

Highland City Planning Commission

March 23, 2004

Present:

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

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

Visitors: Chris Dalley, Kelsey Moe, Stuart Combs, Philip Bassett, Jake Serdar, Mandy Loader, Jacob Combs, Nathan Peacock, Carmen Bosen, Steve King, Danielle Leavitt, Larry Lindstrom, Bill Fergeusen, Scott Stevens, Zac Carter, Dale Triptow, Kristin Andersen, Mike Powell, Steve Fuller, Heber Fuller, Brian Boulter, Roger Rigby, Doug Harris, Soren Simonsen, Gordon Croft, Debbie Maughan, Rachel Bradshaw

Meeting convened at 7:08
Prayer given by: Mike Walch
Pledge given by: Brian Braithwaite

Item 1: Clair Bosen, Art Gallery - Conditional Use Permit & Public Hearing

Steve Draper invited the applicant to come forward. Steve asked the applicant where they would be located. Carmen Bosen approached the commission, stating the location is up in the air. They are working with Westfield for a space in the Lone Peak Shopping complex. Carmen stated that it would be an art gallery, where they would sell and display art and would possibly sell gifts.

Steve opened the public hearing.

Having no public comment, Steve closed the hearing.

Another applicant from Westfield Properties stated they would like to put them in the new building in the Town Center, but they may shift some tenants in the Shopping Center until the new building is built. Steve stated there is a bit of a difference between an art gallery and a gift

shop. Carmen stated they would sell a few gifts pertaining to art and that it is still up in the air, they may or may not choose to sell gifts.

Steve asked how many employees they would have and when they would be open. Carmen stated they would have approximately three employees and they would probably be open from 10 to 6, closed Sunday and possibly Monday.

Brian asked about their facility in Alpine. Carmen stated it was more of an office. They would like a gallery here where they could display and sell art.

Barry stated it would be in a C-1 zone and selling would not be permitted. Mike asked about the square footage. Carmen stated it would be about 2000 sq. ft. Bryce asked about teaching classes there and Carmen said that is not something they are doing now, but is something they might think about doing in the future. Larry stated they would have to be sure they are familiar with the sign ordinances.

Motion by Larry Mendenhall, Planning Commission approves the conditional use permit for the art gallery and recommends the City Council review and approve the art gallery for conditional use, subject to staff and Planning Commission recommendations with a temporary location to be determined before going to City Council and a permanent location to be determined at a later date. Noting also, when they move to their permanent location they would have to get another conditional use permit, considering a conditional use permit is site specific.

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

Item 2: Highland Village Phase II - Concept

Steve invited the applicant to come forward. Rick Carlton presented the commission with packets of color versions of what they have already seen. Rick stated they designed elevation B, being single story, with the idea that the tenants would possibly be a little older. Rick stated he felt they could work with the city on everything, except if they can't have as many units as they have proposed they will not be able to pay for it.

Steve asked Rick what the density is. Rick stated it is approximately 3.4, however the permitted density is 2.5. Steve stated the zone would have to change to allow what he is proposing. Steve stated at this time he thinks there should be a meeting with the City Council and Planning Commission to make sure they still know what they would like in the Town Center, especially since there are new council and commission members.

Brian stated he thought the concept of having these homes as a transition from residential to commercial is a good idea, but he also agrees they need to meet with the council and make sure everyone is on the same page.

Steve stated they would like to push the issue with the council and get a work session set up so they can continue with this process. Bryce mentioned he saw another complex similar to the one Rick is proposing and thought it looked great, but also agreed they need to meet with the council before making any decisions.

Rick asked if he would be invited to the work session, Steve stated he would be welcome when it occurs and that Rick would be informed of when that would be.

Item 3: Stice Acres - Preliminary

Steve invited the applicant to come forward. Steve asked the applicant if he had a chance to review the staff comments. Larry Lindstrom stated he was able to get a letter from the irrigation company stating they would kill the ditch on the north side of the property and they would design the ditch on the west side. Larry Lindstrom stated the biggest area they had concerns is with the Huggard property on the corner. Larry Lindstrom stated he is all for helping with the sidewalk, curb, gutter, and street, even for the Huggard property, but he would not like to be the one to have to collect from Mr. Huggard for the improvements he makes.

Steve stated he felt the easiest thing for Larry Lindstrom would be for Larry to try and work with Mr. Huggard on the sidewalk, etc. and if there become issues or problems then the city would step in and help.

Discussion ensued.

Steve stated he would not like to see Stice Acres held up because of this problem with Huggard. Barry stated maybe a good thing to do would be to have the applicant wrap the sidewalk around the corner and put in an asphalt sidewalk along the Huggard property.

