

Highland City Planning Commission

April 13, 2004

Present:

Commissioner: Steven Draper
Commissioner: Larry Mendenhall
Commissioner: Mike Walch
Commissioner: Brian Braithwaite-excused
Commissioner: Jennifer Tucker
Commissioner: Bryce Flanary

City Council: Gwyn Franson
City Engineer: Boyd Wilson
City Administrator: Barry Edwards-excused
City Asst. Zoning Admin: Lonnie Crowell-excused
Secretary: Aubrey Bevan

Visitors: Chris Dalley, Shawnie McGray, Darren McGray, Curtis Pollard, Tan Dunn, Valois Paxman, Al Paxman, Dan Richards, Kevin Lane, Delynn Rodeback, Doug Harris, Bessy Nelson, Gordon Croft, Carde Peck, Steven Fuller, Heber Fuller, Eric Yergensen

Meeting convened at 7:05
Prayer given by: Larry Mendenhall
Pledge given by: Jess Adamson

The mayor stated a joint meeting needs to be scheduled with City Council and Planning Commission for the second phase of the Town Center. Steve stated they will have a work session on April 27th at 6:00 pm. The mayor also introduced the new public works director/city engineer, Matt Shipp, who will be starting full time on April 19th.

Item 1: Stone Creek Hollow Model Home - Conditional Use & Public Hearing

Steve invited the applicant to come forward. Lyle Fausett stated he would like to have a model home in Highland, it would be a low key model home. They would not have very much traffic and would be opened 3 or 4 days a week with normal office hours. Steve asked the applicant if he is building other homes in Highland. Lyle stated he is not building much else in Highland.

Steve opened the public hearing.

Having no public comment, Steve closed the public hearing.

Bryce asked if the neighborhood committee was aware of the model home. Lyle stated they had to notify residents in a 500 foot radius, which they did.

Mike asked what Steve's opinion was on parking in the cul-de-sac. Lonnie's comments stated there shouldn't be parking in the cul-de-sac, but that would really be impossible considering how the house faces and where the driveway sits. Lyle stated he didn't feel there would be a lot of traffic.

Steve stated he was concerned about them having a model home to sell homes in other cities. The city prefers, if a model home is going to be in Highland, they should be trying to sell homes in Highland. Lyle stated he would like to work with residents wanting to come to Highland, but it would also be a place of business for other sales. Lyle also stated it would be a temporary fix until he sold the house.

Steve stated he didn't feel it is in the best interest of Highland to have this model home in Highland. Mike had the same concerns. Jennifer suggested if their concern is just to sell it, they could show it just as a home they are selling.

Steve stated he didn't feel it was within the ordinance and the commission should deny it.

Motion by Jennifer Tucker, Planning Commission denies conditional use for the Stone Creek Hollow model home.

**Second by Larry Mendenhall.
Unanimous, motion carried.**

Item 2: Kurt Pollard / Highlands Ranch - Discussion

Steve invited the applicant to come forward. Kurt Pollard stated he is here to discuss lots 1 and 8 in Highlands Ranch. He stated he purchased the lots some time ago not knowing the homes had to face 6800 W. He has buyers for the lots, but not if they have to face the home towards 6800 W. He stated the homes across the street face north and south, having fences along 6800 W. Kurt also stated lot 9 doesn't face 6800 W. He also stated the plat map doesn't reference to the lots having to face 6800 W.

Steve stated he went back through all the previous comments and minutes concerning this matter, he felt the goal was to keep driveways off 6800 W. If they can build the house and keep the driveways off 6800 W., Steve doesn't feel there would be a problem. Mike stated they would also eliminate the tunnel affect of having 6 foot fences along both sides of the street.

Discussion ensued.

Steve asked Glen Vawdrey if the city council had any concerns. Glen reiterated what Mike said about the street scape and the fences. Glen also stated lot 9 was supposed to face 6800 W. and somewhere along the way there was a misunderstanding.

Discussion ensued.

Steve stated they are trying to be as fair as they can for the property owner and other Highland residents. Larry stated he felt they should think about the north/south fronts with a side setback that could work for everyone's advantage. He felt if they required an open fence with the appropriate setbacks, it would be fine. Mike also stated it could work if they required an open fence.

Kathryn Schramm stated they need to address the needs in all decisions, and safety should come before looks, the homeowner needs to feel safe and a solid fence would be the best solution. She felt an open fence is taking away from the safety and privacy of the homeowners.

Discussion ensued.

Steve stated they try to be sensitive to the safety and will have further discussion about that. Steve asked if any commission would be opposed to the way the home faces as long as there are no driveways off 6800 W. No one had any objections.

Bryce stated he was in favor of the open space, but on any major road, privacy fences should be allowed for the safety and privacy of the homeowners. Jennifer stated a privacy fence would also block out the clutter that could build up in peoples backyards and fences will look better than stuff.

Discussion ensued.

Steve stated they might want to require lots 1 and 8 have the same type of fence. Mike suggested requiring some kind of landscaping that would break it up a little. Steve stated staff comments suggested building an alternating fence with some landscaping that would take away from the straight fence look.

