



HIGHLAND CITY

HIGHLAND CITY PLANNING COMMISSION MINUTES

Tuesday, January 25, 2022

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

Approved February 22, 2022

VIRTUAL PARTICIPATION



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

planningcommission@highlandcity.org

7:05 PM REGULAR SESSION

Call to Order – Jerry Abbott, Chair

Invocation – Commissioner Audrey Moore

Pledge of Allegiance – Commissioner Mino Morgese

The meeting was called to order by Planning Commission Chair Jerry Abbott as a regular session at 7:05 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 Christopher Howden and those in attendance were led in the Pledge of Allegiance by Commissioner Mino Morgese.

PRESIDING: Commissioner Jerry Abbott

COMMISSIONERS

PRESENT: Jerry Abbott, Christopher Howden, Audrey Moore, Mino Morgese, Claude Jones, Sherry Carruth (electronically)

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, City Attorney Rob Patterson, City Planner and GIS Specialist Kellie Smith, Planning Commission Secretary Heather White

OTHERS PRESENT: Joe Ham with MNG Highland Development LLC, Charlie Taylor and Joel Warden with Yesco Sign Company, Resident Doug Cortney

Mayor Ostler recognized and thanked Commissioner Carruth and Commissioner Morgese for their service on the Planning Commission.

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** *Administrative*
Regular Planning Commission Meeting – November 16, 2021

Commissioner Morgese MOVED to approve the minutes for the November 16, 2021 Planning Commission meeting. Commissioner Howden SECONDED the motion. All present were in favor. None were opposed. The motion carried.

3. PUBLIC HEARING: TEXT AMENDMENT - FREESTANDING SIGNS

Legislative

The Planning Commission will hold a public hearing to consider a request by Joe Ham to amend Sections 3-707 and 3-710 of the Development Code relating to commercial freestanding signs. The Planning Commission will take appropriate action.

Ms. Smith explained that the commercial freestanding sign section in the Development Code applied to the C-1, CR, and Town Center Zones and that there was currently one commercial freestanding sign in Highland located in the C-1 Zone. She explained that the tenants in the Highland Marketplace wanted to make sure they had signage on the road. She reviewed the proposed changes and showed examples of how the changes would look in Highland compared to existing signs. She compared the maximum height of signs in neighboring cities. She reviewed the amendments to the list of materials and lighting that could be used. She reviewed proposed changes to the landscaping requirements. Ms. Smith reviewed part of the Economic Element section in the General Plan.

The Planning Commissioners discussed the current options for commercial signs and what was permitted on the Marketplace property. Commissioner Morgese asked why it was necessary to increase the maximum height of signs. Applicant Joe Ham explained that they had nothing to do with the current monument signs and that the signs only advertised the businesses in the buildings immediately in front of the signs. The development was looking for a large anchor tenant to draw traffic to the back of the property. They have not been able to find a large tenant for various reasons. They concluded to build a series of smaller business retail buildings behind what was already there, but they would have no exposure. He said each potential tenant had asked that they have exposure on Alpine Highway (SR-74) and Timpanogos Highway (SR-92). Mr. Ham explained that they intended to remove the Little Caesar's sign and put the taller sign in the same location with enough panels for other tenants. He pointed out that there was a tremendous depth to the property, and he needed a way to identify the tenants without having an identifiable large store. Mr. Ham explained that a sign consultant considered the speed of the road, and a 40-ft sign would provide the needed exposure. He mentioned that he was not proposing a 40-ft sign on Alpine Highway. He talked about the area where the taller sign would go and said that the building was 35 ft. He did not think anyone would notice the height difference.

Commissioner Abbott was concerned that the sign would look out of place. He pointed out that other retailers and businesses would be able to do taller signs in other areas. He agreed that there needed to be a way to let people know what was in the area. He said the commission wanted commercial areas to grow and restaurant to come to the city but didn't think the road was large enough to warrant a 40-ft sign. Commissioner Moore added that there was a stop sign on the road and that drivers would not be speeding by.

Charlie Taylor with YESCO Sign Company said they wanted to make sure that each tenet had visibility. He said it needed to be high enough for each tenet to have adequate representation and it would be a benefit for the bottom clearance to be higher than a monument sign. He said a sign would be near the ingress and egress of the development and they wanted the public to be able to negotiate into the property without last minute lane changes.

