



HIGHLAND CITY

HIGHLAND CITY PLANNING COMMISSION MINUTES
Tuesday, February 22, 2022

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

Approved June 28, 2022

VIRTUAL PARTICIPATION

 YouTube Live: <http://bit.ly/HC-youtube>

 Email comments prior to meeting: planningcommission@highlandcity.org

7:05 PM REGULAR SESSION

- Call to Order – Jerry Abbott, Chair
- Invocation – Commissioner Audrey Moore
- Pledge of Allegiance – Commissioner Christopher Howden

The meeting was called to order by Planning Commission Chair Jerry Abbott as a regular session at 7:05 PM. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Commissioner Audrey Moore and those in attendance were led in the Pledge of Allegiance by Commissioner Christopher Howden.

PRESIDING: Commissioner Jerry Abbott

COMMISSIONERS

PRESENT: Jerry Abbott, Tracy Hill, Christopher Howden, Claude Jones, Audrey Moore, Jay Roundy, and Trent Thayn

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, City Attorney Rob Patterson, City Recorder Stephannie Cottle, City Engineer Andy Spencer, City Planner and GIS Specialist Kellie Smith, Planning Commission Secretary Heather White

OTHERS PRESENT: Jon Hart, Gil Schrock, Craig Jensen, John Ort, Spencer Robison, Erik McDonald, Steve Maddox, Shelly Beasley, Steven Stow, Deborah Schrock, Jeri Pace Symmes, Amy Olsen, Peter Olsen, see attached Attendance sheet

1. SWEARING IN NEW PLANNING COMMISSIONERS

Stephannie Cottle, City Recorder, will issue the Oath of Office to three new Planning Commissioners: Tracy Hill, Jay Roundy, and Trent Thayn.

City Recorder Stephannie Cottle issued the Oath of Office to Tracy Hill, Jay Roundy, and Trent Thayn. They introduced themselves and spoke of their background and experience.

2. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

None was offered.

3. TRAINING: GENERAL PLAN

City Attorney Rob Patterson will provide training on the contents, purpose, and process for creating and amending a General Plan.

Mr. Patterson reviewed the duties of the Planning Commission. He explained that each city was required by state law to adopt a General Plan that addressed current and future needs. He reviewed the difference parts of the General Plan and its purpose. He talked about minor and major General Plan amendments. Mr. Patterson reviewed the difference between administrative and legislative action. He talked about matching city code with the General Plan.

4. CONSENT ITEMS

Items on the consent agenda are of a routine nature or have been previously studied by the Planning Commission. They are intended to be acted upon in one motion. Commissioners may pull items from consent if they would like them considered separately.

- a. **Approval of Meeting Minutes** *Administrative*
Regular Planning Commission Meeting – January 25, 2022

Commissioner Moore MOVED to approve the minutes for the January 25, 2022 Planning Commission meeting. Commissioner Howden SECONDED the motion. All present were in favor. None were opposed. The motion carried unanimously.

5. PUBLIC HEARING: GENERAL PLAN AMENDMENT - TRANSPORTATION MASTER PLAN *Legislative*

The Planning Commission will hold a public hearing to consider a request by City Staff the Transportation Element of the General Plan to update 4800 West from three lane major collector to a five-lane arterial. The Planning Commission will take appropriate action.

Ms. Smith explained that the reason for the request was due to a study received in January 2022 to evaluate traffic operations and connectivity for the eastern portions of SR 92. She explained that Highland could not request funding from MAG (Mountainland Association of Governments) for the project until the General Plan was updated to reflect it. She said the current General Plan included traffic studies done in 2008. The new study showed higher traffic volumes and larger queues. According to the study, 4800 West/Canyon Crest Road was chosen to be widened as it had slightly higher future demand and connected directly to North County Blvd. Ms. Smith showed the proposed Transportation Master Plan and the proposed right-of-way cross section for the proposed 5-lane arterial road with two north bound lanes and two south bound lanes.

Commissioner Moore wondered what the plan was for the road going north after the round-about in Alpine. Mr. Spencer said that Alpine hadn't taken any measures, so he was not sure what was planned. He reviewed the

scope of the study. He explained that, according to the study, either 4800 West or Alpine Highway needed to be upgraded. Consultants determined that 4800 West was the best option because of connectivity to North County Blvd.

