

Highland City Planning Commission

June 8, 2004

Present:

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

City Council: Gwyn Franson
City Engineer: Matt Shipp
City Administrator: Barry Edwards
City Asst. Zoning Admin: Lonnie Crowell
Secretary: Aubrey Bevan

Visitors: Chris Dalley, Gary Cooper, Jerry Hatch, Todd Day, Mayor Adamson, Michael Cooper, Jim Huggard

Meeting convened at 7:03
Prayer given by Aubrey Bevan
Pledge given by Scott Andrus

Item 1: Jim Huggard Property - Concept

Jim Huggard stated Larry Lindstrom is developing Stice Acres, to the west of him, and he thought it would be a good idea to develop his land and get it done at the same time as Stice Acres, that way they can get curb and gutter around the corner of 10400 N and 6800 W. Jim stated, he understands the city doesn't like driveway access on main roads, so they are trying to come up with a way to have an inner road for driveways but they might have to have the driveways on 10400 N. Jim would still keep his driveway on 6800 W. Jim stated the lots wouldn't be very deep and the sketch presented probably isn't exactly how they would like it, but it is a rough sketch.

Steve Draper stated that all the lots have to be 30,000 sq. ft or larger if there are less than four lots, which there are, the staff came up with some ideas on how they could arrange the lots to allow for the 30,000 sq. ft. Barry stated they could shuffle the lots around a few different ways to make it work for the density. Jim stated it might not even be doable at this time, especially since Jim is not willing to move his detached garage. Jim stated he would run it by his engineer and see

what he can do about it, but he doesn't think it will be too promising. Jim stated he doesn't plan on putting a sidewalk in without developing the land.

Steve stated the fence would have to be removed on the north side. Steve also stated Jim might want to consider a cul-de-sac. Jim stated a cul-de-sac may be something they would be interested in. Mike stated he thought there should be a shared access point for lots 1 and 2.

Brian stated there is a park strip along 10400 N. on the north side of the road and he feels it should match on the south side of the road. Jim doesn't feel it is very logical to have the meandering sidewalk. Barry stated they generally don't do the meandering sidewalk in the front of a house.

Barry is very confident that four lots would fit around the house and then they would be able to keep lot one under 30,000 sq. ft. and he could just not sell the middle lot for his garage and animal rights.

Discussion ensued.

Barry stated they would have a 5' sidewalk in front of the houses on 10400 N. Barry stated they could end up with only two driveways. Jim stated he will have Ed Gifford, his engineer, come talk to Barry to determine the best way to develop the ground.

Item 2: Cedar Hollow Addition - Preliminary

Gary Cooper stated he made an outline of what they want to do. He stated there are two pieces of property that are in question of who the owner is. He stated on parcel 1, he is in the middle of a lawsuit concerning the ownership of the land. Gary presented a document that stated he is the representer of the property. He presented another piece that showed another right-of-way, which is his.

Discussion ensued.

Steve stated, with this information, they will just have to take it for face value, but they do not have to the right to say Gary does or doesn't own the property. Barry stated they cannot digest this at this meeting and it will have to be sorted out with the attorney's. He also stated they won't record a subdivision with this kind of documentation. Barry stated from his standpoint, he wouldn't sign the plat until David Church looks at it and says it was all legal and good.

Gary stated he needs to get the information provided to David Church so they can get this worked out. Steve stated, even though, they have members on the commission with a legal background, they will still have to have the city attorney review the information.

Discussion ensued.

Gary stated moving the road on the north side of the Lether property would not make much of a difference than the way he presented previously. Gary stated he cannot and will not work with Lether and if she wins the lawsuit she can do exactly what he is proposing.

Gary stated his engineer drew the plats to meet all the standards. He stated he would like to make lots 15, 16, and 17 match lots 1, 2, and 3. He also stated he has no problems keeping lots 4 and 14 in Highland. He stated he doesn't feel they should have to put a grinder pump in any of the lots for the sewer. He stated the surveyors said there is no other way to do it except for the way he has proposed.

Gary stated lots 5 and 6 would have to be annexed whether he wins the lawsuit or Lether wins the lawsuit. Steve stated, of the eight lots, he has three lots that are under 30,000 sq. ft. He stated a simple adjustment to the property line would fix that problem.

Steve stated he can't give an approval based on an "if." Steve stated they can't give preliminary approval if he ends up deannexing into Lehi. Barry stated they will not split a road with another city, which is what Gary would like to do. Steve stated with this plat will not qualify without lots 5 and 6 not being annexed into Highland.

Barry stated if Lehi wants to sewer lots 5 and 6 that would be fine with Highland City. Brian stated if they are going to have Lehi sewer two lots they should just have them sewer four lots. Gary stated he doesn't see why Lehi wouldn't do that.

Jerry Hatch, with Concept Construction, stated he wanted to make the commission aware of the dispute and the county records show Lether as the owner, he also has a preliminary title report showing Lether and the Days as owners of property.

Todd Day stated he has county records showing ownership of his property.

Steve stated until the ownership of the property is resolved, there is nothing the commission will do. Gary stated if they could develop it in two phases then he could get going on the one that he owns.

Gary stated grinder pumps are a big problem when the power goes out because they have to bring in a portable generator to make the pumps work. Steve stated if Lehi is willing to service the sewer at those two lots that would be something the city would be interested in.

Discussion ensued.

Brian stated he would like to see the property's stay in Highland and have Lehi service the sewer. Brian stated if Lehi is not interested in servicing the sewer he would still like to keep those lots in Highland and they would have to use grinder pumps.

Steve stated the big hurdle is the legality of the ownership and it needs to be resolved, if he can't get the whole 26 acres, they can bring it back and develop the 10 acres which he controls.

Motion by Brian Braithwaite, Planning Commission moves to continue to the next meeting, June 22, or until all information required is available.

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

Item 3: Approval of meeting minutes for May 25, 2004 and work session minutes for May 19, 2004

Motion by Brian Braithwaite for the approval of the work session minutes for May 19, 2004 as amended.

**Second by Larry Mendenhall.
Motion carried with Mike Walch abstaining.**

Motion by Brian Braithwaite for the approval of the meeting minutes for May 25, 2004.

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

Meeting adjourned at 8:20.