



HIGHLAND CITY


HIGHLAND CITY PLANNING COMMISSION MINUTES

Tuesday, August 29, 2023
Approved November 28, 2023

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

VIRTUAL PARTICIPATION

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

 Email comments prior to meeting: planningcommission@highlandcity.org

7:02 PM REGULAR SESSION

- Call to Order – Chair Audrey Moore
- Invocation – Commissioner Chris Howden
- Pledge of Allegiance – Commissioner Trent Thayn

The meeting was called to order by Commissioner Audrey Moore as a regular session at 7:02 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 Chris Howden and those in attendance were led in the Pledge of Allegiance by Commissioner Trent Thayn.

PRESIDING: Commissioner Audrey Moore

COMMISSIONERS

PRESENT: Jerry Abbott, Tracy Hill, Chris Howden, Claude Jones, Debra Maughan, Audrey Moore and Trent Thayn

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney Rob Patterson, City Engineer Andy Spencer, Planning Commission Secretary Heather White

OTHERS PRESENT: Jon Hart, Zach Fackrell, Casey & Angie Lloyd, Nick Nelson, Daniele Brown, Curtis Miner, Jeri Pace Symmes, Lowell Reed, Doug Cortney, Brent Reed, Scott Dunn, Mike Anderson, Michael Card, Emily Card, Pam Wilcken, Tom & Eileen Marshall, Annette Steed, Brian Cowan, Pam Enloe

1. UNSCHEDULED PUBLIC APPEARANCES

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

None was offered.

2. 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** *General City Management - Jill Powell, Planning Commission Secretary*
Regular Planning Commission Meeting – July 25, 2023

Commissioner Hill moved to approve the minutes from the July 25, 2023 Planning Commission Meeting. Commissioner Howden seconded the motion. All were in favor. The motion carried.

3. PUBLIC HEARING: PRELIMINARY PLAT - MAGNOLIA ESTATES *Land Use (Administrative) - Jay Baughman, Assistant City Administrator/Community Development Director*

The Planning Commission will hold a public hearing to consider a request by the developers for preliminary plat approval of an 8-lot subdivision in the R-1-40 Zone located south of 4697 W. 11200 N. The Planning Commission will take appropriate action.

Mr. Baughman reviewed the details of the preliminary plat application for Magnolia Estates Subdivision. He said Snowflake Drive was on the east and west of the subdivision. Access to the development would be from Manor Drive on the south and Snowflake Drive on the east. He explained that Snowflake Dr. on the west would not connect because it would be considered a taking from the developer, especially when there was already sufficient access to the property. He said Snowflake Drive on the west would be a cul-de-sac.

Commissioner Moore opened the public hearing at 7:10 PM and asked for public comment.

Resident Pam Enloe referred to and read an email sent to the city by her husband (Parker Enloe) voicing concerns with the development near her home. The email talked about her neighborhood having to put in a temporary turnaround at the time of building because it was meant to be a through street. She said the temporary turnaround needed to be fixed to look more permanent. Ms. Enloe said there were issues with soil running down and degrading their property line.

Resident Annette Steed liked the idea of being connected to more neighbors. She wondered if there would be a connection to the north. She said she was in favor of the development as long as residents from Snowflake were taken care of. Mr. Baughman explained that there would not be a road to the north because it was private property. He said the walkway between Lots 1 and 2 to the west would be public access and a utility easement owned by the city.

Ms. Enloe wondered what the plan was for the temporary turnaround on Snowflake. She voiced frustration and concern because the original plan changed. She was concerned about her property being devalued and explained that the plan for a permanent turnaround showed a sidewalk four feet from her front door. Ms. Enloe wondered if the developer would be willing to meet with residents to discuss possible solutions. She wondered if the layout could be changed to create a different plan or extend her street to include Lot 1 and 2 into their neighborhood. Mr. Patterson explained that there was not a solid plan yet for fixing the temporary roundabout. He said the city could not ask the developer of Magnolia Estates to connect to Snowflake because they did not need the access point. Mr. Patterson talked about the history and timeline of development in the area. He said the city was aware that the turnaround needed a long-term solution, but the final plan was not yet determined.

Mr. Patterson wasn't sure if the developer would be willing to discuss other options with residents and that the city could not require it.

Resident Daniele Brown wondered if the owners of Lot 2 could make a long driveway connecting to 11200 North. Mr. Patterson said it would not be a road, but it could be a private driveway.

Resident Brent Reed asked about the proposed turnaround on the proposed plat. Commissioner Abbott explained that it was so Lots 1 and 2 could have frontage.

