



**AGENDA**  
**HIGHLAND CITY PLANNING COMMISSION**  
**Tuesday, August 27, 2019, 7:00 p.m.**

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

**CALL TO ORDER:** Chris Kemp, Chair

- Attendance – Chris Kemp, Chair
- Invocation – Commissioner Claude Jones
- Pledge of Allegiance – Commissioner Tim Ball

**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.

*There were none*

**TRAINING:**

Time has been set aside to train Planning Commission members on the electronic voting system.

**PUBLIC HEARING ITEMS:**

1. **TA-19-07** A request by Cynthia Thorsen to amend the R-P Zoning District to allow Reception and Event Centers as a Conditional Uses. *Legislative FAILED 7:0 The Commission made a recommendation of denial because of problems with parking, hours of operation, and the expectancy of the RP zone being a buffer zone between commercial and residential. Next steps, City Council will review this request on September 17, 2019.*
2. **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 10,000 square feet commercial space and a maximum of 121 residential units. *Legislative PASSED 5:2 The Commission made a recommendation of approval. Next steps, City Council will review this request on September 17, 2019.*

**DISCUSSION ITEMS:**

3. Review and discussion of current and conditional permitted uses. *This item is being presented for discussion only. No action will be taken.*  
*Next Steps: Planning Commissioners are going to review the table of uses and make conditional uses either Permitted or Not Permitted for each zone.*

4. Review and discussion of Article 3 Appeal Authority of the Highland City Development Code. ***This item is being presented for discussion only. No action will be taken.***

*Next Steps: City Staff will request a text amendment for Article 3 Appeal Authority.*

#### **APPROVAL OF MINUTES:**

- Approval of the July 9, 2019 meeting minutes.

**CONTINUED 7:0:** *Next Steps: Approval of the July 9, 2019 meeting minutes will be on September 24, 2019 meeting.*

#### **ADJOURNMENT:**

NEXT MEETING: ***September 24, 2019*** at 7:00 pm City Council Chambers

*Legislative: An action of a legislative body to adopt laws or policies.*

*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 22nd day of August, 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 22nd day of August, 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 Voting Report

First Name	Last Name	Keypad	ALTERNATIVE MOTION FOR TEXT AMENDMENT TO SECTION 3-4502 PERMITTED USES	APPROVE PD DISTRICT APPLE CREEK
Chris	Kemp	1	Yes	Yes
Brittney	Bills	2	Yes	No
Shery	Carruth	3	Absent	Absent
Claude	Jones	4	Yes	Yes
Jerry	Abbott	5	Yes	Yes
Tim	Ball	6	Yes	No
Audrey	Wright	7	Yes	Yes
Ron	Campbell	8	Yes	Yes
<b>Total 1 = Yes</b>			<b>7</b>	<b>5</b>
<b>Total 2 = No</b>			<b>0</b>	<b>2</b>
<b>Total 3 = Abstain</b>				
<b>Total Voters</b>			<b>7</b>	<b>7</b>
<b>Total Yes + No</b>			<b>7</b>	<b>7</b>
<b>% Yes</b>			<b>100.00%</b>	<b>71.43%</b>
<b>% No</b>			<b>0.00%</b>	<b>28.57%</b>
<b>% Abstain</b>			<b>0.00%</b>	<b>0.00%</b>
<b>Pass Threshold</b>			<b>50.00%</b>	<b>50.00%</b>
<b>Pass/Fail</b>			<b>Pass</b>	<b>Pass</b>

# Welcome to the Highland Planning Commission Meeting



## PUBLIC APPEARANCES

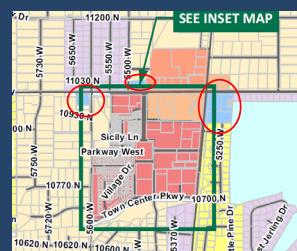
Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to (3) three minutes.

## TEXT AMENDMENT FOR RP ZONE PERMITTED CONDITIONAL USES

## Item #1 – Public Hearing / Action *Legislative*



RP Zone



- The purpose of the RP Zone is to provide various professional office, private education, and related uses while protecting and buffering residential neighborhoods from commercial uses.

## Amended Section 3.4502.10

### ***Permitted Conditional Uses***

10. Reception and Event Center for up to 150 people.

## Analysis

- Reception and event centers have different parking needs compared to office uses.
  - Majority of the events happen evenings or on the weekend.
- Top Floor- Elevated Family Dentistry will need 26 parking stalls (26 available for the event center).
- The commission should discuss amending Section 3-509.2 of the Development Code and exclude the ability for a parking reduction.

