



## AGENDA

### **HIGHLAND CITY PLANNING COMMISSION Tuesday, July 28, 2015 – Special Meeting 7:00 p.m.**

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

#### **CALL TO ORDER:** Tim Heyrend, Vice Chair

- Attendance – Tim Heyrend, Vice Chair
- Invocation – Commissioner Brady Brammer
- Pledge of Allegiance – Commissioner Abe Day

#### **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.

#### **WITHDRAWALS AND CONTINUANCES:**

None

#### **PUBLIC HEARING ITEMS:**

1. **Z-15-01:** A request by Rob Gulbrandsen for the approval of a rezone application for a 61 single family home project called Highland Oaks. The property is approximately 36.61 acres in size and is located at the northeast corner of Highland Blvd. and 11800 North. The applicant is requesting the property to be zoned to R-1-20 zoning upon annexation.  
*Legislative*

#### **OTHER BUSINESS:**

2. Discussion regarding to proposed amendment to Town Center Overlay zone.

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

#### **PLANNING STAFF REPORT:**

#### **COMMISSION COMMENTS AND SUGGESTIONS:**

#### **ADJOURNMENT:**

NEXT MEETING: *August 25, 2015* 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 22<sup>nd</sup> day of July 2015. 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 22<sup>nd</sup> day of July, 2015 the above agenda notice was posted on the Highland City website at [www.highlandcity.org](http://www.highlandcity.org).

Kelsey Bradshaw, Planning Coordinator



# Community Development

**SUBJECT:** PUBLIC HEARING – Zoning (Z-15-01)

**MEETING DATE:** July 28, 2015

**TO:** Planning Commission

**FROM:** Nathan Crane, Community Development Director

---

**REQUEST:** To zone a parcel R-1-20 upon annexation

**PARCEL SIZE:** 36.61 Acres

**LOCATION:** Northeast corner of 11800 North and Highland Boulevard

**APPLICANT:** Rob Gulbrandsen

**OWNER:** Cherylin and Kipley Siggard and Karin and Ronald Carling

---

**BACKGROUND:**

The site is currently located in Utah County and the applicant has applied for annexation.

The property is not included in the General Plan Land Use Map. The property is included in the Highland City Annexation Plan that was adopted in 2007.

The applicant has withdrawn his application for a Planned Development (PD) District.

Zoning and annexation are legislative processes.

**SUMMARY OF REQUEST:**

1. The request is to zone approximately 36.6 acres to R-1-20 (Single Family Residential) upon annexation.
2. The applicant has provided a concept plan that shows a 61 lot single family subdivision. The proposed density is 1.61 units per acre. The concept plan shows 2 foot contours. Staff has not reviewed the concept plan. The number of lots and the lot configuration may change during the review process.
3. The minimum lot size is 20,000 square feet and the minimum lot width is 115 feet. The maximum number of lots allowed on this property in the R-1-20 District is 79.

4. Primary access to the site will be available from Highland Boulevard and 11800 North. All internal roadways will be public.
5. Utilities will need to be extended to the site to serve the property. All costs associated with these extensions will be the responsibility of the developer. There is capacity in the existing system to serve the development if the sanitary sewer connects to the TSSD line in Highland Boulevard.

#### **CITIZEN PARTICIPATION:**

Notice of the June 16, 2015 Neighborhood meeting was mailed to all property owners within 500' within 10 days of the meeting. Thirty-three residents attended the meeting. The developer reviewed the proposed project (Attachment 2).

Notice of the July 12, 2015 Planning Commission meeting was published in the Daily Herald on June 14, 2015. Notice of the meeting was also mailed to all property owners on July 13, 2015. Staff has met with two residents who have expressed concern with the project.

