



## HIGHLAND CITY PLANNING COMMISSION MINUTES

Tuesday, January 26, 2021  
Approved February 23, 2021

The regular meeting of the Highland City Planning Commission was called to order by Acting Planning Commission Chairman Mino Morgese at 7:02 PM on January 26, 2021. An invocation was offered by Commissioner Audrey Moore and those assembled were led in the Pledge of Allegiance by Commissioner Claude Jones.

**PRESENT:** Commissioner: Mino Morgese  
Commissioner: Seth Barrus (*electronically*)  
Commissioner: Chris Howden  
Commissioner: Claude Jones  
Commissioner: Audrey Moore  
Commissioner: Mino Morgese  
Commission Alternate: Tyler Standifird

**EXCUSED:** Commissioner: Jerry Abbott  
Commissioner: Sherry Carruth

**STAFF PRESENT:** Community Development Director: Nathan Crane  
Planner: Kellie Bronson  
Highland City: JoAnn Scott  
Recorder: Stephanie Cottle

**OTHERS:** Mayor Rod Mann, Chris Kemp, Joe Ham, Ken Berg, McKay Christensen, Steve Christensen, Marcia Gustaffson, Joe Ham, Lance Pendleton

### RECOGNITION:

Mayor Rod Mann presented an award to Chris Kemp for his 11 years of service to the Planning Commission.

### OATH OF OFFICE

City Recorder Stephanie Cottle administered the Oath of Office to Commissioner Audrey Moore and Alternate Commissioner Tyler Standifird.

## **PUBLIC APPEARANCES**

Commissioner Mino Morgese asked for public comment. None was offered.

## **PUBLIC HEARING ITEMS**

### 4. Text Amendment – Permitted Uses in the CR Zone.

*The Planning Commission will hold a public hearing to consider a request by Joe Ham to amend Section 3-4351 of the Highland City Development Code relating to the permitted use in the CR Zone.*

Ms. Bronson reviewed the application for the text amendment and explained that this was done at the request of Joe Ham for the Highland Marketplace. She reviewed the effected lots in the CR zone and mentioned that the proposed amendment would allow for more flexibility for offices on both levels of the buildings in this zone. She mentioned that staff talked to the applicant about the potential of pick-up and return centers and the growing mailing and online shopping functions. Considering potential future uses, she mentioned that pick-up and return centers listed a maximum square footage in the proposed amendment.

Commissioner Morgese opened the public hearing at 7:12 PM and asked for public comment. Hearing none, he closed the public hearing at 7:13 PM.

Commissioner Moore asked about the square footage of pick-up and return centers as well as parking requirements. Lance Pendleton, a real estate broker with Mountain West Commercial, mentioned that the buildings were typically 1,200 – 1,500 sf (square feet). Ms. Bronson added that the city parking requirement was 4 stalls per 1,000 sf.

Commissioner Morgese wondered why additional square footage was proposed in the code for this use. Mr. Crane explained that staff was working with the developer to define the use. He said the original idea was a pickup center and staff was trying to define it in a way so that it wasn't a warehouse. They realized that it could be bigger than a UPS shipment location. Applicant Joe Ham explained that they were looking at centralized pickup and return centers for multiple online shopping services. He said it would not be like the UPS store in that this facility would need more backroom storage.

Commissioner Howden asked about the type of vehicles that would be used for the pickup centers. Mr. Ham stated that they did not see it as a tractor trailer pickup function but rather smaller box trucks and vans.

Commissioner Howden asked if there was anything that could be done to clarify and specify the language. Mr. Crane stated that the text in the code could be edited. He talked about making sure that the prohibited uses were specific enough that the city was excluding uses that were not wanted.

Commissioner Morgese asked for additional comments. Hearing none, he called for a motion.

