

1 **Highland City Planning Commission**
2 **March 26, 2013**

3 The regular meeting of the Highland City Planning Commission was called to order by Planning
4 Commission Chair, Christopher Kemp, at 7:00 p.m. on March 26, 2013. An invocation was
5 offered by Commissioner Tim Heyrend and those assembled were led in the Pledge of
6 Allegiance by Commissioner Scott Temby.

7
8 **PRESENT:** Commissioner: Christopher Kemp
9 Commissioner: Jay Roundy
10 Commissioner: Abe Day
11 Commissioner: Steve Rock
12 Commissioner: Scott Temby
13 Commissioner: Tim Heyrend

14
15 **EXCUSED:** Commissioner: Sherry Carruth

16
17 **STAFF PRESENT:** Community Development Director: Nathan Crane
18 Secretary: Dorinda King

19
20
21 **OTHERS:** Rob Clauson, Bart Brockbank, Greg Parkinson, Cole Cooper, Brandon Verde,
22 Dayne Sweat.

23
24 **A. PUBLIC APPEARANCES**

25
26 Commissioner Chris Kemp read an opening statement for the Planning Commission.

27
28 “This Planning Commission is composed of Highland City citizens who have been
29 appointed by the City Council to serve on the Commission as a civic responsibility. In
30 the interest of maintaining a fair and efficient hearing, the Commission adheres to the
31 following steps:

32
33 The Chair calls the agenda item;
34 Staff gives a brief report and recommendation;
35 Applicant then may give a presentation;
36 Opposition and support give testimony, no more than three minutes per speaker;
37 Applicant may give a response, and
38 The Commission has a discussion and makes decision.

39
40 Anyone wishing to speak before the commission must fill out a speaker information form
41 and hand it to Nathan Crane, Community Development Director. We expect all that
42 participate will be civil in their public discourse and that they will be respectful of others
43 whether they agree or disagree with any action taken. The Commission will stand against
44 any incivility when we see it.

1
2 We thank you in advance for your participation.”
3

4 **B. PUBLIC HEARING ITEMS:**
5

- 6 1. **PP-13-01** MRFP, LLC is requesting preliminary plat approval for a 173 lot single family
7 residential subdivision with two lots for non-residential and senior housing on
8 approximately 83.54 acres named Skye Estates. The property is generally located north of
9 the northeast corner of 11800 North and Highland Boulevard. *Administrative.*
10

11 Commissioner Kemp opened the Public Hearing.
12

13 Mr. Crane stated that Highland City adopted an annexation policy plan in June of 2002. The
14 annexation plan included the infrastructure and future development of the Skye Estates location.
15 The Annexation, Development Agreement and the Skye Estates Planned Development Zoning
16 District were approved on March 19, 2013 by the City Council.

17 Mr. Crane mentioned the changes have been made within the Development. He pointed out
18 parking was added next to the community park, by request of the City Council. Mr. Crane stated
19 the number of lots was reduced from 176 to 173, which lowered the density to 2.33 units per
20 acre. Mr. Crane pointed out the easement lines that were straightened out on the conservation
21 easement areas. The cross section for Sutherland Drive and Shettlestone north of Grant
22 Boulevard was modified to accommodate additional traffic.

23 Mr. Crane mentioned the lot breakdown has also changed. He stated 30% of the lots are between
24 10,000-11,000 square feet, 40% are between 11,000-15,500 square feet and 30% are above
25 15,500 square feet. He stated staff is recommending removal of the storm drain easements
26 between lots 123 and 124, 133 and 134, and lots 69-72 due to maintenance and access issues.
27 The sewer easement along lots 86 and 87 is necessary to serve the Skye Estates Development.

28 Mr. Crane explained the Preliminary Landscape Plan show a tree theme on the street. He stated
29 that the park will have a trail through it. He pointed out the retention area which is lot 72. Mr.
30 Crane mentioned changes in the shade structures for the pools. Two trees per lot will be installed
31 by the developer. There is a stipulation stating when those trees should be installed. Prior to
32 certificate of occupancy a bond is required for the trees in the winter months.

33 Mr. Crane mentioned there will be five phases as shown in the Preliminary Phasing Plan. He
34 mentioned the clubhouse with the pools and open space areas will be included in phase one. He
35 stated the approved density of 2.33 is consistent with Highland Hills and higher than Beacon
36 Hills, Chambray Fields and Mercer Hollow. He mentioned the lot lines on the south side will
37 match up with the existing lot lines. The lots in the Skye Estates Development that are adjacent
38 to Highland Hills are larger than they are in Highland Hills.

1 Mr. Crane stated the Development Review Committee was held on March 20, 2013, city staff
2 sent a radius notification and the developers posted the site, no one attended the meeting. For the
3 Planning Commission meeting, staff also did a radius notification and placed an ad in the
4 newspaper and staff received no comments. The City Staff believes the Preliminary Plat is in
5 conformance with the adopted PD District and Subdivision Ordinance, staff is recommending
6 approval subject to 12 stipulations.