#### **ANALYSIS:**

##### General Plan

- There are several goals within the general plan that are applicable to the request:
  - Land Use
    - Maintain the established land use pattern of development in Highland City
    - Preserve critical open spaces and trail corridors
    - Ensure new annexations are consistent with and compliment the established land use patterns
  - Environmental and Natural Systems
    - Protect areas from development that are unsuitable for less suitable for development
    - Utilize unsuitable or less suitable lands for open space and trail corridors

##### Zoning and the R-1-20 (Single Family Residential) District

- The following are the reasons to in which the R-1-20 District is used:
  - Support medium low density residential environment within the City.
  - Create transitional areas between higher density zones in adjacent cities and development in Highland.
  - Establish transition between higher densities in Highland and lower densities where practical.
  - Better manage land use on properties not suited to lower density zones.
  - Create areas for people who do not want large animals or large lots.
- The R-1-20 District has not been used extensively within Highland. The primary areas it has

been used is the south side of 9600 North, the Alpine Country Club and other non-conforming areas. Non-conforming areas, are lots that do not meet the minimum lot size. Many of these lots were approved in the County prior to incorporation of the City.

- To staffs knowledge, the R-1-20 District has not been used for newly annexed areas.
- The maximum density in the R-1-40 District, excluding overlay districts, is one unit per 40,000 square feet. The maximum number of lots currently permitted is 39 lots or 1.06 units per acre. The maximum density in the R-1-20 District is one unit per 20,000 square feet. A maximum of 79 lots or 2.15 units per acre would be permitted by the R-1-20 District.
- The concept plan shows a 61 lot subdivision for a density of 1.66 units per acre. Staff has not reviewed the concept plan. The number of lots and the lot configuration may change during the review process.

#### Existing Standards Relating to Development on Sensitive Lands

- The site is relatively hilly with a natural drainage and scrub oak. A concept plan has been provided that shows two foot contours. The slope in some areas is as much as 10%. It appears that a significant amount of grading will be needed to install the infrastructure and build homes. In addition, it appears that several lots have limited building pads.
- Unfortunately, there are relatively few development standards in the Development Code and Public Improvement Standards that relate to the development of land on slopes, adjacent to natural drainages and natural vegetation. However, when an applicant applies for annexation and zoning it provides an opportunity for the Planning Commission and City Council to address these issues. The Planning Commission should determine whether or not this is needed before making a recommendation to the City Council.

#### Surrounding Land Uses

Sky Estates and Stirling Pointe abut the project on the north side. The site is zoned PD-1. Stirling Pointe is an age restricted community for seniors. The density of the Sky Estates single family development is 2.3. The property to the south is zoned R-1-40 and is the Dry Creek Highlands. This subdivision is an R-1-40 subdivision. The property to the east is in Utah County. The property to the west is the Mercer Hollow subdivision and is zoned R-1-40. This area was originally part of the Highland Hills Development. However, the plat was revised and includes lots between 0.5 acres and 1.18 acres.

#### **CONCLUSION:**

Based upon the public input received during the public hearing for the proposed PD District, surrounding property owners would like to see larger lots at this location. The R-1-20 District provides for a minimum lot size of 20,000 square feet. However, R-1-20 District has been restricted to limited areas in the City. Further, the R-1-20 District was not intended to apply to new large developments or newly annexed areas. The decision to allow R-1-20 in this instance should be deliberated carefully as there may be unintended consequences in the future. In addition, the R-1-20 District does not allow the City to adequately address development on sensitive lands. However,

if the applicant is willing to work with staff to draft a set of stipulations that will address the maximum number of lots and development on sensitive lands, then this project may fit within the goals of the General Plan.

Annexation and zoning are legislative processes. Each application needs to be evaluated on its own merits. The decision is not a choice between a PD Zone and an R-1-20 Zone or whether or not a concept plan “looks good”. Rather the decision should be based on the following:

- 1) Is the R-1-20 District consistent with the goals and objectives of the General Plan?
- 2) Is the proposed zoning in the best short and long term interest of the City?
- 3) Is the R-1-20 District the appropriate district or should the site have a different district?
- 4) What impact will there be on future development if R-1-20 is approved at this location?
- 5) How should the steep slopes, vegetation, and drainage ways be addressed?
- 6) Are additional standards needed to address steep slopes, vegetation, and drainage ways?