Commissioner Howden wondered where the study originated. Mr. Crane explained that the study originated out of a desire from cities in MAG to understand regional transportation. He mentioned that the intersection was widened two years ago but current and projected function produced a need for the study. Mr. Spencer talked about the need for alleviating pressure on intersections due to current density plus recently approved developments. He explained that the study considered the collective growth that was happening. Mr. Patterson spoke to the purposes of the study relating to funding. Mr. Spencer talked about the MAG funding process.

Commissioner Abbott wondered how much traffic was coming specifically from Highland. He did not think that Highland should have to make the road bigger for trips coming from Alpine. Mr. Spencer said it was very difficult to determine and that the study did not apportion traffic from different cities. He said typically each city would pay for the part of the road within its boundaries.

Commissioner Moore pointed out that things were happening further up the mountain that might impact traffic. She said Highland and Alpine children went to the same high school and that the intersection was excessive. She pointed out that Highland residents were also going to Alpine. She said Highland would pay the price for traffic because it was the central entity of SR-92. She said she saw more traffic complications coming.

Commissioner Abbott opened the public hearing at 8:03 PM and called for public comment.

Resident Gil Schrock said SR-92 was already a raceway. He said the recently installed turn signals helped reduced accidents. He listed the impact on his property if the widening of the road was approved: destroy 13 mature trees; lose about 5,000 square feet of his lot; traffic would double; noise would reach over 100 decibels; destroy about 200 ft of rock wall; temporarily cut power and internet to his home; destroy 220 ft of 2-inch main irrigation line and branch lines; destroy water feature; and destroy shrubs, flowers, and plants. He thought there would be more accidents because traffic would go much faster. He said no one went the speed limit. He agreed that 4800 West was a mess, but it would end up as a bottleneck at the roundabout. Mr. Schrock talked about the quality of life in Highland and Alpine. He thought a 5-lane road would only help Alpine. He suggested installing a flashing speed sign at all intersections of SR-92 and 4800. He also suggested having a noise limit or 10-ft wall. He didn't think the projected \$9 million would be enough for the road. He thought using Alpine Highway would be considerably less expensive.

Resident Craig Jensen wondered if the design and layout of the study could change. He wondered if there would be a shoulder on the road. He asked the commissioners to consider installing a sound barrier wall on both sides. He talked about the current noise from the traffic on the road. Mr. Spencer said the study was a concept plan for cost estimates and that the alignment could very well change. He said there was a multi-use trail on one side with no shoulders on either side.

Resident John Ort said he liked idea of a sound barrier. He explained that he was a runner and saw southbound lanes backed up. He spoke about having an opportunity to add more car lanes as well as space for recreation like bike lanes, etc. He suggested one lane going north and two lanes going south

Resident Spencer Robison said his main concern was safety. He said they were always told that a road through the gravel pit was part of the Master Plan and thought that it would help the intersection. He said his main concern was that conceptual 5-lane road was not safe without a shoulder and bike lane. He spoke of concerns with the plan that included no place for snow which meant it would be put on the sidewalk, a sidewalk on the opposite side of the road from where kids walk to school, and a multi-use lane on only one side. He thought if the road was widened the city should do it right and make it wider than proposed so that it was safe for

residents. He said the city would have to buy houses in order to do the road right because residents were already having to back out into traffic. He suggested making changes to 5300 because it was already a wider road and traffic would go through a business section instead of the residential area.

Resident Erik McDonald said strongly opposed to widening of the road because it was already almost impossible for him to leave his home. He said his garage door was less than 34 feet from the road. He said he was supposed to be putting his house up for sale in a month and isn't sure what to tell potential buyers. He said he spoke with the city in October about purchasing his house and it was determined that there was not a case for eminent domain at that time. He said the proposed road would be about four feet from his garage and he would like the city to buy his house. He asked the city to make the road safe with a shoulder and sound wall.

Resident Steve Maddox explained that he previously made an offer to the city to purchase his right-of-way and said now the offer was gone. He said he ordered fencing and a barn for the area that would be needed for the road widening. He said he spoke with Senator McCay who sat on the committee that dictated funding. According to Mr. Maddox, Senator McCay said the proposed road was a project in a very small community compared to neighboring communities significantly greater than what Highland was dealing with. He thought everyone needed to understand that it was equivalent to a "take" in the sense that there were economic decisions being made tonight and everyone's property would be impacted. He thought eminent domain would have to be exercised. He did not think the city did a very good job meeting with the public to discuss the financial liability of widening the road. He thought a wider road would be safer but would impact more residents. He thought if approved, there would be more financial implications than just the road impact.

