CALL TO ORDER: Chris Kemp, Chair
- Attendance – Chris Kemp, Chair
- Invocation – Commissioner Tim Ball
- Pledge of Allegiance – Commissioner Jerry Abbott

APPEARANCES:

Time has been set aside for the public to express their ideas, concerns, and comments on non-agenda items. Speakers will be limited to three (3) minutes.

PUBLIC HEARING ITEMS:

1. **PD-19-03** McKay Christensen is requesting approval of a Planned Development (PD) District of approximately 5.80 acres named Apple Creek. The property is located approximately at 5532 W Parkway West Dr. The planned development will include a 36,800 square feet office and commercial space and a maximum of 70 residential units. *Legislative*

2. **TA-19-14** SBGS Ridgeline Holdings is requesting approval to amend Section 3-520 Planned Development District in order to modify the residential recreation requirement. *Legislative*

3. **PP-19-05** Boyer Ridgeview Residential LC is requesting approval of a Preliminary Plat approval for a 265-lot subdivision of approximately 38 acres to be known as Ridgeview Plat A. The property is located approximately at 9800 N North County Blvd. *Administrative*

4. **SN-19-09** Jiffy Lube is requesting approval of a monument sign along Timpanogos Highway located approximately at 5248 W 11000 N. *Administrative*

OTHER BUSINESS:

5. Approval of the [2020 Planning Commission Meeting Calendar](#).

APPROVAL OF MINUTES:

- Approval of the [October 22, 2019 meeting minutes](#).
ADJOURNMENT:

NEXT MEETING: **December 10, 2019** at 7:00 pm City Council Chambers

*Legislative: An action of a legislative body to adopt laws or polices.*
*Administrative: An action reviewing an application for compliance with adopted laws and policies.*

FOR SPECIAL ACCOMMODATIONS

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Recorder at (801) 772-4506 at least 48 hours prior to the Commission meeting.

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this 14th day of November, 2019. These public places being bulletin boards located inside the City offices and located in the Highland Justice Center, 5400 W. Civic Center Drive, Highland, UT; and the bulletin board located inside Lone Peak Fire Station, Highland, UT. On this 14th day of November, 2019 the above agenda notice was posted on the Highland City website at [www.highlandcity.org](http://www.highlandcity.org).

Tara Tannahill, Planning Coordinator
PLANNING COMMISSION
AGENDA REPORT ITEM #1

DATE: November 19, 2019
TO: Planning Commission
FROM: Tara Tannahill
      Planner and GIS Analyst
SUBJECT: PUBLIC HEARING AND ORDINANCE – McKay Christensen is requesting rezoning to allow residential and non-residential mixed use development under the Planned Development (PD) District. The property is approximately 5.8 acres and is located approximately at 10786 N 5320 W (PD-19-03). Legislative

PURPOSE:
The Planning Commission will consider a request by McKay Christensen to rezone 5.8 acres from Town Center Retail and Town Center Flex Use to Planned Area Development to allow for a mixed-use development with 70 residential units and a 38,800 square foot commercial space. The Planning Commission will take appropriate action.

PRIOR REVIEW:
This item was reviewed by the City Council on the October 15, 2019 City Council meeting. The Council voted to have the proposed request re-reviewed by the Planning Commission due to the level of changes from the original proposed master plan that the Planning Commission reviewed during the August 27, 2019 meeting.

BACKGROUND:
The property is approximately 5.84 acres and located at 10786 N 5320 W. The applicant is proposing a mixed-use development with 70 residential units and a 38,800 square foot commercial space.

The property is designated as mixed-use development on the General Plan Land Use Map. The current zoning is under the Town Center Overlay zone. The two districts under the Town Center Overlay zone are Town Center Commercial Retail District, along Alpine Highway, and Town Center Flex-use District.

In 2016, the Council with a positive recommendation from the Planning Commission removed all residential uses from the Town Center. This means that residential was not a permitted or conditional use therefore no residential units are permitted. The City met with the property owner and her legal representative prior to making this change. As a result, there are no existing entitlements for residential units on the property.
PD Districts are allowed under Article 5 of the Development Code. PD Districts follow the rezone approval process.

The adoption of a Planned Development (PD) District is a legislative process as it changes the zoning on the property. The City Council has discretion and is under no obligation to approve the application. If the City Council finds that the proposal is not appropriate for this location, the application can be denied.

**SUMMARY OF THE REQUEST:**

1. The applicant is requesting approval of rezoning from Town Center Retail and Town Center Flex Use to Planned Area Development to allow a mixed-use development on approximately 5.84 acres.

2. The proposed P.D District would allow 38,800 square feet commercial space and 70 residential units. The applicant has submitted a PD District plan and narrative.

3. Access to the site will be from Alpine Highway, shared access from 10700 North, and a share access easement from Ace Hardware to the East of the property.

4. There will be three entry monument signs on the property. There will be one commercial monument sign on Alpine Highway and there will be two entry monument signs for the residential districts on 10700 North.

5. Utilities will connect to the utilities on the perimeter of the site.

6. A traffic study has been provided for the site.

7. A circulation plan has been provided for the proposed site.

8. There will be 346 parking stalls for the whole development.

9. The HOA will maintain all the greenspace, community amenities, private roads, and the monument signs.

10. **Project Density by District:**

<table>
<thead>
<tr>
<th>District</th>
<th>No. of Units</th>
<th>Acres</th>
<th>Units/Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loft Homes</td>
<td>30</td>
<td>3.32</td>
<td>9.03</td>
</tr>
<tr>
<td>Townhome</td>
<td>34</td>
<td>1.7</td>
<td>20</td>
</tr>
<tr>
<td>Twin Home</td>
<td>6</td>
<td>.80</td>
<td>7.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>70</strong></td>
<td>5.82</td>
<td><strong>12</strong></td>
</tr>
</tbody>
</table>

11. District boundaries may be adjusted to accommodate different lot layouts and densities, provided that the overall number of units in each district shall not increase by more than 15%.
Commercial District:

1. The commercial district will be on approximately 3.32 acres and located on the south side of the property along Alpine Highway.

2. The commercial building will have two buildings. Between the two buildings there will be 6,800 square feet of retail space and 32,000 square feet of office space.

3. Access to the site will be from Alpine Highway and a shared access easement with Ace Hardware to the east. The concept plan is demonstrating one access point along Alpine Highway. The applicant contacted UDOT about the master plan and UDOT has provided a letter authorizing this access.

4. Generally, the proposed commercial uses are similar to the C-1 Zone. No tenants have been selected for the commercial flex pod as of yet. The proposed permitted uses include:
   a. Accessory uses which are customary and incidental to the principal use of the property.
   b. Apparel, new and used
   c. Antiques, crafts, and collectible sales
   d. Art galleries and art studios
   e. Bakeries, retail only
   f. Education learning centers (i.e. Sullivan Learning Center)
   g. Financial institutions
   h. Food including grocery and C-store
   i. Indoor recreational facilities
   j. Laundry, cleaning, and dry-cleaning establishments
   k. Personal services such as barber, beauty shops, copy shops, mail shops, tanning salons, shoe repair, and tailor shops
   l. Professional, administrative, business, and medical offices
   m. Restaurants, excluding drive thru
   n. Retail sales of new merchandise
   o. Repair services for small appliances, bicycles, watches, musical instruments, and similar items.
   p. Sporting goods equipment rental, sales, and service
   q. Residential, multifamily attached, mixed-use, live-work, nightly rental (different compared to the C-1 Zone)

   The following uses shall be prohibited in the commercial zone:
   r. Thrift stores
   s. Pawn Shops
   t. Sexually oriented businesses
   u. Any use not expressly permitted above, unless approved by the City Council.

5. The development of the commercial district is anticipated on being the third phase of the site.

6. Building Setbacks:
Front Setback | IBC Standards
---|---
Rear Setback | IBC Standards
Side Setback | IBC Standards
Corner Side Setback | IBC Standards

*IBC= International Building Code

7. Maximum building height is 40 feet. City Council also has the ability to approve a building in excess of 40 feet up to 45 feet. This process will be an administrative approval process.

8. Parking Requirement:

<table>
<thead>
<tr>
<th>Service</th>
<th>Parking Requirement</th>
<th>Parking Stalls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (6,800)</td>
<td>4.0 per 1,000 square feet</td>
<td>27</td>
</tr>
<tr>
<td>Office (31,285)</td>
<td>3.5 per 1,000 square feet</td>
<td>109</td>
</tr>
</tbody>
</table>

**Total Parking Stalls:** 136

9. Landscaping has been demonstrated on the conceptual plan around the perimeter of the two commercial buildings and along Alpine Highway.

10. The PD District requires 10% of the net developable area to be commercial recreation areas. The applicant is demonstrating 22.1% or 13,195 square feet. The commercial district amenities are commercial patio space located in front of the commercial storefronts.

11. Architecture standards have been established for the commercial district. Materials that are allowed are glass, brick, metal, tile, and fiber board.

12. A lighting plan has been provided demonstrating the lighting facing downwards.

**Residential District:**

1. The residential district will have three distinct housing types. The goal of offering different housing types is to provide residents of the community with various options for housing sizes, style, and price.

2. The maximum number of residential units for the whole development is 70 residential units.

3. The greenspace around the residential units will be community open space and maintained by the HOA.

4. The PD District requires 20% of the net developable area to have a recreation area for the residential district. Currently, the develop is demonstrating 32.5% of the net developable area or 62,592 square feet as residential recreational area.
5. The open space amenity will be built in phase 1. Construction on the open space amenity located in the center of the project will begin no later than when 50% of the all the residential units have been sold.

6. Recreation area in the Apple Creek development demonstrates a courtyard with BBQ stations, two fire pits, terrace hardscape sitting area, and greenspace.

7. Parking Requirement:

<table>
<thead>
<tr>
<th>District</th>
<th>Stalls per unit</th>
<th>Total Stalls</th>
<th>Visitor Stalls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use / Loft District</td>
<td>2 stalls per unit</td>
<td>60</td>
<td>109*</td>
</tr>
<tr>
<td>Townhome District</td>
<td>2 stalls per unit</td>
<td>68</td>
<td>64</td>
</tr>
<tr>
<td>Twin-home District</td>
<td>2 stalls per unit</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>Total Parking (319 total stalls)</td>
<td>140</td>
<td>179</td>
<td></td>
</tr>
</tbody>
</table>

*Utilizes the commercial parking. Without counting this number, it is 210 Residential available stalls.

8. Architecture standards have been established for the residential districts. Materials that are allowed to be used are brick, rock, masonry, fiber cement composite. No more than 40% of the townhomes & twin-homes can be a single material and the remaining 60% of the townhomes & twin-homes shall have at least three materials on the exterior.

Mixed Use / Loft Homes:

1. The mixed-use district includes 30 condos. The building is listed as building C and is in a separate building from the commercial/office space.

2. The maximum density permitted in the loft homes is 9.03 dwelling units per acre.

<table>
<thead>
<tr>
<th>Acreage</th>
<th>No. of Units</th>
<th>Density (Units/Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.32</td>
<td>30</td>
<td>9.03</td>
</tr>
</tbody>
</table>

3. The minimum unit size is 850 square feet and there is no maximum unit size. There will be two- and three-bedroom condos available. No one bedroom condo will be available.

4. The building height is 40 feet, but the City Council can approve a building in excess of 40 feet with a maximum height of 45 feet.

5. The Mixed Use / Loft Homes are anticipated on being built in phase two.

6. Parking is two stalls per unit with designated visitor stalls provided. The total number of available parking stalls for the loft district is 169 stalls or 5.63 stalls per unit. Without counting the commercial building parking stalls as available visitor parking the total designated available condo stalls are 60 or 2 stalls per unit.
Townhome District:
1. Townhome lots are linear groupings from two to eight units. Rear and front-loaded townhomes are allowed in this district. Each home will have a two-car garage.

2. Townhomes are located on the west side of the property along Town Center Drive. The townhome lots are anticipated to be in phase one.

3. The maximum density permitted in the townhome lots is 20 dwelling units per acre.

<table>
<thead>
<tr>
<th>Acreage</th>
<th>No. of Units</th>
<th>Density (Units/Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.7</td>
<td>34</td>
<td>20</td>
</tr>
</tbody>
</table>

4. Setbacks:
   - Front Setback: 5 feet
   - Side Setback: 10 feet between attached units
   - Rear Setback: None
   - Corner Setback: 5 feet

5. The building height maximum is 40 Feet. Buildings will not cantilever into the road right of ways so a minimum 28’ clearance is maintained in the road right of way for emergency vehicles.

Twin-home Residential:
1. Twin-homes lots are linear groupings of two units with a shared wall. Twin-homes will be rear loaded and have a garage.

2. Twin-homes will be located along 10700 North.

3. The twin-home district is anticipated to be in phase one.

4. The maximum density permitted in the twin-home lots is 7.5 dwelling units per acre.

<table>
<thead>
<tr>
<th>Acreage</th>
<th>No. of Units</th>
<th>Density (Units/Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>.80</td>
<td>6</td>
<td>7.5</td>
</tr>
</tbody>
</table>

5. Setbacks:
   - Front Setback: 10 Feet
   - Side Setback: 10 Feet between each twin-home unit
   - Rear Setback: None
   - Corner Setback: 5’

6. The building height maximum is 40 Feet. Buildings will not cantilever into the road right of ways so a minimum 28’ clearance is maintained in the road right of way for emergency vehicles.

CITIZEN PARTICIPATION:
The applicant held a neighborhood meeting on July 9, 2019. Three residents attended the meeting.

Notice of the first Planning Commission meeting was published in the Daily Herald on August 11, 2019 and posted on the state website August 8, 2019. Notification of the public hearing associated with this meeting was mailed to all property owners within 500 feet and additional subdivisions near the proposed site on August 12, 2019. Notice of the second Planning Commission meeting was posted on the state website October 31, 2019 and in the daily herald November 3, 2019. Notification of the public hearing associated with the meeting was mailed to all property owners within 500 feet on November 4, 2019.

Notice of the first City Council meeting was published in the Daily Herald September 1, 2019, posted on the state website August 29, 2019, and notification of the public hearing was mailed to all property owners within 500 feet of the proposed site on August 29, 2019.

Six written correspondence has been received concerned about the project.

**ANALYSIS:**

**Surrounding Uses**

- The General Plan designation for this property is mixed use development. The property to the north is Highland Vista Subdivision and Ace Hardware, to the west is vacant land owned by Highland City and the Lone Peak Police station, to the south is Town Center Meadows Park, and to the east is Utah Community Credit Union and Alpine Highway. The proposed development is in conformance with the General Plan and compatible with the surrounding uses.

**Site Access**

- Access to the commercial district will be from Alpine Highway and the shared access easement with Ace Hardware to the east. Access to the residential district will be from Alpine Highway, 10700 N, and a shared access easement with Ace Hardware to the east.

**Recreation Areas**

- The purpose of recreation areas is to provide meaningful areas for residents. Section 3-520.5 requires a project to have a minimum of 20% of the net developable area to be developed as recreation areas. The following areas can be counted as private parks, recreation areas, club houses, sport courts, tot lots, multiuse fields, and other areas acceptable as determined by the City Council. Areas that cannot be included are: areas less than 5,000 square feet, public rights or way, streets, vehicular drives, and parking landscape.

- While the site includes 30% open space, the proposed open space/recreation area plan includes areas that do not qualify as a recreation area. It is also unclear if the units will have private yards.
• The applicant is proposing a community courtyard, located between the condo building and the commercial building. It will include terraced hardscape sitting area, BBQ stations, and fire pits.

• The commercial district is demonstrating outdoor patio seating for the pedestrians to utilize. The courtyard can also be accessed by pedestrians from the commercial district.

• Staff is concerned about the location of the main recreation area as it relates to the townhomes and twin-homes. The applicant is proposing that construction of the main amenity be constructed no later than when 50% of the residential units are constructed.

Architectural Design and Theme
• One of the primary purposes of a PD District is for the City to know the type and quality of the project. The PD shows illustrative examples and architectural renderings. However, the proposal does not stipulate compliance with these renderings. Rather it provides some general design guidelines that most townhomes would easily meet. For example, the proposed range for the roof pitch is 4:12 to 12:12.

• The proposed PD masterplan provided architectural standards and guidelines. They include brick, stucco, rock, brick, fiber cement composite, metal, tile, fiber board, or other similar materials.

• The standards also required that 60% of the townhomes & twin-homes must utilize three or more materials on the exterior of the home.

• Section 4-713 Architecture Design of the development code doesn’t list modern farmhouse as an architecture style for the Town Center Overlay Zone. The proposed project deviates from the development code for this.

• The proposed PD masterplan architecture design standards deviates from the Highland City Design Standards.

Utilities
• Utilities will connect to the utilities on the perimeter of the site. The buildings will require a looped system and sprinklers for fire flow.

• The utility master plan will need to be updated and redrawn by an engineer. A stipulation has been created for this.

• Garbage for the town and twin homes will be traditional residential pickup. Cans proposed to be stored inside the garage on non-pickup days.

Parking and Circulation
• The applicant has parking standards for both the residential district and commercial district. Parking standards also include guest parking stalls.
• The proposed parking standards for the commercial area is based on net leasable area rather than gross square footage. The Development Code requirement is based on gross square footage.

• The site will provide 140 residential parking stalls and 179 visitor parking stalls. The commercial district is demonstrating 136 parking stalls. The total available parking for the proposed project is 346 stalls.

• Theprivate road is 28 feet and 24 feet. The road will be maintained by the HOA. The minimum requirement is 28 feet. A 28-foot main road should be provided through the site. A stipulation has been included to address this issue.

• Section 3-4726 of the Development Code for Parking:
The proposed number of spaces matches the requirement of the development code.

<table>
<thead>
<tr>
<th>Use</th>
<th>Development Code for TCO</th>
<th>Apple Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (Stalls / 1,000 Sq. Ft)</td>
<td>4.0 (27 stalls)</td>
<td>4.0 (27 stalls)</td>
</tr>
<tr>
<td>Office (Stalls / 1,000 Sq. Ft)</td>
<td>3.5 (109 stalls)</td>
<td>3.5 (109 stalls)</td>
</tr>
<tr>
<td>Residential (Stalls / Unit)</td>
<td>3.0 (210 stalls)</td>
<td>Townhomes – 2.0 (68)</td>
</tr>
<tr>
<td>Visitor Parking</td>
<td>Included Above</td>
<td>Twin-homes – 2.0 (12)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Loft Condos – 2.0 (60)</td>
</tr>
<tr>
<td>Visitor Parking</td>
<td></td>
<td>Townhomes – Driveway &amp; designated stalls (64)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Twin-homes – designated stalls (6)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Loft Condos - Commercial parking (109)</td>
</tr>
<tr>
<td>Total Stalls</td>
<td>346</td>
<td>346</td>
</tr>
</tbody>
</table>

TCO= Town Center Overlay

_Utah Department of Transportation (UDOT)_

- Utah Department of Transportation (UDOT) confirmed that there are no current plans to signalize the 10700 North and Alpine Highway intersection. UDOT would like to work with the City to develop an access plan for Alpine Highway.

- UDOT has confirmed that the proposed project can have access onto Alpine Highway in the proposed location.

- UDOT has requested that the median be removed or modified to accommodate northbound (left hand turn) traffic. If this is not approved by the City, they will still allow southbound (right hand turn) traffic from the Alpine Highway road access from the site.
**Landscaping**

- A landscape concept plan was provided for the whole development. The landscaping will be maintained by the HOA.
- On Alpine Highway there is already a current 29-foot parkway detail.
- The landscaping will include a combination of sod, trees, shrubs, and flowers.

**Building Height**

- Section 3-4713 of the development code for building height says the Town Center Commercial Retail district has a maximum height of 40 feet and all the other town center districts have a maximum height of 50 feet. The applicant is proposing 40 feet for the condo/commercial building height with the ability to increase to 45 feet.
- The applicant is proposing that the City Council may administratively approve a building height increase of up to 5’ for the condo/commercial building. This allows the mixed-use building to have a maximum height of 45 feet.
- The applicant is proposing 40 feet maximum height for the townhomes and twin-homes. The mixed-use development has a 40 feet maximum height or 45 feet if City Council administratively approves it. Highland Vista’s maximum height is 36’11” and Toscana is 36’.