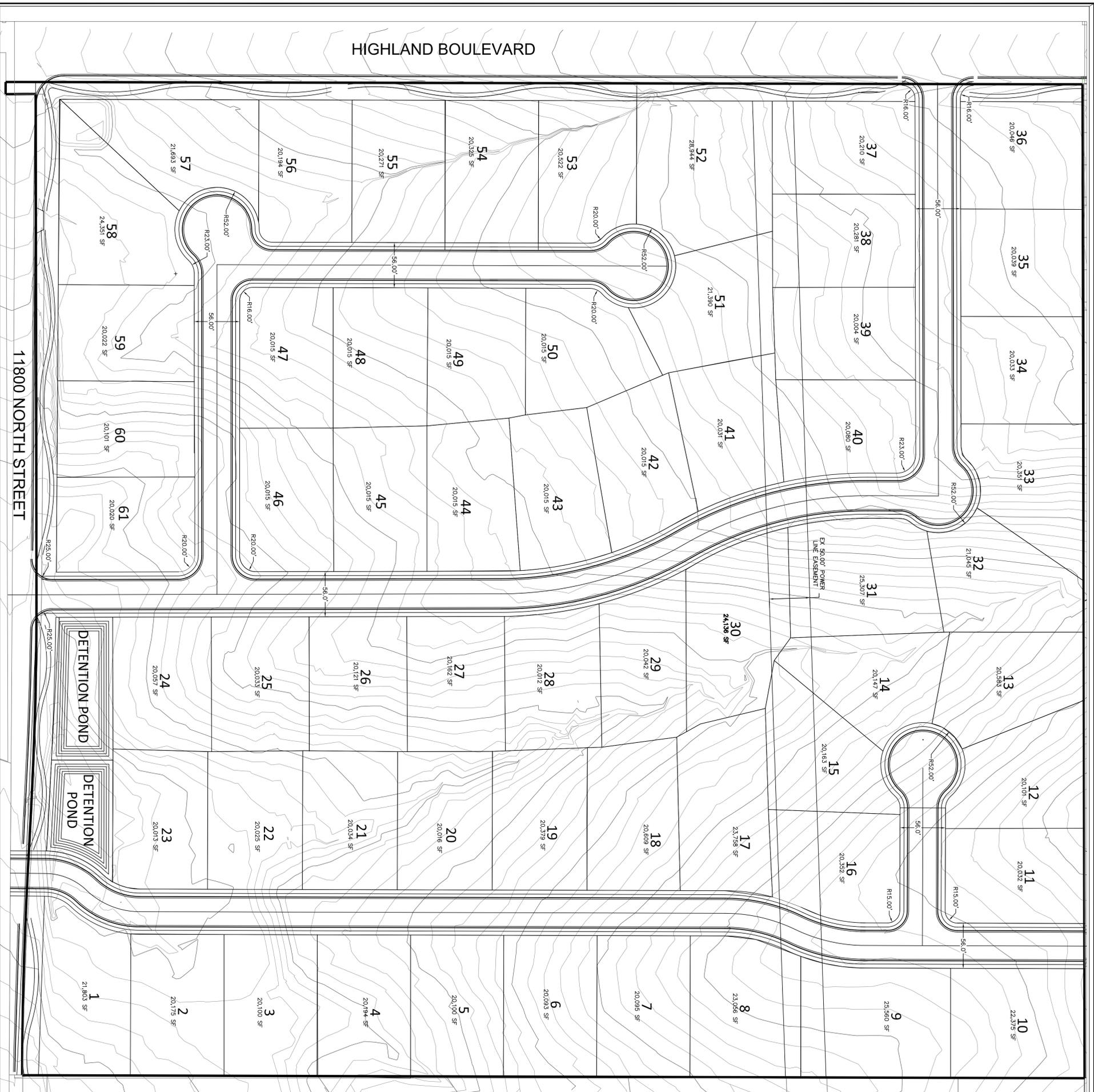
**RECOMMENDATION:**

The Planning Commission should hold a public hearing debate the issue, draft findings, and do one of the following:

- 1) Recommend that the Council **DENY** the application.
- 2) Recommend that the Council **APPROVE** the application with stipulations to address the maximum number of lots and development on sensitive lands.
- 3) **CONTINUE** the application to the August Planning Commission meeting to allow staff and the applicant to draft stipulations that address the maximum number of lots and the development on sensitive lands.

