



HIGHLAND CITY

AGENDA

HIGHLAND CITY PLANNING COMMISSION

Tuesday, August 23, 2016, 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 Brady Brammer
- Pledge of Allegiance – Commissioner Sherry Carruth

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:

PUBLIC HEARING ITEMS:

1. **Z-14-03:** McKay Christensen is requesting to rezone 6.0 acres located at the northwest corner of SR74 and Town Center Parkway from Town Center Commercial Retail and Town Center Flex Use to Planned Area Development to allow for a vertical mixed residential (230 age restricted units) and retail development. *Legislative*
2. **Z-16-04:** RSL Communities is requesting to rezone 28.38 acres located south of Ridgeline Elementary from R-1-40 to R-1-30. *Legislative*
3. **PP-16-03:** Ross Wolfley is requesting preliminary plat approval for a 9 lot single-family subdivision located at 11550 N 6000 W. *Administrative*
4. **PP-16-02:** Edge Homes is requesting preliminary plat approval for a 28 lot single-family subdivision located at 9725 N 6800 W. *Administrative*

OTHER BUSINESS:

APPROVAL OF MINUTES:

5. Approval of the May 24, 2016 meeting minutes.

PLANNING STAFF REPORT:

COMMISSION COMMENTS AND SUGGESTIONS:

ADJOURNMENT:

NEXT MEETING: *September 27, 2016* at 7:00 pm City Council Chambers

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

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 18th day of August, 2016. 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 18th day of August, 2016 the above agenda notice was posted on the Highland City website at www.highlandcity.org.

JoAnn Scott, Planning Coordinator



PLANNING COMMISSION AGENDA REPORT ITEM #1

DATE: August 23, 2016
TO: Planning Commission
FROM: Nathan Crane, AICP
City Administrator/Community Development Director
SUBJECT: Public Hearing and Ordinance – A request by McKay Christensen, to rezone 5.76 acres from Town Center Flex Use and Town Center Commercial Retail to Planned Development (PD) to allow for a 240 unit age restricted units with 10,000 square feet of commercial space for property located at northwest corner of 10700 North and Alpine Highway (SR74). (File#: Z-16-13) *Legislative*.

STAFF RECOMMENDATION:

The Planning Commission should hold a public hearing and determine if the proposed rezoning for 5.76 acres from Town Center Flex Use and Town Center Commercial Retail to Planned Development (PD) located at 10700 North Alpine Highway (SR74): 1) Is consistent with the purpose of the General Plan; 2) Will or will not adversely affect the community; 3) Is consistent with the purpose and intent of the PD District and the Town Center; and 4) Will or will not result in compatible land use relationships.

BACKGROUND:

The site is designated as Mixed Use on the General Plan Land Use Map. The site is zoned Town Center Flex Use and Town Center Commercial Retail.

In February 2016, the City Council approved an amendment to these districts eliminating future residential projects. All new residential projects are considered through a zoning text amendment.

A rezoning is a legislative process.

SUMMARY OF THE REQUEST:

1. The request is to zone approximately 5.76 acres from Town Center Flex Use and Town Center Commercial Retail to Planned Development (PD) to allow for a 240 unit age restricted units with 10,000 square feet of commercial space mixed use development. The proposed density is 38 units per acre.
2. The proposal includes 60 condo units and 160 apartment units. All units will be age restricted through conditions, covenants and restrictions. The project also includes

a 1,100 square foot clubhouse.

3. A total of 331 parking spaces. 296 (174 surface and 122 structured) will for the residential units and 35 for the retail area.
4. 2.09 acres are prosed in green space and the plaza area.
5. There are four buildings. The height of each building is 47 feet.
6. Access to the site will be provided from Alpine Highway and 10700 North. Alpine Highway is an arterial street and 10700 North is a local street. Both roads have been completed to their ultimate width.

CITIZEN PARTICIPATION:

The applicant held a neighborhood meeting on July 13, 2016. A summary of the meeting is attached.

Notice of the Planning Commission public hearing was published in the August 7, 2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. No comments have been received.

ANALYSIS:

General Plan

- The property is designated as Mixed Use on the General Plan Land Use Map. The Mixed Use Land Use Category encourages residential and non-residential development.
- The site is zoned Town Center Flex Use and Town Center Commercial Retail. The purpose of the Town Center Overlay District is to: provide a central area where commercial, retail, and residential can be blended in a walk able environment; provide higher density housing; provide commercial, civic, and retail opportunities; and to promote clarity, flexibility, and cooperation in long term planning; and working for the success and future of the Town Center.

Compatibility with Surrounding Land Uses

- The majority of the surrounding property to the north is zoned Town Center Mixed Use Residential and has been approved for a townhome project known as Blackstone. The property to the south and some to the north is zoned Town Center Commercial Retail and includes two credit unions and Ace Hardware. The property to west is zoned Town Center Civic District. The property to the east and across Alpine Highway is zoned R-1-20 and has single family homes.
- Toscana was approved at 19 units per acre. Blackstone was approved at 11.86 units per acre. The proposed 38 units per acre is in excess of other high density developments in the Town Center.

Site Circulation

- There are three proposed accesses into the site, two along Alpine Highway and one on 10700 North. Alpine Highway is an arterial street and is owned and maintained by UDOT. The two driveways on Alpine Highway are right-in/right-out only.
- The developer is responsible for required hardscape and landscape improvements in right-of-way.

Utilities

- The site will be served by utilities located in the surrounding streets. The City Engineer has reviewed the project and stated that there is adequate infrastructure to accommodate the proposed units. However, the number of units along with the other Town Center development accelerates the need for upgrades to the sanitary sewer system found in 5600 West as identified in the Master Plan & Impact Fee Facility Plan.
- Water will be provided as required by the Development Code.

Conformance with Development Code

- The proposed development standards are consistent with the requirements for development in the Town Center and PD District.
- The proposed non-residential and residential uses are consistent for the Town Center.
- The scale and design of the project is consistent with the mixed use development outlined for the Town Center. It is not consistent with the Town Center architectural standards.
- The PD District requires a project to provide for 20% of the net development area as residential recreation areas. The project proposes 28% in green space and 6.5% as plaza area.
- The minimum parking requirement is three stalls per unit. The applicant is requesting a reduction in the amount of parking to 1.25 spaces per unit. The stated justification is that not as many spaces are needed since it is a senior living project.
- Staff contacted a transportation planning firm. The average weekday peak period parking demand for attached senior adult housing range is 0.45 to 0.67 per dwelling unit. The 85th percentile was 0.66.

Conclusion

- The proposed PD District is consistent with the purpose and intent of the Mixed Use Land Use Category. The type of project is also consistent with the Town Center Overlay. However, the density is in excess of what has been approved previously and what was originally planned for the area.
- The proposed age restriction will have less of an impact on infrastructure than if the units were not age restricted.

RECOMMENDATION AND PROPOSED MOTION:

The Planning Commission should hold a public hearing and determine if the proposed rezoning: 1) Is consistent with the purpose of the General Plan; 2) Will or will not adversely affect the community; 3) Is consistent with the purpose and intent of the PD District and the Town Center; and 4) Will or will not result in compatible land use relationships.

I move that the Planning Commission recommend **APPROVAL** of the proposed rezoning based on the following findings: (The Commission should draft appropriate findings. The Commission may also include appropriate conditions.)

I move that the Planning Commission **CONTINUE** the public hearing to the next meeting to address the following (The Commission should provide appropriate direction):

I move that the Planning Commission recommend **DENIAL** the proposed rezoning based on the following findings: (The Commission should draft appropriate findings).

FISCAL IMPACT:

This action will require expenditure if impact fee monies to upgrade the sewer line in 5600 West. In additional Town Center infrastructure reimbursement, monies will be collected. These funds will go to paying off existing debt.

ATTACHMENTS:

1. Attachment 1 - Ordinance
2. Attachment 2 - General Plan Land Use Map and Zoning Map
3. Attachment 3 - Aerial
4. Attachment 4 - Neighborhood Meeting Summaries
5. Attachment 5 - Proposed Planned Development District

ORDINANCE NO. 2016-**

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE OFFICIAL ZONE MAP OF HIGHLAND CITY FOR APPROXIMATELY 5.76 ACRES OF LAND GENERALLY LOCATED NORTH AND WEST OF NORTHWEST CORNER OF 10700 NORTH AND ALPINE HIGHWAY 9976 AS SHOWN IN FILENAME (Z-16-13), REZONING SUCH PROPERTY FROM TOWN CENTER FLEX USE AND TOWN CENTER COMMERCIAL RETAIL TO PLANNED DEVELOPMENT (PD) AND IMPOSING CONDITIONS UPON SUCH CHANGE.

WHEREAS, the Highland City Council desires to amend the Official Zone Map of Highland City; and

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearing on this Ordinance on August 23, 2016; and

WHEREAS, the City Council held a public hearing on this Ordinance on September 6, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That ± 5.76 acres of certain real property located described in Exhibit A, is hereby rezoned from R-1-40 Residential to RP Residential Professional subject to the following condition(s):

1. XXXX

This/These condition(s) shall run with the land, and shall apply until such time, if any, that the property is re-zoned either by failure to comply with the conditions or further zoning action by the City Council.

SECTION 2. This zone map amendment is predicated upon compliance with the conditions in Section 1. In the event any condition is violated or unfulfilled, this Ordinance shall become null and void and the zone designation for all of the subject properties shall revert to the Town Center Flex Use or Town Center Retail Zone.

SECTION 3. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon its first posting or publication.

SECTION 5. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, September 6, 2016.