## Other Cities

City	Parking	No. Stalls for This Location
American Fork	.25 Per person	37 stalls (for 150 people)
Lindon	1 per 3 ½ Person	42 stalls (for 150 people)
Draper	4 per 1,000 sq ft	26 stalls (bottom floor)
Pleasant Grove	1 per 150 sq ft	43 stalls (bottom floor)
Orem	C2 & HS Zone – 1 per 250 sq ft	26 stalls (bottom floor)
	M2 Zone- 1 per 750 sq ft	8 stalls (bottom floor)
	BP zone – 1 per 250 sq ft	26 stalls (bottom floor)

## Citizen Participation

- Planning Commission Notification
  - Daily Herald and State Posting
  - No written correspondence has been received.

## Recommendation

- Staff recommends that the Planning Commission conduct a public hearing, discuss the issues, and make a recommendation to the City Council.
- Questions to consider:
  - Is the proposed use constituent with the intent of the RP District?
  - Is the proposed use compatible with the uses in the RP District?
  - Is the proposed use compatible with surrounding residential uses?
  - Do the development standards in the RP District adequately address the potential impacts of this type of use?
  - Is the parking requirement adequate to limit offsite impacts?

## APPROVE TEXT AMENDMENT TO SECTION 3-4502 PERMITTED USES

Abbott, Jerr
Ball, Tim
Bills, Brittne
Campbell, R
Carruth, Sh
Jones, Clau
Kemp, Chris
Wright, Aud

Yes = 0   No = 0   Abstain = 0

Pass

## ALTERNATIVE MOTION FOR TEXT AMENDMENT TO SECTION 3-4502 PERMITTED USES

Abbott, Jerr
Ball, Tim
Bills, Brittne
Carruth, Sh
Jones, Clau
Kemp, Chris
Wright, Aud

Yes = 0   No = 0   Abstain = 0

Fail



## PLANNED DEVELOPMENT (PD) DISTRICT FOR APPLE CREEK

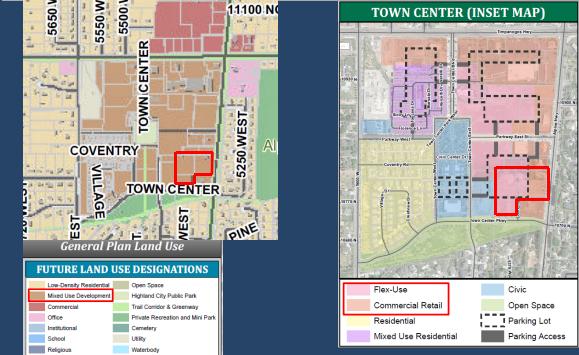
Item #2- Public Hearing / Action.

*Legislative*

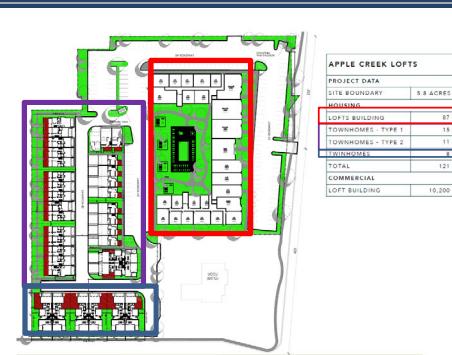
## Vicinity Map



## General Plan and Zoning



## Concept Plan



## Density



## Parking

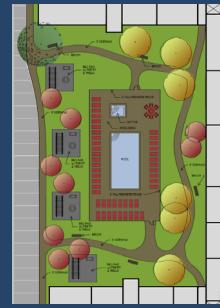
- Commercial

Service	Parking Stalls
Restaurant	4.0 per 1,000 sq ft
All other uses	3.5 per 1,000 sq ft
<b>Total Parking Stalls:</b>	<b>66</b>

- Residential:

District	Parking Stalls	Total
Mixed Use / Loft	1.25 per 1-bedroom and 2 per 2-bedroom	57 1-bedroom =71 30 2-bedroom=60
Town / Twin Home	2 per unit	26 townhome = 52 8 twinhome= 16
Visitor Parking	.25 per unit, 2 per driveway, and commercial flex use	35
<b>Total:</b>		<b>234</b>

## Open space

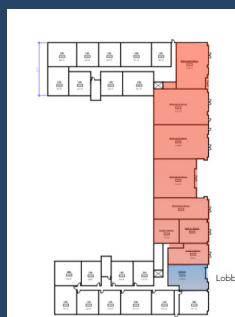


- Commercial:
  - 8,141 sq ft (43%)
  - Includes outdoor patio seating for pedestrian use.
- Residential:
  - 64,745 sq ft (45%)
  - Pool, Jacuzzi, 4 BBQ areas, 2,000 sq ft clubhouse (2<sup>nd</sup> floor Loft), and 1,500 sq ft outdoor deck (3<sup>rd</sup> floor Loft)

## HOA

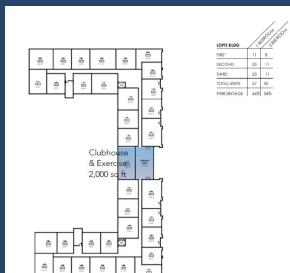
- HOA will maintain all greenspace, amenities, monument signs, and private roads.