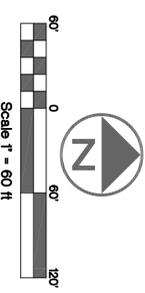
**ATTACHMENTS:**

- Attachment 1 – Proposed Development
- Attachment 2 – Neighborhood Meeting Summary
- Attachment 3 – Zoning Map
- Attachment 4 – General Plan Land Use Map



# HIGHLAND OAKS

## CONCEPT PLAN



**WILDLING**  
ENGINEERING

14721 SOUTH HERITAGE CENTER WAY  
BLUFFDALE, UTAH 84065  
801.553.8112  
WWW.WILDINGENGINEERING.COM

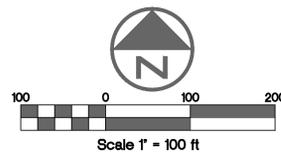
**DRAWING NOTES:**  
 1. THIS SITE IS ZONED AS R-1-20  
 2. THIS CONCEPT CONTAINS 61 HALF ACRE LOTS

G:\DATA\14124 Highland Oaks\dwg\XR-SITE-CDC-26 HALF ACRES 61 LOTS PRINT.dwg  
 PLOT DATE: Jul 02, 2015

PROJECT INFORMATION	
<b>HIGHLAND OAKS</b>	
<b>CONCEPT PLAN</b>	
11800 NORTH & HIGHLAND BLVD HIGHLAND, UTAH	
DRAWN	DCC
CHECKED	MEC
DATE	07/02/2015
PROJECT #	14124
SCALE	1" = 60'
SHEET	C101
ENGINEER'S STAMP	

# HIGHLAND OAKS

## CONCEPT PLAN



## HIGHLAND OAKS SUBDIVISION R-1-20 NEIGHBORHOOD MEETING

July 16, 2015

### SUMMARY:

The neighborhood meeting for Highland Oaks Subdivision was held at the Highland City Multipurpose room on July 16, 2015 at 7:00 pm. In addition to the developer and the developer staff, there were 33 residents that are reflected on the sign-in sheet.

### NEIGHBOR COMMENT SECTION

Eight Neighbors made comments:

1. Brandon Newman - Developer has been helpful. Asked neighbors what they wanted for this project. Over 100 responded by email wanting R-1-20. Would be outraged if it was reconsidered as a PD.
2. Bart Bracken – Backs up to the north project boundary line. Asked about drainage and grading along his lot. Hoped to keep a view.
3. LeNise Zylstra – What is the different density between the PD plan submitted and the R-1-20 being considered. She read the emails on the previous submittal and they were misinformed. Those who emailed would have had more of what they wanted in the PD plan rather than the R-1-20 plan. In the PD all the yards would have been maintained by an association and not Highland City to maintain. You don't have to wonder about the neighbor's yard and what they may do that effects everyone. Everything people came to Highland for there was more of that like open space.
4. Henry Bogart – Why is there not open space for the children. Believes the oaks will be gone. Not enough open space for the families and children. Wants to preserve the oaks. Not enough parks.
5. Joseph Hunt – Moved to Highland for the larger lots for families. Does support the R-1-20 larger lots. Wanted to clarify the size of half acre lots in Highland. Would like large lots, trails, and parks.
6. Teagan Clark – R-1-20 is a good compromise. Liked both proposals but supports the R-1-20 proposal. His mom has moved to Skye Estates. He lives in the R-1-40 Ivory neighborhood.
7. Wade Miller – Like this proposal better than the previous PD proposal. Grateful for the larger size lots. Concerned about schools and water usage.
8. Natalie Ball – Was opposed the previous PD proposal. Half acre lots are much better. Was concerned about the school crowding with the previous PD proposal.