**Density**

- Section 3-4704 of the Development Code has a maximum density of 229 residential units for the Town Center and a maximum of 12 units per acre for any given development. The primary element of the PD is the townhome development. The proposed density of 20 units per acre the townhomes exceeds any individual project approved in the Town Center or the City.
- Density for surrounding residential uses:

<table>
<thead>
<tr>
<th></th>
<th>Toscana</th>
<th>Highland Vista</th>
<th>Apple Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acres</td>
<td>8.02</td>
<td>7.77</td>
<td>5.84</td>
</tr>
<tr>
<td>Residential Units</td>
<td>139</td>
<td>80</td>
<td>70</td>
</tr>
<tr>
<td>Units / Acre</td>
<td>17.34</td>
<td>10.3</td>
<td>12</td>
</tr>
</tbody>
</table>
- The maximum overall density of Ridgeview will be between 4.84-9.4 units per acre. The maximum density per pod within Ridgeview is 12 units per acre.

**Uses**

- The PD Districts states that there will be a maximum of 6,800 and 32,000 square feet of office. However, there are no restrictions in the uses in the buildings within the District. If the mix of uses differs than what is proposed the site would not meet minimum parking requirements. In addition, this will be difficult to enforce long term.

**General**
• Section 3-612 of the Development Code: For all nonresidential development that abuts a residential district will need to provide a 6-foot theme wall. A fence concept plan was provided for the development that demonstrated a 6-foot trex composite or aluminum fence. The development code requires precast concrete, concrete, masonry block, brick, stone or a similar solid, durable, equal or better-quality material. The Planning Commission should discuss if this type of fencing is adequate.

• The Land Use Vision under the general plan says “Completion of the Highland Town Center as a mixed-use place, with commercial uses located at ground level and residential uses above. This will provide a wider range of housing options and improve access to moderate-income housing.” The proposed development meets the general plans vision.

Major changes from the August 27, 2019 Planning Commission meeting:

• Decreased the number of residential units from 121 to 70 and from 21 units per acre to 12 units per acres.

• Increased the available parking from 300 to 346 stalls.

• The residential recreation amenity changed from a swimming pool and clubhouse to a courtyard with BBQ and fire pits. This amenity must be complete in phase 1.

• There is no phasing plan for the commercial building if it is left vacant after 18 months. The previous plan had the ability to switch the commercial building to residential units if left vacant after 18 months.

• The commercial building switched from one large commercial building with residential units on the next two floors, to two separate commercial/office buildings. The lofts moved to their own building. Both buildings are still three stories.

• The lofts minimum size increased from 500 square feet minimum to 850 square feet. The loft building no longer offers one-bedroom apartments but are still offering two-to three-bedroom condo units.

• The phasing plan has changed to be broken up into three phases. Phase one is the townhomes and twin-homes. The commercial building will be the last phase.

• UDOT has reviewed the plan and have given approval for access onto Alpine Highway. UDOT would prefer the median to be removed to allow northbound/left hand turns traffic.

• Commercial building height decreased from 45’ to 40’ with City Council still having the ability to increase 5’.

• The architecture design guidelines have been established for both the commercial and residential district. Materials, facades, and sign standards have been
established. 60% of the townhomes and twin-homes are required to utilize 3 or more materials.

DISCUSSION ITEMS:
The following items should be considered by the Planning Commission as they discuss this project:

- Is the density of 20 units per acre for the townhomes appropriate as this exceeds any individual project in the town center or the city?
- Should the townhomes have a centralized recreation area?
- Should the building height be allowed to be increased to 45 feet? This is 9 feet higher than any existing development.
- Is the proposed amount of parking sufficient for the development?
- If a fitness center is approved, is the current parking standards sufficient for the use?
- Are the setbacks for the twin home and townhome district sufficient for the proposed site?
- Do the proposed architectural and development standards represent the quality desired for Highland?
- Does the site have adequate access to ensure adequate circulation?
- At which point should the main recreation element be completed?
- Is the location of guest/visitor parking adequate?
- How will the percent of retail and office space be enforced?
- Does the proposed open space plan meet the requirements for recreation areas?
- Does the proposed PD District included sufficient standards to meet the intent of a PD District?

REQUIRED FINDINGS:
The following findings are required for a PD District to be approved:

1. The proposed PD is consistent with the General Plan;
2. That there are or will be adequate public facilities, including but not limited to: transportation, water, wastewater, and public safety facilities, etc.
3. The proposed PD will result in compatible land use relationships and acceptable land use with existing and planned land use in the area; and;
4. The development standards of the proposed PD are consistent with or exceed the desired quality of development for the area.

RECOMMENDATION AND PROPOSED MOTION:
The Planning Commission should hold a public hearing, review the required findings and do one of the following:

1) Make recommendation to the City Council; or
2) Continue the item to allow the applicant to address concerns raised in the staff report and in the public hearing if applicable.
If the Commission chooses to make a recommendation to the City Council, the following stipulations should be included. The Commission may also want to include additional stipulations to address any issues raised at the public hearing.

1. Development shall comply with the Apple Creek Plan and Narrative date stamped November 7, 2019 except as modified by these stipulations:
2. All public improvements shall be installed as required by the City Engineer and City Fire Marshall.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.
4. The main recreation area be completed prior to 50% of the residential units being issued a building permit.
5. The townhome area be designed to include a central recreation area.
6. All private roadways shall be a minimum of 28 feet as determined by the Fire Marshall.
7. The applicant shall revise the open space plan to identify those areas that meet the requirements of Section 3-520.
8. Trash and recycling containers are to be stored in garage or behind a side yard screen wall. They shall be placed behind curb lines in a designated location for each unit. The location shall be a concrete pad. The location where the containers are to be stored shall be shown on the site plan. If the containers are stored on the garage, the garage shall be enlarged to accommodate the containers.

**FISCAL IMPACT:**
This action will not have a financial impact on this fiscal year’s budget expenditure.

**ATTACHMENTS:**
1. Ordinance
2. Vicinity Map
3. General Plan and Current Zoning Map
4. Citizen Communication
5. PD Development Agreement and Narrative with updated traffic study
6. UDOT Response
7. Staff Review Comments with applicant response
8. Minutes from Neighborhood Meeting
ORDINANCE NO. 2019-**

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP REZONING FOR APPROXIMATELY 5.83 ACRES AND IS LOCATED APPROXIMATELY AT 10786 NORTH 5320 WEST FROM TOWN CENTER RETAIL AND TOWN CENTER FLEX USE TO PLANNED DEVELOPMENT – APPLE CREEK AND IMPOSING CONDITIONS UPON SUCH CHANGE AS SHOWN IN FILENAME PD-19-03.

WHEREAS, the Highland City Council desires to amend the Official Zone Map of Highland City; and

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the “Commission”) and the Highland City Council (the “City Council”) were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearing on this request on August 27, 2019; and

WHEREAS, the City Council held a public hearing on this request on October 15, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That ± 5.83 acres of certain real property generally located at 10786 N 5320 W more particularly described and depicted on “Exhibit A”, attached and incorporated herein by reference is hereby zoned from Town Center Retail and Town Center Flex Use to Planned Development – Apple Creek subject to the following stipulations(s):

ADD APPROPRIATE STIPULATIONS

This/These condition(s) shall run with the land, and shall apply until such time, if any, that the property is re-zoned either by failure to comply with the conditions or further zoning action by the City Council.

SECTION 2. This zone map amendment is predicated upon compliance with the conditions in Section 1. In the event any condition is violated or unfulfilled, this Ordinance shall become null and void and the zone designation for all of the subject properties shall revert to the R-1-40 Zone.

SECTION 3. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its posting.
SECTION 5. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, December 3, 2019.

HIGHLAND CITY, UTAH

_______________________________
Rodney W. Mann, Mayor

ATTEST:

_______________________________
Cindy Quick, City Recorder

<table>
<thead>
<tr>
<th>COUNCILMEMBER</th>
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</tr>
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<tr>
<td>Brian Braithwaite</td>
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<td>Kurt Ostler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scott Smith</td>
<td></td>
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</tr>
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</table>
Parcel 1:

EXHIBIT "A"

Commencing at a point on the West line of Utah Highway 74, which point is 1885.75 feet East, more or less, along the section line from the West Quarter corner of Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence North 100.38 feet along the Westerly line of said Highway right-of-way; thence West 219.99 feet; thence South 100 feet; thence East 211.24 feet, more or less, to a fence and the point of beginning.

Parcel 2:

Commencing East along the section line 1885.75 feet, more or less, to the West line of Highway 74; thence North 100.38 feet along the Westerly line of said Highway right-of-way; thence West 219.99 feet to the point of beginning from the West Quarter corner; Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence West 219.99 feet; thence South 100 feet; thence East 219.99 feet; thence North 100 feet to the point of beginning.

Parcel 3:

Commencing at a point which is West 1194.23 feet and North 38 feet from the center of Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian, which point is the Southwest corner of property owned by William L. Spyker and Lujeanne Spyker; thence South 27.459 feet; thence North 89°51′07″ East 124.169 feet; thence South 89°45′43″ East 96.25 feet; thence North 89°43′16″ East 199.36 feet; thence North 37°39′07″ East 33.076 feet to the South line of Spyker; thence North 89°54′04″ West 219.99 feet; thence West 219.99 feet to the point of beginning.

Parcel 4:

Beginning North 0°08′13″ East 100.00 feet along the section line and East 1511.25 feet from the West Quarter corner of Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence North 4°35′27″ East 25.10 feet; thence East 381.44 feet; thence South 4°58′27″ West 25.10 feet along the Westerly line of Alpine Highway; thence West 381.44 feet to the point of beginning.

Parcel 1:

EXHIBIT "A"

Lot 1, HIGHLAND TOWNE CENTER BUSINESS PARK - AMENDED PLAT B SUBDIVISION, according to the official plat thereof on file in the office of the recorder, Utah County, Utah.

Parcel 2:

Lot 2, HIGHLAND TOWNE CENTER BUSINESS PARK - AMENDED PLAT B SUBDIVISION, according to the official plat thereof on file in the office of the recorder, Utah County, Utah.

Parcel 3:

Lot 3, HIGHLAND TOWNE CENTER BUSINESS PARK SUBDIVISION, according to the official plat thereof on file in the office of the Utah County Recorder.
General Plan Land Use

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<td>Commercial</td>
<td>Trail Corridor &amp; Greenway</td>
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<td>Office</td>
<td>Private Recreation and Mini Park</td>
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<td>Cemetery</td>
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Zoning

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<tr>
<td>Mixed Use Residential</td>
<td>Commercial Retail</td>
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</table>

ATTACHMENT 3:
Attachment 4:

Date: November 14, 2019

Subject: Email Correspondence

Email from Sara McGill dated July 9, 2019:

Dear Planning Commission -

We are residents living at 5282 West 10800 North, east of the UCCU, in the Cornerstone sub-division. We would like to give our input as a proximate resident that we should stay the course with what we believe was recommended previously (when a proposal for mixed use was presented a few years ago - by this same company?). Please delay development of this piece of land until the town homes that are currently being constructed (Blackstone?) is completed and sold and we see the residential/traffic impact. That road, the Alpine Highway, is so hard coming out of our neighborhood year round, but especially when school is in. We are so delayed in in the mornings and evenings. It is not unusual to have to wait at length to turn left. We are very very concerned about this. Will they install a light? A roundabout? Would they pay for a 7’ pre-cast privacy fence along our Cornerstone sub-division for the increase in headlights at night and noise increase? (I know they won’t but our city owned dilapidated fence concerns us)

We really wish Highland could find some other wonderful use for that land besides multi-unit dense housing. We wish we could “share the wealth” of dense housing/businesses with other areas of Highland instead of packing them into the central area that is already a traffic problem.

Thank you for listening. I am out of town or we would attend the meeting tonight. We appreciate your service and want to keep Highland growing in a way that benefits current residents as well as future needs.

Respectfully-

Johnny & Sara McGill

Email from Dan Stratton on 8/14/19:

I attended the neighborhood meeting a few weeks ago on the Apple Creek Lofts development proposal. I live directly across Alpine Highway from this proposed development and would like to pass along my concerns for your consideration.

The top deck of the main building (page 36 of 115 and 60 of 115 of https://www.highlandcity.org/AgendaCenter/ViewFile/Agenda/_05282019-445) represents a potential noise concern. Under 3-4521 of the Development code (https://highland.municipalcodeonline.com/book?type=development#name=3-4521_Nuisances) noise may not exceed 45 d.b.a. during nighttime operations. Please ask the developer how they will be able to get residents to comply with this requirement once built. I will admit my main concern is my (and my neighbors) bedroom window is on a direct line with this 3rd story gathering place. Given the height of this outdoor patio, I fear noise generated from normal activity of the target client (single young professional) will carry long distances and could cause trouble with this city ordinance. I would ask the planning commission work with the developer to adequately plan for this situation.
I am also curious as to what is meant by the term “nightly rental” as indicated in units 156, 167 & 158 of first floor plan (page 34 of 115). Is this intended as an Airbnb? I am unfamiliar with this turn. Please make sure the usage of this space is within guidelines for the city development.

Thank you,

Dan Stratton
5278 W 10740 N

Email from Tanya Colledge on 9/16/19:

Mayor and Council Members,

I’m writing today to express my concern for the proposed Apple Creek Development.

As Highland residents, I know we’re often labeled with a NIMBY mentality. And while some may be right, that I’m immediately concerned about those issues that directly affect my neighborhood, I have a general love for Highland as a whole and our community, which is why I write today.

Those that live in the city, as well as in and around the town center, are hopefully aware that the master plan has always shown that this would be a higher density area. This knowledge actually factored into my decision not to buy a home that was adjacent to the town center knowing that the density would only be increasing over the years as that area was fully built out. However, one of my biggest concerns is related to how the developers continue to come in asking for increased density or variance after variance to make their development work and improve their profits.

I have a few specific concerns for this development:

1. The current plan already allows for a larger density appropriate to its use and designation (12 units/acre maximum). Why should this developer be approved to nearly double that density? And, per the developer’s plan, if the commercial space is not adequately filled within a short period of time, then they are requesting to be able to convert that space to additional residential housing, which will legitimately double the density to more than 24 units/acre.

2. Parking is already at a premium in the town center area for anyone who lives or visits there regularly. And yet, their plan allows for more than 100 LESS PARKING STALLS than would be required for this level of occupancy.

3. Traffic has already been a problem in this area and we have yet to see the full effects of the build out from the other developments in the town center.

Is anyone else ever curious that the traffic studies always seem to show only negligible effects on traffic? The study does not address projected traffic from anything but their own development.

4. Setbacks - yet another variance request. Most of the other developers in the town center area have been required to bide by the setbacks, why should this development be an exception?

5. Height - again, another variance.
It always seems remiss to me why we have all of the information in the master plan and then our building code and then waiver whatever seems might be an impediment for the developer. Again, the job of the city is not to ease the pain for developers or to enhance their profit margin.

I’ve often been pleased with the planning commission’s recommendations or lack thereof for a project, even if they don’t always align with my own personal opinion. I believe that they generally exercise due diligence in weighing options for the betterment of the city. However, in this instance, I think they really missed the mark in recommending this project forward. It seems like we consistently have developers coming in telling us "the next guy will be worse" and we cower and make choices out of fear for another worse option.

Please exercise your due diligence in reviewing all of the variances and exceptions that are being asked for and deny this development plan until they are able to return with a plan that more accurately reflects the density for this area.

Sincerely,

Tanya Colledge
Highland, UT 84003

Email from Tanner Mecham on 9/16/19:

Hi my name is Tanner Mecham. I’m 14 and my family lives south of the police department. I used to be able to ride my skateboard over to the food places but now I’m not allowed too. I’m not allowed to anymore because of all the cars and all the crazy drivers. Please stop ruining highland, there are so many other options. I love my city please please do something good for the environment and add a park with lots of trees! Add an extending park from the park south of the police station to the land west of the bank. Please the city council is ruining highland my favorite town. Please do not put in the townhomes right across the street from the police department!! Why would you let this happen, I am sooooo not happy and I know everyone else in highland isn’t either. Highland should do something good for people not just striking it rich. My family moved here to get away from high density housing. We found beautiful highland and now we have to consider moving again. Please reconsider your actions it can’t be too late!! PLEASE SAVE HIGHLAND!!!!

Sincerely Tanner Mecham

Letter from George Ramjou on 9/17/19:

To: Mayor and City Council Members

Subject: Opinions on the Apple Creek Proposal

DISCUSSION ITEMS:

The following items should be considered by the Council as they discuss this project:
bullet Is the overall density of 21 units per acre appropriate for this location? The proposed density exceeds the maximum of 12 units per acre in the Town Center. 21 units is too high for Highland. Stay with 12 units.

bullet Should the commercial district be allowed to transition to residential if vacant after 18 months? This would add another 20 units to the project and increase the maximum number of units to 141 and the overall density to 24.14 units per acre. 24 units per acre is too high. Keep density to 12 units as recommended by the zoning.

bullet Should the building height be allowed to be increased to 50 feet? This is 14 feet higher than any existing development. No!!!!

bullet Is the proposed amount of parking sufficient for the development? The proposed number of parking spaces is 103 less than what is required by the Development Code. Parking is an issue in the Town Center particularly in the winter. No exceptions should be made to the Development Code relative to parking.

bullet If a fitness center is approved, is the current parking standards sufficient for the use? This needs to be evaluated.

bullet Are the setbacks for the twin home and townhome district sufficient for the proposed site? A staff determination should be made.

bullet Do the proposed architectural and development standards represent the quality desired for Highland? Architecturally and color-wise, what is proposed would not blend well with existing developments.

bullet Will the proposed development standards ensure that the represented product will be constructed if approved? If not, what standards need to be added? Staff needs to make a determination.

bullet If UDOT doesn’t grant access on Alpine Highway, will there be enough access points for the proposed development? The development should not be approved without access to Alpine Highway.

bullet Will the site have adequate access to ensure commercial space is successful? Does the traffic analysis indicate adequate access? If not, development should not be approved.

bullet Should they be allowed to do a nightly rental outside of Highland City's short-term rental regulation? Nighty rentals outside of the City's regulations should not be allowed.

Thanks,
George Ramjoue, Highland, Utah 84003

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Email from Wade Miller on 9/18/19:

Nathan –

We’d like to voice our opinion that no changes be made to allow developers to come in and change zoning ordinances for higher density building. The infrastructure is just not there. I’ve heard that the Town Center land has already exceeded by developers.

Sincerely,

Wade & Pat Miller
PROJECT INTRODUCTION
**Project Description**

The Apple Creek Planned Development (“Apple Creek”) is an approximately 5.88 acre (see exhibit A - Legal Description) mixed-use development located within the Town Center Overlay Zone (“TCO”). Apple Creek consists of a maximum of 70 residential units, 32,000 sf of office (to be phased in 2 buildings), and 6,800 square feet of retail space.

**TCO Land Use Map & Zoning Designation**

The current zoning designation for Apple Creek is Town Center Commercial Zoning and Town Center Flex Zoning (see Exhibit B - TCO Land Use Map and Zoning Designation).

The Town Center Overlay was established in 1999 with the expressed purpose of creating a “City Center” - an environment rich in amenities, high-density urban housing, and a vibrant lifestyle powered by retail shops. In furtherance of that vision, the City of Highland developed the Highland City Police station, a fire station, a splash pad, a park, and the Highland City Hall all within TCO in an effort to invigorate the Town Center. However, none of the existing high-density developments within the TCO have captured the original intent of the TCO Zone…until now.