*MOTION: Commissioner Howden MOVED that the Planning Commission accept the findings and recommend approval of the text amendment application based on staff recommendations. Commissioner Jones SECONDED the motion. The vote was recorded as follows:*

|                                |            |
|--------------------------------|------------|
| <i>Commissioner Barrus</i>     | <i>Yes</i> |
| <i>Commissioner Howden</i>     | <i>Yes</i> |
| <i>Commissioner Jones</i>      | <i>Yes</i> |
| <i>Commissioner Moore</i>      | <i>Yes</i> |
| <i>Commissioner Morgese</i>    | <i>Yes</i> |
| <i>Commissioner Standifird</i> | <i>Yes</i> |

*The motion carried 6:0.*

**5. Site Plan / Architectural Review: Highland Marketplace**

*The Planning Commission will consider a request by MNG Management LLC for approval of a site and architectural plan approval for six (6) office and retail buildings located at approximately 5300 W 11000 N in the Highland Marketplace subdivision.*

Ms. Bronson reviewed the history of the property. She mentioned that there was a development agreement for one building on the site. She explained that the request was to have site plan approval for five buildings on two lots. She asked that the commissioners specifically consider the overall site plan, circulation, traffic flow, and access; parking; general building placement; landscaping plan; and the architectural plan specifically for the retail building. She mentioned that every other building would need to go through a separate architectural review process. She reviewed the overall site plan with 524 parking stalls. Access points were limited to two along Timpanogos Highway and one on Alpine Highway. She mentioned that no traffic would go through the neighboring residential area.

Commissioner Morgese asked for comments and questions from the commission.

Commissioner Moore voiced concern with the entrance from Alpine Highway and not being able to turn left at certain times of the day. She was concerned about a bottleneck too close to a main intersection and wondered if there were any traffic solutions. Ms. Bronson explained that UDOT (Utah Department of Transportation) only allowed two access points onto Alpine Highway. Mr. Crane added that any improvements or changes to SR-74/Alpine Highway and SR-92/Timpanogos Highway were under the governance of UDOT. He said the city could only ask them to consider potential changes due to development. Commissioner Moore suggested that the city talk to UDOT about a traffic solution. Additionally, Commissioner Morgese wondered if there was a way to set a designated route for delivery trucks. Mr. Crane stated that staff typically worked with each of the occupants to determine the best way to access freight. He said the city was limited with approving additional access.

Mr. Ham explained that they acquired the property 9 months ago and inherited the access points. He acknowledged that the access points were not very wide. He said they were negotiating with three different grocery stores that had interest in the space. He said the box trucks and semi-trucks would not want to drive through the parking lot. He talked about the route they would presumably take in order to access the back of the shopping center. He said they were working to make access for the semi delivery drivers as easily as possible.

Commissioner Standifird asked about the traffic flow of the trucks out onto Timpanogos Highway. He was concerned that trucks may try to use the residential 5500 West road. Mr. Ham explained that the large trucks were owned by the operators and they could stipulate the route.

Commissioner Howden called this a ‘sow’s ear’ and said it was not a good situation. He was concerned with large trucks because of the access situation that currently exists. Other than that, he thought everything else looked good.

Commissioner Moore didn’t think semis would want to access from Timpanogos Highway. Mr. Ham explained that most supermarket deliveries were timed to happen during early mornings with reduced traffic. He said there were many communities and large cities where stores accommodated deliveries in tight circumstances.

The commissioners discussed possible routes that could be taken specifically for larger delivery trucks. They agreed that staff should contact UDOT to see if anything could be done to improve access. Commissioner Mino Morgese called for a motion.

*MOTION: Commissioner Chris Howden MOVED that the Planning Commission accept the findings and recommend approval of the Site Plan for Highland Market Place Phase 2 and architectural review of the retail building subject to the following eight (8) stipulations recommended by staff and one (1) additional stipulation:*

- 1. Development of the site shall comply with the site plan and building elevations dated January 7, 2021 except as modified by these stipulations.*
- 2. All signage shall require a separate permit and meet the requirements of the Development Code.*
- 3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.*
- 4. Landscaping shall occupy no less than 20% of the total land area of the site, unless the requirements mentioned in Section 3-4362 of the Development Code are met, the landscaping shall occupy no less than 15%.*
- 5. The hours of operation and number of employees will be in compliance with Highland City’s Municipal Code.*
- 6. All proposed buildings will be required to go through an architectural review by Planning Commission and Council.*
- 7. The retail building shall include four-sided architecture. The rear side of the building will be required to be reviewed by staff prior to the issuance of a building permit.*
- 8. 5500 West will not be used as an access to the site.*

9. *Add additional stipulation that staff and Joe Ham get with UDOT about any changes that could be made for access from SR-74 (Alpine Highway).*