Resident Shelly Beasley said she had previously asked the city for a sound wall. She said the road widening would dramatically impact her home. She thought she would lose most of her side yard which was where her driveway was. She said trying to get out of her driveway now was impossible. She thought the traffic along 4800 West was mostly high school kids. If the road were to become a 5-lane road everyone from Alpine would use it creating more noise. She asked the city to buy her home if they had to widen the road.

Resident Steven Stow said the General Plan was to serve the residents. He talked about how little room there was along the current road. He said he had to put garbage cans on the sidewalk and snow was plowed onto the sidewalk because the road came right to the curb. He thought routing traffic onto Alpine Highway was better. He said he was still waiting for the city to fix his mom's driveway and his irrigation system from the last time the road was worked on. He asked that the city not approve the widening of the road because the houses couldn't take any more.

Resident Deborah Schrock spoke about the quality of life in Highland. She suggested using Alpine Highway because it was already wide enough to handle the traffic. She talked about the routes to Salt Lake or Provo using Alpine Highway.

Resident Jeri Pace Symmes noticed that traffic increased exponentially during school times. She talked about the heavy traffic in the morning, lunch, after school, or during school events. She thought 80% or more of the traffic on the road was from Alpine. She thought it was better for that traffic to go to the business center. She said they needed to keep Highland where they could enjoy the peace and quiet. She wondered if her brother's house would be impacted. Mr. Spencer said that the city did not know at this point how much residential property would be impacted. He reviewed measurements for the proposed right-of-way.

Resident Amy Olsen was concerned because she had small children. She said a number of children crossed 4800 to try to play with friends and she occasionally saw very close calls. She voiced concerns regarding safety in the neighborhood with increased traffic. She liked the idea of one lane going north and two lanes going south. She was in favor of a noise reducing wall because the noise was already intense.

Resident Peter Olsen voiced concern with increased traffic on Jonathan Road and 11200. He said he saw cars driving 70 mph on 11200. He said something needed to happen on the road if it was widened with increased traffic because people would cut through.

Commissioner Abbott called for additional comments. Hearing none, he closed the public hearing at 8:42 PM.

Commissioner Moore asked about the speed limit. She wondered if Alpine Highway had been considered. She also wondered if high density housing currently being constructed in the city center was considered. Mr. Spencer explained the process in which speed limits were determined and said it was complicated to be able to answer her question about what the speed limit might be. Mr. Spencer said Alpine Highway was considered as part of the study, but that 4800 West was determined to be better based on the receiving facility. He said the study considered calculations for current and projected trips per day based on the General Plan and should have taken city planning into account.

Commissioner Hill wondered about the decision to widen 4800 West rather than Alpine Highway. He thought 4800 West felt more residential. He realized that 4800 West had a better connection to larger roads, and that Alpine would continue to grow, but wondered if Alpine Highway would be the better road to widen.

Commissioner Jones thought maybe both Alpine Highway and 4800 West, and possibly more, would need to be widened in the future. He thought widening a different road would just move the problem. He said Highland residents used the road all the time. He thought the statement that only Alpine would benefit from the widened road was inaccurate.

Commissioner Roundy said he related to everyone who made comments. He talked about having to move his house twice because of the widening of 5th East in American Fork. He spoke of his experience working as a consultant for the largest transportation engineering firm in the world. They redesigned I-15 for the 2002 Olympics in Salt Lake City and saw the process and effort that went into that. He designed the sound walls for I-15 and 215. He read the General Plan in the past and wondered what it would hurt if the city used the time between now and the General Plan amendment to look into specific details regarding issues like sound walls and safety. He suggested holding meetings with residents in order to get input for the purpose of having one perfect plan as the city moved forward. He said an updated General Plan could then be implemented that served the needs of the city and residents.