HIGHLAND CITY, UTAH

Mark Thompson, Mayor

ATTEST:

Jody Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Ed Dennis	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>

EXHIBIT A

- Gustafson parcel(s) totaling approximately 4.26 acres of property located at 10706 North 5320 West, described as (415440001; 415440003; 415440004)
- Spykes parcel(s) totaling approximately 1.5 acres of property located at 10823 N Alpine Hwy, described as (11:039:0040; 11:038:0038; 11:039:0010; 11:039:0091)

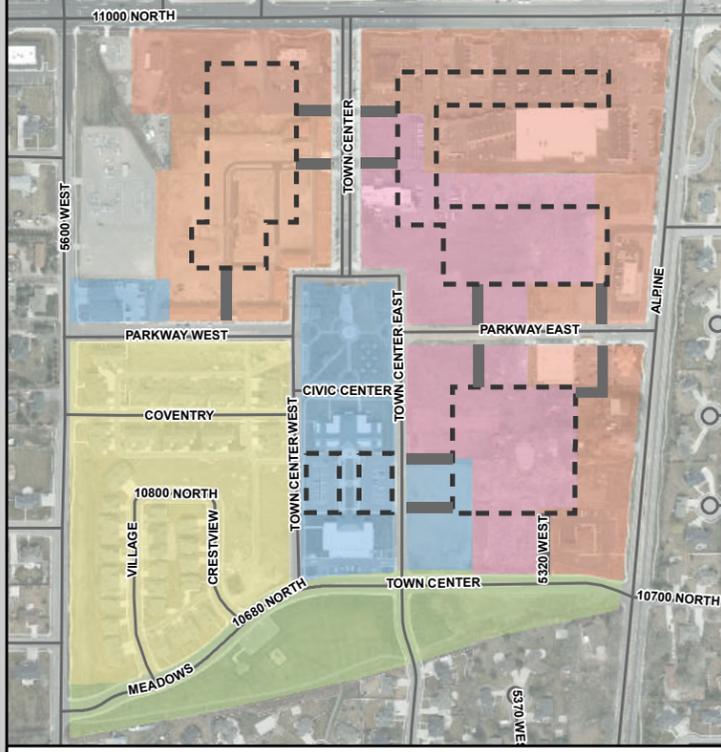
CITY OF HIGHLAND

Zoning

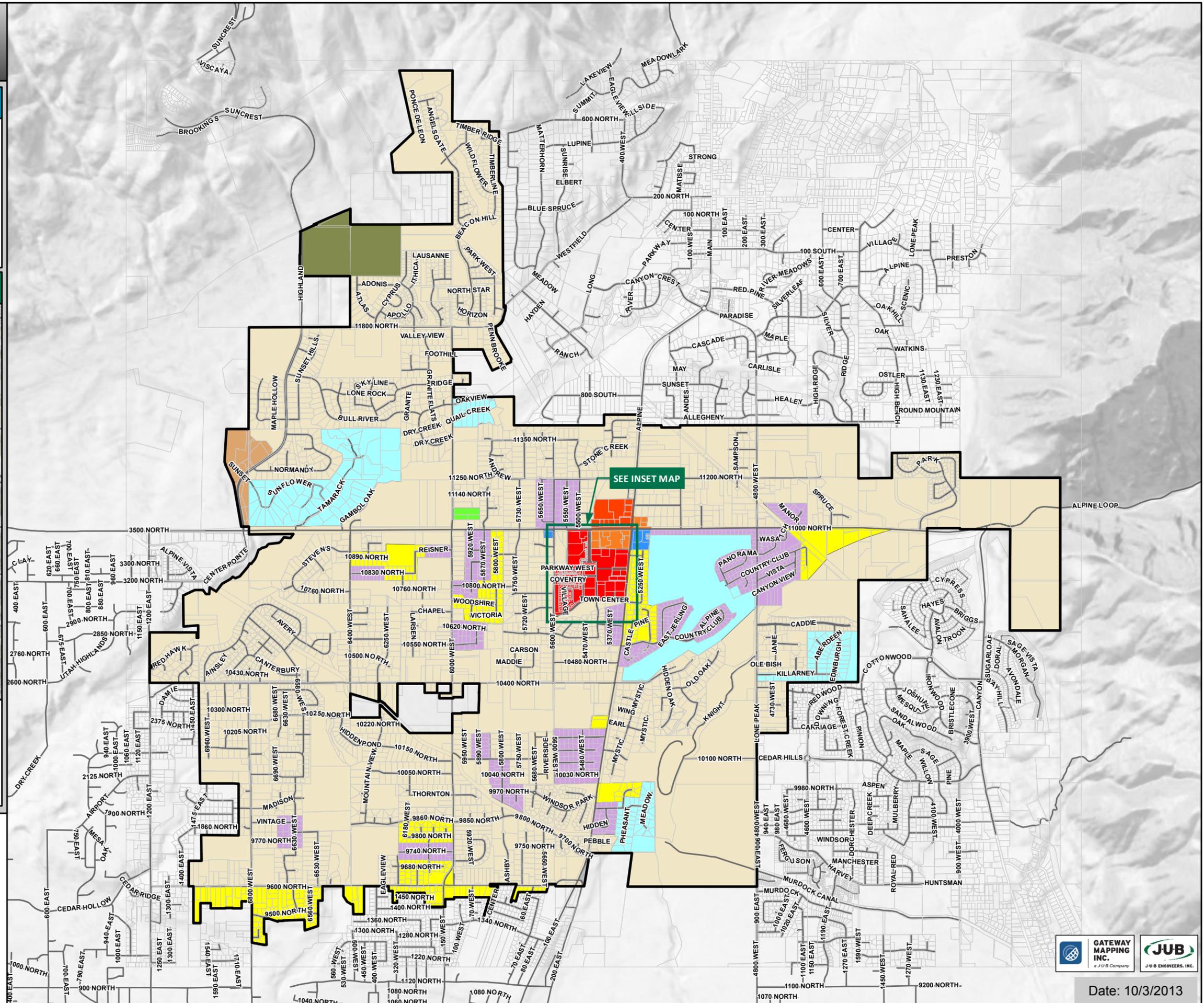
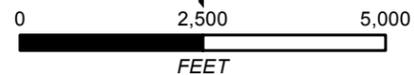
LEGEND

	Professional Office		Residential Professional
	C-1		PD
	CR		Public Utility
	Town Center Overlay		R-1-20
	R-1-20 (Non Conforming)		R-1-40
	R-1-40 (Conditional Use)		Agriculture

TOWN CENTER (INSET MAP)



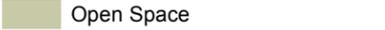
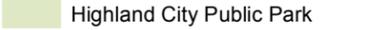
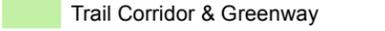
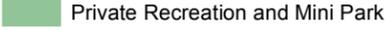
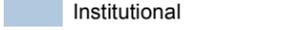
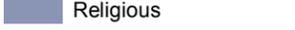
	Flex-Use		Mixed Use Residential
	Commercial Retail		Civic
	Residential		Open Space
	Parking Lot		Parking Access

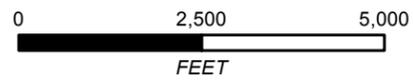
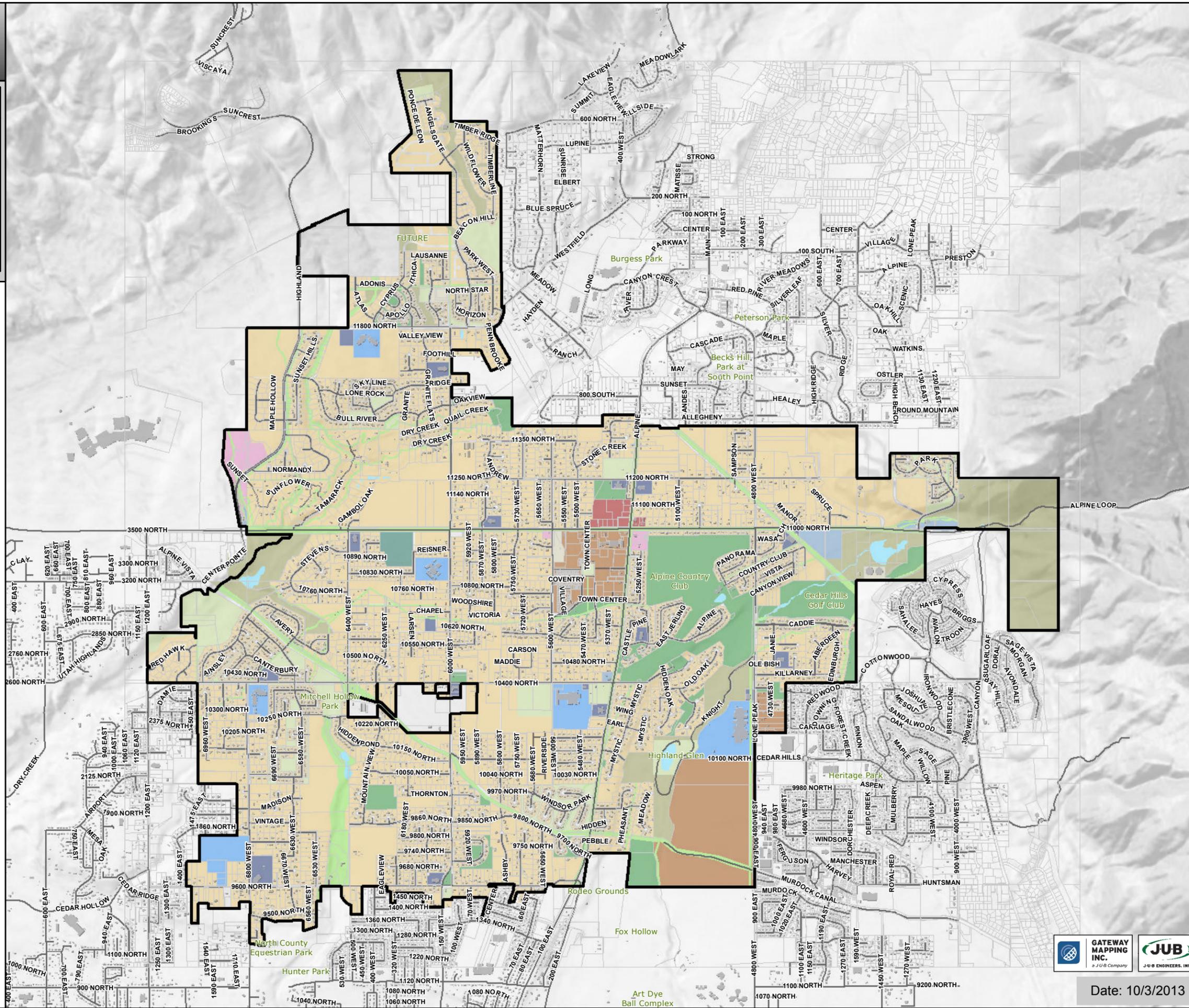


CITY OF HIGHLAND

General Plan Land Use

FUTURE LAND USE DESIGNATIONS

- | | |
|--|--|
|  Low-Density Residential |  Open Space |
|  Mixed Use Development |  Highland City Public Park |
|  Commercial |  Trail Corridor & Greenway |
|  Office |  Private Recreation and Mini Park |
|  Institutional |  Cemetery |
|  School |  Utility |
|  Religious |  Waterbody |



Date: 10/3/2013



NORTH

RECEIVED JUL 19 2016

HIGHLAND CITY
7/13/16

NEIGHBORHOOD MEETING
for
APPLE CREEK SENIOR HOUSING

6 P.M. 6:10	No attendees Start Meeting City disclaimer	4 Homeowners present Concept plans – It doesn't represent the final views of the city
	Background	History of project Outline project goals How project achieves goals/value of community/ Apple Creek Development is similar to many aspects of the original vision of the Highland City Urban Town Center History of development experience/Mac Development and Perry Homes
	Power Point Presentation	Description of project and location Map of site/explanation of use and elevation/ proposed Senior Housing and commercial Town Center
	Mark Whitney	Asks direction project faces questioning whether or not Library is incorporated or not
	McKay	Answers – Right now the city is deciding if it will sell the property to our development as surplus land. Create a sense of community Explains exploration of more ideas (south elevation) But reiterates it's designed to be a mixed use development and we have added the Sykes 1 ½ acres to the development.
	Joel	Asks about direction of main lawn
	McKay	Answers "south" and explains these are concept renderings. The Grand Lawn provides more open space than any of the surrounding development

Mark Asks what is the height?

