

Highland City Planning Commission

January 27, 2004

Present:

Commissioner: Steven Draper
Commissioner: Larry Mendenhall
Commissioner: Mike Walch
Commissioner: Brian Braithwaite
Commissioner: Jennifer Tucker

City Council: Gwyn Franson
City Engineer: Boyd Wilson
City Administrator: Barry Edwards
City Assnt. Zoning Admin.: Lonnie Crowell
Secretary: Aubrey Bevan / JoD'Ann Bates

Excused: Bryce Flanary.

Visitors: Chris Dalley, John Jardine, Jeremy Doyle, Steve King, ben harris, Steve Harris, Will, Titera, Kent Reese, Cheryl Smith, Bryan Smith, Stephanie Jones, Brad Mackey, Lynn Johnson, Mayor Jess Adamson, Stephen Buhler, Lyman Buhler, John Rhinehart.

Meeting convened at 6:12 pm
Prayer given by: Jennifer Tucker
Pledge given by: Aubrey Bevan

Work Session

Item 1: Harts Development in the Town Center

Steve Draper invited the applicant to come forward and explain to the commission what it is he is proposing.

John Rhinehart stated he is representing Harts and he commented that before they come before the commission with a plan they would like to know what they would be looking for in the Town Center area. They had heard different suggestions from one to two story buildings, and have questions in regards to intersections and medians.

Steve Draper stated that he was under the impression that in setting up this work session that Harts had a specific proposal in mind. In reading the background it stated that this would be a unique new commercial opportunity to the east gateway and the proposal would include a car wash, lube, gas and convenience store.

John Rhinehart stated that most people are familiar with the Harts car wash and convenience store in American Fork. John stated that they want to do a similar development as that but would like to add a 4 bay quick lube and a detail shop. Zions Bank has also voiced an interest and would like to tie that in somewhere, they have also been in contact with McDonalds. They would like to do something with or without those individuals. John inquired if there were plans for a light in that area and if there would be problems with the median. John continued to inquire if the commission would prefer a two story building or not.

Steve Draper stated that currently there is not a plan for a light in that location and due to the fact it is a State Highway, that decision would be up to UDOT.

Barry Edwards stated there would be a median to the north and to the south, but it would not block traffic from accessing the development.

Steve Draper stated that for the most part they are talking about a gas station and he doesn't see reason why that would warrant a two story building. There are guidelines of how they would like the buildings to look in that area and if they have a two story building that would house offices upstairs and fits in with the rest of the Town Center then that could be discussed. Steve questioned about the impact it would have on the surrounding residential neighborhoods. Some of the things the commission would be looking for would be answers on lighting and how does it fit in with the Town Center theme of being pedestrian friendly with a walk about residential feel.

John Rhinehart commented that in part the reason they requested this work session was to get a feel from the commission if this kind of development would be something the city would be interested in seeing be developed. They wanted to get a feel for what would be allowed and preferred before they got going with an architect and engineer.

Steve Draper stated that he feels that it would look very industrial. He recalls in a previous meeting, it had been suggested that this development be better served being located by the Water Company property off 11000 North. Steve stated that they had recently been discussing a Jiffy Lube and a new car wash that would be on the intersection of 11000 North and the Alpine Hwy. Steve had a concern as to the amount of earlier proposals of car washes and lube centers and the need for more than what had already been proposed. The commission wants any business that comes to Highland to be successful and felt that they wanted the applicant to be aware of what had previously been proposed and possibly already be established at the time of their application.

Jennifer Tucker questioned about the size and the type of the car wash they would be proposing.

Her concern would be how it would blend in with the surrounding neighborhood and the overall impact that it would have to the residents in the existing area.

John Rhinehart stated it would be similar to the Super Sonic in Orem. It would have the full service appeal for gas, car wash, vacuums etc.

Larry Mendenhall suggested that it would be helpful to see a site plan of the proposal. The development sounds fluid at this time. He would like to see the site plan to include a lighting plan. Larry continued to state that it sounds too industrial and not enough commercial. He also mentioned that he would not be in favor of the standard canopy that he sees on most of the site that they own locally. The exterior look of the building would also have to fit in with the look of the surrounding area. His main concern is how they would plan to mitigate the impact of a the neighborhoods surrounding this proposal.

Steve Draper stated that he would have to agree with Larry in that they would need to see more than the rough look of the property. He feels that Harts needs to come to the commission with a site plan giving the commission all the information they need to make a proper decision. He also stated he is opposed to that location for the Harts development.

