



HIGHLAND CITY

HIGHLAND CITY COUNCIL BRIEF

Tuesday, December 3, 2019

Amended December 2, 2019

(*reordered agenda items and updated staff report for Item 3b and 8)

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

6:30 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Council Member Scott L. Smith

Pledge of Allegiance – Mayor Rod Mann

1. UNSCHEDULED PUBLIC APPEARANCES

Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit comments to three minutes per person. Please state your name and address.)

Wayne Tanaka on behalf of the Friends of the Library thanked Ed Dennis for serving on the Library Board as the City Council Liaison.

2. PRESENTATIONS (5 minutes)

a. CITY COUNCIL RECOGNITION – Mayor Rod Mann

Mayor Mann presented awards to outgoing Council Members thanking them for their years of dedicated commitment and service to Highland City.

3. CONSENT ITEMS (5 minutes) – PASSED 5:0

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

a. ACTION: Approval of Meeting Minutes Administrative – PASSED 5:0

Special City Council Meetings - October 29, and November 19, 2019

Regular City Council Meeting November 12, 2019

Next step: Approved minutes will become part of the permanent record.

b. ACTION: A Request to Enter into an Agreement with Utah County and Lehi City for the Design and Construction of 6800 West Road Administrative (see updated report) – PASSED 5:0

City Council will consider a request to enter into agreements with Utah County and Lehi City and authorize the expenditure of \$55,330.68 for the design and construction of 6800 West Road from 9600 North south to the Lehi City boundary. The Council will take appropriate action.

Next step: Staff will work with Utah County and Lehi City for the design and construction of 6800 West from 9600 North south to the Lehi City boundary.

c. ACTION: Approval of a Bid for the Fencing of the Salt Storage Facility Administrative – PASSED 5:0

City Council will consider a request to approve a bid with Northwest Fence & Supply to proceed with the installation of fencing for the Salt Storage Facility, and authorize the City Administrator to execute the necessary contract documents for the project. The City Council will take appropriate action.

Next step: Staff will work with Northwest Fence & Supply for the fencing of the Salt Storage Facility.

d. ACTION: Approval of a Bid for the Purchase of a Ford F-150 Administrative - PASSED 5:0

City Council will consider approving the purchase of a pickup truck for \$33,727 and authorize the City Administrator to execute the necessary contract documents for the purchase. The City Council will take appropriate action.

Next step: Staff will proceed with the purchase of a Ford F-150 which will become part of the Parks fleet vehicles.

e. ACTION: Approval of a Proposal for the Spring Creek Park Construction Plans Administrative - PASSED 5:0

City Council will consider a request to approve the proposal from G. Brown Design, Inc. for the preparation of the civil and construction plans and construction management for Spring Creek Park for the amount of \$22,115 and authorize the Mayor or City Administrator and City Recorder to execute the necessary contract documents for the project. The City Council will take appropriate action.

Next step: Staff will work with G. Brown Design, Inc. for the preparation of the civil and construction plans, and construction management for Spring Creek Park.

f. ACTION: Preliminary Plat Approval for Ridgeview Plat A Administrative - PASSED 5:0

City Council will consider a request by Spencer Moffat representing the Boyer Ridgeview Residential LLC for preliminary plat approval for a 265-lot subdivision located at approximately 9900 North and North County Blvd. The City Council will take appropriate action.

Next step: Staff will work with Boyer Ridgeview Residential, LLC through the design and engineering process.

4. PUBLIC HEARING/ORDINANCE: APPROVAL OF A REQUEST TO REZONE 5.8 ACRES FROM TOWN CENTER RETAIL AND FLEX USE TO PLANNED AREA DEVELOPMENT. THE PROPERTY IS LOCATED AT APPROXIMATELY 10786 N 5320 W (PD-19-03) Legislative (30 minutes) - CONTINUED 5:0

City Council will consider a request by McKay Christensen to rezone 5.8 acres from Town Center Retail and Town Center Flex Use to Planned Area Development to allow for a mixed-use development with 70 residential units and a 38,800 square foot commercial space. The City Council will take appropriate action.

Next step: Staff will work with the applicant to review the presented discussion items and identify a higher clarity in the specifications for the facilities and design of minimums, maximums, and other issues addressed and bring it back to a future Council meeting.

5. PUBLIC HEARING/ORDINANCE: A REQUEST BY SBGS RIDGELINE HOLDINGS TO AMEND SECTION 3-520(5) RECREATION AREAS REQUIREMENT IN THE PD DISTRICT Legislative (15 minutes) - CONTINUED 5:0

City Council will consider a request by Garret Seely representing SBGS Ridgeline Holdings to amend Section 3-520(5) of the Highland City Development Code relating to the requirement for recreation areas for Planned Developments on less than three acres. The City Council will take appropriate action.

Next step: Staff will review the amendment and clarify what the options are for adding the property to the neighboring open space neighborhood as an option for the property and bring the item back to the next meeting in January.

6. *ACTION: APPROVAL OF A REQUEST FOR PRESSURIZED IRRIGATION CONNECTIONS OUTSIDE CITY LIMITS *Legislative (20 minutes) - PASSED 4:1*

The City Council will consider a request by Ron Peck for two pressurized irrigation connections to water an alfalfa farm located at 9541 North 6800 West, outside of current Highland City limits. The Council will take appropriate action.

Next step: Staff will work with the Peck's to allow two pressurized irrigation connections to the Highland City system with the stipulation that they work with staff to work out the impact on the Highland City pressurized irrigation system and that it be brought back to the Council for further discussion when the Council can accept the findings and take appropriate action.