The developers of Apple Creek have developed some of the most prominent master-planned communities in the state, including Highland City’s own Beacon Hills - a several hundred acre master-planned community that includes the Twin Bridges subdivision and over 300 single family lots with high-end custom homes, generous amounts open space, and a dedicated 22 acre city park. The Developers are also Highland City residents who are invested in the community and want to see the Town Center developed with the same level of commitment they displayed in developing Beacon Hills and Twin Bridges. To that end, Apple Creek includes up to 32,000 sf of commercial office space and up to 6,800 sf of commercial retail space specifically designed with restaurants in mind. The architectural style is “modern farmhouse” consistent with Highland’s rich Americana Heritage. Special care has been taken in addressing how the project is experienced, specifically on Town Center Drive (10700) and SR 74, ensuring the face of the development looks outward with high-level architecture and quality finishes.

In an effort to ensure that Apple Creek is developed in a manner consistent with the original intent of the TCO, the following outlines in detail how that vision will come to life.
MASTER PLAN
<table>
<thead>
<tr>
<th>USE</th>
<th>UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOWNHOMES</td>
<td>34</td>
</tr>
<tr>
<td>TWIN-HOMES</td>
<td>6</td>
</tr>
<tr>
<td>LOFT CONDOS</td>
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<td>RESIDENTIAL TOTAL</td>
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<td>COMMERCIAL TOTAL</td>
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**TABLE OF USES**

- **Building B**: 14,285 SQFT Office
- **Building A**: 6800 SQFT Retail, 17,000 SQFT Office
- **Building C**: Condos, 30 Units
Apple Creek Master Plan Goals:
The goal of the Apple Creek Master Planned Development is to provide a vibrant mixed-use environment with commercial and a variety of housing types. To accomplish this goal, Apple Creek is divided into the following three districts:

- **The Mixed-Use District:**
  - 30 loft-style condos,
  - 32,000 sf of commercial office space, and
  - 6,800 sf of ground floor retail commercial
- **The Townhome District:** 34 townhomes
- **The Twin-home District:** 6 twin-homes

Apple Creek Home Owners Association (“APHOA”):
All residents within the Apple Creek will be subject to the Apple Creek Home Owners Association (APHOA). The APHOA will maintain all onsite amenities and open space. The members of the APHOA will be bound to abide by the APHOA rules and regulations. Residents will be assessed monthly dues and will be subject to the bylaws of the APHOA. The APHOA bylaws and enforcement will be based on the approved Apple Creek Planned Development. The APHOA will maintain all roads and monuments within Apple Creek.

Architectural Guidelines:
The following architectural guidelines will apply (see Design Guidelines and Design Examples):
- **Architectural Style:** Modern Farmhouse
- **Building Materials:** Stone, brick or masonry, stucco, Hardie board (fiber cement composite siding or similar), timber, eifs (commercial), tile (accent material only), metal (accent material only), concrete (accent material only)
- **Colors:** Limited to soft shades typical of modern farmhouse and generally consistent with colors shown in the design examples
- **Windows:** Wood, metal, wood clad, or vinyl.
- **Exterior doors:** Finished in an approved color to match the trim or to mildly contrast the trim and siding.
- **Roof:** Roof pitches between 4:12 and 12:12. Flat and parapet walls for modern/contemporary application

Infrastructure & Utilities:
The Apple Creek PD is bordered by two prominent roads: Town Center Drive (10700) to the south and SR 74 to the east. All public utilities sufficient for the development of Apple Creek are stubbed to the site. All on site improvements will be performed by the developer and will follow, conceptual, the Utility Plan contained herein. Apple Creek will connect to the Highland City culinary water and secondary water lines stubbed to the Property.

Development Code:
Further detail regarding the Apple Creek development standards are outlined herein. The requirements of the Development Code, as amended, shall apply except where explicitly stated otherwise herein by this PD.
DENSITY
**Density Background:**
From 1999 to 2017, the Town Center Overlay was allocated a total of 342 residential units. The Toscana development ultimately resulted in 144 units and the Blackstone development resulted in 80 residential units, leaving 118 residential units to be developed in Apple Creek. However, in 2017, the Highland City Council voted to remove all residential from the Town Center Overlay Zone. This de facto rezone removed the 118 residential units from Apple Creek, adversely affecting the Property at the exclusion of all other properties within the Town Center Overlay.

**Unit Per Acre ("UPA") Background:**
The Town Center Mixed Use Residential Zone (TCMUR), which is located within the Town Center Overlay, currently allows for 22.7 upa. The Toscana development, located within the TCMUR, was approved for a density of 22.7 upa. However, Toscana ultimately elected, at its discretion, to develop only 144 units, or 18.7 upa.

**Apple Creek Density**
The maximum overall density for Apple Creek is 70 units as shown in the Density Table. Each District has a maximum number of units that may be developed within the District as shown in the Density Table. However, District boundaries may be adjusted to accommodate different lot layouts and densities, provided that the overall number of units in each District shall not increase by more than 15% from what is now shown in the Density Table.

The maximum allowable office space is 32,000 net leasable sf and the maximum allowable ground floor commercial space is 6,800 net leasable sf.
DENSITY TABLE

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</thead>
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<td>TOTAL UPA</td>
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Parking Requirements:

Mixed Use District - Commercial Parking: Commercial parking is calculated as 4 stalls per 1,000 square feet of net leasable area of “restaurant” space, and 3.5 stalls per 1,000 square foot of net usable area for all other commercial uses described in the Mixed-Use District Permitted Uses Table (see Exhibit C - Mixed Use District Permitted Uses Table).

Mixed Use District Condo Parking: Private parking for residential condos within the Mixed-Use District is calculated as a minimum of 2 stalls for every 2-bedroom and 3-bedroom unit. There are no one-bedroom units.

Mixed Use District Condo Visitor Parking: A total of .5 stalls per condo unit will be provided for visitor parking, which amounts to 15 visitor stalls. However, because residential and commercial are reciprocal uses, the 109 commercial parking stalls will satisfy the condo visitor parking requirement. If the condo development is completed prior to the commercial development, the developer will develop the 15 condo visitor stalls. However, when the commercial parking is completed, because the commercial and residential are compatible uses, the commercial parking will be used to meet the total visitor parking requirement for the 30 condos. At that point, the 15 visitor stalls allocated to the condos will be reallocated to the commercial parking and counted toward the commercial parking requirements.

Townhome and Twin-home District: Private parking for the Twin-home and Townhome Districts is calculated as a minimum of 2 stalls per every Twin-home and Townhome unit. Private parking is located in the garage.

Townhome and Twin-home Visitor Parking: One visitor stall for every townhome and twin home unit will also be provided. All Townhome units located on the western side of the property will have driveways as shown the Parking Table. Driveway stalls in the Twin-home and Townhome Districts are counted toward the visitor parking requirement if each driveway stall is a minimum of 18’ in depth and 9’ wide. For those units without a driveway, surface stalls within the Mixed Use District that are designated as visitor stalls, will be counted toward the townhome and twin home district visitor parking requirement.
PARKING TABLE

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NOTE:
1. There are a total of 27 stalls provided in the commercial retail parking. All 27 commercial stalls may be used for visitor parking in “off peak” hours (9pm-10am) and while retail is closed on Sundays.
2. There are 110 commercial office stalls, which may be used to satisfy the residential visitor parking requirement.
3. Although not included in the visitor parking calculation, additional visitor parking is available curbside along Town Center Parkway consistent with the on street parking permitted on West Parkway East (in front of Norton Performance and Ace Hardware).
MIXED-USE DISTRICT
**MIXED-USE DISTRICT:**
The Apple Creek Mixed-Use District consists of a maximum of 30 loft-style condos, 32,000 sf of commercial office, and 6,800 sf of retail.

GOAL: The goal of the Mixed Use District is to provide (a) a true commercial experience currently unavailable in the Town Center, and (b) housing with the ease and convenience of living with immediate access to ground floor commercial and a variety of in-house amenities. The commercial space is oriented toward SR 74, where visibility and exposure to traffic counts are high. The loft apartments are also located on SR 74 and within the Mixed-Use District as a buffer from the noise and proximity to SR 74 and busy commercial activity.

**Mixed-Use Commercial:**
- Ground floor commercial retail space will be a maximum of 6,800 sf
- Commercial office space will be a maximum of 32,000 sf.

**Permitted Uses:** (see Exhibit C - Mixed-Use District Permitted Uses Table).

**Prohibited Uses:** The following uses shall be prohibited in the Mixed-Use District:
- Thrift stores
- Pawn shops
- Sexually oriented businesses

**Conditional Uses:**
- Fitness Center

**Unit Size:**
Residential condo units within the Mixed-Use District range in size from 850 sf - 2,000 sf. Although sizes of individual units may vary, the minimum unit size is 850 sf. There is no maximum unit size.

**Access:**
The Mixed-Use District proposes three access points: two right-in/right-out access points off of SR 74 (subject to UDOT approval) and one full access point off of 10700.

**Building Height:** (see Exhibit F - Mixed-Use Bulk & Intensity Requirements)
Building Height: Three Stories (40’ in height). City council shall have administrative authority to approve buildings in excess of 40’ in height based on the floor to ceiling heights per floor of the buildings, but in no case shall the buildings be in excess of three stories or 45’.
MIXED-USE DISTRICT
CONCEPTUAL FLOOR PLANS & ELEVATIONS
Note: demising walls within the commercial may vary to accommodate individual tenants needs. Office building maybe phased in to two separate buildings to accommodate lease up.
**TOWNHOME DISTRICT:**
The Apple Creek Townhome District consists of 34 townhomes.

**Goals:**
The goal of the Townhome District is to provide well designed townhome product that, among other things, addresses the western boundary of the Townhome District. Special care will be taken to ensure the architectural design is consistent with the Apple Creek theme and provides a quality facade to interface with the City Parcel to the west.

**Permitted Uses:**
Attached townhomes. Townhomes consist of multi-family units with shared walls. Townhomes can come in linear groupings of anywhere from two units to eight units. Rear and front loaded townhomes shall be allowed in the community. Each unit has its own garage, and front entrance. Each Townhome may have a basement and other permitted uses within the R 1-40 zone of the Highland City Development Code.

**Building Height:**
Three stories (not to exceed 40’ in height). No step back to vertical facade of the buildings shall be required. Buildings will not cantilever into the road right of way such that a minimum vertical clear distance of 28’ for the road right of way is maintained.

**Road Width & Cross Section:**
Road widths within the Townhome District are 28’ wide measured from top back of curb to top back of curb with 24’ of asphalt (see Exhibit D - Road Cross Section)

**Location & Setbacks (see Exhibit E- Townhome and Twin-home Homesite):**
- Front set-back: 5’ minimum from property line
- Side set-back: 5’ minimum from property line and 10’ between each grouping of attached townhome units
- Rear set-back: none

**Yard:**
Yards may be located on the front, side, or rear of the units.

**Perimeter Walls & Fences:**
In the Townhome District an open, rural, natural seating is preferred, encouraging connectivity within Apple Creek and to the western property to boundary. Perimeter and internal fencing will be installed consistent with the attached fencing plan.
TWIN-HOME DISTRICT
TWIN-HOME DISTRICT:
The Apple Creek Twin-home District consists of 6 twin-homes fronting 10700.

Goals:
The goal of the Twin-home District is to provide a beautiful face of the project fronting Town Center Drive (10700), while transitioning to lower density, two-story buildings, blending Apple Creek to the more suburban-style cottages and villages developments to the west. Special care will be taken to ensure the architectural design is consistent with the Apple Creek theme and provides a quality facade to Town Center Drive (10700).

Permitted Uses:
Attached twin-homes. Twin-homes can come in linear groupings of two units with shared walls. Twin-homes are rear loaded. Each unit has its own garage, and front entrance. Each Twin-home may have a basement and other permitted uses within the R 1-40 zone of the Highland City Development Code.

Building Height:
Two stories (not to exceed 40’ in height). No step back to vertical facade of the buildings shall be required. Buildings will not cantilever into the road right-of-way such that a minimum vertical clear distance of 28’ for the road right-of-way is maintained.

Location and Setbacks (see Exhibit E - Townhome and Twin-Home Homesite):
- Front set-back: 10’ minimum
- Side set-back: 5’ minimum from property line and 10’ feet between each twin-home unit
- Rear set-back: none

Road Width:
Road widths within the Townhome District are 28’ wide measured from top back of curb to top back of curb with 24’ of asphalt (see Exhibit D - Road Cross Section)

Yard:
Yards may be located on the front, side, or rear of the units.

Perimeter Walls & Fences:
In the Townhome District an open, rural, natural seating is preferred, encouraging connectivity within Apple Creek and to the western property to boundary. Perimeter and internal fencing will be installed consistent with the attached fencing plan.
SIDE-YARD COURTYARD / FIRE PIT
OPEN SPACE
Open Space Narrative

Residential:

For the residential developments, 20% open space of the net developable area shall be provided. The net developable area does not include public or private road right-of-way. Open space is defined as public and private open areas that can be used to congregate, play, recreate, or exercise. Open space areas may include but are not limited to parks, tot lots, contiguous grass areas over 5,000 square feet in size, trail corridors (including trails along roadways), the parkway landscape buffer along SR 74, which shall be measured from the back of curb, swimming pools, indoor and outdoor club house space, outdoor deck/gathering areas in the Mixed-Use District, commercial patio space over and above the required 10% commercial open space, and front yard corridors in the Townhome and Twin-home Districts. The residential 20% open space requirement must be met for the overall residential net area and any open spaces within one district can count towards meeting the total 20% requirement. Any area not included in the front-yard or side-yard as depicted in the Homesite Exhibit will be considered open space and will be maintained by the HOA. Open space landscaping will be a combination of sod and trees, with shrubs and flowers planted in select locations.

Commercial:

For the commercial developments, 10% open space of the net developable area is required. The net developable area does not include public or private road right-of-way. Commercial open space is defined as any and all landscaped or hard-scape area within the commercial development. This also includes landscaping around the perimeter of buildings, parking islands, and along adjacent street buffers outside of the public or private right-of-way.

Amenities:

Outdoor amenities will include three main gathering areas with fire pits, bbq’s, and covered trellis’.
*Commercial space calculated at net rentable
Outdoor Amenities:

True to the design criteria for successful mixed-use developments, the outdoor amenities are purposefully located in the core of the Apple Creek development with the intent to invite residents, commercial office tenants, and retail customers to live, work, and dine in one location.

The commercial retail area includes outdoor patio space located in front of the commercial storefronts, creating an active environment - inviting visitors in to dine.

The interior courtyard, located between the condo building and the commercial buildings, is intended to be a passive area that can be used by the entire Apple Creek development for gathering. Included in the courtyard is a terraced hardscape sitting area with trellis and generous landscaping with trees for shade. There are two Bbq stations covered by arbors and two large fire pits to sit around to warm patrons in the evenings.
CONVERTIBLE OUTDOOR DINING
Apple Creek will consist of four phases of development to allow for flexibility in the development of the property. We anticipate starting with Phase 1 and ending with Phase 4, but there may be some deviation in phasing in order to adjust to market demand. We anticipate the commercial will be the last phase of the site to develop, as development of the commercial is dependent upon market demand and the surrounding residential will help facilitate demand for the commercial. Parking for each phase of development will be built in accordance with the parking requirements contained herein. It is anticipated that the open space amenity located in the center of the project will be developed in Phase I; however, construction on the open space must begin no later than when 50% of all of the residential units have been sold.
DESIGN GUIDELINES
Architectural Design Guidelines

Commercial:

Theme and Unity: The planning and design character within Apple Creek is for a mixed-use development including commercial retail/restaurant, office, and residential. Apple Creek will be organized around compatible architectural building statements in terms of character, materials, texture and color of buildings.

Orientation: Commercial buildings will be oriented to enhance pedestrian access and customer experience and connected pedestrian pathways within the development.

Materials: Primary materials shall consist of glass, brick, metal panel, tile, metal, cementitious fiber board, or materials of similar quality and durability. EIFS may be used up to 75 percent of non-glass areas.

Primary Facades: The primary facade on commercial structures shall incorporate a building canopy, awning, or similar weather protection along the building’s principal first floor public entrance.

Sign Standards: Signage shall comply with the requirements of the Highland Municipal Code, except as provided for in this section and in the exhibits.

Residential:

Exterior Materials: Stone, brick, masonry or fiber cement composite siding or approved similar by the Architectural Review Committee (“ARC“), stucco, metal (accent material only), concrete (accent material only).

Single Material: No more than 40% of townhomes and twin-homes can be a single material. Permissible materials for a single-material home are brick, rock, or masonry or fiber cement composite or approved similar. The remaining 60% of the townhomes and twin homes shall have at least three materials on the exterior of the homes. Permissible exterior materials are stone, brick, stucco, or accent material listed above.

Window Treatment: All windows should have framed-in wood or vinyl, composite board, brick, stone or stucco trim that is a minimum of four (4) inches in width.

Colors: Natural earth tones – greys, tans, browns, soft blues, whites, reds, greens with accent colors as approved by the ARC. Internally illuminated cabinet wall signs are conditionally permitted, except shall be permitted to display a logo or individual alphanumeric characters.
DESIGN EXAMPLES
TWIN-HOME MATERIAL EXAMPLES
GREY BRICK - WHITE HARDIE BOARD & STUCCO
POTENTIAL COLOR PACKAGE

WHITE BRICK - GREY HARDIE BOARD & STUCCO
TOWNHOME MATERIAL EXAMPLES

Brick

Stucco

Hardie board/Fiber Cement

Metal

Brick
MIXED-USE MATERIAL EXAMPLES

- Metal Awnings
- Brick veneer
- Stucco trim
- Tile/Fiber Cement
- Storefront Glass
Note: Signage shall comply with the requirements of the Highland Municipal Code, except as provided for in this section and in the exhibits. Internally illuminated cabinet wall signs are conditionally permitted, except shall be permitted to display a logo or individual alphanumerical characters.
3’ x 8’ Concrete, stucco, or fiber cement sign
Raised metal letters with backlighting

4” Metal trim detail
4” x 8” brick veneer on base and column

Conceptual Entry Monument
Conceptual Entry Monument

AEURBIA
architects and engineers

APPLE CREEK
NOTE:
Screening of commercial and condo garbage dumpsters shall be enclosed consistent with Highland City Code for commercial standards.

NOTE:
Garbage bins for the townhomes and twin homes will be placed on the rear of the buildings and will be collected for disposal once a week. Cans will be stored inside the garage on non pick-up days.
Note 1: Existing fence bordering Ace Hardware will remain except where an opening is needed for access easement.

Note 2: Perimeter fencing will be placed on property line bordering the City Parcel with periodic openings for pedestrian connectivity.

Perimeter Fencing:
- Brick columns every 50' with aluminum fencing in between

Townhome & Twin Home Courtyard Fencing:
- Will be a combination of a 24” solid brick base with aluminum fencing above as shown in the renderings or all aluminum.
NOTE:
1. The circulation plan contemplates full access from Alpine Hwy. Exact location of an access point is subject to UDOT approval.
2. Circulation plan accounts for access by emergency vehicles.
3. Permitted road widths shown in Exhibit E.
4. Drive aisle width in the parking lot is 24' and parking stalls are 18' in length.
COMPATIBILITY
Compatibility
All of the districts within Apple Creek are designed with careful attention to the streetscape and surrounding property (see corresponding compatibility map). With this in mind, all of the buildings within Apple Creek are designed to face outward toward major thoroughfares (10700 and SR 74) revealing beautifully designed architecture, rather than fences and backs of buildings.

Mixed Use District
Apple Creek commercial space and high-density residential apartments are purposefully located fronting SR 74. The commercial requires high traffic counts and visibility provided by the roughly 15,000 cars per day on SR 74. The high-density residential provides a buffer separating the townhomes and twin-homes from the noise and business of the commercial activity. Residents of the apartments relish a more vibrant lifestyle with walkability and proximity to commercial activity.