*Commissioner Audrey Moore SECONDED the motion. The vote was recorded as follows:*

|                                |            |
|--------------------------------|------------|
| <i>Commissioner Barrus</i>     | <i>Yes</i> |
| <i>Commissioner Howden</i>     | <i>Yes</i> |
| <i>Commissioner Jones</i>      | <i>Yes</i> |
| <i>Commissioner Moore</i>      | <i>Yes</i> |
| <i>Commissioner Morgese</i>    | <i>Yes</i> |
| <i>Commissioner Standifird</i> | <i>Yes</i> |

*The motion carried 6:0*

6. Site Plan, Architectural Review, and Building Height Increase: Lone Peak Village Office 2

*The Planning Commission will consider a request by WPI Enterprises, Inc. for approval of a site plan, architectural review, and building height increase for an office building located at approximately 5457 W 11000 N.*

Ms. Bronson reviewed the history of the property and details of the application. She reviewed the site plan that was approved in 1997 as well as the proposed site plan. She reviewed access points and the landscaping plan. Ms. Bronson presented the architecture review. She explained that the applicant asked for a height increase to 34'6". She explained that applicants could request up to 36 ft as per the Development Code and reviewed the heights of surrounding buildings. Ms. Bronson asked the commissioners to consider how the height increase might affect neighboring structures and the influence on the general vicinity. She mentioned that the top one foot of the roof was to cover HVAC equipment.

Commissioner Moore pointed out that the design of the building would look very different than existing buildings in the area. Ms. Bronson acknowledged that the proposed building would look different than existing buildings, however, an office building in the area was recently remodeled and the new building would match it. She clarified that the requested height increase would apply only to the proposed building.

Mino Morgese asked how the height was measured. Mr. Crane explained that height was measured to the ultimate top of the structure. Commissioner Howden mentioned that city code did not allow utilities to be visible on commercial buildings.

Commissioner Morgese asked for additional questions. Hearing none, he called for a motion.

*MOTION: Commissioner Chris Howden MOVED that the Planning Commission accept the findings and approve the architectural plans and building height increase to 34'6" for the Lone Peak Village Office 2 subject to the following two (2) stipulations recommended by staff:*

1. Architecture, materials, and colors shall comply with the site plan and building elevations dated December 7, 2020 except as modified by these stipulations.
2. All signage shall require a separate permit and meet the requirements of the Development Code.

Commissioner Standifird *SECONDED* the motion. The vote was recorded as follows:

|                         |     |
|-------------------------|-----|
| Commissioner Barrus     | Yes |
| Commissioner Howden     | Yes |
| Commissioner Jones      | Yes |
| Commissioner Moore      | Yes |
| Commissioner Morgese    | Yes |
| Commissioner Standifird | Yes |

The motion carried 6:0

*MOTION: Commissioner Moore MOVED that the Planning Commission accept the findings and recommend approval of the Site Plan for Lone Peak Village Office 2 subject to the following three (3) stipulations recommended by staff:*

1. Development of the site shall comply with the site plan and building elevations dated December 7, 2020 except as modified by these stipulations.
2. All signage shall require a separate permit and meet the requirements of the Development Code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

Commissioner Howden *SECONDED* the motion. The vote was recorded as follows:

|                         |     |
|-------------------------|-----|
| Commissioner Barrus     | Yes |
| Commissioner Howden     | Yes |
| Commissioner Jones      | Yes |
| Commissioner Moore      | Yes |
| Commissioner Morgese    | Yes |
| Commissioner Standifird | Yes |

The motion carried 6:0

**PUBLIC HEARING**

7. Preliminary Plat Approval for a Minor Subdivision – Sunset Mountain Plat E (FP-20-07)

The Planning Commission will hold a public hearing to consider a request by Berg Civil Engineering for a minor subdivision approval of Sunset Mountain Plat E, a 1-lot subdivision.

Ms. Bronson explained that this was a 1-lot subdivision which had a site plan approved in January 2020. This would complete the process of getting the subdivision plat recorded.

Commissioner Morgese opened the public hearing at 8:04 PM and asked for public comment. Hearing none, he closed the public hearing at 8:05 PM and asked for additional discussion or comments. Hearing none, he called for a motion.