7. *ACTION: NEIGHBORHOOD OPTION TRAILS *Legislative (15 minutes) - PASSED 4:1*

The City Council will consider a request to amend Chapter 12.30 Removal of Neighborhood Option Trails relating to the required findings for the removal of neighborhood option trails within the City. The Council will take appropriate action.

Next step: the approved amendments to Chapter 12.30 Removal of Neighborhood Option Trails will become part of the Highland City Development Code.

8. *PUBLIC HEARING/ACTION: OPEN SPACE DISPOSAL AND REMOVAL OF NEIGHBORHOOD TRAILS IN THE WIMBLETON SUBDIVISION *(see updated staff report) Legislative (20 minutes) - PASSED 3:2*

City Council should conduct a public meeting to consider a request by Terrance Edwards representing the Wimbleton Subdivision to dispose of city owned open space and the removal of neighborhood option trails in the Wimbleton Subdivision. The City Council will take appropriate action.

*Next step: Staff will work with property owners through the process of selling the neighborhood option trails in the Wimbleton Subdivision. ***The process has been placed on hold as the City has received a referendum on the action. More information will be provided as the referendum process continues.*

9. *ACTION: SITE PLAN APPROVAL AND CONDITIONAL USE PERMIT FOR FLEX OFFICE BUILDINGS *Administrative (20 minutes) - PASSED 4:0*

City Council will consider a request by Andrew Patterson for Site Plan and Conditional Use Permit approval for a two flex office buildings located at 11251 N. Sunset Drive. The City Council will take appropriate action.

Next step: Staff will work with the applicant through the design and engineering process.

10. *ACTION: A REQUEST BY RESIDENTS OF THE COTTAGES ON THE GREEN SUBDIVISION FOR A REDUCTION IN THE PRESSURIZED IRRIGATION CONNECTION REQUIREMENTS *Administrative (20 minutes) - PASSED 5:0*

The City Council will consider a request by the Cottages on the Green Subdivision (Cottages) to reduce the pressurized irrigation (PI) connection requirements. The Council will take appropriate action.

Next step: Staff will waive the impact fee for the connection to the pressurized irrigation system and the residents from the Cottages on the Green Subdivision will pay the full connectivity fee and provide 31 acre feet of water shares.

11. ACTION/ORDINANCE: UPDATED ORDINANCE REGULATING SHORT TERM RENTALS *Legislative (15 minutes)* – **PASSED 4:0**

The City Council will consider a request to amend Chapter 5.24 Short Term Rentals relating to minor clarifications of the definitions and the regulations. The Council will take appropriate action.

Next step: the approved amendments to Chapter 5.24 Short Term Rentals relating to minor clarification of the definitions and regulations will become part of the Highland City Municipal Code.

12. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

a. Future Meetings

- December 10, Planning Commission Meeting, 7:00 pm, City Hall
- January 7, Swearing in Ceremony, 6:30 pm, City Hall
- January 14, City Council Meeting, 7:00 pm, City Hall

ADJOURNMENT

COUNCIL VOTING REPORT – DECEMBER 3, 2019

		APPROVED CONSENT ITEMS A, C, D, E, & F AS LISTED ON THE AGENDA	APPROVAL OF THE AGREEMENT WITH UTAH COUNTY & LEHI CITY FOR THE DESIGN & CONSTRUCTION OF 6800 WEST	CONTINUATION OF THE REZONE FOR FURTHER CLARITY OF THE DISCUSSION ITEMS	CONTINUATION OF AMENDMENT TO SECTION 3-520(5) RECREATION AREAS REQUIREMENT IN THE PD	CONTINUE REQUEST FOR PI CONNECTIONS OUTSIDE CITY LIMITS TO PROVIDE FURTHER DETAIL
First Name	Last Name	3A, C, D, E, F	3B	4	5	6
Brian	Braithwaite	Yes	Yes	Yes	Yes	Yes
Ed	Dennis	Yes	Yes	Yes	Yes	No
Tim	Irwin	Yes	Yes	Yes	Yes	No
Kurt	Ostler	Yes	Yes	Yes	Yes	Yes
Scott	Smith	Yes	Yes	Yes	Yes	No
Total Voters		5	5	5	5	5
Pass/Fail		Pass	Pass	Pass	Pass	Fail

		APPROVE TWO PI CONNECTIONS AND REQUIRE APPLICANT TO PROVIDE FURTHER DETAIL AND BE BROUGHT BACK TO COUNCIL FOR APPROPRIATE ACTION	APPROVAL OF AMENDMENT TO CHAPTER 12.30 REMOVAL OF NEIGHBORHOOD OPTION TRAILS IN THE HIGHLAND CITY DEVELOPMENT CODE	APPROVAL OF OPEN SPACE DISPOSAL AND REMOVAL OF NEIGHBORHOOD TRAILS IN THE WIMBLETON SUBDIVISION	APPROVAL OF SITE PLAN AND CONDITIONAL USE PERMIT FOR FLEX OFFICE BUILDINGS	APPROVAL OF A REQUEST BY COTTAGES ON THE GREEN FOR A REDUCTION IN PI CONNECTION REQUIREMENTS	APPROVAL OF UPDATED ORDINANCE REGULATING SHORT TERM RENTALS
First Name	Last Name	6	7	8	9	10	11
Brian	Braithwaite	Yes	Yes	No	Yes	Yes	Yes
Ed	Dennis	Yes	Yes	Yes	Yes	Yes	Yes
Tim	Irwin	Yes	Yes	Yes	Yes	Yes	ABSENT
Kurt	Ostler	No	Yes	No	RECUSED	Yes	Yes
Scott	Smith	Yes	No	Yes	Yes	Yes	Yes
Total Voters		5	5	5	4	5	4
Pass/Fail		Pass	Pass	Pass	Pass	Pass	Pass