Mr. Ham pointed out that they needed space for 22 tenets and that none of them were on the current sign. He said it was the first time he saw research regarding the other cities and said they could find a way to do the sign if it was 35 feet. He said tenets would not come if they did not think they had representation. Signs would go up as the buildings were constructed. He pointed out that the building across the street was 35 feet tall with a sign on the wall. He thought that the height difference would not be noticeable from the perspective of someone looking up.

Ms. Smith mentioned that the maximum height for buildings in the Town Center Zone was 45 feet. She said no building was currently at the maximum height, but they potentially could be.

Commissioner Abbott opened the public hearing at 7:45 PM and called for public comment.

Resident Doug Courtney thought the analysis in the agenda packet was incomplete. He thought it omitted an important policy from the section of the General Plan. He read, “provide design criteria for commercial areas, which provide for a distinctive place-making character for Highland City and enhance the natural and residential environment.” He also said it overlooked the community design element section of the General Plan which included the goal to maintain and enhance the scenic backdrop to the north and east. He also mentioned a policy to ensure that all development policies, codes, and regulations address the need to preserve the scenic backdrop where feasible. He read Section 3-701 of the Development Code. Mr. Courtney said he objected to damaging Highland’s scenic backdrops with a 40-ft internally illuminated sign and requested a 20-ft sign. He objected to damaging residential environments by allowing large commercial signs closer to residential zones than currently permitted. He objected to confusing intersections with large internally illuminated signs placed significantly closer than now permitted. He was in favor of the proposed amendments to materials, landscaping, and a small increase in height.

Commissioner Abbott asked for additional public comment. Hearing none, he closed the public hearing at 7:48 PM.

Commissioner Howden said that as much as he understood and was sympathetic to the economics of the situation, he was quite strongly opposed to anything other than a maximum height of 18 feet. He was in favor of the landscaping changes and impartial to the width. He wasn’t sure that signs were necessary because most people would use phones to find places they needed/wanted to go to.

Commissioner Moore appreciated that the sign was not backlit throughout and liked the suggested changes for lettering by city staff. She agreed with Commissioner Howden regarding the height. She thought it would become the visual focus of the community center instead of the mountainous backdrop. She didn’t think the higher sign would be beneficial because of the narrowing portion of the road, the stop sign, the proximity of the sign to the road, and the fact that it was a pedestrian center. She didn’t think it would have the same impact as a lower sign. She understood the need for all tenets to be represented and suggested using two columns.

Commissioner Morgese was open to the idea of increasing the height of the sign to a maximum of 25 ft on SR-92 although he thought 40 ft was too high.

Commissioner Carruth left the meeting at 7:55 PM due to technical issues with Zoom.

The Planning Commissioners discussed options with restricting signs on certain roads and considered maximum height restrictions. They talked about other signs and businesses in the area.

Commissioner Abbott asked about the specifications of the sign. Joel Warden with YESCO Sign Company explained that the picture should have read “as per engineering requirements”. He said the five feet would allow for the appropriate inner post and footing to protect the wind load, so the sign was structurally safe. Mr. Taylor added that the size also allowed even illumination throughout the sign. Mr. Ham explained that the post would get smaller if the sign was smaller. He thought the back illumination looked cleaner but said he could go with requirements in the current code.

After discussing, the Commissioners were unanimously in favor of the proposed amendment to lighting and landscaping. They agreed that the proposed height of 40 ft was too high. They discussed current restrictions, the proposed amendments, and possible locations. Commissioner Abbott asked why the applicant proposed amendments to possible locations of the sign. Mr. Warden explained that the measurements were based on the location of the closest residents. He said they would not have been compliant if they put the sign where it needed to be based on the location of residents across the street. It was determined that the current 150-ft restriction must have only considered adjacent residential areas on the same side of the street. It was mentioned that the sign would be black from midnight to 6:00 AM.

Mr. Ham preferred to have a recommendation by the Planning Commission, then present something smaller to the Council based on the current discussion. He was hoping the Council would approve something higher than 20 ft. He said their project was not comparable to anything else in the city because of the depth and how they had to plan the development.

Commissioner Abbott called for a motion.

Commissioner Jones MOVED to deny the requested text amendment due to concerns with the proposed height and depth of the signs as well as the 7-ft stone base. The commissioners were in favor of a 3-ft stone base. They were in favor of the proposed lighting and letter style, and landscaping changes.

Mr. Warden explained that the stone base height did not need to be seven feet if the height of the sign was shorter.