McKay Answers three levels – approximately 30 -40 feet from floor to gable.
 (We lowered height after 1st neighborhood meeting)
 The residential over retail will be higher.
 The construction drawings haven't been drawn.

The summary of design changes we made after meeting with the city and the homeowners was to:

Reduce floor – ceiling height
 Added underground parking
 (approximately \$2 million in cost upgrades)
 Height reduction of approximately 28 feet
 Total retail space is approximately 20,000 square feet

Re-designed the Entrance/Exit of the property

We increased the open space and landscaping to approximately 28.2%, which exceeds city requirements

The homeowners in attendance expressed their Favorable feeling about the architecture and landscaping and the overall design of the mixed-use development

Questions

Joel Asks if some units would be sold as flats or condos.

McKay Yes, we anticipate some units will be sold as condos, perhaps those above the retail.

Explanation that elevators will be provided at the ground floor level to get to their units.

Joel Asks for confirmation that the residential units will not be rented or sold to a single mother with children.
 Also asks for confirmation of resident being granted one stall

McKay Answers that is correct. The project is age-restricted to 55 and older. Also says- offers an opportunity to reserve a second stall for owners.

Mark Asks about exterior product of structure

McKay Answers – No stucco on fronts maybe backs
All exterior is hardyboard with architectural trim to give the project a country elegance in line with Highlands rural farm heritage. The project is a cross between craftsman style and a country estate feeling.

Mark Asks about AC

McKay Response – Some rooftop and ground units hidden from public view, as much as possible.

Denise Asks about purpose of red barn

McKay Answers – Multi-use clubhouse/event space/
farmers market/receptions /holiday gatherings, etc.

Mark Asks if project does not go through – what can we expect to be made of the space

McKay Offers our experience and opinion that this space will never succeed as a lifestyle center like. This town center is off the primary commercial grid for the area.

Dan What kind of retail

McKay Answers –This site needs to be destination driven
Specialty tenants are the key. Restaurants similar to Blue Lemon, weddings, receptions, children’s stores, boutique, and other one of a kind stores like Dear Lizzy. There is also room for custom office space.

Mark Asks, might you consider Trader Joe’s?

McKay Yes, but it could be difficult. They usually target a bigger trade area. We will try to bring in Specialty retail and office that provide a unique experience for people to want to be a part of Highlands rich heritage.

Mark Could you buy or develop Blackstone?
Suggests a desire to approve this project to resist Blackstone.

McKay Why we like this project? Why it is appealing?
The Blackstone property doesn't work for senior Housing. It is more in line with the Toscana Town Homes. We are creating a new community for seniors and shoppers that is filling a need that is not being met in the area.

Dan Concern that West side of project could get lost.

McKay Reiterates that the project is a destination to create and establish a draw for the community and will provide intimacy. The architectural drawings for the overall project is themed for the entire development.

Dan Asks size of units and costs

McKay Answers that the size will range from approximately 700 to 1250 square feet. They will be 1 and 2 bedroom units. The condos for sale could be slightly larger. The rents have not been determined but will be competitive with similar rents in the area.

Joel When would you start the project?

McKay The plan is to immediately proceed to design review with the city and then obtain building permits.

Dan Lighting on East side?

McKay City Requirements = lanterns, sconces, posts
Charming lighting

Mark How will you handle people who may be concerned about height? I like your presentation

McKay The urban Town Center is perfect for this development. If we don't pursue our project the land can be sold to a number of people with projects that will not be master-planned with the commitment and financing we are bringing.
We are creating a community environment and a long-term commitment to the city of Highland.

Mark Questions – Fire code? Will it be as squeezed as Toscana?

McKay Reply – Heaven's No. We tried to face architecture to the street. We really worked hard to create open spaces and site lines to avoid the feeling of dense back alleys and tunnel neighborhoods. We've added underground parking and concealed much of the ground level parking to enhance the overall beauty of the project. There will be large sidewalks with displays and outdoor eating venues.

Mark Asks what is the projected time from start to finish?

McKay Answers – a solid 18 months for construction. Most likely developed in 2 phases

Dan Is Grand Lawn reserved for residents only? What about a pool?

McKay Answers – Yes.
Market studies proved a pool not to be a priority for seniors

Dan Responds – I like the way it's laid out. It doesn't look like a cement block. It looks custom. How is the accessibility to and from the Grand Lawn?

McKay Grand Lawn is surrounded by residential and not retail.
The clubhouse is a gathering place just off of the Grand Lawn. The entire environment is in conformity with the surrounding city parks and trail system. The overall theme of Apple Creek Senior Housing and Commercial Town Center is in harmony with the beautiful and peaceful surroundings of the city of Highlands master plan.

McKay reminded the homeowners that the Power point presentation is a preliminary concept plan and is subject to final city approval of all construction and working drawings.

The meeting closed at approximately 7:00 P.M.

July 13, 2016

6PM

Highland City Hall

RECEIVED JUL 19 2016

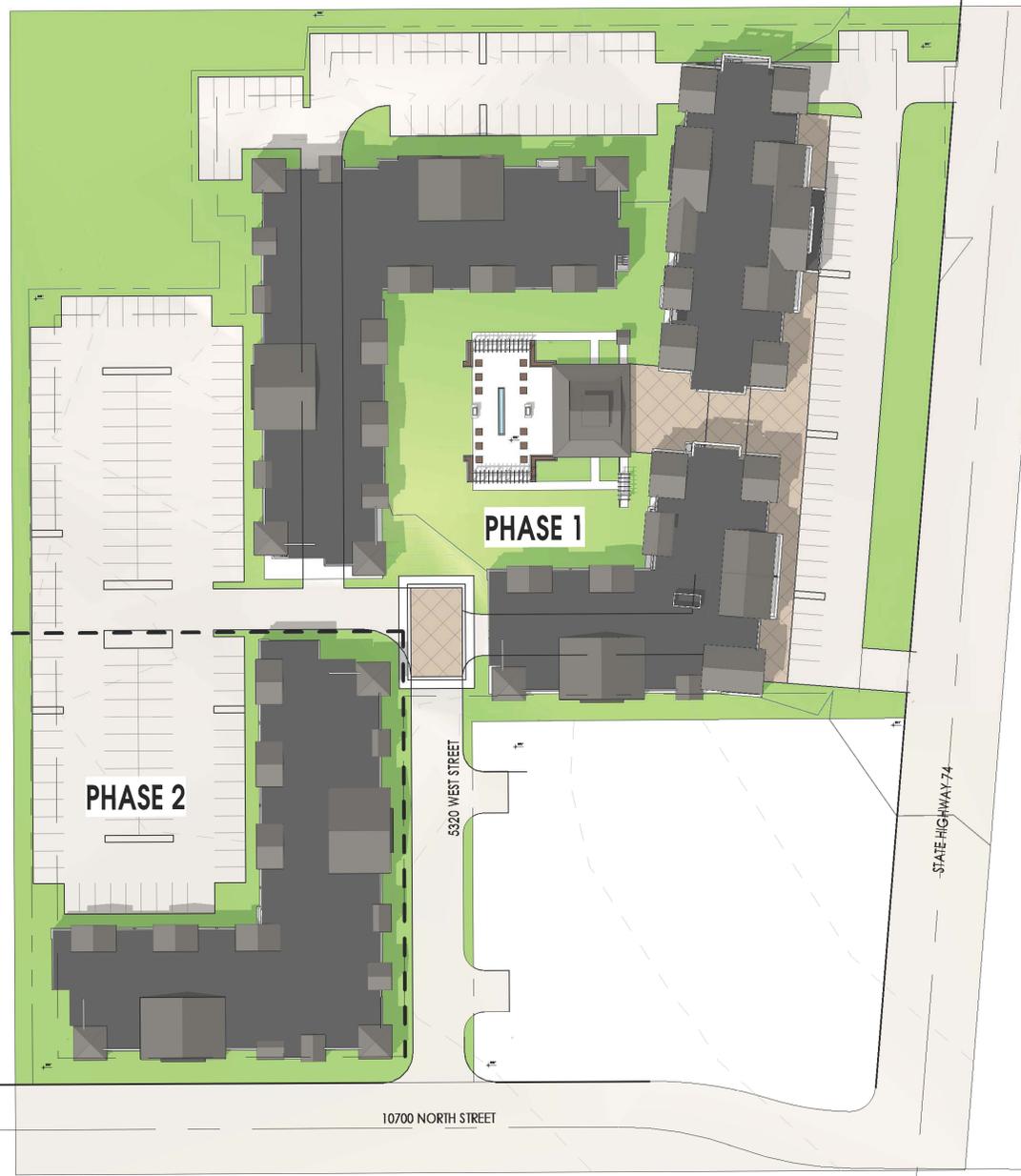


HIGHLAND CITY
APPLE CREEK SENIOR HOUSING
AND COMMERCIAL TOWN CENTER

NEIGHBORHOOD MEETING

NAME	ADDRESS	CONTACT INFO
1 MARK Whitney	10721 N. Village Dr. Highland	801-692-1846
2 DAN STRATON	5278W 10740 N Highland	801-949-1476
3 JOEL ZABRISKIE	5518 W TOWN GR PKWY HIGHLAND	801-756-4221
4 Dennis Stratton	5278 W 10740 N Highland	801-889-7751
5 Jeannie Spikes	10823 N Alpine Hwy	801-756-7743
6 WILLARD "V"	"	"
7 Reagan Wa	9400W Highland	801-556-1918
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S I T E P L A N & P H A S I N G



SITE SUMMARY	
220	UNITS 60 CONDOS 160 APARTMENTS
122	PARKING STRUCTURED PARKING STALLS
174	SURFACE STALLS
35	RETAIL STALLS
	1.5 STALLS PER CONDO 1.28 STALLS PER APARTMENT
10,000	SQ FT RETAIL
8,400	SQ FT AMENITIES
1,100	SQ FT CLUBHOUSE
5.77	ACRES
38	U/A
1.17	ACRES OPEN SPACE
ALL NUMBERS ARE ESTIMATES	

NORTH



PLANNING COMMISSION AGENDA REPORT ITEM #2

DATE: August 23, 2016
TO: Planning Commission
FROM: Zachary Smallwood
City Planner
SUBJECT: PUBLIC HEARING - RSL Communities has requested a rezoning of 28.38 acres of property located at 6475 West 11800 North from an R-1-40 to R-1-30(Z-16-04). *Legislative*

STAFF RECOMMENDATION:

The Planning Commission should conduct a public hearing and forward a positive recommendation to the City Council.