Discussion ensued.

Motion by Brian Braithwaite, Planning Commission grants preliminary approval for Stice Acres Estates, subject to all conditions and comments by the Planning Commission and staff with the following conditions altered, 1) number two be changed to identify just Stice Acre Estates, 2) number three to show the letter from the irrigation company to fill the ditch on the north side of property and the ditch on the west side be piped according to the irrigation company, 3) number six be resolved during final approval with City Council, 4) any other past or future comments from the Planning Commission or staff.

Second by, Larry Mendenhall.

Unanimous, motion carried.

Item 4: Crimson Oaks (Fuller) - Preliminary

Steve Draper asked Steve Fuller if he had a chance to review the comments. Steve Fuller had no problems with the comments. Barry stated he thought they should state on the plat which way the house should face on lot 12. Barry felt it should front 9850 North with the driveway coming from the west. Brian suggested they state somewhere on the plat that no house can have driveway access from 9850 N.

Mike stated he felt the only way to resolve the issue with the three sided lot would be to have two cul-de-sac's and then there would be two access's onto 9850 N, which should be avoided. Jennifer didn't feel there would be any problems with a three sided lot, they would just have to make sure they meet the setback requirements.

Steve Fuller stated the LaPray's were granted one driveway access onto 9850 N. If they choose to take advantage of that, Steve Fuller thinks lot 12 would be the best lot for the access.

Discussion ensued.

Steve Fuller also stated he would be meeting with the American Fork Irrigation Company in two weeks so they could vacate the irrigation ditch running through lots seven through ten.

Motion by Mike Walch, Planning Commission grant preliminary approval of Crimson Oaks subject to the following conditions, 1) the cul-de-sac length in excess 600 ft. is appropriate for this subdivision, 2) noting on plat condition number two that we request the home on lot twelve to face south with a west loading driveway, 3) there will not be any driveway access onto 9850 N. for lots 1, 3, 4, 5, 6, 11 and lots 1, 2, and 3 will be required to access from 5800 W., 4) before final approval, the applicant must provide evidence that the ditch will be vacated or piped on lots seven through ten.

Second by, Larry Mendenhall.

Unanimous, motion carried.

Item 5: Chamberry Fields (Croft) - Final

Steve invited the applicant to bring the commission up to date. Gordon Croft stated he thought there was a mis-communication on what the commission really wanted. They were unaware they had to get the subdivision approved all at once. Barry stated they can get phasing after the final approval with the City Council.

Gordon referred to the staff comments. He stated number five is dealing with a power easement as part of the open space. Gordon stated the easement is not something they can develop. Lonnie stated because of the ordinance, they have to spend 20%, but he didn't think the easement is part of the open space. Steve stated they are going to just eliminate item number five.

Discussion ensued.

Gordon asked how much detail the commission would like for the play area. Steve stated they want it very detailed.

Discussion ensued.

Steve stated Lonnie added an item number eight stating Evergreen trees would have to be planted along the southern property line to block out the view of the power substation. Steve suggested they have a resolution to the trees before getting final approval from City Council.

Barry stated it is going to be hard to satisfy the county's needs and the needs of the open space subdivision. Steve and Mike felt some things needed to be resolved before they would grant final approval and allow it to go to City Council.

Discussion ensued.

The commission needs to see details on the landscaping, pressurized irrigations plans, etc. before granting final approval.

Discussion ensued.

Steve asked Lonnie to update the action items.

Motion by Mike Walch, Planning Commission moves to continue to the next Planning Commission meeting on April 13th, 2004 until further information is provided.

**Second by Brian Briathwaite.
Unanimous, motion carried.**

Item 6: Wetland Buffer - Discussion

Barry stated the development code requires a 50' setback for a wetland. Barry asked what can be done in the 50' setback. It is understood that a house cannot be constructed in the buffer, but can anything else, like a deck or outbuilding or swimming pool, be built in the buffer zone. This mainly applies to Hidden Pond.

Discussion ensued.

Steve stated they never specified the limitations. Lonnie stated a 4' fence can be placed along the boundary. Barry stated they would just like a definition of what they can put in the wetland. Barry stated they don't necessarily want to amend the ordinance, Barry and Lonnie really just want it to be defined for them. Steve suggested continuing the discussion until they have a better chance to see the buffer and decide from there.

Motion by Brian Braithwaite, to continue until further information can be gathered by the Planning Commission.

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

Item 7: Approval of meeting minutes for March 9, 2004

Motion by Brian Braithwaite, to approve the meeting minutes for March 9, 2004.

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

Adjourn at 9:00.