Townhome District
The townhomes along the west boundary of Apple Creek face outward toward the property owned by Highland City. It is possible the townhome units on the westerly boundary may not be seen at all depending on how City parcel is developed. Nevertheless, the townhomes are designed with the intention of integrating with the City Parcel to the west.

Twin-home District
The Twin-home District at Apple Creek faces out toward Town Center Drive (10700) - a less trafficked road than SR 74. Town Center Drive leads to the heart of the Town Center, but also connects to the lower density two-story attached Cottages and Villages developments.

The Twin-homes at Apple Creek are designed to be a lower density, two-story product, visually connecting the experience along Town Center Drive to the Cottages and the Villages.
COMMERCIAL LIGHTING PLAN

1. Limited Lumins on retail signs
2. Down facing sconces to reduce light pollution
3. Recessed cans under awnings
4. Bollard lighting at entry to parking

NOTE: LIGHTS ARE TO BE FULLY SHIELDED. 'SAG' LIGHTING NOT ALLOWED. LIGHTS NOT TO EXCEED 1 FOOT CANDLE AT PROPERTY LINE
JUSTIFICATION & MITIGATION
CURRENT ZONING ALLOWS

GAS STATION

CONVENIENCE STORE

MOTORCYCLE DEALERSHIP
**Justification & Mitigation**

The Town Center Overlay was established in 1999 with the expressed purpose of creating a “City Center” - an environment rich in amenities, high-density urban housing, and a vibrant lifestyle powered by retail shops. In furtherance of that vision, the City of Highland developed the Highland City Police station, a fire station, a splash pad, a park, and the Highland City Hall all within TCO in an effort to invigorate the Town Center. However, since the time there have been two major developments within the Town Center. None of the existing developments within the TCO have captured the original intent of the TCO Zone...until now.

**Commercial Space**

There is not another mixed-use development within the Town Center that offers ANY viable commercial space. See examples below:

*By Contrast, Apple Creek includes a minimum of 6,800 sf of commercial and approximately 7,000 sf of outdoor patio space.*
**Architectural Design & Streetscape on Town Center Drive & SR 74**

Apple Creek also is designed with careful attention to how the project is seen from major thoroughfares bordering the property. As a result, Apple Creek is designed so the buildings along major thoroughfares and adjacent properties are facing outward, revealing the most detailed architecture to engage the community. Additionally, the product types within Apple Creek transition from higher-density along SR 74 to lower-density on Town Center Drive in an attempt to blend with the lower-density housing south and west of Apple Creek.

**SR 74**

The Mixed Use District has a vibrant active atmosphere matching the activity along SR 74, while also providing a rich architectural design with a strong retail base and upper floors with windows and balconies overlooking the busy commercial below.

**Town Center Drive (10700)**

Twin-homes are designed to look like a BIG HOUSE, with one entry facing the street and the other entry on the side of the unit, giving the impression each twin-home is one large single-family home.

**Below are current streetscape examples in the TCO:**

![Town Square East](image1)

![Town Square East](image2)

![Parkway East](image3)

**By Contrast…the following images reflect the conceptual design of the product types within the Mixed-Use and Twin-home Districts, fronting the only two thoroughfares bordering Apple Creek (SR 74 & Town Center Drive).**
Conceptual Entry Monument
Apple Creek provides more open space than the other projects in the Town Center
EXHIBIT A
LEGAL DEScriptions
EXHIBIT B - LEGAL DESCRIPTIONS

Parcel 1:

EXHIBIT "A"

Commencing at a point on the West line of Utah Highway 74, which point is 1885.75 feet East, more or less, along the section line from the West Quarter corner of Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence North 100.38 feet along the Westerly line of said Highway right-of-way; thence West 219.99 feet; thence South 100 feet; thence East 211.24 feet, more or less, to a fence and the point of beginning.

Parcel 2:

Commencing East along the section line 1885.75 feet, more or less, to the West line of Highway 74; thence North 100.38 feet along the Westerly line of said Highway right of way; thence West 219.99 feet to the point of beginning from the West Quarter corner; Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence West 219.99 feet; thence South 100 feet; thence East 219.99 feet; thence North 100 feet to the point of beginning.

Parcel 3:

Commencing at a point which is West 1194.23 feet and North .38 feet from the center of Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian, which point is the Southwest corner of property owned by Willard L. Spykes and Lujeanne Spykes; thence South 27.459 feet; thence North 89°51'07" East 124.169 feet; thence South 89°45'43" East 96.25 feet; thence North 89°43'16" East 199.36 feet; thence North 37°39'07" East 33.076 feet to the South line of Spykes; thence North 89°54'04" West 219.99 feet; thence West 219.99 feet to the point of beginning.

Parcel 4:

Beginning North 0°08'13" East 100.00 feet along the section line and East 1511.28 feet from the West Quarter corner of Section 36, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence North 4°58'27" East 25.10 feet; thence East 381.44 feet; thence South 4°58'27" West 25.10 feet along the Westerly line of Alpine Highway; thence West 381.44 feet to the point of beginning.

Parcel 1:

EXHIBIT "A"

Lot 1, HIGHLAND TOWNE CENTER BUSINESS PARK - AMENDED PLAT B SUBDIVISION, according to the official plat thereof on file in the office of the recorder, Utah County, Utah.

Lot 4, HIGHLAND TOWNE CENTER BUSINESS PARK - AMENDED PLAT B SUBDIVISION, according to the official plat thereof on file in the office of the recorder, Utah County, Utah.

Lot 3, HIGHLAND TOWNE CENTER BUSINESS PARK SUBDIVISION, according to the official plat thereof on file in the office of the Utah County Recorder.
TCO LAND USE MAP

Town Center Flex-Use District
Town Center Commercial Retail District
Town Center Residential District
Town Center Mixed Use Residential District
Town Center Civic District
Open Space District
Parking Access Points
Designated Parking (Generally)

May, 2010

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EXHIBIT - C
MIXED-USE DISTRICT
PERMITTED USES TABLE
<table>
<thead>
<tr>
<th>MIXED-USE DISTRICT PERMITTED USES TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCESSORY USES WHICH ARE CUSTOMARY AND INCIDENTAL TO THE PRINCIPAL USE OF THE PROPERTY</td>
</tr>
<tr>
<td>APPAREL, NEW AND USED</td>
</tr>
<tr>
<td>ANTIQUES, CRAFTS, AND COLLECTIBLE SALES</td>
</tr>
<tr>
<td>ART GALLERIES AND ART STUDIOS</td>
</tr>
<tr>
<td>BAKERIES - RETAIL AND WHOLESALE AND MANUFACTURING NOT TO EXCEED 50% OF GROSS LEASABLE AREA</td>
</tr>
<tr>
<td>EDUCATION LEARNING CENTERS (I.E. SYLVAN LEARNING CENTER)</td>
</tr>
<tr>
<td>FINANCIAL INSTITUTIONS</td>
</tr>
<tr>
<td>FOOD INCLUDING GROCERY AND C-STORE</td>
</tr>
<tr>
<td>INDOOR RECREATIONAL FACILITIES</td>
</tr>
<tr>
<td>LAUNDRY, CLEANING, AND DRY CLEANING ESTABLISHMENTS</td>
</tr>
<tr>
<td>PERSONAL SERVICES SUCH AS BARBER, BEAUTY SHOPS, COPY SHOPS, MAIL SHOPS, TANNING SALONS, SHOE REPAIR, TAILOR SHOP, AND HEALTH SPAS</td>
</tr>
<tr>
<td>PROFESSIONAL, ADMINISTRATIVE, BUSINESS, AND MEDICAL OFFICES</td>
</tr>
<tr>
<td>RESIDENTIAL, MULTIFAMILY ATTACHED, MIXED-USE, LIVE-WORK</td>
</tr>
<tr>
<td>RESTAURANTS, INCLUDING DRIVE THROUGH RESTAURANTS</td>
</tr>
<tr>
<td>RETAIL SALES OF NEW MERCHANDISE</td>
</tr>
<tr>
<td>REPAIR SERVICES SUCH AS, BUT NOT LIMITED TO SMALL APPLIANCES, BICYCLES, WATCHES, MUSICAL INSTRUMENTS, AND SIMILAR ITEMS</td>
</tr>
<tr>
<td>SPORTING GOODS EQUIPMENT RENTAL, SALES, AND SERVICE.</td>
</tr>
</tbody>
</table>
EXHIBIT - D ROAD CROSS SECTION
EXHIBIT - E
TOWNHOME & TWIN-HOME HOMESITE
EXHIBIT - F
MIXED-USE &
TOWNHOME/TWIN-
HOME BULK &
INTENSITY
REQUIREMENTS
## MIXED-USE BULK & INTENSITY REQUIREMENTS

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min Lot Area</td>
<td>No Minimum Requirement</td>
</tr>
<tr>
<td>Min Lot Width/Frontage</td>
<td>No Minimum Requirement</td>
</tr>
<tr>
<td>Min Front Yard &amp; Corner Yard</td>
<td>No Minimum Requirement</td>
</tr>
<tr>
<td>Min Rear Yard</td>
<td>As allowed by IBC and must recognize any easements</td>
</tr>
<tr>
<td>Min Side Yard</td>
<td>As allowed by IBC and must recognize any easements</td>
</tr>
<tr>
<td>Min Living Area Per Residential Unit</td>
<td>850 SQ FT</td>
</tr>
<tr>
<td>Max Building Height Occupied Structure*</td>
<td>40’ (City Council may have the ability to approve buildings in excess of 45’ in height, but in no case will buildings be higher than three stories and 50’</td>
</tr>
<tr>
<td>Max Dwelling Units in the Mixed Use District</td>
<td>The maximum overall residential density for the mixed-use district is 30 units as shown in the density table. However, district boundaries may be adjusted to accommodate different layouts and densities, provided that the overall number of units in each district shall not increase by more than 15% from what is now shown in the density table</td>
</tr>
<tr>
<td>Min Open Space Requirement</td>
<td>10% of net developable area as defined in the open space section of this document</td>
</tr>
</tbody>
</table>

*Measured from highest point on the top back of curb along the lot frontage*
# Townhome & Twin-Home Bulk & Intensity Requirements

<table>
<thead>
<tr>
<th>Metric</th>
<th>Townhome District</th>
<th>Twin-Home District</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Min Lot Size</strong></td>
<td>1,500 SQ FT</td>
<td>2,800 SQ FT</td>
</tr>
<tr>
<td><strong>Min Lot Width</strong></td>
<td>20’</td>
<td>35’</td>
</tr>
<tr>
<td><strong>Min Front Yard</strong></td>
<td>5’</td>
<td>10’</td>
</tr>
<tr>
<td><strong>Min Rear Yard</strong></td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>(Interior Lots)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Min Rear Yard</strong></td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>(Corner Lots)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Min Side Yard</strong></td>
<td>NA</td>
<td>5’</td>
</tr>
<tr>
<td>(Interior Lots)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Min Side Yard</strong></td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>(Corner Lots)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td>Three Stories - Not to exceed 40' in height</td>
<td>Two Stories - Not to exceed 40' in height</td>
</tr>
</tbody>
</table>

*Measured from highest point on the top back of curb along the lot frontage.*
EXHIBIT - G
TRAFFIC
STUDY
The proposed Apple Creek is a proposed mixed use development including 113 residential units and 10,200 sf of retail which is planned along 10700 North and SR 74 in Highland, UT. Figure 1 shows an aerial and Figure 2 shows the proposed site.
Figure 2 - Proposed Site Plan
Traffic generated by a site is based on the number of units or square footage of the building and then equating into projected traffic using the trip rate from the Institute of Transportation Engineers (ITE) Trip generation manual, 10th Edition. The 121 residential units are projected to generate 58 AM trips, 71 PM trips and 903 daily trips. The 10,200 sf of retail is projected to generate 10 AM, 39 PM and 385 daily trips. Combined, the site is projected to generate 68 AM, 110 PM and 1,288 daily trips. These projections are shown in Table 1.

Table 1: Trip Generation Projections

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multifamily</td>
<td>113</td>
<td>0.5</td>
<td>0.56</td>
<td>7.32</td>
<td>52</td>
<td>63</td>
<td>827</td>
</tr>
<tr>
<td>SFH</td>
<td>8</td>
<td>0.74</td>
<td>0.99</td>
<td>9.44</td>
<td>6</td>
<td>8</td>
<td>76</td>
</tr>
<tr>
<td>Retail</td>
<td>10.200</td>
<td>0.94</td>
<td>3.81</td>
<td>37.75</td>
<td>10</td>
<td>39</td>
<td>385</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>68</strong></td>
<td><strong>110</strong></td>
<td><strong>1288</strong></td>
<td><strong>55</strong></td>
<td><strong>221</strong></td>
<td><strong>2190</strong></td>
</tr>
</tbody>
</table>

The current zoning would allow for commercial or office space. For the 5.8 acres, the developer has estimated that this could be 58,000 sf of commercial space or up to 125,000 sf of office space. Table 2 indicates that the office space would generate 1,218 daily trips and 145 AM and 144 PM peak period trips. The retail would generate 2,190 daily trips and 55 AM and 221 PM peak period trips. This indicates that the proposed zoning will generate similar or less traffic than the current zoning would allow.

Table 2: Other Land Use Trip Generation Projections

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>125.000</td>
<td>1.16</td>
<td>1.15</td>
<td>9.74</td>
<td>145</td>
<td>144</td>
<td>1218</td>
</tr>
<tr>
<td>Retail</td>
<td>58.000</td>
<td>0.94</td>
<td>3.81</td>
<td>37.75</td>
<td>55</td>
<td>221</td>
<td>2190</td>
</tr>
</tbody>
</table>

The traffic will access the site via accesses onto SR 74 and onto 10700 North. According to UDOT’s Traffic on Utah Highways (2017), SR 74 carries 15,000 average daily trips (ADT). SR 74 is a 3-lane arterial facility in this area and has an estimated capacity of 16,500 ADT. This indicates that the proposed site would utilize approximately 7.8% of the roadway capacity if all the traffic is directed to SR 74.

The traffic from the site that will utilize the 10700 North / SR 74 Intersection will primarily be traffic associated to the south. Travel to the other directions will likely utilize the other proposed accesses to the site. Prior traffic studies in the area indicated that approximately 30% of the traffic will travel to the south. This represents an increase of between 20 and 33 vehicles per hour associated with these movements. Since there is not projected to be a significant increase in eastbound left turns at 10700 North, it is unlikely that this development will contribute to the need for a traffic signal at 10700 North and SR 74.
Parking
The parking demand is based on the following ratios based residential unit type and number of bedrooms.

Residential Parking Demand:
- 57 - 1 bedroom units 550 sf (1.25 parking stalls per unit = 71.25 stalls)
- 30 - 2 bedroom units 750-1000 sf (2 parking stalls per unit = 60 stalls)
- 26 town homes (2 parking stalls per unit = 52 stalls)
- 8 twin homes (2 parking stalls per unit = 16 stalls)
- Visitor Stalls: (0.25 stalls per unit = 30 stalls)

Total Residential Stalls Provided: 230 stalls

The 10,200 sf of retail will need to include its own parking stalls but this could be part of a shared parking analysis between the residential and commercial which may have a reduction in overall site parking demand. The total site is proposing 299 parking stalls indicating that 69 spaces are available for the retail spaces. This is 6.76 spaces per 1,000 sf of retail.

Please contact me with any questions.

Sincerely,
A-Trans Engineering

Joseph Perrin, PhD, PE, PTOE
Principal
November 11, 2019

RE: Apple Creek Site – Highland, UT - Trip Generation Memo

The proposed Apple Creek is a mixed use development located on the northwest corner of 10700 North and SR 74 in Highland, UT.

- 70 Multifamily units
- 6,800 sf retail
- 31,285 sf office

Figure 1 shows an aerial and Figure 2 shows the proposed site.
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Traffic generated by a site is based on the number of units or square footage of the building and then equating into projected traffic using the trip rate from the Institute of Transportation Engineers (ITE) Trip generation manual, 10th Edition. The 100 residential units are projected to generate 32 AM trips, 39 PM trips and 512 daily trips. The 6,800 sf of retail is projected to generate 6 AM, 26 PM and 257 daily trips. The 31,285 sf of office is projected to generate 36 AM, 36 PM and 305 daily trips. Combined, the site is projected to generate 68 AM, 211 PM and 2,362 daily trips. These projections are shown in Table 1.

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This indicates that the proposed land use will generate less traffic.

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The three proposed accesses to the site will facilitate the traffic and is appropriate for a development of this size. The accesses include:

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Please contact me with any questions.

Sincerely,
A-Trans Engineering

Joseph Perrin, PhD, PE, PTOE
Principal
END
Re: McKay Christensen <mckayc22@gmail.com>

Austin Tripp <atripp@utah.gov>  
To: McKay Christensen <mckayc22@gmail.com>

Tue, Oct 29, 2019 at 6:52 AM

Mckay,

Everything you have said in this email is indeed correct. I would not oppose having a full movement access in this location as long as the island in the middle of SR-74 is modified or removed to accommodate the northbound left turns into your approach. If the city opposes the modification or removal of the island, we (UDOT) would still grant you access to SR-74 at the required spacing but it would be restricted to a Right in Right out access only.

Hopefully this helps,

Austin Tripp
Right of Way Control Coordinator
Access Management / Permitting Operations
Region 3 Headquarters / 658 North 1500 West Orem, Utah 84057
(801) 222-3418 / atripp@utah.gov

On Mon, Oct 28, 2019 at 12:07 PM McKay Christensen <mckayc22@gmail.com> wrote:

Austin,

You may recall that we made a preliminary application for a full service entrance into our property which is located off of SR 74 (property is approx. 6 acres located between Alpine Credit Union and 10700 as shown in the attached "Project Site") in Highland, Utah. My father, Steve Christensen, and I came to your office and met with you and several other members of your team and discussed this entrance (see attached Concept Plan). In that meeting you and your associates with UDOT stated that as long as the entrance is located 200 ft from the entrance at Alpine Credit Union and 200' from the entrance at 10700, that UDOT would not oppose a full service entrance into our site.

The City of Highland is requesting an email from UDOT confirming that UDOT would not oppose the full service entrance to our property. Would you mind emailing me to confirm that UDOT would not oppose our request for a full service entrance to our property off of SR 74 based on the foregoing information described above?

As a side, there are currently two entrances from our property on to SR 74. These would be consolidated to one entrance and relocated to the appropriate distance described above.
October 22, 2019

Mr. McKay Christensen
5532 W Parkway West
Highland, UT 84003

RE: Apple Creek Revised Proposal – Planned Development District
   First Review Comments

Dear McKay:

Thank you for the above referenced submittal. The attached comments were generated from the first review by City staff.

Please make the required revisions and return the following items:
- One electronic copy all plans
- Comment response sheet
- All additional plans and sheets as required herein

PLEASE NOTE: The attached comments constitute the first review of the application only. Staff may modify existing comments or provide additional comments on subsequent reviews and/or additional information received.

After you have had a chance to review the comments included in this letter, I would be happy to meet with you to discuss these comments. Please call me at (801) 772-4515 if you would like to setup a meeting. I look forward to working with you on the successful completion of this project.

Sincerely,

Nathan Crane, AICP
City Administrator/Community Development Director

cc: File
Key issues

1. Planning Commission and City Council
The Planning Commission is scheduled to consider these at their November 19, 2019 meeting. Staff reports to the Commission are due November 14, 2019. In order for the Planning Commission to consider these items a complete application will need to be submitted and all issues resolved by November 7, 2019. Staff will also need envelopes for all property owners within 500’ of the proposed site by November 4, 2019. Based on the comments herein it is anticipated that there will be substantial changes to the site plan and the PD document.

2. Proposed Uses
   - The proposed nonresidential use is not consistent with the representation of distribution of uses between office and general retail. Please revise the proposed use list and include appropriate verbiage to implement the proposed use distribution.
     - We are unsure what this means
   - Please provide information addressing the viability of the commercial space. 33,000 square feet is a large space for this site. What is the plan if the commercial space is not viable?
     - We have split the building into two phases. Phase I: 6,800 sf of retail and 17,000 sf of office. Phase II: 14,285 sf. Both buildings are very manageable.

