

# Highland City Planning Commission

## March 22, 2005

### **Present:**

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

City Administrator: Barry Edwards  
City Council: Gwyn Franson  
City Engineer: Matt Shipp  
Secretary: Jennifer Davis

Meeting convened at 7:05 p.m.  
Prayer given by: Mike Walch  
Pledge given by: Trevor Olsen

### **Visitors:**

Chris Dalley, Thelma Smith, Sandy Vernon, Sara Omary, Ali Strong, Rob Clauson, Gayliene Omary, Nick Omary, Ben Harris, Steve Harris, Sabrina Brunsdale, Trevor Olsen, Tracy Lewis, Kaye Nally, Neil Kunz, Paula Soderstrom, Grant Herron, Lauren Mortensen, Jared Stoddard, Jenna Garrett, Tom Holdman, Christie Dalley, Denise Salmond, Craig Salmond, David Stoddard, Jim Smith, Dawn Smith, Andrea Powell, Kevin Birrell, Colby Birrell, Jay Stephens, Glade Tuckett, Glade Gimmow, Jason Neubert, Steve King, Jacqui Howden, LaRell Stephens, KW Olson, Bobette Olson, Corey Johnson, and Christopher Howden.

### **Item 1: View Point Pump Station - Conditional Use Permit & Public Hearing**

Steve Draper stated that the proposed permit will aid in the supply of water to the 102-103 lots that will be developed. Steve opened the public hearing, with no response from the audience, Steve closed that public hearing. Steve discussed the building CMU block stating that it will go well with the standing Public Works building. Steve also recommended that the roof be reconsidered as a metal roof for the pump station and that white doors and white trim was also to be used to match the Public Works building.

A representative for the View Point Pump Station commented that the catch basin in the back is meant to be a blow off for the pump station to be utilized during an emergency situation. The catch basin does drain out into the AF irrigation ditch. The grading will be made to be such that it will not contaminate the river. Sound insulation has not been

planned for at this time. The motors are small so noise should not be an issue with the surrounding environment. He continued to state that the Council could reserves the right to review if noise becomes a problem in the future. The gen set and transformer will be placed as required. UP&L has given information that they would like the transformer to be within 50 ft of the building. Granite construction will be providing a landscaping plan for the pump station that will match with the Public Works Building landscaping. The representative said there are no plans for fencing at this time.

Steve Draper stated that for security and safety reasons, the need for a fence needs should be re-addressed. The commission was told by the representative that there is a security system that would be sounded if there was an intrusion. Barry Edwards commented that this is located on property that may be utilized in the future that a fence might inhibit the future plans. Barry also stated that Highland City has a similar building located on SR 92 that has not had any problems with intrusions. Steve Draper commented that The City Council may suggest that there would be a fence installed and the Planning Commission would support the City Council if they were to recommend a fence.

**Motion by Mike Walch, Planning Commission recommends City Council approve the Conditional Use Permit for the View Point Pump House subject to the conditions outlined in staff report. Mike continued to motion that there be a modification made to condition 3 and accept the standard regarding the dust and mud prevention plan, and provide a landscaping plan.**

**Seconded by Larry Mendenhall.  
All in favor with Brian Braithwaite abstained.  
Motion carried.**

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

Steve Draper stated that the proposed permit will allow Steve Harris to use the home presently under construction as a Model Home. Steve Draper opened the public hearing.

Karen Smith is a resident directly across the street from the proposed model home stating that this is an established neighborhood. There are many children in the neighborhood, that they have changed the bus stop for the children previously. Karen also stated her concern for the traffic and for the potential for turn around in her driveway and others. Karen also stated that there was a level of deception in gaining this lot to be used as a model home, instead of being built as a spec home. She again affirmed her concern for children. She brought letters, and a petition against this proposed home.

Jim Smith, Becca Nixon, and Lon Nally also live on the same street. Each stood to state that they support Mrs. Smith regarding this issue. Comments included their concern that this was this was an eleventh hour process, said that this should not be the standard. They also mention concern for this street that only has 2 accesses. Mrs. Nixon talked

about her children who play in the back yard which is connected to this model home.

Hearing no further comments Steve Draper closed the public hearing. Steve stated that he would have to agree with many of the comments stated by the neighbors. Steve stated that the Planning Commission was also unaware of Mr. Harris' intent for this to be a model home until this application before the commission, and safety is a concern for the commission. Steve's comments also included that traffic at any model home, at any given time is limited, but he also agrees that it is a narrow road.