For a voting history of all Council motions please go here: <http://bit.ly/HC-CC-Voting-History>

Welcome to the Highland City Council Meeting

December 3, 2019



6:30 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Scott L. Smith
Pledge of Allegiance – Mayor Rod Mann



UNSCHEDULED PUBLIC APPEARANCES

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



PRESENTATION ITEMS (5 MINUTES)

- Item 2a. – Recognition of City Council

CONSENT ITEMS (5 minutes)

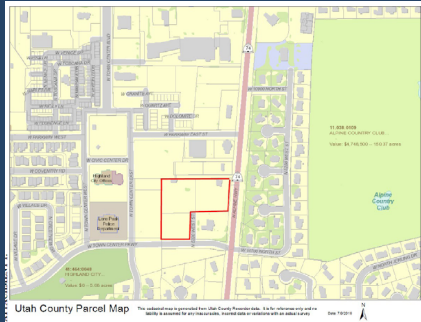
- Item 3a. – Approval of Meeting Minutes *Administrative*
 - Special City Council Meetings - October 29, and November 19
 - Regular City Council Meeting - November 12
- Item 3b. – A Request to Enter into an Agreement with Utah County and Lehi City for the Design and Construction of 6800 West Road *Administrative*
- Item 3c. – Approval of a Bid for the Fencing of the Salt Storage Facility *Administrative*
- Item 3d. – Approval of a Bid for the Purchase of a Ford F-150 *Administrative*
- Item 3e. – Approval of a Proposal for the Spring Creek Park Construction Plans *Administrative*
- Item 3f. – Preliminary Plat Approval for Ridgeview Plat A *Administrative*



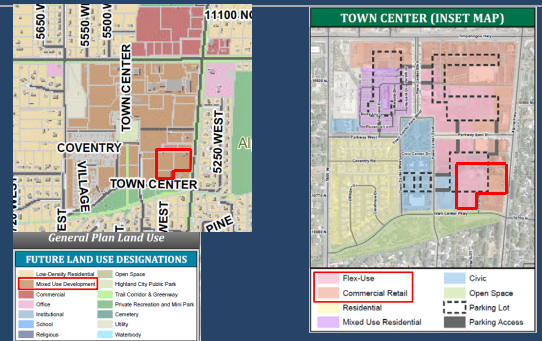
APPROVAL OF A REQUEST TO REZONE 5.8 ACRES FROM TOWN CENTER RETAIL AND FLEX USE TO PLANNED AREA DEVELOPMENT. THE PROPERTY IS LOCATED AT APPROXIMATELY 10786 N 5320 W (PD-19-03) LEGISLATIVE (30 MINUTES)

Item 4 – Public Hearing/Ordinance
Presented by – Tara Tannahill, Planner and GIS Analyst

Vicinity Map



General Plan and Zoning



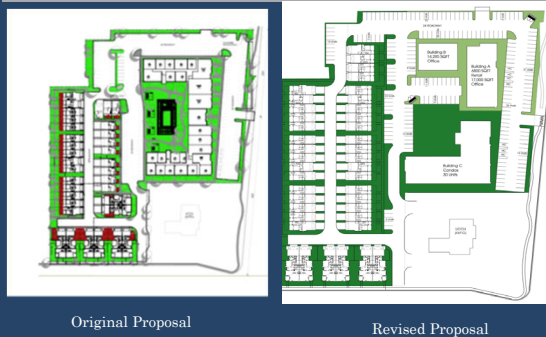
Background

- 2010 City placed a cap on the number of units (342) and maximum density (12 units per acre)
- 2016 City Council removed residential as a permitted or conditional use in the Town Center
 - Specific process included residents and property owners
 - Removed any entitlements for new residential in the Town Center
 - New residential would require a legislative action
- As a follow up to this action, in 2017 City modified the number units permitted in the Town Center to match what was approved in Blackstone and Toscana
- Apple Creek 1 was denied by the Council in 2016
 - 240 units and 10,000 sqft of commercial space

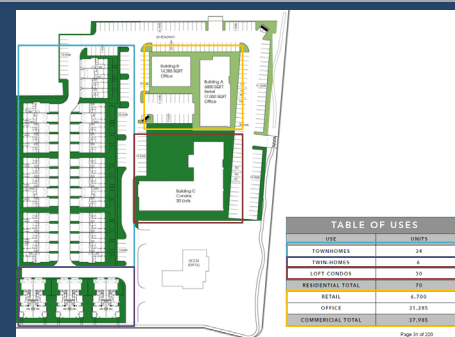
Request

- Rezone 5.82 acres from Town Center Flex-use and Town Center Commercial to Planned Development District
- **Legislative Decision**
- Council has the discretion to approve or deny the request

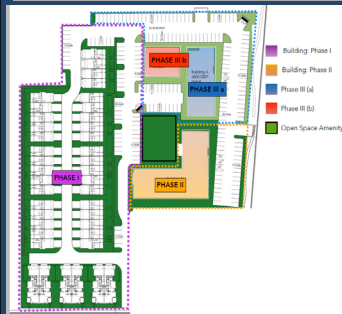
Comparison



Concept Plan



Phasing



Phase 1: Townhome & Twin Homes
Phase 2: Condos/Loft Homes
Phase 3: Commercial Buildings

Courtyard needs to be complete when 50% of the homes are built. Anticipating phase 1.