BACKGROUND:

The applicant would like to subdivide and develop this property into low density single family residential and has requested that the zoning be changed to R-1-30 from R-1-40.

Rezone requests are a *legislative* process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting a rezoning for their property from R-1-40 Single Family Residential to R-1-30 Single Family Residential.
2. The maximum density permitted in the R-1-30 District is 1.45. The minimum lot size for the R-1-30 District is 20,000 square feet. The minimum lot frontage is 120 feet except for lots on a cul-de-sac. The maximum number of lots is determined by dividing the total square footage by 30,000 square feet.
3. The maximum density in the R-1-40 District 1.09 units per acre. The minimum lot width is 130 feet. There are no exceptions for lots on a cul-de-sac. The maximum number of lots is determined by dividing the total square footage by 40,000 square feet.
4. The applicant has prepared an illustrative concept plan. The plan shows 41 lots. The density is 1.44 units per acre. A subdivision plat will be required prior to construction of the single family residential development to determine compliance with the Development Code and Engineering Design Standards.

CITIZEN PARTICIPATION:

The applicant held a neighborhood meeting on August 11, 2016. A summary of the meeting is attached.

Notice of the Planning Commission public hearing was published in the August 07, 2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. Two letters were received by concerned citizens about the impact on area schools, land and lot sizes.

ANALYSIS:

General Plan

- The site is designated Low Density Residential in the General Plan. The General Plan section 2-21 states that “New uses should be developed on existing vacant and agricultural land according to established low-density, large-lot land patterns and densities”. The proposed rezoning is consistent with this designation.

Development Code

- The objective of the R-1-30 zone is to support a low density residential environment.
- The zone was established to
 - Create transitional areas within the city between other residential zones
 - To create a distinction and gradation between one acre larger lots and half acre lots.

Surrounding Land Uses:

- The properties to the west have been developed as single family homes, in the R-1-40 zone. Most of the lots are between 30,000 to 40,000 square feet.
- The lots directly to the east of the applicants property is zoned R-1-40, however due to the density calculation most properties are between 30,000 and 35,000 square feet.
- To the south of the applicants property is a subdivision that was developed with an Open Space Overlay.
- The north borders Ridgeline Elementary and an LDS Chapel.

Site Circulation:

- Primary access will come three access points, Mercer Hollow Road from the south a local road, Sunrise Drive(11630 North) from the east and west, also a local road, and north from 11800 North a collector.
- The length of the proposed North/South connection is of concern and may need to be mitigated during Preliminary Plat review.

Utilities

- There are currently four possible connections to be made with sewer, pressurized water and culinary water.
- Storm water drainage is a potential issue there may be a need for a detention basin located on site. These should be addressed in the preliminary plat before approval.

FINDINGS:

The proposed rezoning meets the following findings:

- The proposal is in substantial conformance with the General Plan.
- Adequate access will be provided.
- Utility connections meet standards and should not affect existing homes.

RECOMMENDATION:

The Planning Commission should conduct a public hearing and forward a positive recommendation to the City Council

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Concept Plan
2. Neighborhood Meeting Summary and Attendance List
3. Letter from Tanya Colledge
4. Letter from Natalie Ball

OAK RIDGE GENERAL VICINITY MAP



Meeting Minutes from RSL Communities Neighborhood Meeting re: Oak Ridge Rezone Application

Ridgeline Elementary School

August 11, 2016

7 pm start time

Patrick Ord (RSL Communities Utah Division President) opened the meeting

-Introduced himself

David Grogg- VP of Operations

Tricia Ashby- VP of Sales

Patrick Asked- Who has been to a neighborhood meeting before?

Patrick Explained the process of signing in and notes that would be taken regarding neighborhood questions, comments, and input.

Brief introduction of RSL Communities

- Company from Northern California
- Specialize in high-end production and custom homes
- Value-add homes which means base price plus options
- Brief description of Flex plans which allow homes to be reconfigured, mother-in-law suites, lofted ramblers, etc.
- Reference some of our plans on the table in front of him.
- Utah Division of RSL Communities began approximately 1 year ago
- Have land and preparing to go vertical with construction in South Jordan- McKee Farms by The District

Described what attracted RSL Communities to Highland City

- Outstanding community that can support price and type of homes
- Beautiful homes to enhance property values

Purpose of this meeting is to discuss the Re-Zone of the property from R-1-40 to -R1-30.

Patrick briefly reviewed the differences between R-1-40 and R-1-30 zoning. He reference the letter and packet sent to the neighborhood.

City created this new zoning in April after recognizing changes in demographics

- 25,000 Square foot minimum lots for 75% of the development
- 20,000 - 25,000 SF lot sizes for 25% of the development
- Result is better land plan with more flexibility in lot and development design

RSL Communities is asking for a re-zone

Feel there are compelling reasons to approve the re-zone application

- Creates a transition zone between R1-40 plans to east and west and PD zone to south and R1-20 to north - Patrick showed the concept plan
- Balances favorable market element with benefit to the community.
- Consistent in rational with city reason for the zoning category
- According to City Zoning Ordinance- 30,000+ lots can have large animals so another benefit to the neighbors will be no large animals
- Create product differentiation

Opened for Comments, Questions and Remarks from the audience at 7:21 pm

Q1- whose idea to rezone the property to R-1-30 = the City or Developer?

A1- City created the Zone – but developer is applying for the re-zone

Q2- Question about the trail as it exists now versus a new one

Q3- Can a wall between existing homes and new development be put up?

Q4- there is a hill on lot 101, city paid lots of money to improve this area- what is the plan with that?

A 2, 3,4: Patrick discussed possibilities but said ultimately those decisions would be made during the Plat approval process.

Q5- Any kind of park or open area planned?

A5 - City has said they don't want more parks given to them.

Q6- Can you show proposed R-1-40 plan versus R 1-30- plan?

A6 - We haven't done a site plan for R1-40. Another developer did but it didn't pass developer feasibility process

Comment from audience: regarding differences between R-1-40 and R-1-30

- R 1-40- 20,000-30,000 square foot lots = 25%. Max of 30 lots on site.
- R 1-30- 20,000-25,000 square foot lots = 25%. Max of 41 lots on site (per concept plan).

Plat shown is an approximation only. We are not trying to get the concept plan approved, just requesting rezone at this time.

Q7- If get R 1-30 zoning approved, how close to end result will this concept plan be?

A7 – The circulation elements would stay the same since the streets are already stubbed. We may lose a lot here or there to accommodate trail systems, detention basin requirements, etc. The Concept Plan illustrates a maxed out lot yield scenario.

Q8- Tanya College = objection to neighborhood meetings, trails, wants divider between this property and other lots

A8 – Acknowledge concern

Q9-

- Has drainage concerns
- School and Resources = water studies
- Said skeptical of development
- Traffic Concerns

A9 – Drainage concerns will be discussed with engineers during Plat Approval process. Traffic calming devices may be discussed with City Staff during Plat Approval process.

Q10 - Do you own the property?

A10 - No, it is under contract.

Q11- Would you move forward if you can't get the re-zone approved?

A11 - We would have to do a thorough feasibility study to determine this.

Q12 -Demand on School is huge

--Lot 110 Traffic Issue = Grand Central station road

--Everyone would cut through this road to get to school. Right hand turn makes it more desirable.

Reference Westlake and Highland intersection as busiest road.

--This would become the shortcut to get to school and church

A12- That road will connect under the current City circulation plan.

--Patrick mentioned there are ways to mitigate traffic and slow it down. There are traffic control measures that could be taken.

Q13- What are you going to do with it? Reference our website—not impressed at all—Worried about 'cookie cutter' neighborhood. Last really great land in Highland and she cares about the homes being built.

A13- We see a benefit to our lot plan approach and homes that RSL Communities build.

Q14 – Cody-- \$800,000 price point means absorption will be slow and homes will not be built fast

enough. Dust is a big concern. How long will it take to finish all the homes?

- Comment from homeowner who posed Q13- 77 homes in the HOA of Dry Bench and all the plans are different

A14- Reasonable absorption expected at 2 per month. RSL Communities “semi custom” product would absorb more quickly than a lot sale development while maintaining the quality of a high-end home.

Q15 - Vicki Harris not opposed. What is the approximately square footage of the homes? Referenced Ivory- who has a “gazillion” plans. Concerned about traffic, prices and sizes of homes.

A15 – Approximate SF would be in the 3,400 SF finished range with additional unfinished basement square footage around 2,200 SF. RSL Communities offers base floorplans that can be customized. With just the 6 base floorplans that we brought to show you, these can be reconfigured in over 110 different floorplans and elevations.

Q16- Do you have plans online?

A16 – Not specific to the Oak Ridge Project yet.

Q17 – 110-111 borders—

- what are you doing with the ridge? Lots of grading will need to occur. Concerned over what run-off will be – requested some kind of cement retaining.
- What are you doing with the Oak Brush? Gamble Oak- are you keeping it or getting rid of it? Concerns over fire.
- Concerned about elementary school traffic, accessibility of ambulance, fire trucks, etc.
- Northern winds concern- garbage collection at Bull River Road
- Can you have a construction fence to hold garbage back?

A17 – The grading plan will determine what happens with the ridge and is yet to be complete. We don’t have an answer on the Gamble Oak yet. Acknowledge other concerns.

Q18- Where does the property line begin and end? Can we have a fence? Will you do a construction line rather than just stake the property corners?

A18 – We will certainly identify our property boundaries prior to commencing construction.

Q19- Lower density is preferred. Reference Sky Estates and overcrowding at the school.