Commissioner Howden SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Sherry Carruth</i>	<i>Absent</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Mino Morgese</i>	<i>Yes</i>
<i>Commissioner Tyler Standifird</i>	<i>Absent</i>

Commissioner Howden felt strongly about a 20-ft maximum height. He preferred to keep current location restrictions in place.

Commissioner Moore was open to a 25-ft maximum height and asked that the stone base be changed to three feet.

Commissioner Morgese agreed with Commissioner Moore.

Commissioner Abbott preferred a maximum height of 20 feet. He voiced concerns with the location of the sign relating to residents across the street.

Motion carried 5:0

4. ARCHITECTURAL REVIEW: HIGHLAND MARKETPLACE *Administrative*

The Planning Commission will consider a request by Joe Ham, representing MNG Highland Development LLC, for approval of the architecture of (3) buildings in the Highland Marketplace. The Planning Commission will take appropriate action.

Ms. Smith reviewed the background of the development. She explained that the City Council recently approved a minor site plan amendment. She showed renderings and reviewed details of Buildings A, B, and C.

Mr. Ham mentioned that the rendering for Building B was a little different. He said the spaces between the stone columns were filled in and back doors would blend in with the same paint color. He said signs might be added to the back of the buildings.

Commissioner Morgese MOVED that the Planning Commission accept the findings and recommend approval of the proposed architectural plans for Building A, Building B, and Building C in Highland Marketplace subject to the two following stipulations recommended by staff:

- 1. All signage shall require a separate permit and meet the requirements of the Development Code.*
- 2. The roofline shall be adjusted to meet the requirements in the Development Code.*

Commissioner Jones SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Sherry Carruth</i>	<i>Absent</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Mino Morgese</i>	<i>Yes</i>
<i>Commissioner Tyler Standifird</i>	<i>Absent</i>

Motion carried 5:0

5. TRAINING: GRAMA and OPMA

City Attorney Rob Patterson will provide training on GRAMA (Government Records Access Management Act) and OPMA (Open & Public Meetings Act).

Mr. Patterson presented training for OPMA. He reviewed the rules for holding public meetings, electronic messages, and reasons to hold a closed meeting. He advised to not send text messages to other commissioners

during public meetings. Mr. Patterson presented training for GRAMA. He talked about records and documents that were subject to request by the public.

6. 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.

Ms. Smith mentioned that two Planning Commission seats would be filled at the next meeting.

ADJOURNMENT

Commissioner Howden MOVED to adjourn the regular meeting. Commissioner Moore SECONDED the motion. All present were in favor. The motion carried unanimously.

The meeting 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 January 25, 2022. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

/s/Heather White
Planning Commission Secretary

Welcome to the Highland
Planning Commission
Meeting

January 25, 2022



HIGHLAND CITY

1



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.

2

CONSENT ITEMS

- Item 2a – Approval of Meeting Minutes – Regular Planning Commission Meeting November 16, 2021 *Administrative*

3



FREESTANDING SIGNS
LEGISLATIVE

Item #3 – Text Amendment- Public Hearing
Presented by – Kellie Smith, *Planner & GIS Analyst*

4

Commercial Center
Freestanding Sign



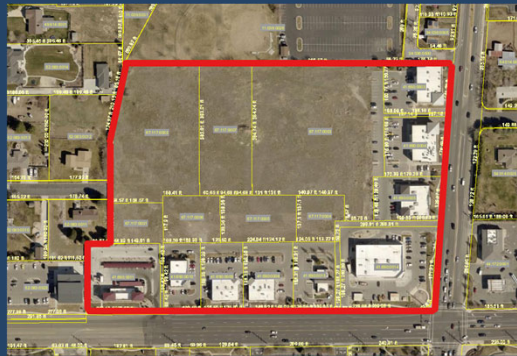
5

Background

- Highland Marketplace – Site Plan update approval December 7, 2021
- Because of the size and depth of the project, tenants need identification along street fronts
 - Their signage may not be visible from the street

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Highland Marketplace



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Proposed Amendment

- Location - blue = existing; red = proposed



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Proposed Amendment cont.

- Size
 - Height: 18' → 40'
 - Width: 13.5' → 16'
 - Depth: 3' → 5'



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Neighboring Cities

- Freestanding Sign Height Max
 - American Fork: 35'
 - Cedar Hills: 30'
 - Pleasant Grove: 35'
 - Orem: 26' average (dependent on distance between sign and ROW)
 - Provo: 35'

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Proposed Amendment cont.

