 Commissioner Nielsen asked for clarification of the zoning district and said it seemed that an
46 industrial building in a residential neighborhood was inconsistent with what Highland City

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1 should be. He wondered why the building had to be 22 feet tall when all the vehicles were lower
2 profile. He thought the building height could be lower.

3
4 Commissioner Day asked about an additional location for the facility. Mr. Crane explained that
5 the property mentioned was marked for a future expansion of the irrigation pond. Commissioner
6 Day asked why the location near the mouth of the canyon would not work. Mr. Crane explained
7 that the size of the property, improvement costs, and the distance from parks were issues. He said
8 the area was also used as a school bus drop-off. Upon request, Mr. Crane explained that the
9 increased cost of moving the facility to that location was due to the slope on the property and the
10 backfill and size of the ditch.

11
12 Commissioner Rock asked about the deadlines and wondered if there was any other location that
13 could be used for storage. Mr. Crane explained that the current building needed to be vacated by
14 the end of the year. He said the City did not have any existing storage that was not already full.

15
16 Commissioner Temby said he read all the materials in preparation for the meeting and
17 appreciated the attendance. He said he reviewed the City Council minutes and did not see
18 evidence of the factors taken into consideration from the Development Code or the
19 administrative rulings that were necessary in order to make a recommendation. He said in
20 listening to the testimony, there was compelling evidence that this site would be detrimental to
21 the health, safety, and general welfare of persons residing, working, or visiting the area.
22 Additionally, he believed that intended use of the facility at the proposed site would be injurious
23 to the adjoining properties, both their value and the highest and best use of their properties, as
24 well as the highest and best use of the City's property. He said although the property and building
25 likely complied with the applicable regulations in the Development Code, the efforts to mitigate
26 any detrimental effects were not present. Commissioner Temby said he could not support the
27 recommendation.

28
29 Commissioner Heyrend said he spoke to the Mayor and several Councilmembers about the
30 proposed location. He said one of his concerns with the location was because of the Town Center
31 area. He thought a metal industrial building in the Town Center did not fit, but understood that
32 they needed a place for the building and equipment. He proposed storing equipment in smaller
33 buildings closer to where it would be used. He said the smaller buildings could be placed in
34 specific areas, would not have a detrimental impact, and could be more aesthetically pleasing.
35 His thought was that chemicals and other items would not be stored at the smaller buildings.
36 Commissioner Heyrend suggested using the area on Highway 94 for storing the larger items.

37
38 Commissioner Brammer thought they were presented two solutions, City Center and the location
39 at the mouth of the canyon, that were not very viable or good. He talked about the traffic through
40 the canyon and the impression an industrial building would have at the mount of the canyon. He
41 thought there had to be better options.

42
43 Commission Chair Kemp thanked those in attendance. He said he was not in favor of having an
44 industrial building next to a residential area or across the street from a future library and did not
45 think it was smart planning. He said he visited almost every site available. He suggested tearing
46 down the old water building and replacing it with a new park maintenance building. He said it

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1 would be an improvement to what was currently there. He also recommended putting the park
2 maintenance building at the mouth of the canyon, but agreed with Commissioner Brammer and
3 said it should be as aesthetically pleasing as possible. He thought smaller storage buildings
4 should also be considered. Commissioner Chair Kemp called for a motion.
5

6 **MOTION:** Commissioner Nielsen moved to deny the Conditional Use Permit for constructing a
7 storage industrial building at the southeast corner of Town Center and Town Center Parkway
8 with the idea that the City Council look for other areas that are more industrial and conducive
9 with the proposed use based on the following findings:

- 10 • the safety of the children who play in the area
- 11 • the loss of the park for the neighborhood
- 12 • the proximity to homes
- 13 • the incompatibility of the structure with the surrounding architecture
- 14 • Highland City, as the applicant, has the burden of proof to demonstrate that it has met all
15 the conditional use permit requirements. They failed to satisfy all the elements required to
16 shift the burden of proof. Accordingly, in addition to the previously mentioned findings,
17 there has been compelling evidence presented before the Planning Commission that there
18 would be injury to the property or improvements in the vicinity, that there is significant
19 risk to the health, safety, and welfare of persons residing, playing, or working in the
20 vicinity, and that there is no evidence of any effort to mitigate any detrimental effects of a
21 facility at this location.

22 Commissioner Rock seconded the motion. All present were in favor. None were opposed. The
23 motion carried with one absent.
24

25 Commissioner Kemp closed the public hearing at 8:16 PM.
26
27

28 **OTHER BUSINESS**

29
30 *A presentation by McKay Christensen regarding a proposed development at the*
31 *northeast corner of Town Center East and Town Center Parkway. The project includes*
32 *243 senior apartments within four 4-story buildings. The proposal includes the*
33 *construction of a 20,000 to 40,000 square foot City Library building.*
34

35 McKay Christensen presented the details of a proposed senior living center on six acres within
36 the Town Center. He showed the property site and said the development would be aged
37 restricted. He said the development would have 243 units, 302 podium parking stalls, and 6,000
38 square feet of retail that would face Alpine Highway. He said they were proposing to build a
39 library and fine arts center for Highland that would be about 20,000 square feet. Mr. Christensen
40 read information and statistics regarding baby boomers and said many were looking for a place
41 to live. He mentioned that they had not done a formal market study, but shared some information
42 about the immediate trade area and thought there was a need for the proposed development. He
43 said he had lived in Highland for 20 years and talked with individuals who would like a facility
44 like this so they could stay in the area. Mr. Christensen reviewed the site plan and said it would
45 be a high end senior living center. He showed a rendering of the proposed library. Mr.

