

Highland City Planning Commission

March 9, 2004

Present:

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

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

Visitors: Chris Dalley, Ken Briggs, LeRoy Page, Cary Dunn, Steven Maddox, Keith Joseph, James Page, Robert Adams, Harvey Johnson, Juanita Johnson, Dave Fairbanks, Jess Adamson

Meeting convened at 7:02 p.m.
Prayer given by: Boyd Wilson
Pledge given by: Jennifer Tucker

Item 1: Greens at the Highlands - Revised Final

Steven Draper welcomed Ken Briggs. Ken Briggs introduced the background of his current situation. He explained their need for a piece of property owned by the State for the golf course. Barry informed Ken of Highland City's desire to bid on the piece of property, Barry offered not to bid on the property if it could be given to the city after Ken bought it. One of the requirements by Highland City was that certain pieces of land and an easement would be given by Ken. The county recorded the plat and it showed that Cedar Hills owned the property. Cedar Hills gave the property back, but would not give the easement back.

Boyd came up with the solution that they would just make Mr. Page's three lots a part of the Greens at the Highlands. If they are not able to make these lots part of the Greens at the Highlands, they would have to make the lots bigger.

Ken explained that one of the agreements was that the City of Highland would get free golf passes. Later on the company who promised that went broke and Cedar Hills took over the golf course and in turn wouldn't give free golf passes to the City of Highland. Ken stated that he personally offered Barry four golf course passes that he had, which are passes that are good

indefinitely. Ken stated they have complied with the other provisions of the subdivision and agreements, excluding the golf passes. The city is now in possession.

Discussion ensued.

Steve asked Boyd for his opinions or thoughts on the matter. Boyd stated his concern was if this is considered to be an open space subdivision, even though it has not been recorded as open space. He stated as far as the golf passes go, Barry may have resolved that issue.

Steve questioned Ken about the easement and the option of doing away with it. Boyd stated he thought it was important to keep the easement as an option. Ken stated he doesn't imagine there is any way anyone would be able to get the easement from Cedar Hills.

Discussion ensued.

Steve invited Gwyn Franson to share any thoughts she might have. Gwyn stated she felt the council was agreeable in making these three lots part of the Greens at the Highlands. She stated the frontages were small, but they comply with the bonus density restrictions of that subdivision. Ken mentioned Mr. Page would have the lots engineered and stamped before they are submitted to the city for a building permit, as to the compaction of fill material.

Steve stated he didn't see an problems with granting final approval, giving the Council the privilege of discussing the easement.

Motion by Jennifer Tucker, Planning Commission recommends City Council give final approval for the Greens at the Highlands, plat D, with the following conditions: 1) Staff comments 1, 3, 4, and 5, 2) Previous staff comments and any additional comments.

Second by Larry Mendenhall.

Unanimous vote, motion carried.

Item 2: Highland Hills Estates - Concept

Steve invited the applicant to present Highland Hills Estates. Bill Suvall stated this would be the last phase of Highland Hills with a 2.5 density. He stated he felt good about the recommendations by the city. Steve stated they would be responsible for the improvements, ie. curb and gutter. Bill stated he would like to shift the square footage to accommodate the 24 lots they would like to develop. He had a concern about comment number four, which stated it should be developed without taking from plat C. He stated they would like to give the city the R-1-40, with some flexibility on the lot size.

Steve asked Bill if they have excess open space in plat C. Steve stated he wouldn't like to take anything away from plat C and take away from the value or open space of plat C.

Discussion ensued.

Bill stated the proposal offered 6000 more square feet of open space than was recorded. Steve had concerns about lot 8 with the triple side. Mike and Boyd had a concern about the size of the roads and how they wouldn't comply to the guidelines of the road master plan. Boyd and Steve also discussed having a buffer on 11800 N.

This was a concept item and the applicant was invited back after some revisions for preliminary.

Item 3: 8:00 - Harvey Johnson/Phill Unit - Conditional Use & Public Hearing

Steve invited Robert Adams to present his fuel device. The applicant stated he would like to install a unit that is a natural fuel device at the residence of Harvey Johnson. He described how the device works, stating it is merely a natural fuel device for fueling a natural gas car. Robert explained how the unit is installed and the safety features of the device. He stated it would require a secondary gas meter by Questar.

Steve opened the Public Hearing.

Having no public comment, Steve closed the hearing.

Steve asked who the agencies are that have approved the device. Robert stated American Gas Association has approved it and others. Steve said an approval from the fire marshal, before the device is installed, would be required.

Discussion ensued.

Steve questioned Harvey about where he currently fuels his car. Harvey stated there are a few places in Salt Lake and one in Orem where he can go. Steve was concerned about the fact that it is experimental. He felt it could be a concern to the neighbors being near a device that could malfunction. Robert stated he could get the engineers to provide a video to show how the device works.

Discussion ensued.

Brian stated he felt it is a good idea and could become more common in the future as more people are purchasing natural gas vehicles. He felt as long as the fire marshal is fine with it and it doesn't become a nuisance, he doesn't think there should be a problem. The applicant stated it is really just an appliance.

Discussion ensued.

Larry didn't feel there would be any problem with the installation and he also felt it was just an appliance. He stated we would run the same risk in fueling a barbeque. He felt with the simplicity and the extent of the safeguards, he doesn't think there would be any problems.