- Materials
 - Stone, brick, architectural concrete, wood (trim only), EIFS, and **painted aluminum**
 - **Lettering and logos may also be created using solid aluminum faces with routed out graphics displaying backlit “push-through” or “back-up” acrylic with 1st surface vinyl.**
 - Staff recommendation to add “The identification of the development name and tenant names on the sign shall be in the form of individual pan channel lettering, aluminum routed lettering with acrylic background, or other high quality sign design characteristics. Removable tenant panels made completely of acrylic or Plexiglas materials are prohibited.”

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Proposed Amendment cont.

- Lighting
 - Internal illumination through acrylic or polycarbonate faces



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Proposed Amendment cont.

- Landscaping
 - Request to remove minimum requirements for plant types (perennials, annual vegetation, evergreen type landscaping)
 - The requirement to have a min. of 2 sq ft of landscaping for every linear foot of sign length around the base of the sign will remain.

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General Plan

- Economic Element
 - Adopting “business friendly” processes and rules
 - Maintain fiscal health and stability by maintaining a healthy balance of sales and property tax revenue

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Development Code

- Goals for CR Zone
 - Create an attraction to non-residents
 - Allow individual business to clearly identify itself in a proper manner
 - Safeguard and enhance property values
 - Protect public and private investment in buildings and open space
 - Promote public healthy, safety, and general welfare

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Citizen Participation

- Public hearing noticing posted:
 - 3 public places
 - State website
 - City website

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Recommendation

Staff recommends that the Planning Commission hold a public hearing, discuss the maximum height, accept the findings and recommend **APPROVAL** of the proposed amendment with the addition to the materials section

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Proposed Motion

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposal to amend Sections 3-707 and 3-710 of the Development Code relating to commercial freestanding signs with the addition to the materials section by staff (the Planning Commission will need to draft appropriate adjustments to the sign height).

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HIGHLAND MARKETPLACE ADMINISTRATIVE

Item #4 – Architectural Review
Presented by – Kellie Smith *Planner & GIS Analyst*

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Vicinity Map



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Background

- Development Agreement – April 24, 2007
 - Master site plan, architecture, landscaping, lighting, signage, etc.
- PC and CC Approval – January/February, 2021
 - Master site plan
 - Architectural approval – different theme than Development Agreement
- CC Approval of update – December 7, 2021

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25



26

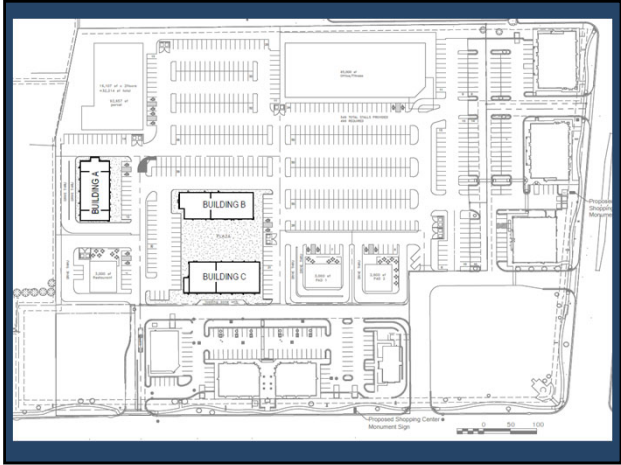


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Summary of Request

- Architectural approval for 3 retail buildings
- Materials – stucco, cultured stone, cement with a painted wood texture
- Colors – greys, browns, and beige

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Building B



31

Building C



32

Development Code

“A single roof type or roof ridge height shall not exceed 50 feet in horizontal length unless it is separated by a varied roof type or roof ridge height. If the ridge height is varied, then it shall be a vertical variation of at least eighteen (18) inches in height”

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Recommendation & Proposed Motion

Staff recommends that the Planning Commission recommend **APPROVAL** of the proposed architectural plans subject to the following stipulations:

- 1. All signage shall require a separate permit and meet the requirements of the Development Code.
- 2. The roofline shall be adjusted to meet the requirements in the Development Code

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the architectural plans for Building A, Building B, and Building C in Highland Marketplace subject to the two (2) stipulations recommended by staff.

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OPEN PUBLIC MEETINGS ACT (OPMA) AND GRAMA

Item #4 - Training
Presented by - Rob Patterson, *City Attorney*

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