Commissioner Moore said she could definitely see the problem. She had lots of questions like what resources the city had to compensate residents if Highland purchased property. She thought residents along Alpine Highway would feel the same if that road was widened. She empathized with concerns about traffic noise and said it was a problem. She appreciated suggestions from residents. She pointed out that southbound was the most congested and voiced concern with an Alpine Highway approach due to higher density areas currently under construction. Commissioner Moore talked about the traffic trying to turn onto Timpanogos Highway and pointed out that all residents were dealing with traffic problems. She could see the rationale to continue five lanes of North County Blvd in order to try to alleviate pressure off of SR-92. Commissioner Moore thought funneling all of Alpine to the middle of Highland city center, along with seasonal traffic, was crazy and said it needed to be solved while being able to only control the Highland portion. She thought traffic numbers would only increase because of development on SR-92.

Commissioner Thayne appreciated all comments and suggestions. He said it echoed safety and noise concerns that he dealt with. He recognized that something needed to be done. Other than the receiving facility of the road, he wondered if there were additional reasons why the study determined that 4800 West was the best road to be widened. Ms. Smith mentioned that the study cited the direct connection to North County Blvd as well as a higher future demand. Commissioner Thayne said it needed to be done and needed to be addressed. At this point,

he was not sure how to move forward as a community without others being affected, but appreciated the comments made.

Commissioner Howden thanked everyone for attending the meeting. He talked about a recent speed study near his house where the maximum speed of 107 was recorded in an area with a speed limit of 35 mph. He said that all residents were subject to the notions of the General Plan and spoke about decisions made by past city councils. Referring to pages 29-30 in the meeting packet, Commissioner Howden thought Alpine Highway seemed like the most sensible thing to do. However, when comparing the current number of trips on Alpine Highway and 4800 West, he pointed out that 4800 West had 100 to 200 more trips per day than Alpine Highway. He said regardless of whether the road was widened, there were a lot of people driving on 4800 West. He thought Alpine Highway might be the logical place to route traffic but was not sure people were going there. He said that if the road was widened homes would be lost, but there would be the same issues on Alpine Highway. He said speed was a challenge that the City Council was trying to address.

Commissioner Abbott talked about the area of Highland where he lived and the changes he saw through the years. He said a road widened and moved closer to him with no sound wall. It was dangerous for his kids. He said the installment of a traffic light helped. He thought there might be an opportunity for a traffic light in the future. Commissioner Abbott thought Highland should be good neighbors to Alpine but was concerned about the shared cost of the project. Commissioner Abbott thought the city should trust the results of the study because it was done by a team of engineers who analyzed roads for a living. He said there were too many engineers involved to ignore the results. He thought a lot of issues could be resolved before the project was started. He said Highland was not the first city to have to expand roads. He agreed that if safety was an issue the road should be wider because it was used by runners, cyclists, and others. He encouraged residents to review the study before it was addressed by the City Council. He said the council should address the safety issues and wanted to know costs involved with the project. He thought Alpine should pay for more of the project if Highland didn't need a 5-lane highway.

Residents were encouraged to review the study before the council meeting, especially pages 29-30. They were encouraged to attend the council meeting next week and talk about the issues of safety, sound walls, speed, etc. They were encouraged to also invite neighbors to attend the council meeting.

The Planning Commission discussed general details regarding eminent domain.

Mr. McDonald asked about condemnation blight. Mr. Patterson explained that there was not typically an evaluation process that started from the adoption of a General Plan. He said there was a process for setting the valuation date.

Resident Gil Schrock wondered what would happen if more money was needed than what was approved for the project. Mr. Spencer said one of the most difficult things to do was to forecast costs when there was no design. He said MAG set aside money for contingencies. He said the city was very sensitive to the impacts to residents' lives and all agencies were working through problems. He talked about the steps of the process. Mr. Schrock said he wanted to believe that. He thought the city was foolish to think the project could be done for \$9 million.

Commissioner Thayne MOVED that the Planning Commission accept the findings and recommend approval of the proposed amendment of the Transportation Element of the General Plan to update 4800 West from a three-lane major collector to a five-lane arterial. With recommendations to address safety comments from the meeting, sound, speed, and shoulder issues along with looking at apportionment of cost for the project.

Commissioner Jones SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Tracy Hill</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Jay Roundy</i>	<i>Yes</i>
<i>Commissioner Tyler Standifird</i>	<i>Absent</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

Motion carried 7:0

6. ARCHITECTURAL APPROVAL – BANK OF AMERICA *Administrative*

The Planning Commission will consider a request by Judy Yam on behalf of MNG Highland I LLC, for architectural approval for a remodel of a retail building located at approximately 5384 W 11000 N. The Planning Commission will take appropriate action.