Motion by Mike Walch, Planning Commission recommends City Council grant a conditional use based on the finding fact the fuel unit functions as a home appliance accessory to residential use. With the following conditions 1) The fueling apparatus be installed in an enclosed garage, 2) Notice be given to the city if there are any leaks or any other problems that could be a safety issue, 3) An approval from the fire marshal be provided before it goes to city council, 4) It is exclusive to the use of Mr. Harvey Johnson.

Second by Brian Braithwaite.

All in favor with Steven Draper opposing, motion carried.

Item 4: 8:15 - Jiffy Lube -
a - Conditional Use & Public Hearing
b - Architectural Approval

a- Steve opened the Public Hearing.

Dave Fairchild requested they install an 8' fence rather than a 6' fence. He also wondered about having another car wash on the same corner. Steve stated the car wash will be owned by Kountry Korner, not the Jiffy Lube and would have to be discussed at the time of the car wash conditional use. Steve stated they wouldn't promise the fence would be 8' on his side, but that it would be even all the way across to match the fence on the Kountry Korner property. The resident stated he didn't want a Jiffy Lube coming in and he wants a fence that will block them completely out.

Discussion ensued.

No other comment was heard. Steve closed the Public Hearing.

Steve invited Cary Dunn to go through the staff comments for the commission. Cary stated he gave a plan of where they would put the 15' pole lights. He stated it would be an attractive lighting. Cary stated they would keep the lights on for about an hour after the closing of the Jiffy Lube. Bryce had a question about the lights and if they would be an issue for the surrounding residents.

Discussion ensued.

Steve questioned again about the lighting and the relativity it has to Wendy's. He felt the pole lighting would give backwash that would cause grief for the neighbors. Steve requested a schematic to show how it would or would not illuminate any residents. Bryce suggested there should be some motion lighting for security. Lonnie suggested they put the lights on the wall, then there would be no chance they would illuminate over the wall into the neighbors backyard.

Steve went through the conditions that the staff outlined.

Steve requested further recommendations from the applicant for property lighting, especially lighting for security purposes. Cary didn't feel the site should ever be completely dark.

Discussion ensued.

Steve suggested having the security lighting on the west side to filter through, rather than on the east side, where residents may be concerned.

Cary questioned the commission about letting them make the lighting issue a part of the Architectural Approval rather than conditional use, so they could be granted their conditional use. Steve stated that would be fine. Gwyn explained that the lighting might get lost in the architecture and it should be kept with the conditional use. Steve stated with that they would keep the lighting as part of the conditional use.

Motion by Brian Braithwaite, to continue until further information on lighting is provided.

Second by Mike Walch.

Unanimous, motion carried.

b- Steve invited the commission to discuss the architecture of the Jiffy Lube. Steve stated he agrees with Lonnie's staff comments completely. Steve felt the roof was a little more vaulted than what he had in mind. The commission agreed they did not like the tower and the long roof line.

Discussion ensued.

It was the commissions consensus that more roof design work was needed.

Motion by Brian Braithwaite, to continue this item until further roof design is presented.

Second by Mike Walch.

Unanimous, motion carried.

Item 5: 8:30 - Kountry Korner Car Wash -
 a - Conditional Use & Public Hearing
 b - Architectural Approval

a- Steve opened the Public Hearing.

Having no public comment, Steve closed the hearing.

Steve presented the staff comments for the car wash. He stated the lighting would be a hold up like the Jiffy Lube.

Motion to by Mike Walch, to continue until further information on lighting is provided.

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

b- The commission discussed architectural options for the car wash.

Steve suggested stucco over block on the south wall, and that signage be located on the wall. Lighting could be mounted on the wall.

Discussion ensued.

Motion by Larry Mendenhall, to continue.

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

Item 6: Cottages at Highland - Concept

Steve Draper invited Steve Maddox to present Cottages at Highland. The applicant stated staff had some recommendations, one eliminating the “yellow” road as shown on an overhead. He stated they would be willing to take a professional route rather than a residential route. The applicant stated he thought it would be a good piece of property to make as a gateway to Highland. He feels it would be better as more of a commercial piece.

Steve Draper questioned Steve Maddox about the open space of his subdivision and how the backyards would be accessible. Steve stated his idea would be that the lots wouldn’t have big backyards to accommodate the potential age of the residents. He wants to build something that would be attractive to the Town Center and will look the same in twenty years as it does the day the Certificate of Occupancy is released.

Discussion ensued.

Steve Draper noted the density of the Town Center overlay is 2.5. The applicant is requesting 5.5. The area being proposed eliminates some pads designated as commercial. The Town Center needs to maintain the original design unless current leadership feels a need to change. This would mean a limit to any additional residential units. In order to proceed with this or any other similar proposals in the Town Center, a new zone would need to be created to allow for additional residential dwellings. A new zone would be needed to allow apartment type dwellings. A code amendment would need to be completed that would not require the commercial street district to be placed along the south side of the western portion of Town

Center Drive.

Steve stated he felt the planning commission would have to meet with the city council again to determine what the city would like for the Town Center. Steve Maddox stated he felt maybe a few more commercial facilities would help the Town Center to succeed.

Steve stated the commission would hold off on the issue until they had a chance to meet with the council. Mike commented he thought the idea of an office condo would be a good transition in that area.

Item 7: Approval of meeting minutes for February 24, 2004

Motion by Mike Walch, Planning Commission approves the meeting minutes for the February 24, 2004 joint work session as amended.

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

Motion by Mike Walch, Planning Commission approves the meeting minutes for the February 24, 2004 as amended.

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

Meeting adjourned at 10:24 p.m.