7 Bart Brockbank, the applicant, reviewed the changes made within the subdivision that Mr. Crane
8 mentioned earlier. Bart mentioned another open space was added. He mentioned the two trees
9 in front of the homes will be installed by the builders at the time the house is completed, not the
10 developer, as mentioned earlier.

11 Commissioner Kemp recommended making sure the trees get water. He expressed in the past
12 when builders put in the trees they get neglected by the homeowners. Mr. Brockbank understood
13 his concern.

14 Commissioner Temby inquired about the future lot 72, which is currently shown as open space
15 and planned to serve as water retention. He questioned if that lot is optional storm retention or
16 required storm retention.

17 Mr. Brockbank stated because the property below is not developed, the Skye Estates developers
18 are electing to retain additional water. He mentioned once the area below is developed, Skye
19 Estates will work with the landowners to the south to retain the water.

20 Commissioner Heyrend questioned if the drainage has been thoroughly reviewed by engineering
21 staff. Mr. Crane stated it has been reviewed by engineering staff.

22 Greg Parkinson, neighbor of the Skye Estates project, lives in the Dry Creek Subdivision. Mr.
23 Parkinson mentioned the amended agenda for the public hearing on February 12, 2013. He
24 stated the agenda changed the day before the meeting stating it was a public hearing. He
25 understands by law that is acceptable, but he believes Highland can do better. He mentioned
26 because of the amended agenda he was unable to prepare for the public hearing in time.

27 Mr. Parkinson mentioned he has looked over the land use map in the Planning Commission
28 section on the Highland City website. He believes the Skye Estates project is not compatible
29 with his reading of the land use. He believes if a referendum was held on high density; in
30 Highland the Skye Estates project would be voted down. Mr. Parkinson mentioned the large
31 amounts of water in the spring while riding his bike and he believes it will create problems for
32 the homes built in the Skye Estates Community. He expressed concern about the amount of
33 wind in the Active Adult Community; he is concerned for the elderly that will live there. Mr.
34 Parkinson believes the Skye Estates project could be in a better area, or the developers could do
35 100 lots rather than 176. He believes this high density community will create an economic area

1 that will not be livable in the future. He mentioned his neighbors' concerns about the high
2 density Skye Estates project. He recommended doing something of better use for this land.

3 Mr. Parkinson believes voting on a project the same night it is presented is not genuine because
4 he feels it does not present sufficient time to contemplate and research the information to come
5 to an educated decision. He recommended voting on public hearing items at the next official
6 meeting. He understands the City Council and Planning Commissioners have asked the
7 developers a large amount of questions but mentioned nobody has asked him any questions. He
8 believes Highland could do better.

9 Commissioner Kemp closed the public hearing.

10 Commissioner Temby believed the project meets the PD requirements and that Skye Estates
11 would serve as a good buffer on the Highland border for the rest of the community.

12 Commissioner Roundy mentioned the General Plan has several portions and needs to be read
13 thoroughly to fully understand its content. He mentioned there have been several requests to the
14 Commission from people with larger lots wanting to subdivide for smaller lots; he believes the
15 residents are getting older making it harder to maintain large lots. He mentioned the Skye
16 Estates Community is compatible with the areas surrounding it and believes the development is
17 being shaped to fit the city in a positive manner.

18 Commissioner Rock mentioned he likes the parking next to the park, the larger lots that have
19 been added and that the developers are willing to put in a larger pool if necessary. He mentioned
20 he has had some negative thoughts towards this subdivision in the past, but now feels it is going
21 to work well in Highland.

22 Commissioner Day questioned what Lehi's density would be if they annexed this area.

23 Commissioner Kemp explained Lehi's density would be 7 units to the acre.

24 Bart Brockbank mentioned Lehi has contacted him and is interested in annexing the Skye Estates
25 area. Being a Highland City resident, he wanted to keep it in Highland. He stated the density
26 Micron is proposing is 7 to 16 units per acre depending on the area. Mr. Brockbank believes that
27 to be high density. He mentioned most cities consider 2-4 to be low density. Commissioner
28 Rock mentioned Mayor Ritchie has talked to Lehi's mayor, who suggested at this time it is not
29 something Lehi is interested in.

30 Commissioner Heyrend mentioned he once had the same thoughts about the Skye Estates
31 subdivision as Greg Parkinson. He believed at one time the subdivision was not a good fit for
32 Highland. He mentioned there has been several residents coming to the Commission asking if
33 the City can look into housing that is more affordable, smaller lots that are easier to maintain and
34 amenities' for the elderly. He mentioned these developments do serve a good purpose in
35 Highland and if placed in the right location it can be a good amenity for the City. He believes

1 the higher density is in a good location next to Highland Boulevard. He believed there is a good
2 transition between high and low density housing, the roads will accommodate the community,
3 there are amenities that make it more attractive, trail corridors that are preserved and the storm
4 easements to handle drainage. He is in favor of this community. He stated the buffering is such
5 that the current residents will not see a huge change from what they are seeing there now. He
6 believes this is a well planned development.