Motion by Bryce Flanary, Planning Commission recommends to City Council to approve lot 1 be able to face 10150 N and lot 8 be able to face 10205 N. With the following conditions, 1) they will be allowed a six foot privacy fence with a 14' side setback, 2) there will be no driveways access onto 6800 W., 3) landscaping is required between the six foot fence and sidewalk withing the first year, 4) the fence for lots 1 and 8 match.

**Second by Mike Walch.
Unanimous, motion carried.**

Item 3: Highland Hills - Re Concept

Bill Suvall stated one of the issues was the buffer and they took care of that problem. They also staked out the old open space versus the new open space, he stated Barry was fine with them giving like for like. Bill stated they would also be responsible for amending the plats for the open space. Steve asked if the open space would still fit the requirements for both plats. He also asked if they would be taking away from plat C. Bill stated they would be maintaining the percentage of open space for plats C and D.

Discussion ensued.

Steve stated they resolved the concerns the Planning Commission had and they can move on to preliminary.

Item 4: Crimson Oaks (Fuller) - Final

Steve Draper asked Steve Fuller if they had a chance to review the staff comments and make the appropriate changes. Steve Fuller said they had a chance to review the comments and changed the plat to meet the requirements.

They changed from the one cul-de-sac which had double and triple sided lots to two cul-de-sacs. Steve Fuller stated he talked with Brian Brunson and Brian said he would not approve a subdivision with a triple sided lot unless they had a thirty foot setback, which would take too much away from the lots and make it impossible for lot 12. Bryce stated he felt a triple fronted lot was less of an issue than two exits onto 9850 N.

Discussion ensued.

Mike asked what the status was on the ditch issue. Steve Fuller stated they would prefer piping it down 6000 W., which was Barry's preference also, so that is the route they will take if they can't get the rights abandoned.

Discussion ensued.

Steve Fuller stated he went to Chief Botkin in order to obtain his opinion on the safety issues of the two plats. He stated Chief Botkin was in favor of two streets rather than the possibility of people pulling out of their own lots which could become a bigger problem.

Steve Fuller felt the residents would probably want to face their homes into the cul-de-sacs. Bryce stated he is in favor of the homes facing into the cul-de-sac streets.

Motion by Larry Mendenhall, Planning Commission recommend to City Council final approval for Crimson Oaks for the revised plat showing two cul-de-sacs with the recommended conditions that have been stated and the following conditions, 1) resolution for the ditch be established before going to City Council if possible, 2) there will no

driveway access onto 9850 N., 3) the homes will face into the cul-de-sac for lots 11, 8, 7, and 4.

**Second by Bryce Flanary.
Unanimous, motion carried.**

Item 5: Ron Peck Subdivision - Concept

Steve invited the applicant to come forward. Ron Peck presented the commission with a revised plat of the Ron Peck subdivision. Ron stated they are here at the request of Eric Yergensen because of Sierra Hills to allow for the horse trail.

Discussion ensued.

Steve stated Ron's offering is appreciated by Highland. Ron stated the only lots they would like to annex are the three lots unless they would not be required to turn in water. Boyd stated if it is a forced annexation they would not have to bring in water so that could be a possibility.

Item 6: Sierra Hills - Final

Steve invited the applicant to come forward. Eric Yergensen stated staff had five concerns, one was the trail which was addressed with the Ron Peck subdivision. He stated they would need to bond for trees for the park strip, also there is a power easement that will be shown on the final plat. They will finish the sidewalk to the subdivision with their improvements. They will address on the plat with a note about the trees, especially the trees along 9600 N.

Motion by Mike Walch, Planning Commission recommends City Council grant final approval for Sierra Hills, subject to the recommendations in the staff report, also with the condition that they would need to obtain an easement from the Peck property for the trail.

**Second by Jennifer Tucker.
Unanimous, motion carried.**

Item 7: Chamberry Fields (Croft) - Final

Steve stated they have no information that is different from the last time they were at Planning Commission. Gordon Croft asked if they could present it anyway. They stated they have more trees, but would like to put more on the side that will be seen and not so many along the side that is in the back and won't really be seen.

Discussion ensued.

Jennifer stated she didn't feel just having a big pad of grass at the entrance would be very flattering and if she were a resident in that subdivision she would not have any desire to go to the

park if there isn't a play ground or picnic areas or something that would be different than a backyard.

Discussion ensued.

Steve stated they will need to have all the information prior to the meeting, so they are able to go to the site and digest it all without being put on the spot. He stated they would not be able to approve or deny final approval without being able to go over the information they required.

Motion by Mike Walch, Planning Commission moves to continue.

**Second by Jennifer Tucker.
Unanimous, motion carried.**

Item 8: Approval of meeting minutes for March 9, 2004

Motion by Bryce Flanary for the approval of the meeting minutes for March 23, 2004.

**Second by Mike Walch.
Unanimous, motion carried.**

Adjourn at 9:05