Steve Harris expressed that there has been no deception. Steve shared information regarding his current model home. Steve stated that he is committed to being a good neighbor.

Steve Draper reviewed the ordinance pertaining to model homes, to include no on street parking is allowed. Mr. Harris must provide for off street parking. Steve also informed the residents that this is a conditional use permit. Conditions can be imposed if necessary to regulate items that go beyond that of the ordinances.

Steve Draper stated that he does not feel that the Planning Commission can deny this request for a model home based on what Steve Harris has presented. Discussion continued regarding the potential for model home customers to turn around in the driveways of resident.

**Motion by Brian Braithwaite, Planning Commission recommends City Council grant a Conditional Use Permit for a model home for Steve Harris subject to following conditions; 1) Allowance for one model home in the City of Highland at a time. 2) Signage to include information of "No parking on the public street", and to inform customers to park in the driveway, and 3) Limited to 2 employees at any time and all other conditions indicated in the conditional uses ordinance 3-4108.**

**Seconded by Mike Walch, with a proposal to change the motion subject to condition 3 of the staff report. Requesting to obtain a letter from the Architectural Review Committee, or the Home Owners Association showing there are no such bodies in place or that Mr. Harris is in compliance with these bodies.**

**Larry Mendenhall opposed. Remaining commissioners voted in favor. Motion carried.**

**Item 3: Highland Hollow - Sketch Plan Approval & Matrix Review and Recommendation**

Steve Draper stated that there are two actions that they need to review and approved, the matrix and the sketch plan.

Steve Draper shared information with the commission regarding his scoring of 80 points. He stated that this matrix still falls within the scale to approve.

**Motion by Jennifer Tucker, Planning Commission recommends City Council approve the Matrix for the Highland Hollow Subdivision based on a score of 80 points.**

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

Barry Edwards stated that this is one of the few developments that have come through with all the requirements. Changes had been made and accommodations in place that would allow for larger homes to be built on these lots. With the open space requirements, the proposed trail will continue with an underpass, and eventually will connect to Draper. Barry states that this is a good partnership with current open space and with future open space.

Steve Draper commented his concern regarding some of the grading that would take place. He also expressed concerns about the roads that would be cut into the area for the sake of putting in more homes.

Tracy Lewis commented about a row of trees that serves as a windbreak and questions whether they would be removed. Barry Edwards stated that the trees would be preserved and are included in the sketch plan. There may be a need to remove the trees in the future if the road is improved and widened. Steve Draper affirms that the city is interested in preserving these trees as well.

**Motion by Brian Braithwaite, Planning Commission grants Sketch Plan Approval for the Highland Hollow Subdivision.**

**Seconded by Bryce Flanary.  
Unanimous vote, motion carried.**

**Item 4: Dry Creek Highlands Phases 4 & 5 - -Request for extension of Preliminary Approval**

Cory Johnson, Project Manager with Ivory Homes explains that Ivory Homes is requesting this extension because of the need to acquire water.

**Motion by Brian Braithwaite, Planning Commission grants a six month extension of the Preliminary Approval to Dry Creek Highlands Phases 4 & 5.**

**Seconded by Larry Mendenhall.  
All in favor, Steve Draper abstained.  
Motion carried.**

**Item 5: Tom Holdman/Rob Clauson - Petition for General Plan & Zoning Map Amendment - Review and Recommendation**

Rob Clauson presented information regarding the proposal of the property owned by Tom Holdman and two other individuals. Steve Draper reviewed staff concerns which include that this is an area that would support such a change. The adjacent residences include both ½ and 1 acre lots. The general plan also shows Town Center has an overlay onto the proposed property, and would not want this zoning to be applied in the development.

Rob Clauson described the development would include a park by lot 3, and would minimize the number of lots to be developed. Rob explained that the three phases are owned by 3 separate individuals. **Mike Walch states his concerns for the lot sizes located on the east side.** Rob stated there would not be an improvement if a lot was removed. It would create a long lot, not one that is square, which would be more desirable. This proposal would include a trail that will connect to 10400 North. Steve Draper inquired regarding access to the trail from the development. **Staff commented** that without removing frontages, there could be an easement on two lots that would allow for access to the trail by residents.

Jay Stephens, a property owner to the south east of the proposed development. He just wanted to make sure that there is a public easement established, on the area that runs between the proposed property and 10400 North. He also wanted to remind the commission that it currently is used as a bridal path.