Question to consider: What will force the development to build the commercial when phase 1 is complete?

Density



District	No. of Units	Acres	Units/Acre
Loft/Condos	30	3.32	9.03
Townhome	34	1.70	20
Twin home	6	0.80	7.5
Total	70	5.82	12

Comparison with other TCO:

Toscana	Highland Vista	Apple Creek
17.34 UPA	10.3 UPA	12 UPA

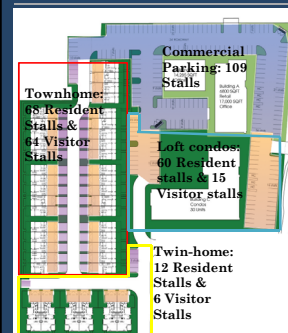
- Question to consider: Is 20 UPA for the townhomes appropriate?

Open space



- Commercial:
 - 13,195 sq ft (22.1)
 - Includes outdoor patio seating for pedestrian use.
- Residential:
 - 62,592 sq ft (45%)
 - Courtyard, BBQ stations, fire pits, and terraced hardscape sitting.
- Recreation area calculation includes areas that don't qualify to count towards the recreation.
- Question to consider: Does the proposed open space plan meet the requirements for recreation areas? Should the townhome & Twin-homes have a centralized recreation area?

Parking Map



Townhomes (34 Units):

- 2 stalls/unit & 1 stall per unit visitor

Twin-Homes (6 Units):

- 2 stalls/unit & 1 stall per unit visitor

Loft Condos (30 Units):

- 2 stalls/unit & 0.50 stalls per unit (15 stalls total)

Commercial:

- Commercial 3.5 stalls/ 1000 sq ft
- Retail 4.0 stalls / 1000 sq ft

- Question to consider: Is the location and number of visitor stalls adequate for the site?

Parking Comparison

Use	Development Code Town Center Overlay	Apple Creek
Retail (stalls / 1,000 sq ft)	4.0 (27 stalls)	4.0 (27 stalls)
Office (stalls / 1,000 sq ft)	3.5 (109 stalls)	3.5 (109 stalls)
Commercial Total:	136 Stalls	136 Stalls
Residential (stalls / unit)	Townhomes-2.0 (68 stalls) Twin-homes- 2.0 (12 stalls) Loft/Condos – 2.0 (60 stalls)	
Visitor Parking	Included above	Townhomes – driveway & designated stalls (64) Twin-homes – designated stalls (6) Loft/condos – Commercial parking (Potentially 109 stalls – Not included in parking total)
Residential Total:	210 Stalls	210 Stalls
Total Stalls for Site:	346 Stalls	346 Stalls

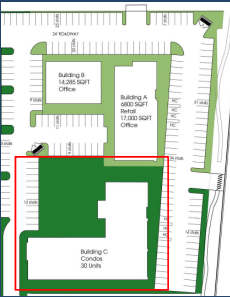
Commercial



- 3.7 Acres
- 38,800 Sq Ft Commercial space
 - 32,000 sq ft office
 - 6,800 sq ft retail
 - No regulatory language or discussion in the document on how this will be implemented.
- 40' height.
 - City Council has the ability to approve up to 45'
- 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

Question to consider: How will the percent of retail and office space be enforced?

Residential / Lofts

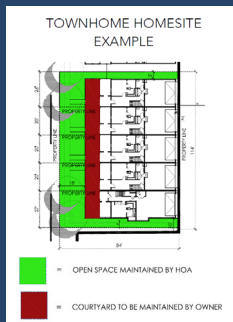


- 3.3 Acres
- 30 Units
- No one-bedroom units.
- 40' Height.
 - City Council may administratively increase to 45'
- 850 Sq. Ft minimum condo size
- Access will be from Alpine Highway and shared access with 10700 N or Ace Hardware.

Architecture - Loft/Mixed Use Building



Townhome

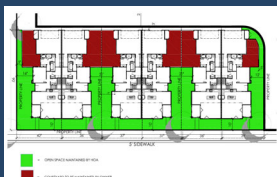


- 1.7 Acres
- 34 Units
- Setbacks:
 - Front - 5'
 - Side - 10' between attached units
 - Rear- None
 - Corner - 5'
- Maximum Height 40'
- Access will be from 10700 N

Architecture



Twin-Home



- 0.80 Acres
- 6 Units
- Setbacks:
 - Front - 10'
 - Side - 10' between attached units
 - Rear- None
 - Corner - 5'
- Maximum Height 40'
- Access will be from 10700 N

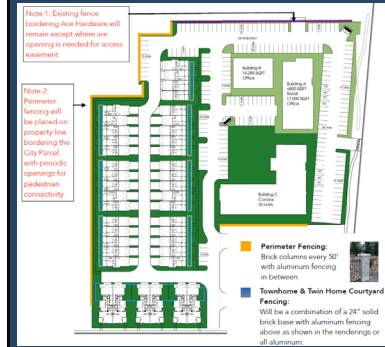
Architecture



Access



Fencing Plan

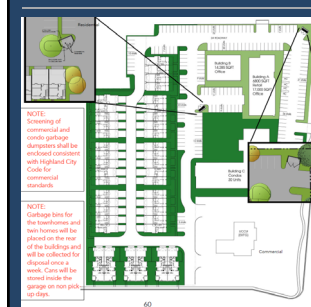


- Development code requires 6' theme wall for nonresidential development that abuts residential. Applicant didn't propose height and materials listed don't match what is allowed in the development code. Question to consider: Is the listed material adequate for fencing and any height requirements?