3. Phasing
   - Revise the proposed phasing map to be consistent with what was discussed with the City Council.
     - Completed
   - Due to the proposed phasing, staff believes that the western and eastern half of the project need to stand on their own as it relates to recreational areas, circulation, amenities, etc.
     - With the new phasing plan, each phase stands on its own merits. The nature and purpose of a mixed use development, particularly one that is on such a small parcel of land, is that all uses share the amenities; e.g. the retail and restaurant are an amenity to the office and residential, the park provides an amenity to all the uses (including patrons of the office and retail), and the residential and office are reciprocal uses, which allows for shared visitor parking.
   - With the proposed location of the main amenity area is within the eastern half of the project. If this area remains at its current location, it will need to be constructed as part of the first phase. This is a standard requirement for higher density developments.
     - We have proposed that the amenity space will begin construction when 50% of the residential units are sold (see Phasing Plan).
Additionally, there is a city park (several acres in size) located directly across the street. There is also a slash pad within walking distance to the site.

What is the proposed phasing for the nonresidential uses as it relates to the townhomes?

- Completed: See phasing plan

A stipulation will be included that requires some portion of the nonresidential buildings to be completed in conjunction with the townhomes.

- This proposed stipulation seems inconsistent with the concern stated above regarding the viability of the office and retail.
- Please see the attached Ridgeview Phasing Plan and language regarding commercial development (Exhibit A). We believe the same standard should apply. See Apple Creek phasing plan.

4. Site Layout

- This product will be attractive to a wide range of buyers, such as singles, families and empty nesters. The concern is that the amenities and open space are distant from many of the homes leading to concerns of where young children will play and the viability of the amenity area. The proposed main amenity area is not centrally located for residents of the Town Homes.
  - Please note that all the townhome units and twin-home units have their own enclosed courtyard, located in either the front or side of each unit.
  - The amenity area is within a stone’s throw of every use, including the townhomes. Please see the attached Ridgeview concept plan to demonstrate the proximity of our townhomes to the amenity area relative to Ridgeview’s parks from their nearest units (Exhibit B). Please also note that most the of the residents in Ridgeview are required to cross public roads, drive aisles, or parking lots to access the open space amenities.
  - As previously stated, there is a large city park and splash pad located within walking distance to the site.

- Revise the site plan to be consistent with the proposed phasing as discussed with the Council.
  - Updated. See Phasing Plan

- The site has three access points. Of these one has been designed as a secondary access the one on 10700 North needs to be relocated, and the one on SR74 is a midblock entrance. The proposed access is not sufficient for the number of units and commercial space proposed. Access is key for the commercial area to be successful.
  - There are three access points to the development. Attached is a traffic study (Exhibit D) supporting the fact that these access points are sufficient to service the density.
  - Please also find attached email from UDOT (Exhibit E) stating that we will be allowed a full service access point from SR 74.

- While there is a 28 drive for the townhomes, the main access out of the site is 24 feet and has parking on both sides. This road will need to meet the same standards
as the private roads. Parking should be restricted to one side at the most to reduce the conflict points. Further, please verify with the Fire Code if this area will meet code requirements.
  o Believe this has been addressed.

- With the front door on the western side, delivery and emergency access is problematic. Please address.
  o We are unsure what is meant by the western side and emergency access.
- Provide a detail of the town and twin home overhangs as it relates to the proposed private streets. A minimum vertical clear distance of 28 feet will need to be maintained.
  o Completed: See Building Height in Townhome and Twin-home district

5. Parking

- The amount and location of guest parking provided is a concern. Many residents may have more than 2 vehicles and there currently parking issues within the Town Center. The location of the guest parking is not in area where it will be used for the western row of townhomes.
  o Completed: See parking table
- The parking on 10700 North cannot be used as part of the required number of spaces. This is consistent with the Blackstone development.
  o We have not proposed that it be used for the required visitor parking and is not included in the PD application.
- Further explain how the provided guest parking will meet the needs of the project and the locations of the parking are adequate. Specific attention will need to be given to the western row of townhomes and the twin homes.
  o Completed: See parking table
- Clarify if the driveway parking spaces were included in the parking counts on page 14. According to the drawing they appear to be included based on the drawing and numbers. If they are included the site is short 70 parking spaces. If they are not included the site is short 38 spaces. This does not include the elimination of the on street parking on 10700 North. In addition, address the overlapping hours of the commercial and residential parking areas.
  o Completed: See parking table
- For the Loft Homes, please confirm if only 2-or3-bedroom units will be offered. If 1-bedroom units will be offered, we will need the parking standards for those units and the updated number of parking stalls provided.
  o Completed: See Parking Requirements (there will be no 1 bedroom units).

6. Open Space/Recreational Areas

- Based on the open space exhibit, many of the areas that are being included as open space do not meet the definition for a recreational area. Please provide a revised exhibit and calculations. See Section 3-520.5.
  o We have reviewed this section of code and believe we are counting the open space correctly. Most of the open space provided is over 5,000’ of contiguous space.
• Open space should be the selling point of this project, though the amenities are disconnected from half of the development. Create centralized open space/amenity areas within each product type.
  o Completed: The open space is centrally located and intended for all uses within the mixed-use development.
  o As previously stated, there is a large city park and a splash located across the street and within walking distance. Currently, the Apple Creek open space exceeds city requirements.
  o If the ROW for SR 74 has been previously deeded to the City/UDOT, which includes landscaping and a large trail system, should this be counted toward the open space requirement for the project?

• Usable open space for young children is not readily available to all areas of the project. Increasing the common area between lots (within pods) would provide actual usable open space in close proximity to all of the lots. These areas need to be more than pedestrian connections, rather the areas should provide refuge for the property owners and their children.
  o Completed – every townhome and twin home has a front or side yard. The open space amenity is centrally located to all the uses.
  o Again, there is a large city park located directly across the street. There is also a splash pad within walking distance.

• See previous comment on open space location.

7. Architecture
• Verify that the proposed builder will comply with the proposed architecture. Further additional language needs to be included requiring compliance with architecture.
  o Completed. Added design guidelines.

• It is unclear if the proposed architecture is mandatory or just examples. If it’s just examples, then design guidelines will need to be written and included in the PD document.
  o Completed. Added design guidelines. The images are examples much like what has been shown as examples of architecture in the approved Ridgeview PD; however, rather than using stock images, we have invested a significant time and money developing these elevations and plan to build them. However, we anticipate there will be some changes to the elevations once we get into greater detail on floor plans, engineering, etc…. The design guidelines are built around the images we have created.

8. Utilities
• At the preliminary plan stage the proposed water utility plan is inadequate and will require looping within the development. Once a plan is approved, we can assist with determination of line sizes and water line looping to meet fire demands.

9. Fencing
• Will the private courtyards be fenced? If so, provide a detail of the proposed fence. It appears that the courtyards are porches. Please clarify.
There are both porches and courtyards to the townhomes. Yes, the courtyards in the townhomes and twin-homes will be fenced. See fencing plan.

- No fencing is demonstrated along the private development road and the credit union. Please update this.
  - This is the credit union property as I understand it.

- Please provide information about the size and material of the red fencing. Demonstrated on page 50.
  - Completed: See fencing plan

- Height of the orange fencing isn’t provided. The fencing material is consistent with Highland City standards demonstrated in the development code section 3-612.
  - Completed: See fencing plan

10. Fire Marshall

- Fire Marshall comments will be provided next week.

Comments

1. The PD document appears to be vague and doesn’t specifically require compliance with what is being presented. Further there are a number of inconsistencies between the document and exhibits. Correct as appropriate. For example, the floor plan square footage is not consistent with the table. Another example is the exhibits that say potential and the mixed use exhibit that says there are 31 units when it is being represented that there are a maximum of 30 units.
  - Corrected error (see Mixed-Use Bulk & Intensity Requirements)

2. Provide information on where and how garbage will be collected for the town and twin homes.
  - Completed

3. The proposed setbacks are not consistent with the exhibits provided. Please correct.
  - The proposed set backs are correct.

4. Update the traffic study as requested by the Council.
  - Updated & attached (Exhibit D)

5. Add minimum distance between the buildings and maximum number of units for each separate building.
  - Completed.

6. It does not appear that SR74 includes the required Parkway detail. Revise as required.
  - We are unclear on this. We believe it is already been dedicated to the City and installed.

7. Demonstrate compliance with the street landscaping that is required for 10700 North.
  - Need more detail

8. Discuss how water meters will be provided to serve the development.
  - This is typically not required until building permits

9. Provide information in the narrative as to where garbage and recycling receptacles will be stored for each type of unit on non-pick-up days. Particular information related to the town and twin homes needs to be provided since it is unclear how the storage of receptacles will be handled.
  - Completed

10. Please address the establishment of the HOA. Is there a master HOA or is each are independent?
  - There is a master HOA
Phasing Plan

Ridgeview will consist of multiple phases of development, and we anticipate building out the project over several years. Each phase has been broken out into several sub-phases to allow for flexibility in the development of the property. We anticipate starting with Phase 1 and ending with Phase 6, but there may be some deviation in phasing in order to adjust to market demand. We anticipate the commercial will be the last phase of the site to develop, as development of surrounding residential will help facilitate demand for the commercial. This phasing plan is based on a conceptual layout that is subject to change, which would affect the planned phasing.
Ridgeview Conceptual Master Plan
Ridgeview Development Standards

Residential Housing Types
Ridgeview features four distinct housing types. The intent of the different housing types is to provide residents of the community with various options for housing sizes, style, and price. Diversity of housing attracts different buyers, and adds to the overall vibrancy of the community. The maximum number of residential units at Ridgeview will be 699 units.

The featured housing types at Ridgeview are: estate homes, carriage homes, cluster homes, and townhomes. Below is a brief summary of the housing types. The residential bulk and intensity table below provides specific information about the housing types such as setbacks, density, height, etc.

Estate Homes
Estate homes are traditional single family detached homes on lots 7,000 square feet or larger with a minimum lot frontage of 60 feet. These homes feature larger private yards, front or side load garages, and more space between homes. See image below for an example of one possible layout of an Estate pod.

Cottage Homes
Cottage homes are traditional detached single family homes situated on individual lots with a minimum lot size of 3,500 square feet. The cottage homes live like traditional single family homes. See image below for an example of one possible layout of a Cottage pod.

Single Family lot pods may include the following:
- 40’ wide cottage lots
- 50’ wide cottage lots
- 1/4 acre estate lots
- 1/3 acre estate lots
- Single family detached homes
- Varied densities (2-8 DU/AC)

Note: Lot layout is for illustration purposes only. Actual layout is subject to change during the planning, design, and approval process.

RIDGEVIEW

9
November 11, 2019

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On Mon, Oct 28, 2019 at 12:07 PM McKay Christensen <mckayc22@gmail.com> wrote:

Austin,

You may recall that we made a preliminary application for a full service entrance into our property which is located off of SR 74 (property is approx. 6 acres located between Alpine Credit Union and 10700 as shown in the attached “Project Site”) in Highland, Utah. My father, Steve Christensen, and I came to your office and met with you and several other members of your team and discussed this entrance (see attached Concept Plan). In that meeting you and your associates with UDOT stated that as long as the entrance is located 200 ft from the entrance at Alpine Credit Union and 200' from the entrance at 10700, that UDOT would not oppose a full service entrance into our site.

The City of Highland is requesting an email from UDOT confirming that UDOT would not oppose the full service entrance to our property. Would you mind emailing me to confirm that UDOT would not oppose our request for a full service entrance to our property off of SR 74 based on the foregoing information described above?

As a side, there are currently two entrances from our property on to SR 74. These would be consolidated to one entrance and relocated to the appropriate distance described above.
McKay Christensen welcomed Dan and Reagan to the meeting and then presented the Apple Creek PD application.

At the end of the presentation, Dan expressed that he is in favor of the development, but actually preferred the previous, more dense, Apple Creek application. Dan then suggested that if there are two “right-in right-out” exits from the Apple Creek commercial on to SR 74, the cars who desire to go northbound may be inclined to make a U-turn around the median at the 10700, which could add to traffic congestion at that location.

McKay expressed that there is an easement connecting the Apple Creek commercial parking lot to the Ace Hardware parking lot. The Ace Hardware parking lot exits out to SR 74 at a location where there is a full service left turn onto SR 74. This would be more intuitive and an easier exit for cars that desire to go northbound. McKay also expressed that according to the traffic study done by Atrans, SR 74 has a capacity of roughly 15,000 cars per day and that the Apple Creek Development uses about 7% of that capacity.

Reagan shared that he is an owner of the property located adjacent to Apple Creek. He expressed support for the development and is interested in knowing how the properties relate to each other.
PURPOSE:
The Planning Commission will consider a request by Garret Seely representing SBGS Ridgeline Holdings to amend Section 3-520.5.a.i of the Highland City Development Code relating to the requirement for recreation areas for Planned Development on less than three acres. The Commission will take appropriate action.

BACKGROUND:
Fairfield Coves Planned Development District was approved by the Coty Council on May 21, 2019. The master plan was approved with six residential units, 9,250 square feet commercial building, and the open space around the residential homes to be a community open space maintained by the homeowner’s association (HOA).

After City Council approval, Hamlet Homes withdrew from the purchase of the property and SBGS Ridgeline purchased the property instead. During the preliminary plat preparation, SBGS Ridgeline felt that a homeowner’s association would be too costly for six residential homes and the community open space around the homes wouldn’t benefit the community as much as private ownership.

A development code amendment is a legislative process.

SUMMARY OF THE REQUEST:
1. The applicant is requesting to amend Section 3-520.5 by adding a new subsection as follows:

5. Recreation Areas:
Recreation areas shall be an integral part of a PD development, shall be provided in an amount commensurate to the size of the development, in minimum amounts not less than set forth below and shall, to the extent possible, be designed central to the internal
functions of the site.

a) Residential Recreation Areas:
   i. A minimum of twenty percent (20%) of the net development areas shall be provided. PROJECTS LESS THAN THREE (3) ACRES SHALL BE EXEMPT FROM THIS REQUIREMENT.

...  

2. If approved, the proposed amendment would allow the applicant to apply to amend the Fairfield Cove PD to allow for a six lots with a minimum lot area of 24,600 square feet and 7,200 square feet of commercial space in two buildings. This will be considered on a future agenda after proper public notice.

ANALYSIS:
- The purpose of the PD District is to provide mixed use development with recreation areas.
- Recreation areas are an integral part of the PD Development. Recreation area requirements/standards have been created for both the residential area and commercial areas to offer an amenity to the mixed-use development residents and pedestrians.
- One potential benefit could be to encourage commercial development on smaller parcels that may not be developed as all commercial.

CITIZEN PARTICIPATION:
Notice of the Planning Commission meeting was published in the Daily Herald on August 11, 2019 and posted on the state website August 8, 2019. No written correspondence has been received.

RECOMMENDATION:
The Commission will need to determine if the change is appropriate in the PD District. The following questions have been provided to assist the Commission in determining their recommendation:
- Is the proposed change compatible with the intent the PD District residential district?
- Is the proposed change in the best interest of the residents in Highland?
- Do the development changes in the PD District adequately address the potential impacts of not offering residential open space and recreation areas?
- Will removing an owner’s association from residential areas that have 3 acres or less have other unintended consequences? For example, who will maintain the monument signs or private roads if they are created.
- Generally, Cities who offer smaller lots/ higher density will receive something in
return, such as open space. What does the city, and residents, gain from removing the recreation requirement and offering smaller lots?

- How will the proposed change impact future requests?

**PROPOSED MOTIONS:**
I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment based on the following findings: (The Commission will need to draft appropriate findings.)

OR

I move that the Planning Commission **DENY** case TA-19-14, a request for a text amendment for residential recreation and owners association requirements in the PD District based on the following findings: (The Commission will need to draft appropriate findings.)

**FISCAL IMPACT:**
This action will not have a financial impact on this fiscal year’s budget expenditures.

**ATTACHMENTS:**
1. Ordinance
2. Current Development Code Section 3-520.5 Recreation Areas
3. Narrative
AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING
HIGHLAND CITY DEVELOPMENT CODE SECTION 3-520.5.a.i AS SHOWN
IN FILENAME TA-19-14.

WHEREAS, all due and proper notices of public hearings and public meetings on this
Ordinance held before the Highland City Planning Commission (the “Commission”) and the
Highland City Council (the “City Council”) were given in the time, form, substance and
manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held a public hearing on this Ordinance on November
19, 2019 and

WHEREAS, the City Council held a public hearing on this Ordinance on December
3, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That Section 3-4520.5.a.i of the Highland City Development Code, is
hereby amended as follows:

1. Residential Recreation Areas:
   a. A minimum of twenty percent (20%) of the net development areas shall be
      provided. PROJECTS LESS THAN THREE (3) ACRES SHALL BE EXEMPT
      FROM THIS REQUIREMENT.

SECTION 2. That the Mayor, the City Administrator, the City Recorder and the City
Attorney are hereby authorized and directed to execute all documents and take all steps
necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately after posting.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of
competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed
separate, distinct, and independent of all other provision and such holding shall not affect
the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, December 3, 2019.

HIGHLAND CITY, UTAH

Rodney W. Mann, Mayor
ATTEST:

Cindy Quick, City Recorder

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<th>COUNCILMEMBER</th>
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ATTACHMENT 2:

5) Recreation Areas. Recreation areas shall be an integral part of a PD development, shall be provided in an amount commensurate to the size of the development, in minimum amounts not less than set forth below and shall, to the extent possible, be designed central to the internal functions of the site.

a) Residential Recreation Areas.

i) A minimum of twenty percent (20%) of the net development areas shall be provided.

ii) The following areas shall count as recreation areas:

(1) Dedicated park sites with a minimum size of five acres, provided that the location, size and geometry are acceptable to the City.
(2) Dedicated tracts for bicycle, equestrian, hiking or multi-use trails.
(3) Private park, recreation areas, and clubhouses dedicated to, and maintained by, an Owners’ Association that meets the park improvement standards as determined in the development plan.
(4) Reserved or dedicated steep slope areas.
(5) Basketball, tennis or other sport courts, baseball, softball and soccer fields, tot lots and ramadas with barbeque areas.
(6) Any other areas deemed acceptable as determined by the City Council.

iii) The following areas that shall not count as recreation areas:

(1) Areas less than five thousand (5,000) contiguous square feet, unless such areas either are part of a larger trail system or contain significant project amenities, as determined by the City Council.
(2) Public rights-of-way, dedicated streets and alleys, vehicular drives, parking, parking landscape areas, loading and storage areas.
(3) Trails located behind lots unless approved by the City Council.
(4) Reserved school and park sites that require subsequent purchase of the land.
(5) Concrete or rock-lined areas designated primarily for the conveyance of water.
(6) Utility corridor easements, unless substantially improved to make the area usable for outdoor activities. Only that proportion substantially improved shall be counted as recreation areas. “Substantially improved” shall include any of the improvements listed, or any other improvements deemed substantial by the City Council.

iv) Meaningful recreation areas shall be included within all phases of a PD project and shall be provided proportional to the amount of development related to each phase, unless otherwise permitted by the Zoning Administrator and included in the phasing schedule.

c) Recreation areas shall be identified and reserved as tracts or parcels on a plat, or as easements when no plat is necessary. Maintenance of these areas shall be provided for by an Owners’ Association. A statement shall also be placed on the approved site plan or plat, as appropriate, stating that all landscaping shall be maintained by the Owners’ Association. All areas shall be maintained at a level consistent with the approved development plan.

d) All recreation areas shall be installed by the developer and/or property owner.
Fairfield Cove
PD Narrative Major Amendment

Applicant:
Garrett Seely
Red Pine Land
367 East 280 South
Alpine, UT 84004

Preparer:
Steve McCutchan
Civil Science
3160 Club House Drive
Lehi, UT 84043

Draft: October 29, 2019
I. Introduction and Opening Statement

A. Context & Description

The Fairfield Cove Planned Development describes a mixed-use community consisting of 2.85 Acres. This Planned Development community is broken out into two (2) sub-districts: 1) Commercial District; and 2) Residential District; 0.85 acre commercial parcel and 9 single-family detached units -- with 0.96 net acres of commercial, 0.99 net acres of residential and 0.90 acres proposed to be dedicated as public street. A subdivision of the residential portion is proposed to create six (6) single-family detached residential lots.