Ms. Smith explained that Bank of America was hoping to remodel the Taco Time building. She discussed what was approved in the 2007 Development Agreement compared to what the applicant was hoping to do. She said the remodel would add about 415 square feet to the building. There were no proposed changes to parking, vehicular access, or hours of operation. The drive through would be kept. Ms. Smith said staff had a question regarding “earth tone” as called out in the Architectural Design section in the Development Agreement. The proposed white on the building was in question. She spoke of other buildings in the area.

Commissioner Abbott asked if there was a requirement for stone. Ms. Smith explained that there was no stone requirement in the CR zone. The commissioners discussed the style of the building and the proposed building materials. Commissioner Abbott and others agreed that an off-white color would be better. They talked about the other buildings in the area. Main concerns were the reflective value of the metal building and the white.

Commissioner Roundy talked about a bank that used metal that would rust. He thought it was “earthy” and not attractive. He spoke to wanting the business to be successful. His opinion was that the architect had already used their expertise to design the building and came up with the best option.

Commissioner Abbott wanted to see a color board and the materials that would be used for the building. He spoke about the design not meeting the requirements of the Development Agreement because of the proposed “artic white”. The commissioners thought the architecture was good as proposed.

Commissioner Thayn pointed out that the color had been approved in other places in the city. He said he liked the proposed design. He talked about the possibility of using nonreflective metal.

After asking for legal recommendations, Mr. Patterson explained that there seemed to be a contradiction because of a reference to using earth tones, but also says the builder must use elements commonly found in other commercial areas. He said in other areas a white had been approved. He explained that someone either missed the detail, or at some point, white was approved as an earth tone. He said staff was looking for clarification.

Commissioner Hill was fine with the proposed design but did not consider white and earth tone color.

Commissioner Roundy *MOVED* that the Planning Commission accept the findings and recommend approval of the proposed architectural elevations subject to the three (3) stipulations recommended by staff:

1. Development of the site shall comply with the building elevations dated February 1, 2022, except as modified by these stipulations.
2. All signage shall require a separate permit and meet the requirements of the Development Code.
3. Final building plans shall be reviewed and approved by the building official. The site shall meet all requirements of the building official.

Commissioner Jones *SECONDED* the motion.

The vote was recorded as follows:

Commissioner Jerry Abbott	No
Commissioner Tracy Hill	No
Commissioner Christopher Howden	No
Commissioner Claude Jones	Yes
Commissioner Audrey Moore	No
Commissioner Jay Roundy	Yes
Commissioner Tyler Standifird	Absent
Commissioner Trent Thayn	Yes

Motion failed 4:3

Commissioner Moore *MOVED* that the Planning Commission accept the findings and recommend approve of the proposed architectural elevations subject to the following four (4) stipulations recommended by staff plus one (1) additional stipulation:

1. Development of the site shall comply with the building elevations dated February 1, 2022, except as modified by these stipulations.
2. All signage shall require a separate permit and meet the requirements of the Development Code.
3. Final building plans shall be reviewed and approved by the building official. The site shall meet all requirements of the building official.
4. The artic white satin finish be changed to an earth tone because white was not considered an earth tone.
5. Non-reflective surface.

Commissioner Hill *SECONDED* the motion.

The vote was recorded as follows:

Commissioner Jerry Abbott	Yes
Commissioner Tracy Hill	Yes
Commissioner Christopher Howden	Yes
Commissioner Claude Jones	Yes
Commissioner Audrey Moore	Yes
Commissioner Jay Roundy	No
Commissioner Tyler Standifird	Absent
Commissioner Trent Thayn	Yes

Motion carried 6:1

7. PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS

The Planning Commission may discuss and receive updates on City events, projects, and issues from the Planning Commissioners and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

- a. Grading/Retaining Walls**
- b. Defining Setbacks**
- c. Xeriscaping**
- d. Future Meetings**

Commissioner Howden asked to continue the communication items to the next Planning Commission meeting.

ADJOURNMENT

Commissioner Howden MOVED to adjourn the meeting. Commissioner Abbott SECONDED the motion. All were in favor. The motion carried unanimously.

The meeting adjourned at 10:15 PM.

I, Heather White, Planning Commission Secretary, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on February 22, 2022. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

/s/Heather White
Planning Commission Secretary