Monument Signs



Dumpster & Trash



- Two trash containers for condo and commercial garbage.
- Townhome and Twin-homes will be placed on the rear of the building and stored inside the garage.

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.
- Six written correspondence has been received.

Planning Commission

- Held Public Hearing on November 19, 2019
 - Three resident comments
- Commissioner Abbot and Commissioner Jones moved to recommend approval subject to 11 stipulations.
 - Commission is a seven-member body, a minimum of four votes is needed to pass a motion. Commission Bills and Commissioner Ball voted No; the motion **failed**.

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.

Staff Concerns

This is a high-level overview and not a comprehensive list.

- Density** – The density of each phase and the total number of units.
 - 20 units per acre exceeds any individual project in Highland.
 - What if phase 2 and 3 are not constructed?
- Development Plan – District**
 - Architecture – Images are representative only. Design standards are too general.
 - Commercial / office uses- Plan limits the amount of office and retail. But no language on how it will be implemented. Concern: Parking is regulated by use.
 - Circulation- proposed plan does not address timing of phase 2 and 3. As a result, access will only be from 10700 N. This exceeds the number of units for a single access road.
 - There are several inconsistencies between the text, exhibits, and what has been stated. For example:
 - Private yards – exhibit F shows private yards/courtyards but no standards provided.
 - Building Height – Applicant stated that the townhomes are not intended to be 40' in the Planning Commission meeting but the maximum is 40'.

Recommendation

- Staffs goal is to ensure that what is expected is what is delivered when the project is built. Therefore staff finds:
 - The proposed PD is **NOT** 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 **NOT** consistent with or exceed the desired quality of development for the area.
- The proposed PD only meets findings 2 and 3. This is not sufficient to justify approval of the rezoning.

Proposed Motion

I move that the City Council **DENY** case PD-19-03 a request to rezone 5.84 acres from Town Center Mixed the proposed rezoning based on the finding that the application does not meet all I move that the City Council DENY case PD-19-03 a request to rezone 5.84 acres from Town Center Mixed the proposed rezoning based on the finding that the application does not meet all of the required findings of the required findings.

Discussion Items

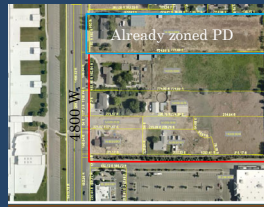
- Is the density of 20 units per acre for the townhomes appropriate as this exceeds any individual project in the town center or the city?
- Should the townhomes have a centralized recreation area?
- Should the building height be allowed to be increased to 45 feet? This is 9 feet higher than any existing development.
- Is the proposed amount of parking sufficient for the development?
- If a fitness center is approved, is the current parking standards sufficient for the use?
- Are the setbacks for the twin home and townhome district sufficient for the proposed site?
- Do the proposed architectural and development standards represent the quality desired for Highland?
- Does the site have adequate access to ensure adequate circulation?
- At which point should the main recreation element be completed?
- Is the location of guest/visitor parking adequate?
- How will the percent of retail and office space be enforced?
- Does the proposed open space plan meet the requirements for recreation areas?
- Does the proposed PD District included sufficient standards to meet the intent of a PD District?



A REQUEST BY SBGS RIDGELINE HOLDINGS TO AMEND SECTION 3-520(5) RECREATION AREAS REQUIREMENT IN THE PD DISTRICT LEGISLATIVE (15 MINUTES)

Item 5 – Public Hearing/Ordinance
Presented by – Tara Tannahill, Planner and GIS Analyst

Available PD District Sites



Reminder: PD Districts have to be Mixed-Use Development under the general plan land use map.

Background

- Fairfield Cove Planned Development District was approved by City Council on May 21, 2019.
- SGBS Ridgeline purchased the property. During the Preliminary Plat preparation, SGBS Ridgeline felt that a homeowner's association (HOA) would be too costly for six residential lots and community open space wouldn't benefit the community as much as private ownership.

Request

Updated wording:
Section 3-520.5

e. For developments with residential areas of less than two acres, in lieu of providing a recreation area, the City Council may approve the subdivider or developer paying a fee equal to the value of the recreational area required by this section in an amount equal to the cost of the fair market value of the land and the estimated cost of a playground, grass, and sprinkler system as determined by the City Engineer and approved by City Council.

Analysis

- The purpose of PD Districts is to provide mixed use development with recreation areas.
- One potential benefit could be to encourage commercial development on smaller parcels that may not be developed as all commercial.
- If approved, the applicant will need to amend the Fairfield Cove PD master plan with these changes. This will be considered on a future agenda after proper public notice.

Citizen Participation

- Planning Commission Notice:
 - Daily Herald
 - State and City website
- No written correspondence has been received.