The property was previously used for agriculture purposes has been farmed and has one existing single-family detached structure and a barn. The property is located at 10272 North 4800 West. The property can be found across the street 4800 West (North County Boulevard) from Lone Peak High School and 0.15 miles from the Walmart off Cedar Hills Dr. roughly 435 feet north of the Cedar Hills Walmart. The adjacent land uses consist of big box retail, institutional, single-family residential, agriculture and a senior living facility.

In addition to six (6) single-family detached residential lots, Fairfield Cove also includes opportunities to attract food establishments, professional services, and other businesses which can provide residents, employees, commuters, and students with convenient access to goods and services.

B. Land Use Designation Description

The proposed Fairfield Cove parcel is currently zoned R-1-40 with a Future Land Use Designation (per the General Plan Land Use Map) of Mixed Use. This PD development will be broken up into two Districts. One District will be the commercial component of this mixed-use development, the other will be a residential neighborhood. was zoned Planned Development (PD) by the City Council through the adoption of City Ordinance No. O-2019-08 on May 21, 2019. The General Plan Future Land Use Designation is “Mixed Use.”

Figures 1 and 2, the General Plan Land Use Map and the Zoning Map, show the location of the property and the current designations.

The property existing improvements – a single family dwelling and a barn --, will be demolished as part of the development of the property.

C. Development Code

The requirements of the Highland City Development Code, as amended, shall apply except where explicitly states otherwise herein by this PD. The Highland City Staff shall determine the applicable development standard to apply.

II. Project Location

Figure 3 shows the property’s location on a Utah County Parcel Map.
III. Legal Description

Land located in Utah County, State of Utah, more particularly described as follows:
Commencing South 746.30 feet and East 33.59 feet from the Northwest corner of Section 6, Township 5 South, Range 2 East, Salt Lake Base and Meridian, and running thence South 89°52'41" East 779.98 feet; thence South 0°03'15" West 160 feet; thence North 89°52'41" West 779.71 feet; thence North 0°02'30" West 160 feet to beginning. LESS AND EXCEPTING the following; Commencing at a point located 746.30 feet South and 33.59 feet East from the Northwest corner of Section 6, Township 5 South, Range 2 East, Salt Lake Base and Meridian, and running thence South 89°52'41" East 4.77 feet; thence along a portion of the North line of parcel with Serial Number 14:003:0015 as recorded at the Utah County Recorders office; thence South 00°02'42" East along the East Right-of-Way line of 4800 West Highland, 160 feet; thence North 89°52'41" West 4.78 feet along a portion of the South line of said parcel; thence North 00°02'30" West 160 feet along the West line of said parcel to the point of beginning.
(Tax Parcel No.: 14:003:0368)
IV. Fairfield Cove Master Plan

A. Development Overview

The Fairfield Cove Planned Development will complement and build upon the existing 4800 West Commercial Corridor and the strong residential base of Highland City.

a. Commercial District

The Fairfield Cove Commercial District consists of approximately 0.85-0.96 net acres, and would be developed into a commercial/retail center. This commercial component will provide opportunities to attract a mixture of end users that can serve the adjacent schools, employment centers and the residential base of Highland City. The maximum commercial square footage that will be constructed is 9,500 square feet, providing a mixture of retail and service commercial businesses to serve adjacent schools, commuting traffic on 4800 West, employment centers and the residential base of Highland City.

The commercial development can accommodate up to 9,500 square feet of retail space. A variety of building and tenant configurations are possible.

Figure 4 is a Conceptual Site Plan of the commercial property. It shows a 2,200 SF Gross Floor Area (GFA) Drive-Thru Restaurant, a 5,000 SF GFA Leasable Retail Space and a required open space area. Figure 4 is a conceptual plan and shows a possible commercial development plan. Plans submitted for City design and development approval may vary, but all plans must meet the minimum requirements of this PD Narrative and the Highland City Development Code as specified herein.
b. Residential District

The remaining 2.00 acres of the property is the Fairfield Cove Residential District. This residential community will be a highly landscaped community that will cater to young professionals, new families, and empty nesters who are aiming to downsize their homes.

The architecture style will integrate seamlessly with the surrounding neighborhoods. The cottage configuration will act as a transition between the existing single family residential neighborhood and the new commercial frontage, while also providing a single family detached housing opportunity. The community will consist of ten (10) nine (9) single-family detached homes.

The east 1.89 acres of the property is the Fairfield Cove Residential District. 0.99 acres will be included in six (6) single-family detached residential lots and 0.90 acres is included in a public street extension of 4730 West and a new cul-de-sac at roughly 10270 North.

1. This Major Amendment proposes an alternative to the recreational requirement found in City Code Section 3-520 (5). Section 3-520 (5) requires a minimum 20% of the residential area be recreation land based upon a series of requirements.

2. The alternative requested is:

   a. No separate common recreation area is required allowing each lot to be the maximum size and private recreation area possible in the form of yard areas, patios, decks, porches and similar family gathering spaces.

   b. The home builder shall landscape the front yard areas based upon the following.

      i. All landscaping and irrigation plans shall be prepared by a professional landscape architect, designer or contractor.
ii. Landscaping shall be installed prior to Certificate of Occupancy issuance between May 1 and October 15, inclusive.

iii. Between October 16 and April 30, inclusive, the home builder shall obtain City Staff approval of a Conceptual Front Yard Landscaping Plan, a Conceptual Automatic Irrigation Plan and a Conceptual Cost Estimate to install the landscaping and irrigation system in warmer months.

iv. The home builder shall establish and fully fund an escrow account with the home builder and the City as escrow holders that includes the amount estimated to install landscaping and irrigation system.

v. The landscaping and irrigation system shall be installed by the home builder or their designee prior to July 1 of the subsequent or current year depending upon when the escrow is established.

vi. Figure 5 is a Conceptual Landscape Plan showing the extent of landscaping, plant types and plant sizes that the home builder will be required to install as specified in the above.
We believe that alternative request is justified for the following reasons.

1. The net residential area is only 0.99 net acres and will include only six (6) single-family detached lots.

2. With the small size of the planned development, families would benefit more from larger individual private areas than a common recreation area.

3. The required minimum common recreation area would be 8,624 square feet. The minimum average private individual lot recreation area is 4,100 square feet or a combined minimum area of 24,600 square feet.

B. General Development Goals

   a. Build a neighborhood which is compatible with the surrounding community.
   b. Encourage community interaction through strong pedestrian connections, interconnected green spaces, and welcoming community layout and design.
   c. Create a sense of community through consistent or complimentary community space design, materiality, vegetation, and street furnishings that are used in both Districts.
   d. Provide housing options for recently married couples, college educated young professionals, and empty nesters looking to downsize.
   e. Contribute to Highland City’s sales tax base with high quality commercial businesses.

C. Ingress & Egress

There is an existing stub road (4730 West) which dead ends into the proposed Fairfield Cove site. This stub road will be connected to and incorporated into the Fairfield Cove Residential District road network. To facilitate a future road connection, 4730 West will continue through Fairfield Cove and will stub into the vacant property to the south.

4730 West, which currently dead ends into Fairfield Cove, will be extended and stub into the vacant property to the south. A public road will also run west to east through the Residential District which will end in a cul-de-sac.

A public road will also run east to west through the Residential District which will dead end into a cul-de-sac. We have taken into consideration the adjacent property owner and he has indicated his willingness to permit us to construct a portion of the cul-de-sac on his property. A formal agreement will be executed prior to plat recordation.

With the City’s approval, we will extend our sidewalk to the north of the property and provide a pedestrian connection to the existing Main City Trail. The sidewalk will connect to the existing Main City Trail, north of the property.
Figure 6 is a Conceptual Neighborhood Development Plan that shows how Fairfield Cove PD would connect with the properties to the south and make a connection to 4800 West. This is a conceptual plan and the actual subdivision of the properties may vary.

The ingress and egress for the Commercial District will come off of 4800 West. The curb cut width will comply with the Highland City Development Code and Utah Department of Transportation (UDOT) requirements. Since no roadway connections to adjacent commercial complexes or neighborhoods, traffic within the Fairfield Cove Commercial District will consist of only patrons and employees of the businesses on-site.

Access to the Commercial District will come from 4800 West. Access will comply with the Highland City Development Code and Utah Department of Transportation (UDOT) requirements.

D. Utilities

Because this is a smaller development, the impact on public services will be very minimal. It will have an extremely minimal impact on water usage, sewer, power, police and fire services, etc. The Residential District will have minimal impact on the public infrastructure and utilities due to the small scale, and low-density nature of the development.

As a small development, the impact on public services -- water, sewer, power, police and fire services, etc --, will be minimal.

E. Phasing

The Fairfield Cove Planned Development will be developed in two (2) phases. The first phase will be the Residential District and the second phase will be the Commercial District.
V.  Fairfield Cove Residential District Requirements

A.  Description

The purpose of the The Fairfield Cove Residential District will be developed with a cottage configuration, providing a transition between the existing single family residential neighborhood and the new commercial frontage, while also providing a single family detached housing opportunity. transition between existing single-family residential homes and the new commercial frontage.

B.  Permitted Uses

The only Permitted Uses allowed in the Fairfield Cove Residential District of the Fairfield Cove Planned Development are as follows:

a.  All permitted uses listed in City Code Section 3-4202, excepting the keeping of large animals as specified in City Code Section 3-4202 (7).

b.  Model homes used for the sale of homes/ lots within a subdivision in Highland, provided that the model home conforms to the requirements of Section 3-4108(11) of the Development Code.

c.  Construction Trailer & Sales Trailer.

d.  Detached Single-Family Residential Units

e.  All permitted uses allowed in the Highland City R-1-40 Zone, adopted as part of the Highland City Development Code excluding the “Keeping of Animals” sub-section (7).

f.  Trails & Recreation Spaces

C.  Permitted Uses with Conditions

All uses not specifically provided for herein are prohibited. Home Occupations based upon the requirements in Development Code Section 3-614.

D.  Prohibited Uses

All uses not specifically provided for herein are prohibited.

E.  Overall Residential Density

The Fairfield Cove Residential District will include ten (10) detached single-family units. The proposed density is 5.00 dwelling units per acre which is significantly lower than what would be permitted per the “Mixed-Use” Future Land Use Designation found in the Highland City General Plan.

<table>
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<th>Acreage</th>
<th>No. of Units</th>
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The gross residential density, including planned public streets, is 3.0 dwelling units per acre.

F. Width Requirements

The minimum width at the front of the building pad for all lots is 40 feet.

G. Minimum Buildable Area

Minimum buildable area for all residential lots will be 2,000 SF. 1,900 SF.

H. Dwelling Size

The minimum dwelling area per unit will be 2,000 SF of habitable space above grade.

I. Dwelling Height

To create visual diversity within the community, the home heights will range with the tallest home permitted being 35 feet tall. The maximum height of any building shall not exceed 35 feet measured from finished grade. The height is measured from one location along any elevation where the “Grade of the Building” to the highest part of the building is at its greatest vertical distance. On sloped lots where the grade difference is four feet or greater in elevation the averaged maximum “Height of Building” (as defined in 10-102 of the Development Code) shall not exceed an average height of 35 feet above grade.

J. Foundations

No foundation may be exposed for more than ten inches (10”) above the final grade. Foundations that extend above that height must be covered with a material which compliments and blends with the architectural materials used on the rest of the home.

K. Garage & Parking

Each home shall have a minimum of a 2-car garage. Two (2) additional parking stalls are located in the driveway of each unit. The parking ratio for the Fairfield Cove Residential District is 4.00 stalls per residential unit. Thirteen (13) guest parking stalls have been provided with two (2) guest parking stalls at the end of the hammerhead on the Private Road and approximately eleven (11) parallel parking stalls accommodated on-street. Both sides of the Public Roads may be parked on to accommodate guest parking, and one side of the Private Road may be parked on.

L. Landscaping

Landscaping shall be installed at the time of community construction, or as such time as weather permits. All landscaping will be managed and maintained by the residential community’s homeowners association. The following landscape standards shall be
followed: • Each home shall have a minimum of one (1) shade tree planted in the front yard setback.

Trees shall be planted along the perimeter of the property to provide buffers between homes and adjacent properties.

a. Park Strips along public streets shall have a tree planted every 30 feet on-center.
b. An attractive mix of turf and waterwise plant materials will be used throughout the Fairfield Cove Planned Development.
c. A diverse palette of plant material will be used to create interest throughout the seasons.
d. Entries into homes shall be highlighted and enhanced by attractive plant materials.

M. Fencing

Privacy fencing may be located along the perimeter of the Residential District, but is prohibited in all other areas. Light-colored picket, or three rail fencing is permitted along the perimeter of Limited Common Areas which back up onto the central pocket parks and may only be 4’ tall. The intent behind this restriction is to maintain an open welcoming feel within the community and encourages community interaction. The existing agricultural fencing to the south of the project running along the east to west road shall be restored following the construction of the cul-de-sac roadway.

N. Roof

All roofs shall overhang exterior walls by a minimum of twelve inches (12”).

O. Location & Setback

Building Pads shown on the Fairfield Cove Site Plan reflects the buildable area for each house. All main dwellings and other main structures shall be located as shown on the Plan and as follows:

a. Since the area around the residential units consist of Common Area/Limited Common Area, interior side setbacks between buildings are measured from building pad to building pad. Interior Side setbacks shall be a minimum of 10 feet.
b. Perimeter Side Setbacks are measured from the building pad to the abutting property line. Perimeter Side Setbacks shall be a minimum of 10 feet.
c. Front Setbacks shall be a minimum of 20 feet. Front porches may extend an additional two (2) feet into the front setback.
d. Rear Setbacks shall be a minimum of 25 feet measured from the home to the abutting property line. Rear Porches may extend an additional two (2) feet into the rear setback.
### P. Recreation Areas

Within the Fairfield Cove Residential District the majority of the greenspace around the homes is community Common Area. This Common Area provides residents with an interconnected network of open space. The proposed open space will be enhanced by implementing a high-quality landscape design which provides shade and comfortable places to sit.

**Recreation Area Size:** 0.77 Acres of the Residential District is Community Open Space. This represents 38.5% of the total Residential District Development Area.

**Recreation Area Designation:** Open Spaces surrounding the homes will be dedicated to, and maintained by, the homeowners association.

### F. Development Standards

The following are minimum development standards.

- **a.** Minimum lot size – 8,000 square feet.
- **b.** Minimum lot width measured at the front setback line – 80 Feet.
- **c.** Minimum front yard setback – 25 feet to the garage and 20 feet to other living areas and covered porches.
- **d.** Minimum interior side yard setback – 5 feet.
- **e.** Minimum corner side yard setback – 15 feet, except where a garage faces the corner street, the minimum setback is 25 feet to the garage.
- **f.** Minimum rear yard setback – 20 feet, except that accessory structures may be located within 5 feet or a rear lot line.
- **g.** Minimum dwelling size - 1,200 square feet on the main floor.
- **h.** Maximum building height – 35 feet measured from finished grade. The height is measured from one location along any elevation where the “Grade of the Building” to the highest part of the building is at its greatest vertical distance.
- **i.** Maximum exposed foundation height - No foundation may be exposed for more than ten inches (10”) above the final grade. Foundations that extend beyond 10” must be covered with a material which compliments the primary architectural materials.
- **j.** Garage size - Each home shall have a minimum of a 2-car garage.
- **k.** Landscaping.
1. The home builder will install all front yard landscaping per the requirements of Section IV.A.b.1 of this document.

2. Park Strips along public streets shall have a tree planted every 30 feet on-center and a minimum of one (1) shade tree will be planted in the front yard.

3. An attractive mix of turf and waterwise plant materials will be used throughout the Fairfield Cove Planned Development.

4. A diverse palette of plant material will be used to create interest throughout the seasons.

5. Entrances into homes shall be highlighted and enhance by attractive plant materials.

i. Fencing.

1. Solid privacy fencing a maximum of six (6) feet in height may be erected along all side and rear lot lines based upon the following criteria.
   a. All fencing shall be a solid tan color vinyl fence like the exhibit shown on the right.
   b. Fencing erected in the front yard shall be a maximum of 36 inches in height.

2. The existing agricultural fencing to the south of the project running along the east to west road shall be restored following the construction of the cul-de-sac roadway.

m. Roof - All roofs shall overhang exterior walls by a minimum of twelve inches (12").

G. Example Single-Family Detached Residential Examples

Figures 7 and 8 are examples of the types of homes that will be constructed on the property. The photos are examples and actual homes constructed may vary.
Figure 7 – Single-Family Detached Home Examples
VI. Fairfield Cove Commercial District Requirements

A. Description

The Fairfield Cove Commercial District will consist of a maximum 9,500 square foot retail commercial building that will provide the opportunity to house approximately 3-5 businesses. This District will add to the existing commercial presence of the Wal-Mart and contribute to the commercial growth in southern Highland City. With the adjacent employment centers, schools, and Highland City residents, the need for access to goods and services is in high demand and is continually growing. The Fairfield Cove Commercial District will improve the surrounding residents’ quality of life through convenient access to a variety of food establishments and retail providers.

The Fairfield Cove Commercial District is 0.96 acres fronting on 4800 West (North County Boulevard). The District will add to the existing commercial along 4800 West and contribute to Highland City’s commercial growth.

B. Permitted Uses

The only Permitted Uses allowed in the Commercial District of the Fairfield Cove Planned Development are as follows:

a. Accessory uses - which are customary and incidental to the principal use of the property.
b. Apparel, new and used.
c. Antiques, crafts, and collectible sales.
d. Art galleries and art studios.
e. Bakeries, retail only.
f. Education learning centers (i.e. Sullivan Learning Center).
g. Financial institutions, excluding non-charted financial institutions.
h. Fitness center.
i. Indoor recreational facilities.
j. Laundry, cleaning, and dry-cleaning establishments.
k. Personal services such as barber, beauty shops, copy shops, mail shops, tanning salons, shoe repair, and tailor shops.
l. Professional, administrative, business, and medical offices.
m. Restaurants, excluding drive thru.
n. Retail sales of new merchandise.
o. Repair services for small appliances, bicycles, watches, musical instruments, and similar items.
p. Sporting goods equipment rental, sales, and service.

C. Permitted Uses with Conditions

All uses not specifically provided for herein are prohibited. Drive thru restaurants.
D. Prohibited Uses

All uses not specifically provided for herein are prohibited.

E. Development Standards

a. Width Requirements - The minimum roadway frontage width required for all commercial lots is 100 feet.

b. Building Height - The maximum height of any building shall not exceed thirty (30) feet. The height is measured from one location along any elevation where the “Grade of the Building” to the highest part of the building is at its greatest vertical distance.

c. Roof - The following roofing materials shall not be applied to any roof structure or design in the Fairfield Cove Planned Development and are prohibited, either because of their appearance, or because they are not likely to perform satisfactorily in the climate of Highland City:

   1. Untreated aluminum or metal (except that copper may be used).
   2. Reflective materials.
   3. Brightly colored roofing materials such as bright red, blue, yellow, neon colors, or similar colors that are highly visible

d. Location & Setback

All commercial structures shall be located as follows:

<table>
<thead>
<tr>
<th>Setback</th>
<th>Minimum Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback</td>
<td>50 Feet</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>25 Feet</td>
</tr>
<tr>
<td>Side Setback</td>
<td>10 Feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yard</th>
<th>Minimum Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>20</td>
</tr>
<tr>
<td>Side</td>
<td>5</td>
</tr>
<tr>
<td>Rear</td>
<td>10</td>
</tr>
</tbody>
</table>

F. Architectural Guidelines

a. All commercial structures in the Fairfield Cove Planned Development shall comply with the C-1 Zone architectural design requirements found in the Highland City Development Code.

b. Figures 9 and 10 are examples of retail and service commercial buildings and businesses anticipated. The examples are conceptual and may vary.
G. Commercial Signage

All commercial signage shall comply with those requirements outlined in the Highland City Development Code.