Larry Mendenhall suggested the possibility of selling that property in order to develop something that would fit better in that piece, and build a proposed Harts over in the location of the Water Company property.

Discussion ensued.

Steve Draper reiterated the fact that one of the things the commission strives to do is to have the businesses that come into Highland for the benefit of the Highland residents. They are not trying to draw people from surrounding areas, it would be primarily for the citizens of Highland. He feels that a Harts would fit into Highland and when they have a site plan and idea of how they would mitigate some of the concerns that had been discussed they would be happy to discuss them at that time.

Regular Scheduled Meeting

Item 1: Ivory Home - Conditional Use Permit & Public Hearing

Steve Draper invited the applicant to address the commission and state what it is they are proposing. Steve continued by opening the public hearing to allow any public comment following the presentation of the applicant.

Brad Makey of Ivory Homes stated that they would like to propose having a model home on lot 4 in the Highland Park Subdivision. This is an existing home, construction it almost done and they would like to convert it into a Model Home. Brad continued to describe the look of the

home and stated that they had not objections to the model home conditions as stated by the ordinance.

Stephanie Jones inquired as to the hours of operation, how many days of the week they would be open and what would be the duration of this being a model home.

Brad Mackey stated that the city dictates the hours which would be from 7am to 9pm. They propose being open every day with the exception of Sunday. The ordinance states that it is not to exceed two years.

Stephanie Jones stated that she had a concern with the impact of traffic on the access street of 6220 West. She feels that there is not a lot of access into the subdivision, it is at the far end and there are 3 small streets that would be traveled in order to get to the model home. She has lived by a model home before and there is considerable amount of traffic especially on weekends. In addition to a the model home traffic there is also a new church that is being built in that area. She feels that two years is to long for a model home based on the number of lots.

A Highland resident stated that he feels there should be a stipulation that when 8 out of the 9 lots are sold, the home no longer be able to be used as a model home. He also had a concern with the amount of signs that would be allowed .

Steve Draper stated hearing no further comments, he closed the public hearing and brought the discussion back to commission.

Jennifer Tucker stated that she is also concerned regarding the model home being there for 2 years in relation to the number of lots. She is also concerned with the lack of access to this area and the impact it would have on the neighborhood.

Brad Mackey stated that this model home would be mainly for this subdivision, it will fill a void for the Dry Creek Highlands Subdivision until the model in that area is finished which is about 4 months away.

Mike Walch stated his concerned is that the lot is at the end of a cud-de sac and on the off street parking that would be needed to accommodate this use. He feels that this lot is not a good location for this kind of use.

Brad Mackey stated that this lot was chosen due to the home being near completion. He feels this would be a short term model home. Brad suggested the possibility of using a vacant lot adjacent to this lot for extra parking.

Discussion ensued.

Larry Mendenhall inquired about what type of lighting they would be proposing.

Brad Mackey stated that usually the garage lights are either coach lights or recessed lighting. They will have one light on the sign and occasionally some low voltage landscaping lights.

Steve Draper read from the development code 3-4108 14, e and f, as to the what is allowed for lighting and signage and the hours allowed for that use.

Motion by Larry Mendenhall, Planning Commission recommends City Council approve a conditional use permit for a model home to be located on lot 4 of the Highland Park Subdivision for Ivory Homes based on the following conditions, 1) At the pulling of building permit for the 7th lot in that subdivision this conditional use permit will then expire, 2) Developer to provide any additional parking needed, on one of the adjoining vacant lots. 3) Developer adhere to the lighting restrictions and comply with all model home and sign ordinances.

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

Item 2: Steve Harris Model Home - Conditional Use Permit & Public Hearing

Steve Draper invited applicant to address the commission and explain what it is he would like to propose.

Steve Harris stated that he had a contract to build this home and after construction had begun the applicant backed out and he is left to sell the home. Since it has not yet been sold he would like to convert it into a model home in the hopes to sell it faster.

Steve Draper opened the public hearing, hearing no comments Steve closed the public hearing and brought the discussion back to the commission. Steve commented that the applicant has heard it stated that he is in violation of the ordinance that does not allow for banners and signs.

Discussion ensued.

Brian Braithwaite inquired if the ordinance was identifying homes and lots as in plural or can this conditional use be given to a single individual trying to sell their home. It is his understanding that the intent of a model home is to help a contractor sell lots and homes within a subdivision and the city ordinance has allowed it to go beyond a subdivision and confined it to the city.