Discussion Items

The Council will need to determine if the change is appropriate in the PD District. The following questions have been provided to assist the Council in determining their recommendation:

- Is the proposed change compatible with the intent the PD District residential district?
- Is the proposed change in the best interest of the residents in Highland?
- Do the development changes in the PD District adequately address the potential impacts of not offering residential open space and recreation areas?
- Will removing an owner's association from residential areas that have 3 acres or less have other unintended consequences? For example, who will maintain the monument signs or private roads if they are created.
- Generally, Cities who offer smaller lots/ higher density will receive something in return, such as open space. What does the city, and residents, gain from removing the recreation requirement and offering smaller lots?
- How will the proposed change impact future request?

Proposed Motion

- I move that the City Council accept the findings and **APPROVE** the proposed amendment based on the following findings: (The Council will need to draft appropriate findings.)
- OR
- I move that the City Council **DENY** case TA-19-14, a request for a text amendment for residential recreation and owners association requirements in the PD District based on the following findings: (The Council will need to draft appropriate findings.)



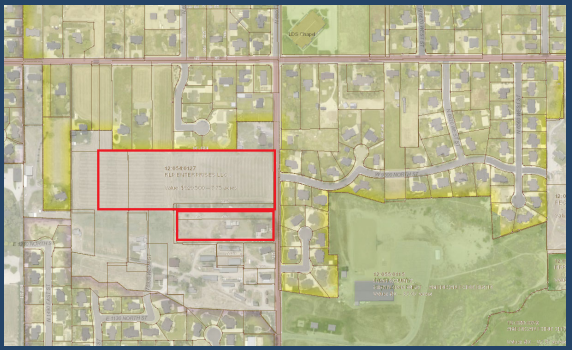
APPROVAL OF A REQUEST FOR PRESSURIZED IRRIGATION CONNECTIONS OUTSIDE CITY LIMITS

LEGISLATIVE (20 MINUTES)

Item 6 – Action

Presented by – Todd Trane, PE, City Engineer

- Install 2 new connections on 6800 West and utilize an existing connection on 9600 North
- Current request to irrigate 12 acres total

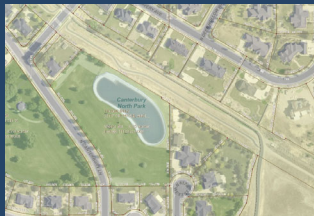


Request Details

- Applicant has prepared a concept of 6 to 8 lots that could be annexed to Highland
- Applicant will provide the required amount of water (plus additional shares) to the pressure irrigation system to satisfy the water demand
 - *36 acre-feet required vs. 120 acre-feet provided
 - 94 acre-feet is stored water (water insurance)

Request Details (Cont.)

- Applicant will be using the PI system during off peak hours 10 am to 8 pm
 - System Impacts
 - Staff Time
 - Pumping Costs
 - High Velocities (large user near bottom of the system)



Benefits to the City

- Abandonment of the Harmon Ditch
 - Beth Wilson would also need to be accommodated with PI for her entire property
- 6800 Road Project
 - Ditch piping associated with the project.
 - Right-of-way Aquisition

Considerations

- Determine if it's in the City's best interest to provide these connections.
- Adopt a resolution allowing for these connections.
- Establish the rates, terms, and conditions for the use of the water. Terms and conditions should include rates, watering schedule, delivery costs, connection costs, penalties, etc. The Council should require meters to be installed by the property owners to monitor actual usage.
- Enter into a long-term agreement for the water shares.
- Amend Section 13.30.230 .B of the Municipal Code or modify the boundary agreement with Lehi City.



NEIGHBORHOOD OPTION TRAILS LEGISLATIVE (15 MINUTES)

Item 7 – Action

Presented by – Nathan Crane, AICP, City Administrator /
Community Development Director

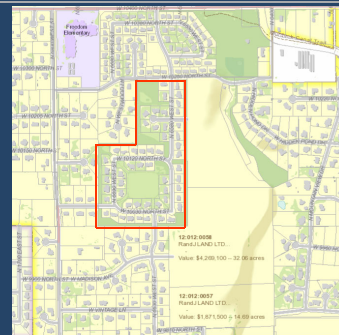


OPEN SPACE DISPOSAL AND REMOVAL OF NEIGHBORHOOD TRAILS IN THE WIMBLETON SUBDIVISION LEGISLATIVE (20 MINUTES)

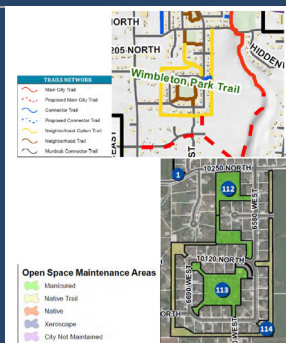
Item 8 – Public Hearing/Action

Presented by – Tara Tannahill, Planner & GIS Analyst

Vicinity Map



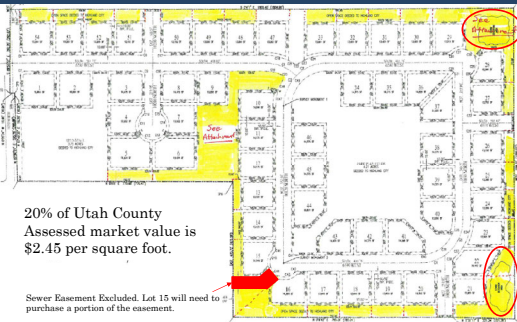
Trail Map



Background

- Wimbledon Subdivision was recorded in October 2000 and has 54 Lots.
- Council Consideration:
 - February 2017 – unable to meet participation so petition was withdrawn.
 - November 13, 2018 – Applicant withdrew Petition.
 - December 4, 2018- Council voted to deny the request