H. Equipment Screening

The following standards shall relate to the installment, location and screening of utilities and other exterior equipment:

a. All utilities, including drainage systems, sewer, gas and water lines, electrical, telephone and communications wires, and related equipment, irrigation ditches and/or pipes, shall, where possible, be installed and maintained underground.

b. No mechanical equipment (including, but not limited to, components of plumbing, processing, heating, cooling, and ventilating systems) shall be visible on site or from adjacent property.

c. No exterior components of such mechanical equipment (e.g. piping, stacks and duct work, fans and compressors) shall be mounted on any building wall unless they are an integrated architectural design feature. Any such components shall only be permitted with the written approval of the City Planning Commission.

d. Roof mounted mechanical equipment shall be hidden from view by building parapets of equal height.

e. If building parapets do not provide adequate screening of mechanical equipment from the upper floors, screening shall be installed as an integral part of the overall architectural design and painted such a color as to allow its blending with its visual background.

f. Equipment and mechanical devices shall not be located in any required front setbacks.

g. Electric transformers, utility pads, cable TV and telephone boxes shall be located out of public rights-of-way and under grounded or screened with walls, fences or vegetation or otherwise enclosed in a manner harmonious with the overall architectural theme.

I. Parking and Loading

The Fairfield Cove commercial development proposal shows 39 parking stalls provided for the business patrons and employees. Since the commercial tenants have yet to be identified the exact parking requirement cannot be determined. The current proposal consists of a 9,250 SF commercial building which totals to approximately 4.20 parking stalls per 1,000 square feet of useable commercial space.

a. Off-street parking shall be provided based upon the parking requirements of the C-1 Zone, Development Code Section 3-4309, except for the following.

1. Drive thru restaurants shall a minimum of 1 space per 100 square feet of gross floor area.
2. Parking or driveways may be located within 20 feet of the right-of-way of 4800 West. The 20-foot setback shall be landscaped.
   
b. Because of the site’s small size, typical commercial loading and unloading with separate bays and spaces are not possible. The following requirements shall be used in the design and use of loading and unloading.
   1. Loading and unloading may be performed within the driveways and parking areas of the site.
   2. Scheduled, daily or weekly, loading and unloading shall be performed during off-peak hours, specifically 7 am to 9 am and 2 pm to 4 pm.
   3. Periodic, unscheduled loading and unloading may occur during peak hours but shall have 30-minute duration limit.
   
c. To ensure there sufficient parking, the commercial building Owner will review with Highland City Staff the proposed tenant, desired square footage of lease space, any shared parking agreements, and the tenants currently leasing in the building to make a determinization on whether the site can support the proposed tenant.

J. Landscaping

Since the Commercial District has frontage along 4800 West, a 29 foot landscape buffer is required. The design and layout of the landscape buffer shall comply with the Parkway Detail found on page 27 of the Highland City Town Center Overlay Zone Design Standards.

Landscaping will be completed at the time the commercial building is being constructed, or as such time as weather permits. The following landscape standards shall be applied to all commercial development sites within the Fairfield Cove Planned Development.

a. Trees shall be planted along the perimeter of the property to provide buffers between the commercial businesses and adjacent properties.

b. Park Strips shall have a tree planted every 30 feet on-center.

c. An enhanced landscape design will be installed along 4800 South to create an attractive presence along the street and to contribute to the Highland City image.

d. Tree plantings will be placed along the edges of the parking lot and in parking lot islands to provide shade and reduce the heat island effect created by the parking lot asphalt.

e. An attractive mix of turf and waterwise plant materials will be used throughout the Fairfield Cove Planned Development.

f. Landscape designs will aim to limit turf to only those areas where people gather.

g. A diverse palette of plant material will be used to create interest throughout the seasons.

h. Entrances into businesses, trails, and parks shall be highlighted and enhance by attractive plant materials.

i. There shall be deciduous trees planted to provide shade for outdoor seating areas.

j. Crime Prevention Through Environmental Design (CPTED) principles shall be followed by all homeowners and throughout the trail and park design.
K. Fencing

Privacy fencing shall be located between the Commercial District and the Residential District to delineate the separate Districts and to provide additional privacy to the adjacent residents.

a. The privacy fencing shall be installed at the same time as the construction of the Commercial District. Fence material shall be a white vinyl material or something of equal or higher quality.

b. The Fairfield Cove Residential District’s Home Owners Association shall approve the material selected for the fencing prior to installation.

L. Recreation Area

A highly landscaped multi-use trail connection will be incorporated into the Fairfield Cove Commercial District. This trail connection will encourage surrounding Highland City residents to walk to the Commercial District. It will also provide patrons the opportunity to sit outside and eat their recently purchased food, or employees a comfortable spaced to sit during lunch.

The Commercial Recreation Area provided in this District will be a linear park with a multi-use trail, comfortable seating, a pergola and an overhead canopy of shade trees. The total size of the Commercial Recreation Area provided is 0.11 acres which is 13.2% open space of the Commercial District area.

a. A minimum of 4,181 square feet of commercial recreation area is required.

b. Recreation area(s) shall be covered seating areas with tables and/or chairs.

c. Seating area(s) should be located adjacent to food service businesses such as restaurants or convenience stores.

d. To ensure that the recreation areas are kept in a clean and safe condition, provisions shall be made to collect refuse and clean the recreation areas on a daily basis or more often if necessary.

e. Figure 11 are examples of recreation area shaded seating areas. The examples are conceptual and may vary.
Figure 9 – Commercial District Building Examples
Figure 10 – Commercial District Building Examples
Figure 11 – Commercial District Covered Seating Area Examples
PLANNING COMMISSION AGENDA
REPORT ITEM #3

DATE: November 19, 2019
TO: Planning Commission
FROM: Tara Tannahill
Planner and GIS Analyst

SUBJECT: PUBLIC HEARING AND ACTION – Boyer Ridgeview Residential LLC is requesting Preliminary Plat Approval for a 265-lot subdivision. The property is approximately 38 acres and is located at 9900 N North County Blvd. Administrative

PURPOSE:
The Planning Commission will consider a request by Spencer Moffat representing the Boyer Ridgeview LLC for preliminary plat approval for a 265 lot subdivision located at approximately 9900 North and North County Blvd. The Commission will take appropriate action.

BACKGROUND:
The property is approximately 38 acres and located on Canal Blvd and North County Blvd or approximately 9800 N North County Blvd.

The property was rezoned as a Planned Development (PD) district on May 21, 2019.

Preliminary Plat review and approval is an administrative action. Review is limited to compliance to the Development Code and Ridgeview PD Zoning District.

SUMMARY OF THE REQUEST:
1. The applicant is requesting approval of a 265-lot subdivision for the purpose of being able to construct single family residential homes and multi-family residential homes on the property. The project is divided into four pods.

2. Phase one will include Pods 5, 9, 10, and 14 from the master plan. These pods are the Flex Residential, Carriage, and Estate Lots. Each pod district has their own setbacks, density restrictions, and style of home.

3. Access to the site will be from Canal Boulevard and North County Boulevard.

4. Pod Overview for each phase in Plat A:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Pod Style</th>
<th>Acreage</th>
<th>No. Lots</th>
<th>Lots / Acre</th>
</tr>
</thead>
</table>

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### 5. Home style and number of lots:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Style of Home</th>
<th>No. of Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Flex Residential</td>
<td>Front Load Townhomes</td>
<td>94</td>
</tr>
<tr>
<td>Phase 2: Carriage Lots</td>
<td>Front Load</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Paired / Villa Lots</td>
<td>30</td>
</tr>
<tr>
<td>Phase 3: Carriage Lots</td>
<td>Cluster/ Age Targeted</td>
<td>80</td>
</tr>
<tr>
<td>Phase 4: Estate Lots</td>
<td>Single Family</td>
<td>11</td>
</tr>
</tbody>
</table>

### 6. Minimum lot size for Plat A:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Lot Size (Sq. Ft.)</th>
<th>No. of Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Townhomes</td>
<td>1,138</td>
<td>94</td>
</tr>
<tr>
<td>Phase 2: Front Load</td>
<td>2,640 to 6,405</td>
<td>50</td>
</tr>
<tr>
<td>Phase 2: Villa Lots</td>
<td>2,695 to 4,687</td>
<td>30</td>
</tr>
<tr>
<td>Phase 3: Cluster &amp; Front Load</td>
<td>3,275 to 8,630</td>
<td>80</td>
</tr>
<tr>
<td>Phase 4: Estate</td>
<td>8,433 to 17,900</td>
<td>11</td>
</tr>
</tbody>
</table>

### 7. Setbacks and frontage for Plat A:

<table>
<thead>
<tr>
<th>Plat A Phase</th>
<th>Frontage</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Townhomes</td>
<td>25.29’</td>
<td>12’ Front, 5’ between buildings &amp; 10’ side street</td>
</tr>
<tr>
<td>Phase 2: Front Load</td>
<td>30’</td>
<td>15’ Front, 10’ Rear, 0’ between homes and 5’ between buildings</td>
</tr>
<tr>
<td>Phase 2: Villa Lots</td>
<td>30’</td>
<td></td>
</tr>
<tr>
<td>Phase 3: Cluster &amp; Front load</td>
<td>30’</td>
<td>15’ Front, 10’ Rear, 0’ between homes and 5’ between buildings</td>
</tr>
<tr>
<td>Phase 4: Estate</td>
<td>60’ Minimum</td>
<td>20’ Front, 25’ Rear, 15'/7’ Combo Side</td>
</tr>
</tbody>
</table>

8. For Plat A there will be 193,593 square feet of open space. A landscape plan has also been provided for Plat A.
<table>
<thead>
<tr>
<th>Plat A Phase</th>
<th>Open Space (sq. ft)</th>
<th>% of the net developable area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Flex Residential</td>
<td>94,799</td>
<td>36%</td>
</tr>
<tr>
<td>2: Carriage Lots</td>
<td>48,608</td>
<td>15%</td>
</tr>
<tr>
<td>3: Carriage Lots</td>
<td>44,508</td>
<td>10%</td>
</tr>
<tr>
<td>4: Estate Lots</td>
<td>5,678</td>
<td>4%</td>
</tr>
</tbody>
</table>

9. Phase 3 will be an age targeted community. There will be a community walking trail and open space that will be maintained by the HOA.

10. Two entry monument signs will be placed on Canal Boulevard. Both are made of brick and concrete. The height is a maximum of 12’.

11. A fence plan was also provided. Fencing is demonstrated along Murdock Canal Trail, Canal Boulevard, North County Boulevard, and Pine Street.

12. A trail master plan was created. There will be two trail access points to the Murdock Canal Trail, two trail access point to Highland Glen Trail, and two access points to Lone Peak High School.

13. Each home has their own driveway that can be utilized for guest parking. In addition to the provided driveway parking there will be eighteen (18) designated guest stalls in phase 1, five (5) in phase 2, and nine (9) in phase 3.

CITIZEN PARTICIPATION:
Notice of the October 2, 2019 Development Review Committee (DRC) meeting was mailed to all property owners within 500 feet of the proposed site on September 17, 2019. No residents attended the meeting. The Highland City Mayor and Cedar Hills Mayor attended the meeting.

Notice of the Planning Commission meeting was published in the Daily Herald on October 6, 2019 and posted on the state website October 3, 2019. Notification of the public hearing associated with this meeting was mailed to all property owners within 500 feet of the proposed site on October 7, 2019. No written correspondence has been received.

ANALYSIS:
- The General Plan designation for this property is Mixed Use. The surrounding properties are zoned R-1-40, Lone Peak High School is to the North, and Highland Glen Park is to the west. The property was rezoned to a Planned Development (PD) district on May 21, 2019, and during that process created a master plan and development agreement.

- Access to the site will be from North County Boulevard and Canal Boulevard.

- There is a 1’ Non-vehicular access easement (NVE) provided along Canal Blvd. This prevents driveways and other vehicular access along this road.
Each pod has their own density and allocated number of lots. The proposed plat meets these restrictions for each pod.

<table>
<thead>
<tr>
<th>Plat A Phase</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>96 Lots</td>
<td>94 Lots</td>
</tr>
<tr>
<td></td>
<td>12 units/acre</td>
<td>11.5 units/acre</td>
</tr>
<tr>
<td>Phase 2</td>
<td>112 Lots</td>
<td>80 Lots</td>
</tr>
<tr>
<td></td>
<td>12 units/acre</td>
<td>7.3 units/acre</td>
</tr>
<tr>
<td>Phase 3</td>
<td>158 Lots</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>12 units/acre</td>
<td>5.5 units/acre</td>
</tr>
<tr>
<td>Phase 4</td>
<td>17 Lots</td>
<td>11 Lots</td>
</tr>
<tr>
<td></td>
<td>4 units/acre</td>
<td>2.6 units/acre</td>
</tr>
</tbody>
</table>

Each pod has their own lot size requirements. The proposed plat meets these restrictions for each pod.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Minimum Lot Size</th>
<th>Provided (sq.ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Townhomes</td>
<td>N/A - Density Controlled</td>
<td>1,138</td>
</tr>
<tr>
<td>Phase 2: Front Load</td>
<td>N/A - Density Controlled</td>
<td>2,640 to 6,405</td>
</tr>
<tr>
<td>Phase 2: Villa Lots</td>
<td>N/A - Density Controlled</td>
<td>2,695 to 4,687</td>
</tr>
<tr>
<td>Phase 3: Cluster &amp; Front Load</td>
<td>N/A - Density Controlled</td>
<td>3,275 to 8,630</td>
</tr>
<tr>
<td>Phase 4: Estate</td>
<td>7,000 sq ft</td>
<td>8,433 to 17,900</td>
</tr>
</tbody>
</table>

Each pod has their own setbacks and frontage requirements. The proposed plat meets the master plan’s requirements.

<table>
<thead>
<tr>
<th>Plat A Phase</th>
<th>Frontage</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Required</td>
<td>Provided</td>
</tr>
<tr>
<td>Phase 1: Townhomes</td>
<td>N/A</td>
<td>25.29'</td>
</tr>
<tr>
<td>Phase 2: Front Load</td>
<td>30'</td>
<td>30'</td>
</tr>
<tr>
<td>Phase 2: Villa Lots</td>
<td>30'</td>
<td>30'</td>
</tr>
<tr>
<td>Phase 3: Cluster &amp; Front Load</td>
<td>N/A or 30'</td>
<td>30'</td>
</tr>
<tr>
<td>Phase 4: Estate</td>
<td>60'</td>
<td>60'</td>
</tr>
</tbody>
</table>

Fence 3 in phase 1 that is adjacent to the commercial district should be a theme wall as required by the PD District. Currently, the fence is demonstrating to be a private or semi-private fence. This will need to be changed to a theme wall fence. A stipulation has been written for that.

The open space for Phase 1, 2, and 3 are all demonstrating 10% or more available open space from the net developable area. This meets the PD requirements for the carriage and flex residential pods providing a minimum of 10% open space.
• The trees provided in the landscape plan meet Highland City tree standards.

• Phase 1 and 2 have attached units. Both phase 1 and 2 don’t have more than 6 attached units in any one building. This meets the PD requirements.

• Guest parking is only required for multi-family homes and is not required for single-family homes as per the approved development agreement/master plan. The proposed plat demonstrates meeting the minimum number of guest parking stalls.

<table>
<thead>
<tr>
<th>Plat A Phase</th>
<th>Provided</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Flex Residential</td>
<td>206 (driveway &amp; 18 designated)</td>
<td>188</td>
</tr>
<tr>
<td>2: Carriage</td>
<td>165 (driveway &amp; 5 designated)</td>
<td>60</td>
</tr>
<tr>
<td>3: Carriage</td>
<td>168 (driveway &amp; 8 designated)</td>
<td>0</td>
</tr>
<tr>
<td>4: Estate</td>
<td>TBD (possibly 22 for two-car driveway)</td>
<td>0</td>
</tr>
<tr>
<td>Total:</td>
<td>539 (not include ph. 4)</td>
<td>188</td>
</tr>
</tbody>
</table>

**FINDINGS:**
With the proposed stipulations, the proposed Preliminary Plat meets the following findings:

• It conforms to the Highland City General Plan.
• It meets the requirements of the approved PD zoning
• It conforms to the Development Code as applicable.

**RECOMMENDATION:**
Staff recommends that the Planning Commission accept the findings and recommend approval of the proposed preliminary plat subject to the following stipulations:

1. The recorded plat conforms to the preliminary plat date stamped September 9, 2019 and received November 12, 2019 except as modified by these stipulations.
2. All public improvements shall be installed as required by the City Engineer.
3. A building permit shall not be issued until the Infrastructure Improvement Agreement has been approved by the City Council.
4. The civil construction plans shall meet all requirements as determined by the City Engineer.
5. Fence 3 that is adjacent to the commercial district in phase 1 shall be change to a theme wall.
6. Trash and recycling containers are to be stored behind a side yard screen wall. They shall be placed behind curb lines in a designated location for each unit. The location
shall be a concrete pad. The location where the containers are to be stored shall be shown on the site plan.

7. The home builder shall be responsible for the front yard landscaping on the flex residential and carriage lots.

8. A trial connection to the Murdock Canal trail shall be provided on at the west open space area. This connection shall be shown on the landscape plan prior to City Council consideration.

PROPOSED MOTION:
I move that the Planning Commission accept the findings and recommend APPROVAL of case PP-19-04, a request for approval of the Ridgeview Plat A preliminary plat, subject to the eight (8) stipulations recommend by staff.

FISCAL IMPACT:
This action will not have a financial impact on this fiscal year’s budget expenditure.

ATTACHMENTS:
1. Vicinity Map
2. Proposed Plat
3. Colored Example Lan Plan Layout
4. Lot 201 to 230 elevations and layout
5. Open space calculation
### Notes
- The project study contours located herein are in preparation for installation, maintenance, repair and replacement of public utilities, structures and appurtenant parts thereof and the grant to reasonable access to the property of the public engineers. The locations are generally within the easement widths used by the creator and the creator’s successors, heirs, and assigns.
- All common areas and streets or drives to serve as public utility easements.
- All areas are common areas and facilities except as otherwise specifically designated.
- The installation of agricultural grade, according to all city standards, regulations and requirements.
- All improvements have been installed and accepted by the city in writing or bonded for.
- The area is subject to the normal setback criteria, zones, grades, equipment, facilities, and any other agencies associated with agricultural drainage for betterment and the improvement of the property.
- The entire area shall be subject to the City's regulations.
- All residential construction will need to meet the City's building and code requirements.
- All storm drain systems for future projects in the area are to comply with the City's regulations.

### Curve Table

<table>
<thead>
<tr>
<th>Curve</th>
<th>CHORD LENGTH</th>
<th>RADIUS</th>
<th>S. LENGTH</th>
<th>T. LENGTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>15.79</td>
<td>45.59</td>
<td>12.51</td>
<td>14.90</td>
</tr>
<tr>
<td>2</td>
<td>14.90</td>
<td>58.66</td>
<td>22.77</td>
<td>24.68</td>
</tr>
<tr>
<td>3</td>
<td>24.68</td>
<td>35.90</td>
<td>11.95</td>
<td>16.26</td>
</tr>
<tr>
<td>4</td>
<td>35.90</td>
<td>45.51</td>
<td>22.98</td>
<td>32.12</td>
</tr>
<tr>
<td>5</td>
<td>45.51</td>
<td>58.64</td>
<td>32.12</td>
<td>45.59</td>
</tr>
</tbody>
</table>

### VICINITY MAP

[Map of the area with relevant data points and coordinates marked]
Job #: 1"=60’

EXIST. STREET MONUMENT

EXIST. SD INLET & MH

Ex 30 W

Ex COMM

SEWER MANHOLE

VALVE, TEE & BEND

Ex 72 W

Ex COMM

12 SW

Ex COMM

8" SECONDARY WATER

8" CULINARY WATER

CONTOUR MAJOR

CONTOUR MINOR

8" STORM DRAIN

EASEMENT

MATCHLINE SEE SHEET C4.2

BOUNDARY

EXIST. SANITARY SEWER
NOTE:
ALL PHASES TO BE CONSTRUCTED SIMULTANEOUSLY
1. All trees to be spaced 30' O.C.