Resident Michael Card voiced concern with more traffic and construction vehicles on the roads. He wondered what recourse residents had if property was damaged due to trucks, etc. He also asked about noise levels and speed. Commissioner Abbott said the construction crews would need to abide by Highland's speed and noise limits. He suggested to inform the police about any problems. He also suggested speaking with the contractor.

American Fork Resident Lowell Reed explained that he owned a neighboring lot. He thought the subdivision was far better than what was presented years ago. He was in favor of the proposed plat.

Resident Tom Marshall wondered if staff knew what was going on with the dirt mounds against his fence on Lots 5 and 6. He was concerned that it would cause water to drain towards his house. He asked about the maximum height allowed for homes in the subdivision. He voiced concern with Manor Drive becoming a through street and wondered if there were other safety measures, other than speed limits, that could be implemented. Mr. Spencer explained that the grading plan did not include any significant changes in elevation. He said drainage should be towards the street or the developer would need to create a drainage system for the backyards. He said the new development was not allowed to drain on his property. He said the ground should remain at the level it currently was. Commissioner Howden explained that the maximum height for a house in the subdivision was 35 feet.

Resident Brian Cowan wondered why it was mandatory to have a connection to Manor Drive. He wondered what regulations were in place. Commissioner Abbott explained that the street was too long for ambulance and fire department to safely turn around. A connection would be made to Manor Drive so emergency vehicles had a better exit route.

Commissioner Moore closed the public hearing at 7:42 PM. She asked for additional comments from the commissioners.

Mr. Patterson pointed out the stipulation for the sewer reimbursement agreement. He said the northern lots on Manor Drive would finally be connected to the city sewer line.

Commissioner Howden mentioned that all residents were equally frustrated about the traffic and speeding. He suggested talking with the council.

Commissioner Thayn voiced concern that the city was causing a nonconforming bulb on Snowflake Drive. He liked resident input and suggested that they contact the developer in order to come up with a possible solution. He wondered if the city still held a bond for the turnaround. Mr. Patterson explained that the development only needed two points of access. He said the city needed to fix Snowflake Drive but there was no bond to help with funding because it was always planned as a through street. He said the city owned the right-of-way.

Engineer Mark Greenwood, ALM and Associates, represented the Lloyds and the Nelsons. He said the development had been a challenging process. The original idea was to make the connection straight through. He said a couple years ago the council made the decision to go to Manor Drive. He talked about numerous meetings with city staff. There were no great solutions to satisfy everyone. He said the current plan would

supply Manor Drive with a connection to water and sewer. He also mentioned that they would take care of drainage and a low point in the area. Mr. Patterson mentioned that the developer would also install the 10-foot trail.

Commissioner Thayn MOVED that the Planning Commission accept the findings and recommend approval of the preliminary plat for the Magnolia Estates Subdivision subject to the five (5) following stipulations recommended by Staff:

- 1. The final plan shall be in substantial conformance with the preliminary plat received July 5, 2023.*
- 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.*
- 4. Staff will coordinate with the developer regarding a reimbursement agreement for sewer extension in Manor Drive.*
- 5. The easement as parcel A shall be dedicated a utility easement that allowed public access.*

Commissioner Moore 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 Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

The motion carried 7:0

4. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT - PROFESSIONAL OFFICE ZONE *Development Code Update (Legislative) - Jay Baughman, Assistant City Administrator/Community Development Director*

The Planning Commission, having held a public hearing during the July 25 Planning Commission meeting, will continue its discussion and consideration of a request by Patterson Homes to amend to Article 4.9 Professional Office (P.O.) to remove the illustrative exhibits associated with the zone and allow for the landscape and architectural plans to meet the regulations outlined in the code. The Planning Commission will take appropriate action.

Mr. Baughman reminded the planning commission that the public hearing for the proposed text amendment was held during the previous planning commission meeting. He said the developer sent updated examples of style and architecture.

Scott Dunn with Patterson Homes said he wanted to discuss architect styles before they got too far in planning. He said they were looking for guidance. He showed examples of buildings.

Commissioner Moore thought the more traditional style would be a better tie-in to what was already in the city. Commissioner Howden liked the transitional or traditional style. He said he liked something that broke up the roof line. Commissioner Abbott agreed and pointed out that buildings with one line across the top would be discouraged.

Mr. Dunn explained that a gable roof on an office building added space in an attic instead of having space that could be used in an office. He said it meant less ceiling space in the offices.