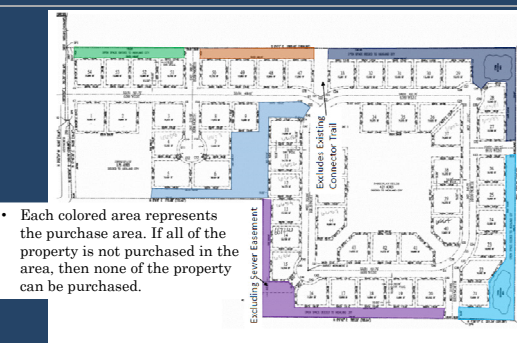
Petition Proposal



Purchase Price Areas



Phased Plan



Lot 15 Proposed Purchase

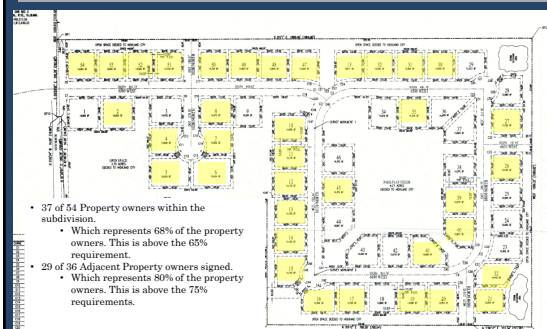
Applicant is proposing to purchase a small portion of the sewer easement to allow the owner of Lot 15 to buy the property to the west of the sewer easement. This would solve the issue of creating an illegal lot. The width of the land across the sewer easement would be determined by the City.



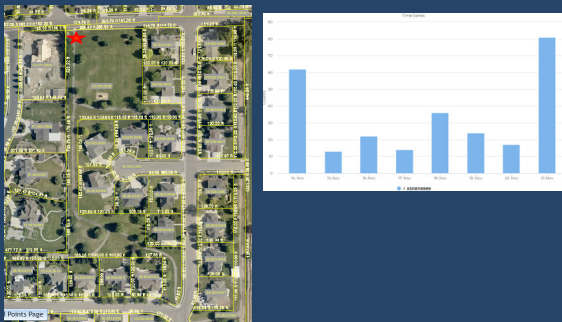
Citizen Participation

- Notice of Council Meeting
 - Posted in Daily Herald 11/17/2019, posted sign 11/21/2019, and mailed to property owners within the subdivision 11/21/2019.
 - Received not in favor emails and phone calls subsequent to the staff report being posted.

Signatures



Trail Count



State Law

State Code was recently changed to require the Council determine whether:

- (a) good cause exists for the vacation of the trail; and whether
- (b) the public interest or any person will be materially injured by the proposed vacation.

Conclusion

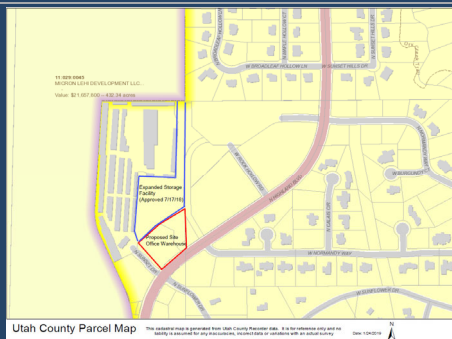
The City Council will need to hold a public hearing and determine if the property should be disposed and the neighborhood option trail to be removed. There are several outstanding items that need to be addressed before the Council should vote on the proposal:



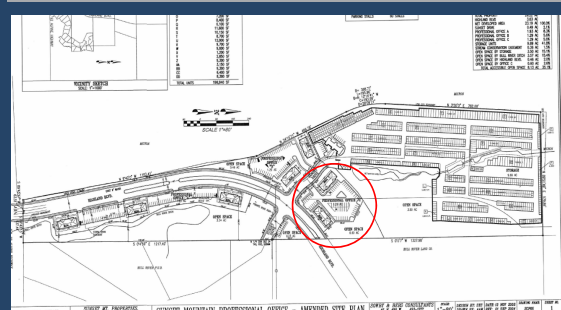
SITE PLAN APPROVAL AND CONDITIONAL USE PERMIT FOR FLEX OFFICE BUILDINGS *ADMINISTRATIVE (20 MINUTES)*

Item 9 - Action
Presented by - Tara Tannahill, Planner & GIS Analyst

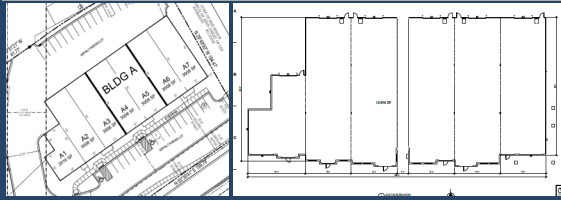
Vicinity Map



2003 Site Plan



Site Plan



Original – 1/23/2019

- 20,064 sq ft
- 1 Building

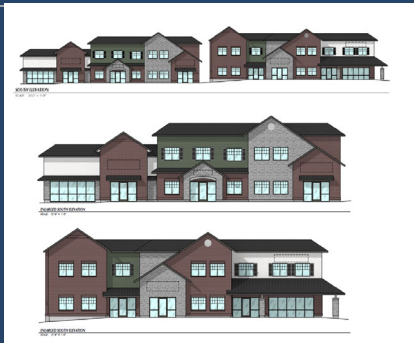
Updated – 11/21/2019

- 18,696 sq ft (20% reduction & removed 1 unit)
- 2 Buildings
- Maximum Height 35'
- 46 Parking Stalls with 2 ADA Stalls
- Hours of Operation: Monday – Saturday 8 AM to 6 PM