Alpine District is building 3 new elementary schools and none of them will help the overcrowding at this school.

A19 – Acknowledged concern.

Q20- Concerns over selling and absorption plus pricing.

A20 – same as A14

Q21- Trail that stops at 115, could it go through 123-122?

A21 – Willing to look at it. Will depend on importance to the City and impact on the concept plan.

Q22- Traffic concerns on Bull River. Fast driving traffic calming measures, speed bumps.

A22 – same as A12.

Q23- Floorplans—want more custom feel to the homes

A23 – Patrick invited her to look at the floorplans and elevations he brought.

Q24- Concerns over

- Wind
- Excavation
- Bare dirt blowing/dust
- What responsibility do we have to control the dirt?
- Dust

Homeowner comment: next step is to write the planning commission.

A24 – VP of Ops David Grogg spoke about construction best practices we will implement.

Q25- Dry Creek not tended well. Can we re-distribute and clean up the area

A25 – Would need to look into it.

Q26- West side is low point. Easement concerns. How will you handle drainage issues. What is engineering solution to drainage? Water has to go down.

A26 – Not prepared to respond to engineering questions right now. This will be resolved during preliminary plat application.

Q27- Lot 120 backs this homeowner- retention basin. Will it be 100 year or 10 year storm water retention? Where exactly will it be?

A27 – It will be resolved with engineering during the preliminary plat application process.

Q28- Concerned over selling this land to someone else once re-zone is achieved and all promises are gone.

A28 – RSL Communities builds homes. If the rezone request is approved it would be foolish for us not to proceed with building out the community – seeing how much money and resources we have dedicated to the rezone process and evaluating the site location for our product.

Q29- If the site is rezoned to R 1-30 will you be willing to do more paths/ trails?

A29 – Would be willing to look at what paths / trails are important to the City.

Q30- does City really want a connection road on 11800 S.? What if the road didn't connect at 11800 S. to slow traffic down.

A30 – Good question for the City.

--Lights went out abruptly at 9 pm in Cafeteria of school. Meeting adjourned. Lights came back on 5 minutes later Patrick stayed around for one on one conversation until about 9:30 pm. No new topics were introduced.

RSL Communities
Oak Ridge at Highland

Neighborhood Meeting
 August 11th 2016
 7:00 PM

Ridgeline Elementary School

	Name	Address	Phone Number	E-mail Address
1	Sheldon Warrington	11559 Mercer Hollow Rd Highland, UT 84403	801-694-9334	SheldonCWarrington@gmail.com
2	TAMIA COLLEDEE	11768 N SUNSET HILLS HIGHLAND	801-318-8157	TAMIACOLLEDEE@COMCAST.NET
3	Josh Colledge	11768 N Sunset hills Dr Highland	801-318-8583	Josh.Colledge@hotmail.com
4	Ron & Ann Jamison	6218 W. SKYLINE DR. No. Highland	801-652-8660	ronannjamison@gmail.com
5	Neal Evans	11597 N. Lone Rk Dr	801-372-0118	neal.evans@earthlink.net
6	Helli Ford	6339 W. Skyline Dr. Highland	801-602-1645	helli.ford@hotmail.com
7	Ken McLaughlin	6186 Sunrise Dr Highland	530-321-2392	Ken6McLaughlin@msu.com
8	Caryn McLaughlin	6186 Sunrise Dr Highland	650-906-6253	kukubot@yahoo.com
9	Lisa Ruiz	6257 W. Skyline Dr	801-372-0118	carlym12@gmail.com
10	Brian Kap	6479 Bull River Rd.	801-492-0027	brian_kap@usa.com
11	Cody Yeck	6384 W. Skyline Dr	801-420-2824	cody.yeck@yahoo.com
12	Carl Yeck	6384 W Skyline Dr	801-867-8960	CarlYeck@yahoo.com
13	Sue Frame	6534 W Bull River Rd Highland	801-830-3584	sueaframe@gmail.com
14	Wendy Condie	11507 Sunset Hills Dr	801-836-0693	wendycondie@gmail.com
15	Tracy Cuff	4384 W. Skyline Dr N	320-252-0190	tracycuff@gmail.com
16	Steven West	6221 Ridge Road	801-756-5698	cylenet@gmail.com
17	DAREN DAVIS	11658 N. SUNSET HILLS DR	801-318-1100	DDAVIS@PORTLAND.COM
18	COREY FREEZE	6278 W. SKYLINE DR. N.	801-602-9332	cfreeze@csco.com
19	Laura Harding	6274 Bull River Rd, Highland	801-369-3644	lauraharding@ lauraharding@gmail.com
20				
21				

RSL Communities
Oak Ridge at Highland

Neighborhood Meeting
 August 11th 2016
 7:00 PM

Ridgeline Elementary School

	Name	Address	Phone Number	E-mail Address
68	Elizabeth Pribl	6376 W Skyline Drive N.	801-361-2157	bethpribl@gmail.com
69	Vickie Hall	6345 Bull River Rd	801-589-7070	upston79@msn.com
70	Chase Hall	"		
71	Sara Partridge	11686 Sunset Hills Dr.	801-860-2029	kylensara@gmail.com
72	Verdon Ballantyne	6544 Bull River Rd	801-756-9377	VerdonandLaurana@gmail.com
73	Carol Anderson	6260 W. Skyline Dr.	801-756-5553	andbefame@gmail.com
74	Natalie Ball	11835 N. Atlas		natalieball@hotmail.com
75	Tim Ball	11835 N. Atlas		
76	Cynthia Anderson	6264 W SKYLINE	501-400-9558	cwa001@gmail.com
77	Brent & DeAnn Allen	6363 W. Skyline	(801)492-8012	b.allen1@comcast.net
78	Stephan P Steyn Jan	11626 Sunset Hills Dr.	801-760-1259	stephens@morinde.com
79				

RSL Communities
Oak Ridge at Highland

Neighborhood Meeting
 August 11th 2016
 7:00 PM

Ridgeline Elementary School

	Name	Address	Phone Number	E-mail Address
135	Denby Cliff	6384 W Skyline Dr N	520-582-0184	denby.cliff@gmail.com
136	Jennifer Avenet	6248 Lone Rock Rd	913-597-5245	The_avenets@hotmail.com
137	Laurana Ballantyne	6544 Bull River Rd	763-9377	Verdon & Laurana@gmail.com
138				
139				
140				

Mayor, City Council, and Planning Commission members:

I would like to take this opportunity to express my concern about the rezoning request for the new Oak Ridge Neighborhood that is proposed to be developed at 11800 North. I attended the neighborhood meeting recently and there was a good turnout to take in information from the developer as well as express opinions and concerns.

The city's land use map and master plan has shown long-term goals for R1-40 residential zoning. This would allow up to 30 home sites on that property. The current developer is requesting rezoning to R1-30 and asking for 41 home sites. The immediately surrounding properties are developed as R1-40. Unless there is some other substantial reason for a request for rezoning, other than developer profit, I do not believe that the city should deviate from the intended plan to develop this as R1-40.

There are already some significant flaws in the plan that the developer has laid out. There are a number of home sites that are barely going to meet the minimum requirements for size and with accommodations that will need to be made for engineering/slope/draining/etc, it is going to render several of those home sites unworkable in their current configuration. In addition, there is currently no plan (though the developer noted they need to make one) for accommodating a water retention site in the community, which is also going to potentially reduce or change the plan by one or two lots depending on how it is accommodated.

Given the development of previous pieces of property in close proximity, and the sale of those properties and development of the property by someone other than the original intended developer, there are numerous people in the nearby community that are concerned about the ultimate impact and development of this property. This is particularly concerning given the request for rezoning. The developer has insinuated that it would likely not be profitable to try and develop an R1-40 site and would not necessarily develop the property if the rezoning request was not approved. We are aware that there have been several other offers for sale and development of this land that have not gone through and they were all restricted by the R1-40 guidelines as the R1-30 zoning did not even exist until recently. No one is naive that development is coming, and we personally would love to see the property eventually developed as it would restrict the flow of motorized vehicles on both this new property as well as on the trail system, because it currently provides a natural corridor for whoever is joyriding to continue onto the trail system. However, we do not believe that the city should cave to demands from either property owner greed and high prices, or developers' need to add more lots to insure their profit margin and bottom line.

In addition, there are significant drainage and engineering issues that are going to need to be addressed as the surrounding property to the west and the south are significantly lower in elevation and grade. Without significant reengineering of the property, it is going to adversely impact all of the properties that are to the west and the south.

Further, included in the developer's project narrative, he notes in 2b that "with the existing dry creek bed and the current trail system on the western border of the property, an inherent buffer exists between Dry Creek Highlands and the project site. Thus an increase in density from R1-40 to R1-30 would not present a perceived increase of density to the existing Dry Creek highlands community since the backyards between the two communities will not even touch. This is indeed a falsehood as the property maps show that those of us who live in Dry Creek Highlands have property boundaries that extend exactly to and touch the boundaries for

the new development. In fact, my personal property is going to be directly touching 2, if not 3, of the current proposed lots. While we have to provide access and easement to the path and water, it does not nullify our ownership of said property.

He also notes in 3a that with an R140 plan, neighbors would "abut against backyards that were neglected (i.e. weeds, overgrown grass, discarded objects, etc)." Personally, I have the newest home in the neighborhood and continue to work on development of our property on a seasonal basis. One of the reasons that we have delayed finished the landscaping at the rear of our home has been over issues with the water and how that ditch, for lack of a better word, can be managed in a more attractive manner while still preserving the water as well as conflicts with the city over whether that can be piped. In addition, the city spent the past year tearing out and rebuilding the trail system that directly impacted our property. However, many of our neighbors have immaculately groomed grounds and have already worked to improve some of the property that they regained when the city replace the path within its appropriate easement.

The developer also expressed concerns under 3b that large animals can reside in lots over 30000 square feet. He uses this as another negative against the larger properties indicating that it could be a concern if residents chose to exercise their animal rights. While this can be true, many communities, including the Ivory subdivision have in their covenants that no large animals are permitted. Personally, I would love to have larger animals, but we abide by the covenants. However, the property due north of the new development, does maintain their property with several large animals. If the developer wishes to use this as a positive, then it could be easily established within the covenants that large animals were prohibited.