9. Gail Brackin –Can there be CC&R's to control landscape quality and finish timing.

Rob Gulbrandsen responded to the comments with the following points:

1. Lots behind Bart Bracken are wider than most in the plan and will allow views between the homes. Grading will work with the existing grading at Skye Estates.
2. R-1-20 lots provide for the open space on each lot for family and guest use.
3. Water is bought for the project by the developer in accordance with the requirements of Highland City.
4. The school district is projecting a level to decline enrollment in Ridgeline. It is the responsibility of the school district to balance the enrollment size by adjusting the boundaries within the entire district.
5. The lot layout for the R-1-20 has taken the oaks and drainage into account and will preserve much of the oaks areas in the rear of yards.
6. The developer will consider CC&R's for landscape design and controls.

The neighbor comments were in support in the R-1-20 proposal. Some liked the PD proposal but all liked the R-1-20 as a compromise. A poll was taken at the end of the discussion and other than a couple of neighbors who still liked the previous PD proposal but they still are accepting of the R-1-20 proposal.

Attendance Sign-in Neighborhood Mtg 7-16-2015  
 Highland Oaks R-1-20 (11800 N. Highland Blvd.)

Name	Address	Phone	Email
Janet Bennett	11769 Sunset Hills Dr	425-890-2737	janet.bennett@comcast.net
Rollin Johnson	15758 N. Highland Ct		rollinjohnson@outlook.com
BRAD BARKER	11886 N. 58th W.	801-310-3035	BRAD@BARKER.COM
BRANDON NEWMAN	6354 W SKYLINE Dr	801-201-6889	NEWMAN_BRANDON@ATTN.COM
Tegan Clark	11584 W Long Rock Circle	201-712-2700	teganclark@sparktel.com
Korby Siggard	11482 SOUTHWIND LAKE, Sandy	901-571-8914	ksiggard@gmail.com
Cherylin Siggard	"	"	"
WADE E. MILLER	11493 FLOWERING PLUM	801-756-5090	
WILLIAM A. HAINES	11572 N. MAPLE HOLLOW	801-872-3902	BILL.HAINES2002@YAHOO
Linda m. Haines	11572 N. maple Hollow Ct		lmhaines9@yahoo.com
Bob & Anne Emmett	11895 N. Atlas Drive	801-616-0898	emmett@gmail.com
Ben Ritchie	11516 N. MAPLE HOLLOW	801.362.6081	benritchie@yahoo.com
Wade Ritchie	11516 n. Maple hollow ct	801-362-2353	
Jan Ritchie	11516 N Maple Hollow Ct	801-362-6088	
Jesse Hunt	1692 S. Country Ln.	801-616-0026	
Jacquie Hunt	61 W. 800 N. Blanding Ct	808-253-9931	
Mark Hugo	4762 SUNSET WAY	801-577-3755	
MIKE BURNS	6205 W 10050 W.	801-836-6683	

Attendance Sign-in Neighborhood Mtg 7-16-2015  
 Highland Oaks R-1-20 (11800 N. Highland Blvd.)