## Commercial

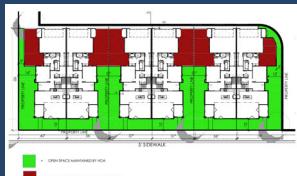


- 3.7 Acres
- 10,200 Sq Ft Commercial space
- 45' height.
  - City Council has the ability to approve up to 50'
- Similar to C-1 Zone for permitted and not permitted uses
- Changes:
  - Conditional use – Fitness center
  - Permitted uses: Residential, multifamily attached, mixed-use, live-work, nightly rental

## Residential / Lofts



## Twin-Home



- 0.78 Acres
- 8 Units
- Setbacks:
  - Front – 10'
  - Side – 10' between attached units
  - Rear- None
  - Corner – 5'
- Maximum Height 40'
- Minimum lot size is 2,800 sq. ft
- Access will be from 10700 N

## Architecture



## Phasing



- Mixed use / Commercial:
  - Phase 1 and 2
- Town Home:
  - Phase 1, 2, and 3
- Twin Home:
  - Phase 2, 3, and 4

## Traffic Study

- Traffic study indicated that a light would not be needed on 10700 N and Alpine Highway because the project is anticipated to create 1,288 daily trips which would utilize 7.8% of Alpine Highways road capacity.

## Analysis

- Parking and circulation:

Use	Development Code for TCO	Apple Creek
Retail (stalls / 1,000 sq ft.)	4.0 (40 stalls)	Restaurant 4.0, All other 3.5 (69 stalls)
Residential (stalls /unit)	3.0 (363 stalls)	1.25 1-bedroom, 2 2-bedroom, 2 townhome & twin home unit (234 stalls)
<b>Total Stalls</b>	<b>403</b>	<b>300</b>

- Density:

	Toscana	Highland Vista	Development Code	Apple Creek
Acres	9.73	7.77	N/A	5.84
Residential Units	144	80	229 Maximum Units for all of TCO	121
<b>Units / Acre</b>	<b>14.8</b>	<b>10.3</b>	<b>12 Maximum</b>	<b>20.72</b>

## Analysis Cont.

- Building Height:

Toscana	Highland Vista	TCO in Development Code	Apple Creek
36'	36'11"	Commercial Retail District 40' / All others 50'	45' with ability to increase to 50'

## Citizen Participation

- Neighborhood Meeting: July 9, 2019
  - Three (3) residents attended the meeting
- Planning Commission Meeting:
  - Daily Herald, state posting, and mailed notification to property owners within 500 feet.
- Two (2) written correspondence has been received.

## Required Findings

- The following findings are required for a PD District to be approved:
  - The proposed PD is consistent with the General Plan;
  - That there are or will be adequate public facilities, including but not limited to: transportation, water, wastewater, and public safety facilities, etc.
  - The proposed PD will result in compatible land use relationships and acceptable land use with existing and planned land use in the area; and;
  - 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.

## Discussion Items

1. Is the overall density of 21 units per acre appropriate for this location?
2. Should the building height be allowed to be increased to 50 feet?
3. Is the proposed amount of parking sufficient for the development?
4. If a fitness center is approved, is the current parking standards sufficient for the use?
5. Are the setbacks for the twin home and townhome district sufficient for the proposed site?
6. Do the proposed development standards represent the quality desired for Highland?
7. Will the proposed development standards ensure that the represented product will be constructed if approved? If not, what standards need to be added?
8. If UDOT doesn't grant access on Alpine Highway, will there be enough access points for the proposed development?
9. Should the commercial district be allowed to transition if vacant after so many months?

## APPROVE PD DISTRICT APPLE CREEK

Abbott, Jerry
Ball, Tim
Bills, Brittney
Campbell, Ron
Carruth, Sherry
Jones, Claude
Wright, Audrey

0 / 8

Yes = 0   No = 0   Abstain = 0

Fail

## ALTERNATIVE MOTION FOR PD DISTRICT APPLE CREEK

Abbott, Jerry
Ball, Tim
Bills, Brittney
Campbell, Ron
Carruth, Sherry
Jones, Claude
Wright, Audrey
Kemp, Chris

0 / 8

Yes = 0   No = 0   Abstain = 0

Fail



## STAFF DISCUSSION

Item #3: Table of Uses

*This item is being presented for discussion only. No action will be taken.*

### Table of Uses

- Each zoning district has been built around Conditional Uses.
- State law restricts what discretion cities have with conditional uses.
- Staff is recommending that a table of uses be created. Remove Conditional Uses and put each use as permitted or not permitted for each zone.



## STAFF DISCUSSION

Item #4: Appeal Authority

*This item is being presented for discussion only. No action will be taken.*

### Appeal Authority

- Staff has been working with the City Attorney to updated Article 3 Appeal Authority to be consistent with State Law and modern practices.



## APPROVAL OF MINUTES

- July 9, 2019