7 Commissioner Kemp understood Mr. Parkinson's concerns. He stated the wind does blow hard
8 in the Skye Estates area; he believes homes on the north side of the Skye Estates Community
9 could be a good wind break and possibly help with the snow drifts as well. Commissioner
10 Kemp mentioned the progress the developers have made from beginning to present.
11 Commissioner Kemp mentioned his mother-in-law who went from a large lot in Highland to the
12 Coventry development. He mentioned she still wanted a nice home in Highland without the
13 obligation of a large lot. He mentioned because Coventry was her only option in Highland, the
14 City could use more projects like Skye Estates. He expressed he does not like the idea of Lehi
15 coming in and having high density so close to Highland City. He recommended drawing a line
16 somewhere so Lehi does not come and put in what they want so close to Highland City. He
17 commended the developers for the amenities, landscaping, the bigger lots added and for their
18 efforts in trying to be sensitive to the Highland residents neighboring the Skye Estates project.

19 **MOTION: Scott Temby moved that the Planning Commission accept the findings and**
20 **recommend the approval of case PP-13-01 a request for preliminary plat approval for the**
21 **Skye Estates subdivision subject to the 12 stipulations recommended by staff.**

- 22 **1. Development shall conform to the Skye Estates PD-1 Zoning District, Preliminary Plat**
23 **and Preliminary Landscape Plan date stamped March 13, 2013, except as modified by**
24 **these stipulations.**
25
- 26 **2. The developer shall install the east half street improvements for Highland Boulevard**
27 **including the parkway detail as determined by the City Engineer.**
28
- 29 **3. All required public improvements shall be installed as required the City Engineer.**
30
- 31 **4. The civil construction plans shall meet all requirements as determined by the City**
32 **Engineer.**
33
- 34 **5. Prior to final plat approval, the applicant shall submit a wall plan that shows the**
35 **location and of the community theme wall. The theme wall shall be used for the active**
36 **adult community, required screening for the office/retail area and along the main**
37 **connector street from Highland Boulevard to lot 149/150.**
38
- 39 **6. A note shall be added to the Final Plat and the Covenants, Conditions, and Restrictions**
40 **for the Active Adult Community stating the Homer Owner's Association shall be**

1 responsible for the maintenance of all private drives including repaving the private
2 drives after a leak or break is repaired.

3
4 **7. The Final Plat shall be revised to include the required dedication and easements for the**
5 **east half of Highland Boulevard.**

6 **8. The traffic calming measures for Atlas Drive shall be shown on the civil improvement**
7 **plans.**

8
9 **9. All trees shall be installed prior to the issuance of a Certificate of Occupancy. In the case**
10 **when a home is completed during the winter months, the builder shall provide a tree**
11 **bond.**

12
13 **10. Storm drain easements shall not be located between lots.**

14
15 **11. All project theming and amenities, including but not limited to, pavilions, play**
16 **structures, entry monuments, etc. shall match the PD District.**

17
18 **12. The final landscape plan shall be revised as determined by the Community**
19 **Development Director in consultation with the City Forester.**

20
21 **Motion Seconded by Commissioner Jay Roundy. Unanimous vote, motion carried.**

22 **2. TA-13-01 the City Council is requesting an amendment to Section 3-612: Fences, Walls**
23 **and Hedges relating to the setback requirements for fences adjacent to state**
24 **highways/arterial streets. *Legislative***

25
26 **MOTION: Abe Day moved that the discussion for Section 3-612 for fences, walls and**
27 **hedges be continued to the next meeting on April 9, 2013. Motion Seconded by**
28 **Commissioner Temby. Unanimous vote, motion carried.**

29
30 **C. APPROVAL OF MINUTES**

31
32 February 12, 2013 – Regular Meeting – Continued to next meeting on April 9, 2013. No motion
33 required.

34
35 **D. PLANNING STAFF REPORT**

36
37 Mr. Crane informed the Commissioners the Wakefield Lot split in the Country Meadow Farms
38 subdivision was approved by City Council on February 19, 2013.

39
40 **E. COMMISSION COMMENTS AND SUGGESTIONS**

41 Commissioner Roundy expressed he would still like to receive the binder even though staff sends
42 electronic copies. Mr. Crane apologized and explained because staff was short on time staff

- 1 didn't have time to deliver the binders for this meeting. He stated the Commissioners will get
- 2 them in the future.
- 3 Commissioner Roundy moved to adjourn, seconded by Commissioners.