Name	Address	Phone	Email
Jeff Beer			
Ryan Lilgerquist	11965 N. Atlas Dr.	801-301-2105	
GAIL BRACKIN	4539 W BRUNSWICK DR	209 401-4841	
BART BRACKIN	( )		
Al Zylstra	12012 Brunswick Dr.	801-699-4431	
LeVise Zylstra	" "	" "	" "
Henry Bergaard	12018 N Brunswick Dr	801-266-2474	
Shirley Bergaard	12018 N Brunswick Dr	801-266-2474	
Per Anderson	11934 N Atlas Dr	615-947-7407	per.anderson@comcast.net
Zandra Anderson	11936 N Atlas Dr	615-947-5123	Zandra.anderson@comcast.net
JASON NIX	10888 SARA 300 WEST	808 348 7801	nosaj1213@gmail.com
Joseph Hunt	11933 N. Atlas Dr.	808 722-2062	johunt@eagleair.med.com
Sara Hunt	11933 N. Atlas Dr.	808-228-9202	sjlyman@hotmail.com
Kenny Anderson	9881 Cambridge Ct	801-787-5401	Kennyjanderson@hotmail.com
Jon L. Hunt	61 W. 800 N. Blanding UT	808-253-9971	moving to Highland in future
Laura Harding	6274 Bull River Rd	801-369-3644	lauraharding@gmail.com