Commissioner Abbott wondered if they could find a compromise between a 3-story box and a house design. The commissioners gave feedback and pointed out preferred styles based on pictures presented by the developer. They agreed on building designs which broke up the façade, used different materials, and had different roof heights.

Commissioner Howden MOVED to continue.

Commissioner Maughan 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 Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

The motion carried 7:0

5. ACTION: ZONING APPROVAL - ZAANA JEWELRY *Land Use (Administrative) - Jay Baughman, Assistant City Administrator/Community Development Director*

The Planning Commission will consider a request by Zachary Fackrell to allow Zaana Jewelry—a jewelry ecommerce business—as a permitted use in the Professional Office Zone. The Planning Commission will take appropriate action. This request is a resubmittal of their previous application that was discussed at the June 27 Planning Commission meeting.

Mr. Maughan reviewed the background of the application and explained that it was a resubmittal of a previous application. He said the retail component was struck from the application and that employees would be packing e-commerce. He explained that the applicant would not have a walk-in retail component.

Commissioner Howden MOVED that the planning commission approve the requested use in the Professional Office Zone based on the following findings:

- 1. No showroom*
- 2. No retail*

Commissioner Moore 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 Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayne</i>	<i>Yes</i>

The motion carried 7:0

Zack Fackrell thanked the commissioners and mentioned that he had an inspection today. He said they were moving forward with hardwood floors and a little dividing wall with the packing area in the back and professional consultation and design work in the front.

6. ORDINANCE: TEXT AMENDMENT - SENSITIVE LANDS *Development Code Update (Legislative) - Rob Patterson, City Attorney*

The Planning Commission will hold a public meeting to consider a proposal by Highland City Staff to amend certain sections of the Development Code and to adopt a new chapter 8 in the Development Code related to the regulation of development on sensitive lands. The Planning Commission will take appropriate action.

Mr. Patterson reviewed the details of the proposed amendment. He said it would apply to wetlands, streams, rivers, and irrigation channels, and also included wildlife and habitat. He talked about the steps that would need to be taken in order to develop on sensitive lands. He reviewed what the proposed code would regulate and the requirements for developers.

Commissioner Howden asked about the details regarding slopes. He wondered if there could be a lot where the front part would be approved for construction, but the back portion would be on a slope. Mr. Patterson explained that the back part of the lot could be restricted for construction.

Commissioner Howden MOVED that the Planning Commission recommend approval of the proposed ordinance amending certain sections of the Development Code and adopting a new Chapter 8 in the Development Code related to the regulation of development on sensitive lands.

Commissioner Moore 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 Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayne</i>	<i>Yes</i>

The motion carried 7:0

7. DISCUSSION: GENERAL PLAN COMPREHENSIVE UPDATE RFP REVIEW *General City Management - Jay Baughman, Assistant City Administrator/Community Development Director*

Highland City's last General Plan update was in 2008. The City has budgeted funding in the 2023-24 fiscal year to commission a comprehensive update to the Plan and bring it up to current standards.

Mr. Baughman explained that the general plan was last updated 15 years ago. Staff drafted a request for proposal (RFP) for the general plan update. He said it was the planning commission's responsibility to recommend a general plan to the council. He asked the commissioners to review the RFP draft and provide feedback by September 12.

8. 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. Future Meetings

- September 5, City Council, 7:00 pm, City Hall
- September 19, City Council, 7:00 pm, City Hall
- September 26, Planning Commission, 7:00 pm, City Hall
- October 3, City Council, 7:00 pm, City Hall

Commissioner Abbott asked if the commissioners could have training on easements and property rights.

Ms. Wells mentioned that the council would fill a vacancy on the city council by appointing someone on September 12th. There were currently 14 candidates. She said an information meeting regarding the alcohol discussion would be held on September 18th. She talked to the commissioners about payroll and moving towards a new system. She explained that they would be 1099 employees and would still receive a check, but it would not come through the city system. They would receive emails regarding the payroll change. Ms. Wells explained that they would still get a small portion in a retirement fund. She also mentioned that the commissioners would receive a small pay increase.

Commissioner Thayn requested that he not receive any payment. He asked that his service on the planning commission be completely voluntary. Ms. Wells said she would check into the possibility and thought it could be worked out.

ADJOURNMENT

Commissioner Howden moved to adjourn the meeting. Commissioner Abbott seconded the motion. All were in favor.

The meeting was adjourned at 9:02 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 August 29, 2023. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

/s/Heather White
Planning Commission Secretary