2. All landscape maintenance will be the responsibility of the Ridgeview Home Owners Association.

---

**LANDSCAPE NARRATIVE**

1. A system of trails and open space throughout the project is a key component of the proposed design, and is intended to create a walkable network that allows pedestrians to safely and comfortably access the public amenities nearby. Generally, the homes in Pod A will have very little backyard fencing, which will help contribute to the sense of open space and connectivity.

2. All landscape maintenance will be the responsibility of the Ridgeview Home Owners Association.
11/12/2019

0 20 2.5
BW

Drawn: Scale:

CURB
HALF-WIDTH
SIDEWALK

3" ASPHALT OVER 8" CENTERLINE
IMPROVEMENTS

EXISTING
PROPOSED

41.50'
29.00'

MT. SAGE DRIVE
SAGEBRUSH LANE
ASPEN AVE
VALLEY STREET

28' PRIVATE DRIVE W/ SIDEWALK
CURB/GUTTER
ROADWAY
ROADBASE (TYP.)

3" ASPHALT OVER 8" (CANAL BLVD)
78' PUBLIC ROW
CURB/GUTTER
OPEN SPACE
2.00%

CURB & GUTTER WITH 6"
ROADBASE (TYP.)
CONCRETE SIDEWALK W/6"

78' PUBLIC ROW WITH CONNECTOR TRAIL
CURB/GUTTER
OPEN SPACE

CURB/GUTTER
ROADWAY
ROADBASE (TYP.)
CONCRETE SIDEWALK W/6"

2.00%

FF
ROADBASE (TYP.)

C C
2.00%

BB
2.00%

DD
2.00%

HIGHLAND CITY

FIREWOOD AVE
PINE NEEDLE DRIVE
LEAF LANE
WILLOW WAY

PARKSTRIP
RIGHT-OF-WAY
GREEN SPACE

ROADBASE (TYP.)
CONCRETE SIDEWALK W/6"

2.00%
Example rendering looking east at typical park strip on the east side of the connector road from Lone Peak High School to Canal Blvd. Townhouse product shown in the background.

Example rendering looking west at oversized park strip and trail on the west side of connector road from Lone Peak High School to Canal Blvd. Carriage product featured in the background.
ENTRY COLUMN CONCEPT ELEVATIONS

MONUMENT LOCATION CONCEPT

FENCE CONCEPT ELEVATIONS

PRIMARY ENTRY MONUMENT CONCEPT
A private or semi-private, six-foot solid wall that will be constructed along the backs of residential lots that are adjacent to North County Boulevard. This wall type will comply with Highland City’s design standards and may also include materials that are consistent with monumentation and theming elements, such as masonry columns and panels, masonry columns and decorative metal panels, pre-cast concrete columns and panels, or split-face block with pre-cast concrete caps. Pre-cast concrete wall types may include a stamped pattern and decorative colors. At street intersections, the wall height should be lowered from six feet to three feet within twenty five feet of the intersecting street right-of-way line for increased sight distance. This wall type will be constructed as a part of the overall phasing sequence proposed by the master developer. In residential areas along North County Blvd the wall shall be constructed 29’ from the back of curbs on the UDOT roadway.

A private or semi-private decorative fencing that will be constructed along the backs of residential lots adjacent to Knight Boulevard, and along the backs of residential lots and residential pods adjacent to the Murdock Canal Trails. This fence type will be a six-foot, solid fence with materials selected from an approved list of fencing types. Generally this type of fence will be constructed by home builders as lots and residential units are built along Knight Boulevard and Murdock Canal Trails, therefore Type 3 fencing is not included in the master developer’s phasing sequence. The intent is for the fencing in the location specified above to be consistent, and match.

Suggested to be a split-rail fence with a maximum height of four feet. This fencing is located in the front of homes and due to the fact that it is in the front of homes it shall be optional. If the master developer or builder elects to install this fence, it will be located along the right-of-way lines for the main north/south collector road and Canal Boulevard. Materials for this type of fence will be selected from an approved list of fencing types.

WALL - TYPE 1

FENCE - TYPE 3

FENCE - TYPE 4

FOR ILLUSTRATIVE PURPOSES ONLY.
ATTACHMENT 4:

Possible Example
Ph 2, Lots 201-230
### Open Space Calculation (sq ft)

O-2019-09: Each development within the flex residential and carriage areas shall provide a minimum of 10% recreation area.

<table>
<thead>
<tr>
<th>Pod 5 Areas: Plat A Ph.1</th>
<th>Flex Residential Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pod Area</td>
<td>352,180</td>
</tr>
<tr>
<td>Area in ROW</td>
<td>89,886</td>
</tr>
<tr>
<td>Net Developable Area</td>
<td>262,294</td>
</tr>
<tr>
<td>Total area in lots</td>
<td>167,495</td>
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<tr>
<td>20% of the net developable Area</td>
<td>52,459</td>
</tr>
<tr>
<td>Open Space provided</td>
<td>94,799</td>
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<tr>
<td>Provided percentage of the net developable area</td>
<td>36%</td>
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<table>
<thead>
<tr>
<th>Pod 9 Areas: Plat A Ph.3</th>
<th>Carriage Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pod Area</td>
<td>593,302</td>
</tr>
<tr>
<td>Area in ROW</td>
<td>154,694</td>
</tr>
<tr>
<td>Net Developable Area</td>
<td>438,608</td>
</tr>
<tr>
<td>Total area in lots</td>
<td>381,236</td>
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<tr>
<td>20% of the net developable Area</td>
<td>87,722</td>
</tr>
<tr>
<td>Open Space provided</td>
<td>44,508</td>
</tr>
<tr>
<td>Provided percentage of the net developable area</td>
<td>10%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Pod 10 Areas: Plat A Ph.2</th>
<th>Carriage Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pod Area</td>
<td>431,699</td>
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<tr>
<td>Area in ROW</td>
<td>106,177</td>
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<tr>
<td>Net Developable Area</td>
<td>325,522</td>
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<tr>
<td>Total area in lots</td>
<td>283,752</td>
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<tr>
<td>20% of the net developable Area</td>
<td>65,104</td>
</tr>
<tr>
<td>Open Space provided</td>
<td>48,608</td>
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<tr>
<td>Provided percentage of the net developable area</td>
<td>15%</td>
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</table>

<table>
<thead>
<tr>
<th>Pod 14 Areas: Plat A Ph.4</th>
<th>Estate Lots</th>
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</thead>
<tbody>
<tr>
<td>Pod Area</td>
<td>180,796</td>
</tr>
<tr>
<td>Area in ROW</td>
<td>35,720</td>
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<tr>
<td>Net Developable Area</td>
<td>145,076</td>
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<tr>
<td>Total area in lots</td>
<td>139,398</td>
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<td>20% of the net developable Area</td>
<td>29,015</td>
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<td>Open Space provided</td>
<td>5,678</td>
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<td>Provided percentage of the net developable area</td>
<td>4%</td>
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</table>

<table>
<thead>
<tr>
<th>Plat &quot;A&quot; Total Areas (Pod 5,9,10,14)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pod Area</td>
</tr>
<tr>
<td>Area in ROW</td>
</tr>
<tr>
<td>Net Developable Area</td>
</tr>
<tr>
<td>Total area in lots</td>
</tr>
<tr>
<td>20% of the net developable Area</td>
</tr>
<tr>
<td>Open Space provided</td>
</tr>
<tr>
<td>Provided percentage of the net developable area</td>
</tr>
</tbody>
</table>
**PURPOSE:**
The Planning Commission will consider a request for a monument sign for Jiffy Lube. The Commission will take appropriate action.

**BACKGROUND:**
Jiffy Lube is located at 5248 W 11000 N and in the Commercial C1 zone. Monument signs are permitted in the C1 zone, but if a monument sign was not approved during the site plan process the sign will need to be approved by the Planning Commission prior to construction/installation.

A monument sign approval is an *administrative* process.

**SUMMARY OF THE REQUEST:**
1. The applicant is requesting approval of an entry monument sign for Jiffy Lube.
2. The sign location is in the landscaping along Timpanogos Highway. The sign location is approximately at 5248 W 11000 N. The sign will be in the landscaped area within the private property of the business.
3. The sign will be for one applicant / one business.
4. The monument signs height is 4 feet (48 inches), width is 5 feet (60 inches), and depth is 2 feet (24 inches).
5. The monument sign will be 146’ 6” away from the current Chevron sign and 37’ from the shared entrance along Timpanogos Highway.

**ANALYSIS:**
- The Development Code allows for a monument sign in the Commercial C1 zone. The sign will need to be placed on the property of the business and in the landscaping along SR 92 (Timpanogos Highway). The applicant is demonstrating the sign being placed along Timpanogos highway in the landscaping and on the private property of
the property owner.

- The property owner has signed the property owner affidavit acknowledging approval of the monument sign.

- The sign is 146 feet away from the current Chevron monument sign. The development code requires 130 feet.

- The sign is out of the vehicular safety site triangle.

- The development code allows four feet tall, five feet wide, and two feet deep monument signs for one business. The applicant’s proposed monument sign meets these requirements.

- The applicants proposed monument sign is utilizing stone around the base and one side of the sign. The development code requires one-foot base rock and six inches of rock be placed along the vertical edge of the sign that faces the business. The proposed sign is demonstrating this.

- Materials utilized for the sign are similar materials and colors as the business.

- The sign will be illuminated with LED’s inside the sign. The development code allows illumination behind the lettering.

**RECOMMENDATION AND PROPOSED MOTION:**
The Planning Commission should hold a public meeting, accept the findings, and recommend approval of the proposed monument sign with the following stipulations:

1. The monument sign conforms to the monument sign site plan received November 11, 2019 except as modified by these stipulations.
2. A building permit shall be issued and paid for prior to construction/installation of the sign.
3. A final building inspection shall be conducted within 30 days after construction of the sign.
4. The monument sign shall be maintained by the property owner.

I move that the Planning Commission accept the findings and recommend approval of the monument sign subject to the four (4) stipulations recommended by staff.

**ALTERNATIVE MOTION:**
I move that the Planning Commission **DENY** case SN-19-09, a request for a monument sign approval for Jiffy Lube.
FISCAL IMPACT:
This action will not have a financial impact on this fiscal year’s budget expenditures.

ATTACHMENTS:
1. Vicinity Map
2. Monument sign site plan
9.24.19 | New Order | NE
10.31 | added Measurements to Plot Plan | NE
11.5 | Exploded view | NE

Proposed Signage: Not to scale

Identity Signs
9913 South 500 West
Sandy, UT 84070
801.748.4750
sales@idsignco.com

Client
SRE

Contact
Matt Johnson

Date | Revision | Drawn By
9.24.19 | New Order | NE
10.31 | added Measurements to Plot Plan | NE
11.5 | Exploded view | NE

Approval:

Date:

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Identity Signs

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Sales Person
Brent Albers

Project Manager
Cindy Gooch

Designer
Nici Earl

Job # 13193
Item 1
Monument Sign - Highland Location Placement

FOR APPROVAL

Page 213 of 220
## Monument Sign - Highland Location Opt 2

### Material Specifications:

- **Color Specifications**
  - See above Specs
  - Cultured Stone to Match Building: Harristone Chief Shown
  - Faux Rock Base and Columns: Harristone Chief Joseph Brown

- **Color Specifications**
  - Cabinet painted with two-stage automotive acrylic
  - Cabinet Color: Colonial Revival stone
  - Face colors: White
  - Face graphics: 3M HP Vinyl First Surface Graphics

- **Fabrication and Installation**
  - Illuminated with LED’s
  - Quantity: one (1)
  - Steel frame construction coated Steel Frame Structure with Faux Rock/lexan
  - Overall length of sign cabinet: 60”
  - Overall height of sign cabinet: 48”
  - Overall height above grade: 67”
  - Total square feet: 20 sq.ft.
  - Cabinet depth: 18”
  - Retainer size: 1.5” painted colonial revival Stone SWP direct to metal
  - Face type: Lexan Face with 3M Translucent Vinyl
  - Mounting method: single pole (6” pole pocket)
  - Footing to be 48”x24”x24” Round Pipe

### Finish Grade

- Concrete Foundation
- Concrete Footing
- Continuous #4 Bars @ 18” O.C. at perimeter of foundation wall
- (3) #4 Bars Continuous @ top and bottom of footing
- (2) Continuous Horizontal #4 Bars @ 12” O.C. at perimeter of foundation wall
- Exposed Foundation - Architectural Grade Rag Finish to 4” below grade

### For Approval

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**Cassion and Pole**
**Highland Location**
PLANNING COMMISSION AGENDA
REPORT ITEM #5

DATE: November 19, 2019
TO: Planning Commission
FROM: Tara Tannahill
Planner and GIS Analyst
SUBJECT: ACTION- Approving the Planning Commission Meeting Schedule for the 2020 Calendar Year

PURPOSE:
Planning Commission will consider the 2020 Annual Meeting Schedule. The Commission will take appropriate action.

BACKGROUND:
Staff proposes that the Planning Commission continue to hold their 2020 regular meetings as follows:

January 28
February 25
March 24
April 28
May 26
June 23
July 28
August 25
September 22
October 27
November 17
December 8

This schedule may be modified as needed throughout the year.

FISCAL IMPACT:
None.

ATTACHMENTS:
- Meeting Schedule
HIGHLAND CITY PLANNING COMMISSION MEETINGS
SCHEDULE FOR 2020

The Highland City Planning Commission at their regularly scheduled meeting on November 19, 2019, adopted the meeting schedule for the year 2020.

The regular session begins at 7:00 p.m. Work sessions are scheduled as needed. Meetings will be held at the Highland City Council Chambers, 5400 West Civic Center Drive, Suite 1, Highland, Utah.

The 2020 Planning Commission Regular Meeting Schedule is as follows:

- January 28
- February 25
- March 24
- April 28
- May 26
- June 23
- July 28
- August 25
- September 22
- October 27
- November 17
- December 8

THE PUBLIC IS INVITED TO ATTEND ALL PLANNING COMMISSION MEETINGS.

If you need a special accommodation to participate in the City Council Meetings, please call the City Recorder’s Office at 801-772-4505

TO BE PUBLISHED IN THE DAILY HERALD
Highland City Planning Commission
October 22, 2019

The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair, Christopher Kemp at 7:02 PM on October 22, 2019. An invocation was offered by Commissioner Bills and those assembled were led in the Pledge of Allegiance by Commissioner Campbell.

PRESENT: Commissioner: Christopher Kemp
Commissioner: Jerry Abbott
Commissioner: Tim Ball
Commissioner: Brittney Bills
Commissioner: Ron Campbell
Commissioner: Claude Jones
Commission Alternate: Audrey Wright

EXCUSED: Commissioner: Sherry Carruth

STAFF PRESENT: Community Development Director: Nathan Crane
Planner: Tara Tannahill
Planning Commission Secretary: Heather White

OTHERS: See attached attendance list

PUBLIC APPEARANCES
Chair Kemp asked for public comment. None was offered.

PUBLIC HEARING ITEMS

1. FP-19-05
Scott Dun is requesting approval of a Preliminary/Final Plat approval for a 1-lot subdivision of approximately .55 acres to be known as Chidester Subdivision Plat A. The property is located approximately at 5833 W 9600 N.

Ms. Tannahill reviewed the details of the application. She explained that the applicant currently owned 1.5 acres in Highland, however, they requested that the back 1 acre of property go to American Fork because it could not be serviced with Highland utilities. The remaining .55 acres will remain in Highland and accessed from 9600 North. Ms. Tannahill said the property met the requirements for the R-1-20 district.
Commissioner Kemp opened the public hearing at 7:06 PM and asked for public comment.

Resident Jim Schultz asked for clarification regarding what was to be built on the property. Ms. Tannahill understood was that the 1 acre would go to American Fork. She thought the property owner would be developing but did not know details. She said Mr. Schultz should receive notice from American Fork.

Commissioner Kemp asked for additional comments. Hearing none, he closed the public hearing at 7:09 PM and called for a motion.

MOTION: Commissioner Campbell moved that the Planning Commission accept the findings and recommend approval of the proposed plat with the following stipulations:

1. The recorded plat conforms to the final plat date stamped July 10, 2019 except as modified by these stipulations.
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.

Commissioner Abbott seconded the motion. All were in favor. The motion carried unanimously.

2. PP-19-05
   Boyer Ridgeview LC is requesting approval of a Preliminary Plat approval for a 267-lot subdivision of approximately 38 acres to be known as Ridgeview Pat A. The property is located approximately at 9800 N North County Blvd.

MOTION: Commissioner Abbott moved to continue PP-19-05 to the Nov. 19th meeting.
Commissioner Ball seconded the motion. All were in favor. The motion carried unanimously.

3. TA-19-13
   Highland City is requesting approval to amend Article 3 Appeal Authority in order to modernize the language to be consistent with State Law and modern practice.

Commissioner Kemp opened the public hearing at 7:12 PM.

Mr. Crane explained that the appeal authority was a representative hired by the city to hear variances and appeals regarding land use matters for the city. He said staff thought an appeal authority was best for Highland because it allowed for a person who was familiar with land use law and State Code to hear appeals and variances. Mr. Crane explained what a variance was and explained that it had to be something to do with the land. He explained that some of the decisions could be controversial and that having a land use authority provided an avenue without having to go through a court process first. Mr. Crane reviewed the amendments to the Highland City Code Article 3 Appeal Authority. He pointed out that a recent change to State Law said that the appeal authority...
authority needed to interpret and apply the land use regulation in favor of the land use application as defined in Section 2-306.7 Appeals of the Highland City Code.

Commissioner Campbell wondered how the city appeals authority fit with the State ombudsman. Mr. Crane explained that someone would need to exhaust all administrative remediation. He said the first action would be to the appeals authority. Then the next action would be to the ombudsman.

Commissioner Bills wondered how often the appeals authority was needed. Mr. Crane explained that it was needed once or twice a year. He said the proposed amendments put the city in compliance with State Law.

Commissioner Kemp closed the public hearing at 7:19 PM and asked for a motion.

MOTION: Commissioner Abbot moved that the Planning Commission accept the findings and recommend approval of the proposed amendment. Commissioner Campbell seconded the motion.

Question on the motion: Commissioner Ball wondered if there was any impact to the city. Mr. Crane explained that adopting the amendments created no liability or physical impact to the city. He said it updated what Highland was already doing.

Commissioner Kemp, Commissioner Abbott, Commissioner Ball, Commissioner Bills, Commissioner Campbell, Commissioner Jones, and Commissioner Wright were in favor. None were opposed. The motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Commissioner Jones moved that the Planning Commission approve the September 24, 2019 minutes as written. Commissioner Wright seconded the motion. All were in favor. The motion carried unanimously.

COMMISSION COMMENTS AND SUGGESTIONS

Commissioner Wright asked about the Apple Creek development and what happened during the last Council meeting. Mr. Crane explained that the developer submitted revised plans on the last day that plans could be submitted for the next council meeting. Because of the amount of revisions, the City Council sent the plans back to the Planning Commission for review and recommendations. He said staff had several concerns and was currently preparing comments for the developer. He said the revised plans were currently scheduled to be reviewed at the Nov. 19th Planning Commission meeting.

Mr. Crane mentioned that PP-19-05 was still under staff review.
ADJOURNMENT

The meeting was adjourned at 7:27 PM.