Landscape Plan



Architecture Elevations



Utah State Code 10-9a-507: Conditional Uses

- (1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.
- (2)
- (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
 - (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Citizen Participation

- Neighborhood Meeting: January 8, 2019
 - 1 Resident attended. 17 written correspondence received not in favor.
- Notice of the Planning Commission meeting published on the Daily herald, state website, and mailed to property owners within 500ft.
 - 29 emails in opposition of the project.
- No notice required for City Council.
- City Council voted 3 to 2 to Continue the item on August 6, 2019

Planning Commission Action

- Planning Commission meeting June 25, 2019 and Voted 5 to 1 to recommend denial:
 - 1) Section 3-4922 Site plan does not closely conform to Exhibit 'A'.
 - 2) Section 3-4922 Architecture outline 1A address the bulk issue. Overall Architectural Outline, the bulkiness of the building needs to be addressed.
 - 3) Section 3-4922 1B the proposed building appears to be monotonous and repetitious
 - 4) Section 3-4922 1G all elevations should be architecturally treated with the exemption of the back
 - 5) Section 3-4922 1I all the buildings are required to have public restrooms, including a men's room, women's room and a handicapped room.
 - 6) Section 3-4902 the zone is intended to allow for professional services, not general retail or commercial.
 - 7) Section 3-4919 the roof design cannot be a mansard or fake mansard roof

Recommended and Proposed Motion

- City Council should conduct a public meeting and **approve** the conditional use permit with appropriate stipulations in accordance with State Law and **Adopt** ordinance amending the site plan.
 - Staff has recommended four stipulations for Council to consider.



A REQUEST BY RESIDENTS OF THE COTTAGES ON THE GREEN SUBDIVISION FOR A REDUCTION IN THE PRESSURIZED IRRIGATION CONNECTION REQUIREMENTS ADMINISTRATIVE (20 MINUTES)

Item 10 – Action

Presented by – Todd Trane, PE, City Engineer



- The Cottages on the Green was recorded prior to the City PI system, 1985 (Outdoor watering was through the drinking water system)
- The Cottages on the Green Subdivision elected to provide outdoor watering through a private system (not the City system). This was a benefit to Highland City
- Code Requires that all developments provide adequate water for the gross acreage of the development, even though some of the area is dedicated for roads, open space, or parks

Updated Request

-The Cottages on the Greens has agreed to provide the required water dedication of 3 acre-feet per acre (31 acre-feet total). It is estimated that the cost of this water is roughly \$97,500 (13 x \$7,500 per acre-foot).

-The Cottages on the Greens residents are asking for the following considerations of Council:

- 1) a request that the City assess a connection fee for 3 connections, at a fee based on the historical connection fee as of 1996-1997 of \$250 per connection
- 2) a waiver of an impact fee

Connection Fee

For a short time in 1996 and 1997, to incentivize residents to connect to the pressure irrigation, the application form included the following:

-The Cottages on the Greens residents are asking for the following considerations of Council:

"I, _____, hereby make application for service and agree to pay the monthly service charge, transfer, obligate, or lease the required amount of irrigation water stock and pay the hookup fee of \$250.00 (a signed application for Pressurized Irrigation Service must be received at the City Hall before August 16, 1996 to be eligible for discounted \$250.00 Hookup Fee). I understand that after August 15, 1996, that the hookup fee will raise to \$550.00 if application is received at the City Hall between August 16, 1996 and April 1, 1997; then the hookup fee will be \$1,350.00 after April 1, 1997."

The original connection fee was assessed at \$1,350, and has never been changed. We currently charge the same amount today. The reduction in 1996-1997 was an incentive to get residents off of an overtaxed culinary system.

Impact Fee Waiver

The pressure irrigation impact fee did not exist in the early history of the PI system. The PI impact fee began being collected from all new developments around 2014. These impact fees are being collected for future growth related projects.

The original connection fee of \$1,350 was considered the buy in amount for each connection to the original PI system.

As of 2014, the PI impact fee is calculated on the amount of permeable surface per residence. The square footage is multiplied by \$0.21 per sq ft.

We calculated 6.3 irrigable acres for the development utilizing the State's infrared mapping. In the previous appeal, the HOA stated that they currently have 6.5 irrigated acres in the development.

$$6.5 \text{ acres} * 43,560 \text{ sq ft per acre} = 283,140 \text{ sq ft}$$

$$283,140 \text{ sq ft} * \$0.21 \text{ per sq ft} = \text{\$59,459.40 Impact Fee}$$

Considerations

- If the appeal is approved, Council clarify that all construction costs of the connections be the responsibility of the cottages, including water meters at each connection.
- Approval of the request could result in additional requests by residents not presently connected to the PI System, who built prior to the adoption of the current impact fee. This could set a future precedent for future requests. Council should consider how this could be considered an isolated condition.



UPDATED ORDINANCE REGULATING SHORT TERM RENTALS *LEGISLATIVE (15 MINUTES)*

Item 11 – Action/Ordinance
Presented by – Nathan Crane, AICP, City Administrator /
Community Development Director



MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

Item 12a. – Future Meetings

- December 10, Planning Commission Meeting, 7:00 pm, City Hall
- January 7, Swearing in Ceremony, 6:30 pm, City Hall
- January 14, City Council Meeting, 7:00 pm, City Hall