*MOTION: Commissioner Jones MOVED to accept the findings and recommend approval of the proposed subdivision plat with the following three (3) stipulation recommended by staff:*

- 1. The recorded plat conforms to the final plat date stamped November 24, 2020 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.*

*Commissioner Tyler Standifird SECONDED the motion. The vote was recorded as follows:*

|                                |            |
|--------------------------------|------------|
| <i>Commissioner Barrus</i>     | <i>Yes</i> |
| <i>Commissioner Howden</i>     | <i>Yes</i> |
| <i>Commissioner Jones</i>      | <i>Yes</i> |
| <i>Commissioner Moore</i>      | <i>Yes</i> |
| <i>Commissioner Morgese</i>    | <i>Yes</i> |
| <i>Commissioner Standifird</i> | <i>Yes</i> |

*The motion carried 6:0*

#### 8. Preliminary Plat Approval - Ten-Seven Hundred Subdivision (FP-20-07)

*The Planning Commission will hold a public hearing to consider a request by McKay Christensen for Preliminary Plat approval of Ten-Seven Hundred, a proposed 42-lot attached single family subdivision.*

Ms. Bronson reviewed the history and approvals of the project previously known as the Apple Creek PD district. She mentioned there were 42 residential lots and 2 commercial lots. The setbacks met the requirements that were approved for the district. She mentioned that they had approval from UDOT for Alpine Highway access.

Commissioner Morgese opened the public hearing at 8:08 PM and asked for public comment. Hearing none, he closed the public hearing at 8:09 PM and asked for additional discussion.

Commissioner Moore asked about decisions regarding a break-away gate and fencing. Applicant McKay Christensen explained that they would install removable bollards with a landscape buffer. He explained that the concrete fence on the north would remain. He said the units would have a front yard maintained by the HOA with a fenced side yard. He mentioned that the park would also be maintained by the HOA.

Mr. Christensen asked for clarification of Stipulation #4 in the staff report regarding dual use parking stalls for overnight visitor stalls that could also be used as commercial parking during the day. Mr. Crane said he would investigate the specifics of the parking stalls and get back to Mr. Christensen.

Commissioner Morgese wondered if the road into the development would be maintained by the developer. Mr. Christensen thought that it would be.

*MOTION: Commissioner Howden MOVED to accept the findings and recommend approval of the proposed Ten Seven Hundred preliminary subdivision plat with the four (4) stipulations recommended by staff with the edit that Stipulation #4 be revised as indicated in the city council stipulations.*

- 1. The final plat shall be in substantial conformance with the preliminary plat date stamped January 6, 2021.*
- 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 developer post signage adjacent to the ten stalls in the northwest commercial parking lot indicating that they are designated visitors parking for the brownstone units.*

*Commissioner Barrus SECONDED the motion. The vote was recorded as follows:*

|                                |            |
|--------------------------------|------------|
| <i>Commissioner Barrus</i>     | <i>Yes</i> |
| <i>Commissioner Howden</i>     | <i>Yes</i> |
| <i>Commissioner Jones</i>      | <i>Yes</i> |
| <i>Commissioner Moore</i>      | <i>Yes</i> |
| <i>Commissioner Morgese</i>    | <i>Yes</i> |
| <i>Commissioner Standifird</i> | <i>Yes</i> |

*The motion carried 6:0*

## **9. OTHER BUSINESS**

### Chairman and Vice Chairman Elections

Commissioner Jones nominated Commissioner Jerry Abbott to serve as Planning Commission Chairman. Commissioner Howden seconded the motion. No other nominations were offered. All present were in favor. The nomination carried unanimously.

Commissioner Howden nominated Commissioner Mino Morgese to serve as Planning Commission Vice Chairman. Commissioner Barrus seconded the motion. No other nominations were offered. All present were in favor. The nomination carried unanimously.

## **MINUTES APPROVAL**

**Motion:** *Commissioner Howden MOVED to approve the meeting minutes from December 8, 2020. Commissioner Moore SECONDED the motion. All present were in favor. The motion carried unanimously.*

## **PLANNING COMMISSIONER AND STAFF COMMUNICATION ITEMS**

Mr. Crane mentioned that a General Plan amendment regarding trails would be addressed at the next Planning Commission meeting. Newly Appointed Commissioner Tyler Standifird introduce himself.

## **ADJOURNMENT**

**MOTION:** Commissioner Moore moved to adjourn the meeting. Commissioner Howden seconded the motion. All present were in favor. The motion carried.

The meeting was adjourned at 8:25 PM.