Craig Salmond expressed his concern regarding his property that will be adjacent to the proposed development. His concern is over the ability to replace his current 6 ft fence with a solid fence without having to move the fence back 20 ft. He also request that a road not be developed across his back yard. Barry Edwards clarified this by explaining that fences placed along an open space, requires that fences are constructed to a 4 ft height max. Steve Draper commented that this is something that would be discussed at the preliminary meetings, but not necessarily here at the review and recommendation. .

Paula Soderstrom inquired regarding size of the lots. Rob Clauson responded that the average size of lots would be 1/2 acre. She also stated her concern for a change of zoning for large animal rights. Steve Draper reaffirmed that there would not be a change of zoning that would require removal of large animals.

**Motion by Bryce Flanary, Planning Commission recommends City Council grant the Petition to amend the General Plan & Zoning Map subject to all conditions by Staff and Planning Commission recommendations.**

**Seconded by Jennifer Tucker.**

**Jennifer Tucker, Steve Draper and Bryce Flanary voted in favor.**

**Mike Walch, Larry Mendenhall and Brian Braithwaite voted to oppose the recommendation.**

**Motion failed.**

Mike Walch, Larry Mendenhall and Brian Braithwaite stated their concern for subdividing these lots to less than 1 acre per lot. Mike mentioned that he wanted to uphold that which Highland is known for, the 1 acre lots. Discussion continued regarding this concern.

Steve Draper commented on the impact of the lots to the east, and that it fits well into the area. Provisions are such that the approval here would not be approving the plan that is proposed, but to change the zoning. The planning for lots could still be changed with recommendations. Jennifer Tucker shared comments about what she observed while driving through this area that this plan would be conducive to 1/2 acre lots. Discussion ensues regarding the size of lots.

Tom Holdman commented regarding the purchase of his property years ago. Stating that he currently has a business located on his property, and developing this property will enable this business to be moved from the property.

Steve Draper called for another motion stating that if no motion is determined at this meeting, it would be passed onto the City Council as an affirmative action in 30 days.

**Motion by Bryce Flanary, Planning Commission recommends City Council grant the Petition to amend the General Plan & Zoning Map subject to all conditions by Staff and Planning Commission recommendations.**

**Seconded by Jennifer Tucker.**

**Jennifer Tucker, Steve Draper and Bryce Flanary vote in favor.**

**Mike Walch, Larry Mendenhall and Brian Braithwaite vote to oppose the recommendation.**

**Motion failed.**

Steve Draper stated that if the Planning Commission does not make a recommendation **within 30 days, it will automatically become an affirmative recommendation to the City Council**

**The commission discussed the 30 day period before it is to be passed along to the City Council.**

**Item 6: Jiffy Lube/Car Wash Monument Sign - Architectural Approval**

Jason Neubert stated that he would be representing YESCO for the proposal of a sign at the Jiffy Lube/Car wash located at 5400 West and 11000 North.

Bryce Flanary commented on the construction of the proposed sign and suggests that the proposal for the sign include more stonework that would tie it into the surrounding areas. Bryce Flanary and Jennifer Tucker commented regarding the signage at the Wells Fargo

bank across the street and how they have worked to soften the sign across the street by enclosing it in stone, similar to surrounding building. Mike Walch also suggests that the architectural details be carried through on the signage.

Barry Edwards commented that the building is engineered to display signs upon the building and there is no need for a monument sign. Mayor Adamson also agreed, and stated that it would be redundant because of the signage that would be placed upon the building. Steve Draper concurred with the comments made by Barry Edwards and Mayor Adamson. Steve Draper also pointed out that current landscaping plans will not allow for signage to be placed as proposed. Steve also feels that because of the accommodation made to allow for signage on the building, he does not see a need for a monument sign. If there was a need for signage for the car wash, Steve would recommend that signage be placed together with the Chevron sign already existing.

**Motion by Larry Mendenhall, Planning Commission denies the application for the Jiffy Lube/Car Wash Monument Sign. It also does not fit the ordinances outlined in section 2-5. The AAHSTO Standards regarding the placement of the sign would not allow for it due to the proximity of the intersection.**

**Seconded by Mike Walch.  
All in favor, Bryce Flanary abstained  
Motion carried.**

**Item 7: Approval of meeting minutes for February 8, 2005**

**Motion by Mike Walch, Planning Commission grants approval for meeting minutes for February 8, 2005 as amended.**

**Second by: Jennifer Tucker**

**Steve, Jennifer, Larry, Brian, and Mike voted in favor. Bryce abstained from the vote.**

**Motion carried.**

Meeting adjourned at 9:50 pm.