With the previous development of Highland Oaks, some significant concerns were expressed and I believe that these continue to apply for any new development, namely the following:

- That the lots and subdivision have adequate and geologically stable drainage
- That the lots have good building pads, taking into account setback requirements
- That the lots have reasonable slope and topography in order to ensure appropriate landscaping and site plans, as well as geotechnical stability
- Preserve some open space, particularly in drainage areas
- Preserve some areas of natural vegetation (e.g., scrub oak that borders the property) in order to preserve the general nature of the existing qualities of the land

In addition, I continue to have concerns regarding my own specific property and how they will be impacted by the developer. Those are listed below:

- I continue to be concerned about the potential negative impact on school overcrowding issues with increased families in the area. While we understand that this issue is more specifically addressed to the school district, we believe that it is the duty of the city to address how increased development (not just this one, but developments in the future) are going to impact education for our children.

- I am concerned about safety issues regarding traffic and feasibility. This has been a well discussed topic with the city, but it appears that the new road system within the development may lead to more people trying to shortcut the higher traffic areas and move through the neighborhood to go to and from school. In addition, from discussing this area with several parents, it is likely that the path that will lead up to the school from the south of the property may lead to a large number of families driving into and parking in that culdesac to drop children off and wait for their exit from school property. We understand that the city continues to be in the process of addressing some of the traffic issues, but believe it is also the responsibility of the developer to understand and help mitigate for this impact.
- I am concerned about potential negative impact on other city resources, water, sewer, etc. and how this development as well as additional developments are going to be addressed and whether or not that is taxing on an already limited system. We have already gone through the increase in rates from the recent rate study and are concerned about how new development will impact those rates further.
- I am concerned about the drainage issues that are likely from this project. The city has just spent resources to remove and replace the trail system and without significant changes in the topography, excessive draining is going to eventually wash away the base, and ultimately the trail, that was recently finished.

Thank you for your consideration.

Sincerely,
Tanya Colledge
11768 N Sunset Hills Drive
Highland, UT 84003
8013188157

Dear Highland City Officials,

Some of you remember me from our many hours together last summer discussing and discarding the proposed PD at Highland Oaks, and discussing and eventually approving the R-1-20 for the proposed development. This month I attended another developer's meeting to discuss ANOTHER re-zoning proposal.

I am deeply concerned by the proposal. I am concerned that the proverbial floodgates have been opened. I am concerned that our fine city is being overwhelmed. We have seen a significant increase in the traffic on our side streets and main thoroughfares with the never-ending influx at Skye Estates. This coming spring we will see the houses started at Highland Oaks. Ivory is expanding ever closer to the infamous intersection at Highland Blvd and 11800 North. This school year promises carpool traffic jams and parking dilemmas galore at Ridgeline Elementary. The school is overcrowded. The streets are full of speeding commuters. I think we are approaching a breaking point.

The argument for the R-1-20 at Highland Oaks was a TRANSITION between PD and R-1-40. This newest proposal is surrounded by the R-1-40. It's the difference (approximately) between 30 and 40 lots. 10 houses might not seem like much, but at an average of 6 persons per household, the potential 40 students is a whole additional class at the school! I remind you that the school is overcrowded IN SPITE of all the families in our area who are utilizing Charter and Private schools. I realize that school is not your jurisdiction, but our neighborhoods, our water supply, our traffic, our recreational spaces, and our quality of life are.

Some of you will remember my sharing this with you last time around: Seven years ago my husband and I were looking for a place in Utah County with all of the conveniences of proximity to SLC, the airport, and commerce without the population density, congestion, and tiny crowded lots we had experienced in our 2 years in Chicago and 10 years in California. We looked at real estate all over the northern part of the county and deliberated for close to 2 years before purchasing our lot. Many people move here from other areas and set about immediately to change the town they move into until it more closely resembles the place that they have moved away from. This is not the case for me and my family. We chose Highland over Lehi, American Fork, and Draper because we love the location and the feel of a community that is not stacked high with apartments and condos. Where tiny properties and houses standing 10 feet apart are the exception.

We love the open spaces, the view of the mountains, the great schools, the friendly neighbors, the proximity to medical professionals and services, the city programs and facilities and parks. We feel that Highland was MORE desirable because of its regulations on population density that make most of its lots a minimum of nearly a half an acre, and make many of the properties conducive to keeping horses. This is unique in this part of the state.

I don't know of many people outside of Skye Estates that are happy about Skye Estates. It is SO CONGESTED. The houses are too close together. The streets are too narrow. The density has dramatically affected the traffic on our street, affecting the safety of our children. We got duped by a developer that lied to us about the city's opinions, and turned around and lied to the city about our

interest and opinions. A developer who got what he wanted from the city, and turned around and sold the property to D R Horton. A developer that promised they would never begin at 5:00 in the morning, that they would never send their dirt loaders down our residential streets as our children walk to school, and that the existing residents would have the first right of refusal on the lots abutting their properties.

We need to protect the zoning that makes Highland beautiful. With the commuter lane and all the business growth at Thanksgiving Point, Highland will draw the high level executives that want a larger home on a larger lot.

My point is this: Growth is coming. We know this. We would like Highland City to hold developers in our area to the standards set by the city. Follow the Master Plan and don't be eager to please developers that come in, make their money, create a mess (do I need to bring up the pathetic parks and open spaces that everyone in our neighborhood pays monthly fees for and can't even use?), and leave.

Our way of life is at stake. Our schools, our roads, our water supply, our property values will all be affected by higher density housing. Highland is different than Lehi, American Fork, and Draper....and that's why we love it! Please stay with R-1-40 zoning on this parcel.

Sincerely,

Natalie Ball

11835 N. Atlas Drive

natalieball@hotmail.com



PLANNING COMMISSION AGENDA REPORT ITEM #3

DATE: August 23, 2016
TO: Planning Commission
FROM: Zachary Smallwood
City Planner
SUBJECT: PUBLIC HEARING – A request by Vitrail, LLC for Preliminary Plat approval for a 9 lot single family residential subdivision known as GableRidge located at 6000 West 11580 North(PP-16-03).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission conduct a public hearing and approve the preliminary plat subject to the stipulations identified in the staff report.

BACKGROUND:

The property located at 6000 West and 11580 North requested to be annexed in the city of Highland (ANNX-14-01) and was approved by the City Council in June of 2016. A request to zone the property R-1-30 was also approved in June 2016.

As part of the annexation, the Council approved the applicants request for a 640 foot cul-de-sac.

The property is designated as Low Density Residential on the General Plan Land Use Map. The property is zoned R-1-30 (Single Family Residential). The R-1-30 District allows one home per 30,000 square feet. The minimum lot width is 120 feet.

Preliminary plat review is an administrative process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting preliminary plat approval for a 9 lot single family subdivision. The property is approximately 7.25 acres. Lot sizes range from 20,214 square feet to 67,198 square feet. The density of the project is 1.24 dwelling units per acre.
2. Access to the property will be from 6000 West which is a local road. The road is capped by a cul-de-sac

CITIZEN PARTICIPATION:

Notice of the Planning Commission public hearing was published in the 08/07/2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. No additional comments have been received.

ANALYSIS:

- The property is newly annexed into the city and was designated as Low-Density Residential. The proposed subdivision is consistent with the General Plan.
- The property to the north and west is zoned R-1-40 and has been developed as single family homes. The property to the east is currently in Utah County and is currently a farm. Much of the property has been designated for annexation by Highland City. The property to the south is zoned R-1-40 and has been developed as single family homes within a Planned Unit Development. The proposed subdivision is compatible with the surrounding uses.
- On lot #9, the city is requiring an easement for a detention basin because of the shallow storm drain along 6000 West.
- Water will be dedicated as required by the Development Code prior to final plat recordation.

FINDINGS:

With the proposed stipulations, the preliminary plat meets the following findings:

- It is in conformance with the General Plan, the R-1-30 District, the Highland City Development Code.

RECOMMENDATION:

The Planning Commission should hold a public hearing and recommend approval of the preliminary plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat dated July 14, 2016.
2. Final civil engineering plans to be reviewed and approved by the City Engineer.
3. All required public improvements shall be installed as required by the City Engineer.
4. The detention pond adjacent to lot 9 shall be constructed and landscaped by the developer prior to completion of the subdivision. The landscape plan shall be approved prior to any construction on the site.

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Proposed Preliminary Plat



PLANNING COMMISSION AGENDA REPORT ITEM #4

DATE: August 23, 2016
TO: Planning Commission
FROM: Zachary Smallwood
City Planner
SUBJECT: PUBLIC HEARING – A request by Edge Homes for Preliminary Plat approval for a 28 lot single family residential subdivision known as SkyRidge Estates located at 9725 North 6800 West (PP-16-02).

STAFF RECOMMENDATION:

The Planning Commission should conduct a public hearing and approve the preliminary plat subject to the 4 stipulations identified in the staff report.

BACKGROUND:

A General Plan amendment and a rezoning from R-1-40 to R-1-30 was approved in June of 2016.

The property is designated as Low Density Residential on the General Plan Land Use Map. The property is zoned R-1-30 (Single Family Residential). The R-1-30 District allows one home per 30,000 square feet. The minimum lot width is 120 feet.

Preliminary plat review is an administrative process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting preliminary plat approval for a 28 lot single family subdivision. The property is approximately 19.57 acres. Lot sizes range from 20,063 square feet to 27,065 square feet.
2. There are multiple access points to the property the main ingress and egress is expected along 6800 West. There are also connections at 6900 West and 1550 East.
3. There is an irrigation ditch that runs through the property that will be piped and relocated. This will be protected via an easement.

CITIZEN PARTICIPATION:

Notice of the August 8, 2016 Development Review Committee was sent on July 19, 2016. In the Development Review Committee concerns were discussed with Ben and Mary

Fietkau. They were worried about the ditch that is on the south west side of the property. Jarran at Edge Homes said he would look into it and be addressed.

Notice of the Planning Commission public hearing was published in the 08/07/2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. No additional comments have been received.

ANALYSIS:

- The property is designated as Low-Density Residential on the General Plan Land Use Map.
- The adjacent property located within the city to the north is zoned R-1-40 and is in the Ridgewood subdivision. The property to the north east is in the Makalas Meadows subdivision. The properties immediately south and east are homes that are not part of any subdivision. The properties located west of the development are located within the city of Lehi. The proposed project is compatible with the surrounding uses.
- Utilities will be extended to serve the development from Angels Gate. The existing infrastructure has been sized to meet the requirements of this subdivision.
- The original preliminary plat has a twenty foot easement for relocating and piping a ditch. Approval from the Lehi Irrigation Company is required prior to approval of the final plat.

FINDINGS:

With the proposed stipulations, the preliminary plat meets the following findings:

- It is in conformance with the General Plan, the R-1-30 District and, the Highland City Development Code.