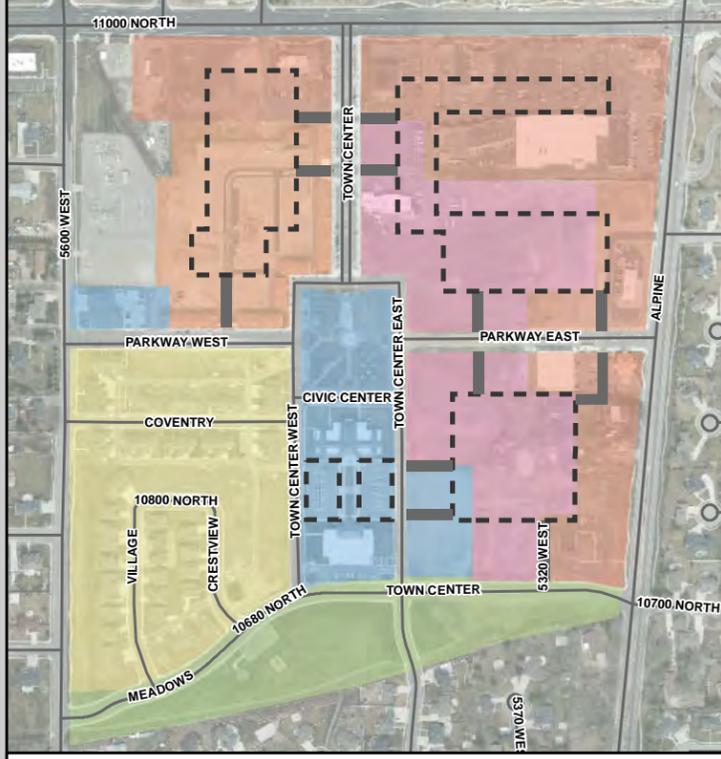
# CITY OF HIGHLAND

## Zoning

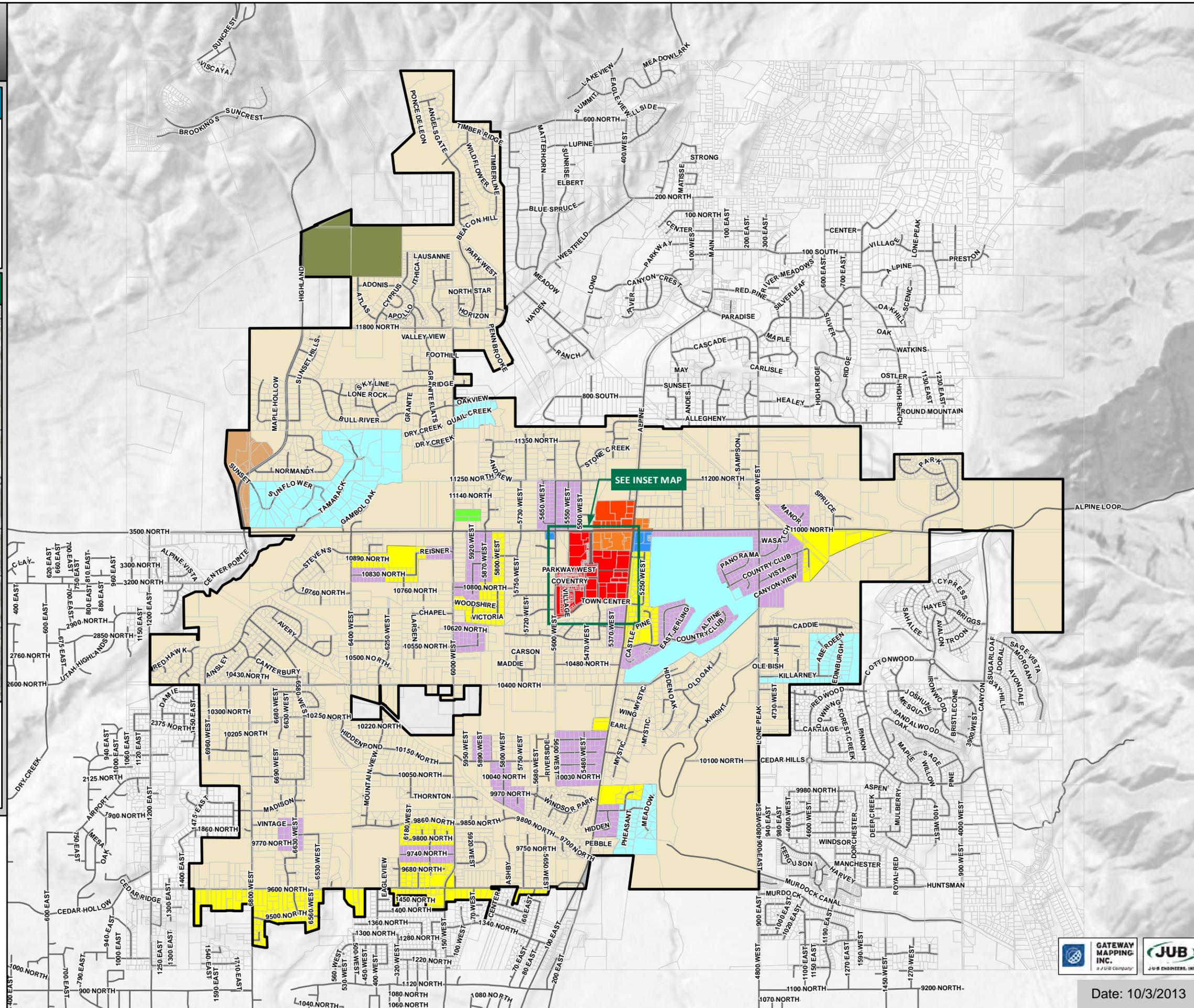
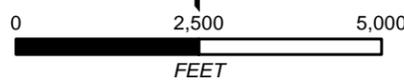
### LEGEND

	Professional Office		Residential Professional
	C-1		PD
	CR		Public Utility
	Town Center Overlay		R-1-20
	R-1-20 (Non Conforming)		R-1-40
	R-1-40 (Conditional Use)		Agriculture

### TOWN CENTER (INSET MAP)



	Flex-Use		Mixed Use Residential
	Commercial Retail		Civic
	Residential		Open Space
	Parking Lot		Parking Access

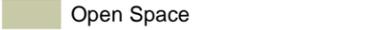
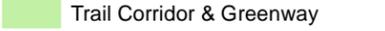
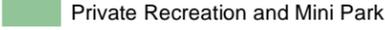
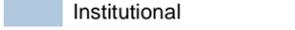
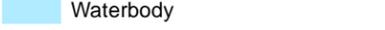