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1 Christensen talked about other amenities including a club house, bistro, community events,
2 outdoor patio and lounge, outdoor fire place, pool, exercise facility, theater, business rooms,
3 salon and spa. He thought the units would rent for \$900 to \$1,400 per month. He said he was
4 looking for feedback from the Commission.

5
6 Commission Chair Kemp asked for comments or questions from the Commissioners.

7
8 Commissioner Temby asked about the plan for the library, other developments Mr. Christensen
9 had been involved in, and their timeline. Mr. Christensen said they had not worked out any of the
10 terms yet, but they were considering the option of building the library then having Highland
11 lease it back with some buy-back provision over time. He said they were trying to help minimize
12 the cost of the library for the City. He talked about other developments they had done in Travers
13 Mountain, California, and Provo. Mr. Christensen discussed the timeline and the need for an
14 agreement regarding the library. He estimated that they were six to eight months away from
15 getting financing for their project.

16
17 Commissioner Nielsen asked if they had thought about using the library space for an assisted
18 living area. Mr. Christensen understood that seniors preferred to have the uses separate.

19
20 Commissioner Day asked if it would be federally subsidized housing. He wondered why they did
21 not build condos instead. Mr. Christensen said it would not be subsidized, nor would it be low
22 income housing. He explained that they were able to build a better product as an apartment
23 complex.

24
25 Commissioner Heyrend wondered how the property ownership was going to work because the
26 City currently owned the property and would later own the library. He also wondered if a traffic
27 study had been done. Mr. Christensen said they had just started talking with the City about the
28 library. He recognized that Highland owned the property. He said they had talked in concept
29 about having the City contribute the property, adjust the rent down to a rate that the City could
30 afford, then have the option for Highland to buy it back at a discounted value. He said they were
31 considering multiple ideas. Mr. Christensen explained that they had not done a traffic study, but
32 did not think the number of units would have a significant impact on the existing roads.

33 Commissioner Heyrend asked about the kind of retail that would be in the development. Mr.
34 Christensen said it was a tough fit for retail. He said they saw it as a destination that would
35 mainly be supported by the people who lived there.

36
37 Commissioner Brammer said he appreciated the retail aspect of the project because there was a
38 need for having diverse tax base within the City. He said he preferred this project over high
39 density.

40
41 Commissioner Rock wondered if relatives would be permitted to stay overnight. Mr. Christensen
42 said they had thought about having hotel-style rooms that family members could rent and stay
43 overnight.

44
45 Commission Chair Kemp allowed public comment regarding the proposed development.

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1 Resident Cheryl Clyde voiced concern about the building height. She said there were many
2 problems with the Toscana Development and that it was a management nightmare. She said she
3 was not in favor of the high density in the area. She talked about the Toscana retail not being
4 very successful.

5
6 Resident Kathy Mead wondered if the developers had done research to see if there was a market
7 among the age group to pay rent rather than having a mortgage payment.
8

9 Resident Jen Ashcroft wondered how much of the 20,000 square feet would be used for the fine
10 arts center. She wondered if there would be a lot of empty space in the development when the
11 baby boomers started declining. She voiced concern for the rental units versus purchasing a
12 home, the building height, and the retail aspect of the development. She talked about the possible
13 buy-back option for the library and property values. She said grandkids would not want to rent a
14 room when they visited grandparents. She agreed with Ms. Clyde about trying to manage a high
15 density area.
16

17 Resident Matt Church said he worked in the skill nursing arena and knew of other facilities being
18 constructed. He questioned the need for a 4-story facility. He talked about the traffic it would
19 bring to the area.
20

21 Resident Wendy Asay voiced concern about the building height and parking.
22

23 Another Highland resident voiced concern about the area changing to a closed zone when it was
24 intended to be open and friendly.
25

26 Resident Deanna Holland talked about the density and how it would completely change the
27 Town Center.
28

29 Commissioner Day proposed that the Commission hold a work session for the purpose of
30 reviewing the Highland Development Plan and density requirements. He thought the density was
31 too high for the area and suggested areas on SR-92 for senior housing.
32
33

APPROVAL OF MINUTES

34
35

36 **MOTION:** Commissioner Rock moved to approve the minutes from April 28, 2015 as written.
37 Commissioner Heyrend seconded the motion. All present were in favor. The motion carried with
38 one absent.
39
40

PLANNING STAFF REPORT

41
42

43 None
44
45

COMMISSION COMMENTS AND SUGGESTIONS

46

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1

2 None

3

4

5 **ADJOURNMENT**

6

7 **MOTION:** Commissioner Temby moved to adjourn the meeting. Commissioner Brady
8 seconded the motion. All present were in favor.

9

10 The meeting adjourned at 9:04 PM.

11