RECOMMENDATION:

The Planning Commission should hold a public hearing and recommend approval of the preliminary plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat dated August 18, 2016
2. Final civil engineering plans to be reviewed and approved by the City Engineer.
3. All required public improvements shall be installed as per City Engineer's approval.

4. Written approval regarding the relocation of the existing irrigation pipe shall be provided prior to final plat approval.

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Proposed Preliminary Plat

DRAFT

Highland City Planning Commission May 24, 2016

The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair, Christopher Kemp at 7:02 PM on May 24, 2016. An invocation was offered by Commissioner Rock and those assembled were led in the Pledge of Allegiance by Commissioner Ostler.

PRESENT: Commissioner: Christopher Kemp
Commissioner: Brady Brammer
Commissioner: Ron Campbell
Commissioner: Kurt Ostler
Commissioner: Steve Rock

EXCUSED: Commissioner: Sherry Carruth
Commissioner: Abe Day

STAFF PRESENT: Community Development Director: Nathan Crane
Planning Coordinator: JoAnn Scott
Planning Commission Secretary: Heather White

OTHERS: *See attached attendance list*

PUBLIC APPEARANCES

Chair Kemp asked for public comment. None was offered.

PUBLIC HEARING ITEMS

1. **Z-16-01**
Edge Homes has requested a rezoning of property located at 9725 North 6800 West from an R-1-40 to an R1-30 zone.

Mr. Crane reviewed the rezoning request.

Curtis Leavitt with Edge Homes reviewed the details of the update plat for the R1-30 Zone. He talked about improvements to the west side of 6800 West and the storm drain on the east side. He said construction traffic would be restricted to 6800 West. He said they wanted to build and upstanding neighborhood and showed pictures of various houses built by Edge Homes.

Commission Chair Kemp opened the public hearing at 7:15 PM.

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1 Resident Alison Gagon preferred to see the property remain R1-40. She voiced concern for
2 animal rights and said lot sizes in Highland had gotten smaller over the years and larger animals
3 were pushed out. She would like to see a second entrance on 6800 West added back in because
4 of potential traffic on 6900 West. She explained that 6900 West was a narrow underdeveloped
5 road. Ms. Gagon talked about the problems caused by local construction of a new chapel on 6900
6 West, including speed, traffic, and lack of space for delivery trucks.

7
8 Resident Mike Gagon pointed out that 6900 West was not a complete road and that a second
9 entrance on 6800 West would be much better. He said Lehi residents were the only ones
10 complaining about the size of the homes.

11
12 Resident MaryAnn Fietkau voiced concern that the second entrance on 6800 West was taken off
13 the plat. She was not opposed to any of the lot sizes but was concerned with future traffic flow.

14
15 Resident Jerry Griffis was concerned that the proposed road would cause a pinch point because it
16 was directly across from 9700 North and thought it would be a safety issue. He recommended to
17 create a second entrance on 6800 West. He preferred the property to remain R1-40.

18
19 Resident Chet Smith voiced concern with traffic on 6900 West due to the proposed cul de sac.
20 He talked about a chain link fence on 6900 West that cars had to take care to avoid.

21
22 Resident Shonnie Smith said she was concerned with the increased traffic on 6900 West. She
23 said she was home all day with kids and there had been a few scary moments with the narrow
24 road. She was in favor of keeping the R1-40.

25
26 Resident Ben Fietkau voiced concern that there was no second access on 6800 West. He talked
27 about the proposed access to the north and explained that the road was winding and that drivers
28 probably would not use it. He suggested that Edge Homes slightly reduce some of the lots sizes
29 in order to add a second access on 6800 West.

30
31 Jaran Nicholls with Edge Homes clarified that they would not limit through traffic. Their
32 proposal was to have construction traffic enter the proposed subdivision only from 6800 West.
33 He understood that the animal rights issue was a sensitive issue. He said even if the property was
34 R1-40, the new home owners might not be sensitive to animals. He talked about what new
35 residents might want, i.e. pool versus animals. He thought the responsibility was with the builder
36 to raise awareness to make sure that people who back existing lots understood that they would be
37 buying next to someone with large animals.

38
39 Chairman Kemp wondered if Edge Homes was willing to remove the 6900 West entrance and
40 add another entrance on 6800 West. Mr. Nicholls said they would be willing to look at the
41 option. He said the entrances might be too close together.

42
43 The Planning Commission talked about animals rights within the R1-30 zone. They discussed the
44 current road width of 6900 West.

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1 Chairman Kemp asked for additional comments. Hearing none, he closed the public hearing by
2 consent at 7:34 PM. He asked for additional questions or comments from the commissioners.

3
4 Commissioner Rock voiced concerned about future traffic on 6900 West.

5
6 Commissioner Campbell thought the subdivision met the requirements of the zoning district.

7
8 Commissioner Ostler voiced concern regarding the depth of the lots and talked about the
9 surrounding lot sizes. He did not think a transition was needed nor the zoning district changed.

10
11 Commissioner Brammer also examined the surrounding lot sizes. He read the stated purpose of
12 the R1-30 zone and thought the proposed development was exactly what the R1-30 district was
13 created for. Regarding traffic issues, it was pointed out that the city engineer had not yet raised
14 any concerns with the proposed traffic flow on 6900 West, but that he would look at a
15 preliminary plat more extensively. Commissioner Brammer asked about the consequences for
16 adding a second access on 6800 West. Mr. Crane explained that a second entrance needed to be
17 evaluated to see if there was enough distance between the two streets.

18
19 Chairman Kemp said he mostly agreed with Commissioner Brammer. He was not in favor of the
20 currently proposed subdivision, but would be if access on 6900 West was removed and a second
21 access on 6800 West was added. Chairman Kemp called for a motion.

22
23 **MOTION:** Commissioner Campbell moved that the Planning Commission accept the findings
24 and recommend approval of the proposed rezoning. Commissioner Rock seconded the motion.
25 Commissioner Brammer, Commissioner Campbell, and Commissioner Rock were in favor.
26 Commission Chair Kemp and Commissioner Ostler were opposed. The motion failed.

27
28 **MOTION:** Commissioner Brammer moved to recommend approval to the R1-30 Zoning
29 District subject to the recommendation that the development change the access from 6900 West,
30 and not have an access on that street, to 6800 West. Commissioner Rock seconded the motion.

31
32 There was discussion on the motion regarding access points, including the possibility of a crash
33 gate on 6900 West for emergency access only. Commissioner Brammer amended his motion:

34
35 **MOTION:** Commissioner Brammer moved to recommend approval of the change in zoning
36 from R1-40 to R1-30 provided that there are four (4) access points including two (2) on 6800
37 West. Commissioner Campbell seconded the motion. Commission Chair Kemp and
38 Commissioner Brammer, Commissioner Campbell, and Commissioner Rock were in favor of the
39 motion. Commissioner Ostler was opposed. The motion carried with one opposed and two
40 absent.

41
42 Commissioner Brammer asked Mr. Crane that the fire code be reviewed before it went to the
43 Council to see if the second access on 6800 West met code.

44
45
46 2. **Z-14-01**

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1 *Ross Wolfley has requested a rezoning of property located at 11550 N 6000 W from R1-*
2 *40 to an R1-30 zone.*

3
4 Mr. Crane reviewed the background of the request. He said it was a 9-lot subdivision, but Lot 5
5 did not meet the minimum lot width requirements in the R1-30 zone. He point out that there were
6 a number of requested waivers that the commission should review and consider.

7
8 Commission Chair Kemp opened the public hearing at 7:47 PM and asked for public comment.
9

10 Ed Gifford, representing Property Owner Tom Holden, explained that they were under the
11 annexation request. He said the cul de sac was of legal length and they were requesting approval
12 of a dead end street. He talked about the reasons they did not want to stub a street east or north.
13 He explained that the drainage of the area needed to go to the southwest corner of the property
14 then to the existing storm drain. He explained that the property to the east dropped about 4 feet.
15 He said that if a street was stubbed to the east, it would create development issues with quality.
16 Mr. Gifford explained that there were two homes and existing large barns on the property. He did
17 not think funneling traffic from the neighboring 53 acres was in the best interest to Highland. Mr.
18 Gifford showed contours and residential street layouts in the area. He did not think the utilities
19 would benefit the neighboring property very well. He said they want to minimize water that
20 would drain from the property. He thought the development would be more compatible with the
21 existing surrounding development.

22
23 Commissioner Ostler wondered why the applicant thought the property should be changed to R1-
24 30. Mr. Gifford explained that one of the challenges with the property was the north/south
25 dimension and said the lot sizes were confined because of the shape of the property. He talked
26 about the possibility of putting a stub road to the north or south and said the HOA's did not want
27 a stubbed road to their developments.

28
29 Commissioner Rock asked if the road would be fully improved. Mr. Gifford said the cul de sac
30 would be improved with sidewalk, curb, and gutter.

31
32 Commission Chair Kemp asked for public comment.

33
34 Kevin Birrel voiced concern about the public notices not coming in time for the meetings. He
35 said it was post marked May 10, but he did not receive it until this evening. He would like the
36 property to remain R1-40 and thought the R1-30 district was a customized new zone for some of
37 the property owners. He said the property was purchased knowing some of the issues with depth
38 and north/south boundaries. He did not think the variance waivers should be approved. He
39 thought the road on both sides of Lots 1 and 2 was a problem. He said he preferred seeing the
40 road stubbed to his property on the east of the proposed development and talked about access
41 issues through his property. He said R1-30 did not allow large animals and voiced concern with
42 protecting animal rights in neighboring R1-40 district. Mr. Birrel talked about protecting his way
43 of life. He said the road could be stubbed to the east and asked that it not be changed to R1-30.
44

45 Resident Stefan Harlan talked about the history of the property and the HOA decision. He knew
46 of no master plan for a stub road to the east. He said the development to the south was in favor of

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1 R1-30, but the biggest concern was potential traffic if the proposed road was stubbed to the east.
2 He asked the commissioners not to extend the road to the east. He thought the R1-30 might be
3 the best use of the land because of the unique nature of the property.
4

5 Ross Wolfey, another representative for Property Owner Tom Holden, said the road could go
6 through to the east, but did not think it was the right thing to do. He said it would stop Mr.
7 Holden from using the property as he wanted to. He talked about the traffic from the junior high.
8 He thought the R1-30 fit the property well.
9

10 Commission Chair Kemp asked for additional comment. Hearing none, he closed the public
11 hearing by consent at 8:15 PM. He asked for comments from the commissioners.
12