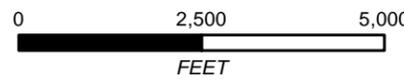
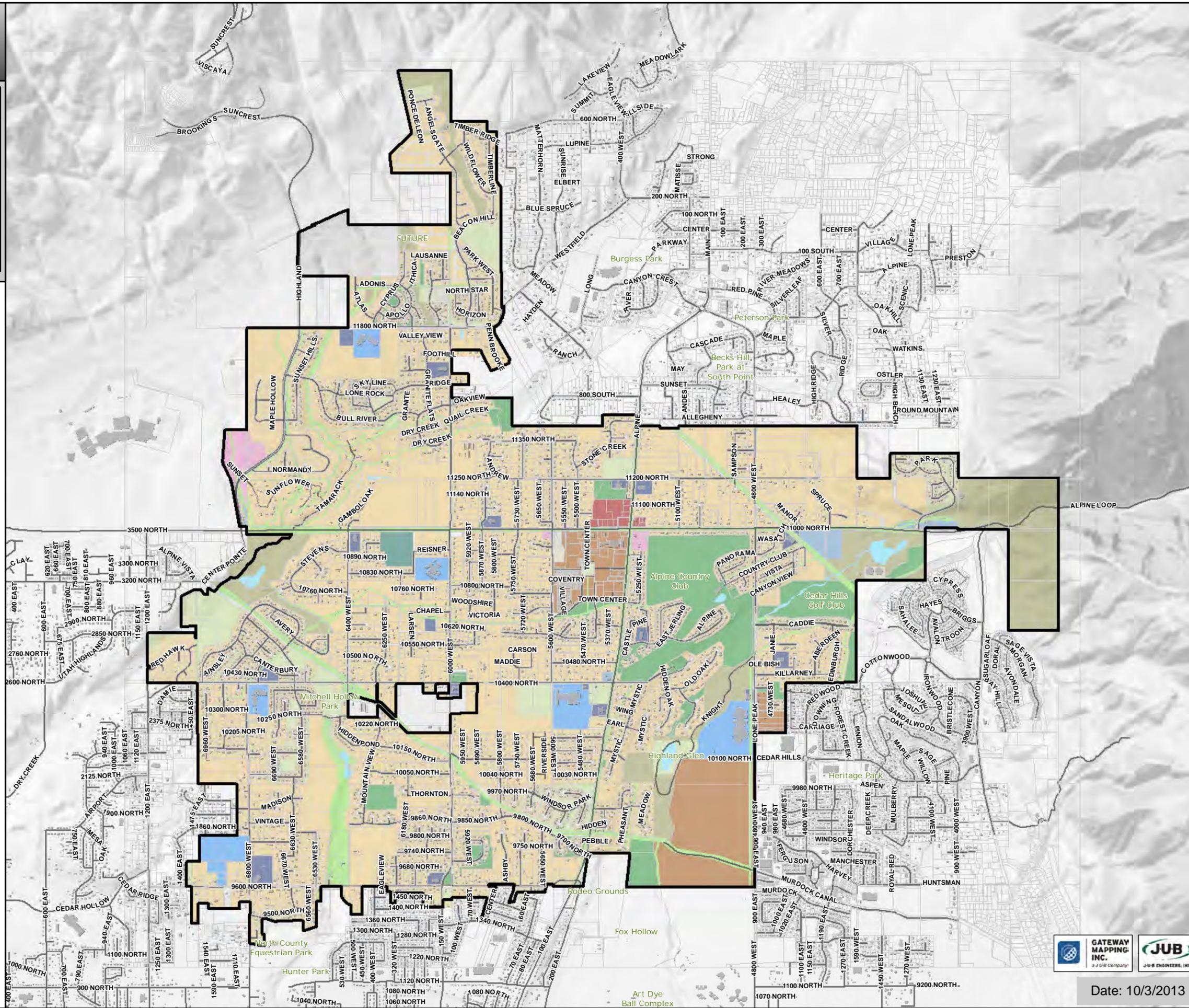
Date: 10/3/2013

# CITY OF HIGHLAND

## General Plan Land Use

### FUTURE LAND USE DESIGNATIONS

	Low-Density Residential		Open Space
	Mixed Use Development		Highland City Public Park
	Commercial		Trail Corridor & Greenway
	Office		Private Recreation and Mini Park
	Institutional		Cemetery
	School		Utility
	Religious		Waterbody



Date: 10/3/2013