Barry Edwards stated that Brian Braithwaite was correct that the ordinance does state plural not singular.

Steve Draper quoted from the model home ordinance.

Steve Harris stated that he has no other lots in this subdivision, but does own more lots in other areas of Highland that this home would also help to market those lots. He is currently building on 3 or 4 lots in the Highland City boundaries.

Motion by Larry Mendenhall, Planning Commission recommends City Council approve a conditional use permit for a model home to be located on lot 2 of the Avonmore Subdivision for Steve Harris with the following conditions, 1) Comply with all applicable city ordinances 2) The current signage that is outside the purview of the city ordinance be removed immediately. Based on the finding of fact that this home is currently being used for the purpose of a model home, the 2 year model home provision will begin on June 24, 2003.

Second Mike Walch.

Unanimous vote, motion carried.

Item 3: Lyman Butler Property at 6400 West

Barry Edwards stated that they were not fully prepared and requested that this item be continued.

Steve Draper stated that this item would be continued.

Item 4: Code Amendments - Review and Recommendation

a - Construction Parking and Mud Tracking

Lonnie Crowell stated that there had been a concern voiced by Jay Haws, City Building Inspector, regarding the amount of dirt and mud that is being tracked into the city streets. With the warming of the weather they feel that this issue needs to be addressed.

Discussion and amendments ensued.

Motion by Brian Braithwaite, Planning Commission recommend City Council grant approval to the code amendment for Construction Parking and Mud Tracking as proposed.

Second by Mike Walch

Unanimous vote, motion carried.

b - Landscaping

Lonnie Crowell stated that there had been a concern voiced by Lloyd Hansen, Public Works Director, on accepting existing trees and other vegetation types from developers in newly proposed subdivisions. Some of the large trees that have been dedicated to the City have been in

poor condition. This amendment would assist in resolving this concern.

Motion by Brian Braithwaite, Planning Commission recommend City Council grant approval to the code amendment of section 5-8-108 for Landscaping as proposed.

Second by Mike Walch

Unanimous vote, motion carried.

Item 5: Discussion of Work Session Dates with City Council regarding the corner of 11000 No./Alpine Hwy.

Barry Edwards stated that the City Council would like to sit down with the Planning Commission to discuss the north west corner of 11000 North and the Alpine Hwy. The City Council would like the Planning Commission to propose a date when that could take place.

Gwyn Franson suggested that it could be done before a regularly scheduled planning meeting night so not to take up to much of the commissions time.

Steve Draper stated that he feels that could work and scheduled the joint work session with City Council for Tuesday February 24, 2004 at 6:00p.m., for the purpose of discussing the corner of 11000 North and the Alpine Hwy.

Item 6: Appointment of Planning Commission Pro-Tem & Architectural Review Board Representatives

Steve Draper stated that with the recent elections the Planning Commission lost two of it's members one of which was Glen Vawdrey who was the chairman pro-tem. In his absence the pro-temp would then act as chairman and conduct the meeting. There is a need to replace the pro-tem on this commission which is done by election and nomination. Steve then opened the nominations.

Motion by Brian Braithwaite, recommending Mike Walch as the Planning Commission Pre-tem.

Motion by Larry Mendenhall to cease nominations.

Unanimous vote, motion carried.

Steve Draper stated that there is an Architectural Review Board in which there had been a lack of commissioners to participate. There needs to be at least 2 representatives from the Planning Commission to participate in those meetings.

Discussion ensued.

Steve Draper stated that he would like to appoint Commissioner Bryce Flanary to the Architectural Review Board.

Brian Braithwaite stated that he would be willing to participate on the Architectural Review Board.

Steve Draper confirmed the appointment of Commissioner Bryce Flanary and Commissioner Brian Braithwaite to the Architectural Review Board.

Item 7: Approval of the meeting minutes for January 13, 2004

Motion by Mike Walch, Planning Commission approve the meeting minutes for January 13, 2004 as amended.

**Second by Brian Braithwaite.
Unanimous vote, motion carried.**

Approval of the meeting minutes for the Work Session of January 17, 2004

Motion by Larry Mendenhall, Planning Commission approve the meeting minutes for the Work Session for January 17, 2004 as amended.

**Second by Brian Braithwaite.
Unanimous vote, motion carried.**

Meeting adjourned at 8:09 pm.