13 Commissioner Rock voiced concern regarding Lot 5 not meeting the minimum setback
14 requirements. Mr. Gifford said they could make Lot 5 with a wider setback.
15

16 Commissioner Campbell said he did not have an issue with Lot 5 because it allowed Lots 4 and 6
17 to be larger. He reviewed the waivers and said he would be in favor.
18

19 Commissioner Ostler thought the R1-30 transition was not needed in the area.
20

21 Commissioner Brammer pointed out that the property completely surrounding the proposed
22 development was R1-40. He worried about acreage around it becoming R1-30 if the rezone was
23 approved. He read the purpose of the R1-30 district and did not think the requested rezone
24 accomplished the stated purpose for R1-30.
25

26 Chairman Kemp agreed with Commissioners Ostler and Brammer. He read the staff report
27 regarding the Highland engineer's comments that said an extension should be provided unless not
28 requested by the property owner to the east. He called for a motion.
29

30 **MOTION:** Commissioner Ostler moved that the proposed rezoning request remain R1-40.
31 Commissioner Brammer seconded the motion. Chairman Kemp and Commissioners Brammer,
32 Ostler, and Rock were in favor. Commissioner Campbell was opposed. The motion carried with
33 one opposed and two absent.
34

35 The Planning Commissioners discussed whether they thought they could make a
36 recommendation pertaining to the stub street. Mr. Crane read Section 5-8-105.4.b.
37

38 **MOTION:** Commissioner Brammer moved that the Planning Commission not make
39 recommendation at this time based on a lack of information. Commissioner Ostler seconded the
40 motion. Commissioners Brammer, Ostler, and Rock were in favor. Commission Chair Kemp and
41 Commissioner Campbell were opposed. The motion failed.
42
43

44 3. **Z-16-02**

45 *Greg Nield, representing Eternal Spring, LLC, has requested a rezoning for property*
46 *located at 10298 N 4800 W from R1-40 to an RP (Residential Professional) zone.*

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1
2 Commission Chair Kemp opened the public hearing by consent at 8:31 PM.

3
4 Mr. Crane reviewed the rezoning request.

5
6 Greg Nield reviewed the history of the property and application. He said he came to the city
7 about a year ago and there were things that did not meet code. He said the building size,
8 dumpster locations, parking, setbacks, access, and fencing needed to be changed at that time.
9 Since then, he met with three of the neighbors adjacent to the property. He said residents were
10 concerned with not making any amendments to the RP zone, concealing air conditioning units,
11 and drainage. He said residents preferred the current site plan.

12
13 Chairman Kemp asked for public comment.

14
15 Resident Ryan Ollerton said they were opposed to the project in the past but thought the current
16 plan was better and was okay with the request to rezone the property. He said the adjacent
17 residents would much rather have the RP District than Commercial. He said they supported the
18 parking in front of the building. He asked about the different uses that would be permitted within
19 the RP zone.

20
21 Chairman Kemp asked Mr. Ollerton about trying to sell his home. He explained that he had
22 people come look at his house and the Ashford Center had a negative impact. He thought the
23 proposed 2-story building might potentially have a negative impact but did not think leaving it a
24 residential zone would ever happen. He did not see a better fit.

25
26 Commissioner Ostler asked about the parking placement. Mr. Nield explained that it was to keep
27 daytime traffic and noise in front of the build.

28
29 Mr. Crane reviewed some of the permitted uses within the zone.

30
31 Chairman Kemp asked for additional comment. Hearing none, he closed the public hearing by
32 consent at 8:42 PM and asked for further discussion.

33
34 Commissioner Ostler wondered if Highland preferred parking lots not to be in front by the street.
35 Mr. Crane said yes, but explained that each zone was different. He said the current application
36 met the landscaping requirements.

37
38 Chairman Kemp voiced concern about the number of parking stalls. He understood they met
39 code, but thought there needed to be more parking than what was planned. He said he had seen a
40 full parking lot at all times of the day. He was concerned about the success of the building if
41 there was not adequate parking.

42
43 Mr. Nield explained that his office would be open from 8 AM to 5 PM. He talked about the
44 potential use of the parking lot.

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1 **MOTION:** Commissioner Brammer moved to recommend approval of the ordinance rezoning .7
2 acres from R1-40 to RP based on the following findings, specifically Paragraph 3-4501 that the
3 request meets the purpose and intent of the RP Zone to provide a buffer between neighborhood
4 areas and some of the more impactful areas of the community. Commissioner Ostler seconded
5 the motion. Commission Chair Kemp and Commissioner Brammer, Commissioner Campbell,
6 Commissioner Ostler, and Commissioner Rock were in favor. None were opposed. The motion
7 carried with two absent.
8
9

10 4. **TA-16-05**

11 *Quick Quack Car Wash is requesting approval of a text amendment to the Commercial*
12 *Retail Zone in the Development Code section 3-4351:1-d to include car wash facilities.*
13

14 Mr. Crane explained that the request was to amend the CR Zone to allow for an automatic car
15 wash as a permitted use. He talked about the concerns regarding light, noise, intensity for an
16 adjacent property owner who he met with. He said it would need to meet the design standards of
17 a CR zone.
18

19 The Planning Commission talked about uses that were already permitted in the CR Zone.
20

21 Chairman Kemp opened the public hearing by consent at 8:53 PM.
22

23 Developer Dallas Haks talked about the details of the car wash operation. He said the car wash
24 was geared towards families. There would be designated parking for the employees and no
25 parking would be permitted on the street.
26

27 Commissioner Kemp wondered what had been done to mitigate impact to the adjacent property.
28 Mr. Haks reviewed the results of noise studies and talked about the decibels at different angles.
29 He said the dryers were on the commercial side of the property and that a 6-foot enclosure would
30 be built around the vacuums. Mr. Haks talked about meeting with neighbors and thought
31 everyone was in favor. He explained that lights would be turned off when the car wash was
32 closed.
33

34 The Planning Commission discussed access and surrounding businesses.
35

36 Chairman Kemp asked for public comment. Hearing none, he closed the public hearing at 9:03
37 PM and asked for questions or comments from the commissioners.
38

39 Commissioner Campbell said the applicant addressed his concerns with noise, lights, and traffic.
40

41 Commissioner Ostler saw no problem allowing the car wash in the zone which already permitted
42 gas stations.
43

44 Commissioner Brammer thought the current permitted uses were consistent with a car wash. He
45 talked about the benefit of having retail in Highland.
46

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1 Chairman Kemp, agreed. He liked the design and building placement and thought it would be a
2 good addition to the city.
3

4 **MOTION:** Commissioner Brammer moved to accept the findings and recommend approval of
5 Case TA-16-05 with the findings that the proposed use appears to be consistent with the already
6 permitted use under Paragraph 3-4351 and the general encouragement of retail in Highland.
7 Commissioner Rock seconded the motion. Commission Chair Kemp and Commissioner
8 Brammer, Commissioner Campbell, Commissioner Ostler, and Commissioner Rock were in
9 favor. None were opposed. The motion carried with two absent.
10
11

12 5. **PP-16-02** (also known as FP-16-06)

13 *Danny Wright is requesting Preliminary Plat approval of a 2-lot subdivision. The*
14 *property is located at 9916 N 6800 W.*
15

16 Mr. Crane reviewed the details of the preliminary and final plat approval. He reviewed the size
17 of the lots and said staff recommended approval.
18

19 A representative for Applicant Danny Wright said the 2-acre parcel would be subdivided with
20 right of ways being dedicated to the city. He said the existing home would remain on Lot 1. He
21 said they would improve the road with curb, gutter, park strip, and asphalt.
22

23 Chairman Kemp opened the public hearing by consent at 9:08 PM and asked for public
24 comment. Hearing none, he closed the public hearing by consent at 9:08 PM and called for a
25 motion.
26

27 **MOTION:** Commissioner Rock moved that the Planning Commission accept the findings and
28 recommend approval of Case FP-16-06, the request of a 2-lot subdivision, subject to the three
29 stipulations recommended by staff:

- 30 1. The final plat shall be in substantial conformance with the preliminary plat date stamped
31 May 19, 2016.
- 32 2. All required right-of-way dedications and public improvements shall be
33 dedicated/installed as required by the Community Development Director/City Engineer.
- 34 3. The civil construction plans shall meet all requirements as determined by the Community
35 Development Director/City Engineer.

36 Commissioner Campbell seconded the motion. All present were in favor. The motion carried
37 with two absent.
38
39

40 6. **PP-16-03** (also known as FP-16-05)

41 *Shawn Herring is requesting Preliminary Plat approval of a 2-lot subdivision. The*
42 *property is located at 5949 W 9600 N.*
43

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1 Mr. Crane reviewed the request for preliminary plat approval. He explained that the existing
2 shop would need to be removed in order to meet lot area, frontage, and setback requirements. He
3 said utilities would be extended on an easement to the south. He reviewed the sizes of the new
4 lots.

5
6 Commissioner Kemp opened the public hearing by consent at 9:11 PM and asked for public
7 comment. Hearing none, he closed the public hearing by consent at 9:11 PM and asked for
8 additional questions or comments.

9
10 The Planning Commission talked about the shed that needed to be removed. Mr. Herring's
11 representative said they looked into moving the lot line, but decided against it.

12
13 **MOTION:** Commissioner Rock moved that the Planning Commission accept the findings and
14 recommend approval of FP-16-05, a request for approval of a 2-lot subdivision, subject to the
15 four stipulations recommended by staff, with an additional stipulation:

- 16 1. The final plat shall be in substantial conformance with the preliminary plat date stamped
17 May 19, 2016.
- 18 2. A utility marker shall be used to identify the private utility easement.
- 19 3. All required right-of-way dedications and public improvements shall be
20 dedicated/installed as required by the Community Development director/City Engineer.
- 21 4. The civil construction plans shall meet all requirements as determined by the Community
22 Development Director/City Engineer.
- 23 5. The existing shed shall be removed.

24 Commissioner Ostler seconded the motion. All present were in favor. The motion carried with
25 two absent.

26 27 28 **APPROVAL OF MINUTES**

- 29
30 1. **Approval of the April 12, 2016 meeting minutes**

31
32 **MOTION:** Commissioner Ostler moved to approve minutes from the April 12, 2016 Planning
33 Commission meeting. Commissioner Campbell seconded the motion. All present were in favor.
34 The motion carried with two absent.

35 36 37 **ADJOURNMENT**

38
39 **MOTION:** Commissioner Brammer moved to adjourn the meeting. Commissioner Ostler
40 seconded the motion. All present were in favor. The motion carried.

41
42 The meeting was adjourned at 9:15 PM.
43