

Highland City Planning Commission

February 14, 2006

Present:

Commissioner: Steve Draper
Commissioner: Mike Walch
Commissioner: Larry Mendenhall
Commissioner: Brian Braithwaite
Commissioner: Jennifer Tucker

City Administrator: Barry Edwards
City Engineer: Matt Shipp
City Planner: Lonnie Crowell
Secretary: Jennifer Davis

Excused: Jeff Clyde, Bryce Flanary

Meeting convened at 7:12 p.m.
Prayer given by Brian Braithwaite
Pledge given by Bryan (Scout)

Visitors: Chris Dalley, Leon Anderson, Randy Moe and scouts, Larry Pincock, Vickie Pincock, Erik Prusse, Kurt Jewkes, Lance Grundvig, and Dane Grundvig.

Item 1: General Plan Amendment Request - Pincock Property

Lonnie gave a background presentation including pictures of adjacent properties, surrounding areas, and location of property with regards to this request. Larry and Vickie Pincock are requesting the zoning change from R-1-40 to the proposed R-1-20 zone. Steve Draper also outlined the guidelines for down sizing the zoning, and discussed the criteria used to set up for a change. The property next to the development is zoned at R-1-20, however Steve commented that he finds it hard to find compelling evidence for creating this proposed zoning change. Steve also expressed his concern for an increase of traffic to be put out on to the Alpine Highway. Brian Braithwaite commented on the criteria and agrees with Steve with regards to the lack of evidence to make the zoning change. Mr. Pincock states that they are planning to subdivide the area for 5 homes on 3 acres, and feels that it would be more uniform to match the proposed development to the R-1-20 subdivision next to it. Mr. Pincock also states that the house currently on the lot will be demolished and the out buildings behind the home will also be demolished. Vickie Pincock said that she feels that it would increase the value to the adjacent development instead of the current open lot with existing buildings. Mr. Pincock also said that he would be getting rid of the animal rights. Brian reiterated that he is looking for the compelling issue to be presented to the Planning Commission to make the said

change.

Lance Grundvig questioned "why not do it", why does the change from 3 homes make a difference to 6 homes in the development. Steve said that he liked the open space feel of the property, and that he is an advocate of the animal rights, and keeping the acre density as it has been outlined in the past is preferred over the more densely populated areas. Discussion continued.

With regards to the danger of the animals getting loose on Highway 74 that the Pincock's are discussing, Jennifer Tucker commented that the children of a more densely populated cul-de-sac would be just as big or a bigger threat for accidents that would possibly have a bigger consequence. Larry Mendenhall observed that the larger lot sizes on this parcel would provide a good transition between the open space and smaller lots adjoining this property. Mike Walch asked what the average lot size would be, with a reply of .33 to .5 acre. Mike also stated his agreement with Larry Mendenhall to make the larger lot size a transitional area and it would be advantageous to keep the property as a buffer between the smaller lots to the south.

Steve Draper opened the floor to public hearing portion of this discussion. Lance Grundvig and Kevin Maug asked if the proposed change were to take place could the developer divide up to 6 lots? Steve draper confirmed that up to 6 lots could be created if the proposed zone change were to be passed. Leon Anderson stood to voice his support for the proposed change stating that we are running out of ground in the city. With no further comments from the public, Steve closed the public hearing and brought the discussion back to the Commission.

Brian also expressed his frustration with regards to the smaller parcels of land that may come to be developed, and would like to discuss with the City Council what direction they would like to go in the future. Mr. Pincock said that he is in the business of real estate and states that he has clients that would like to build or live on property that is not so large to have to maintain or landscape. Barry Edwards commented on the "feel" that Highland City has been able to maintain over the years, and reminds us that this adds value to the vision of Highland City. Discussion again continued.

Motion by Mike Walch based on findings of fact that the Planning Commission has not found a compelling basis for amendment of the General Plan and that the less dense zoning of the said property provides a valuable transition between the surrounding uses. Planning Commission recommends to the City Council to not grant a General Plan amendment to the Pincock property.

Second by Brian Braithwaite.

Further discussion from Mr. Pincock about an appeal process for this proposal. Steve Draper also said that the surrounding development of smaller parcels were established before the city was organized and before the General Plan was set into place and were currently a non-conforming R-1-20 Subdivision.

Unanimous vote – Motion passes

Item 2: Zoning Map Amendment Request - Pincock Property

This request was placed on the agenda in the event of approval of item number 1. Steve opened the floor for the Public Hearing on this matter. Hearing no comments from the public Steve Draper closed the Public Hearing and brought the discussion back to the Commission for discussion. No further discussion took place.

Motion by Brian Braithwaite, PC recommend that the city council does not grant the amendment to change the zoning map to allow for R-1-20 zoning on the property currently discussed located at 10215 North Alpine Highway.

Second by Larry Mendenhall

Unanimous vote – motion passes

Item 3: Building Height - Code Amendment & Public Hearing

Steve Draper talked of the code amendment and the difficulty of the enforcement of this code, especially with regards to the developments that are developing upon the hills. Lonnie Crowell commented that staff has met with Mayor Franson and some of the builders to come to an agreement that would best satisfy both parties, with little flexibility of height of foundation and heights of building, and says that it is a pretty good compromise. Lonnie also spoke of the recent inspections and extreme measures that have taken place to survey of foundations of current developments. Barry commented that it is not practical to mass grade the areas. Barry commented that there were 80 lots presented to the board of adjustments and feels that it was unnecessary. Examples were shown of homes that comply with proposed code amendments, and examples of what the code is trying to avoid. Mike Walch expressed his concern on the large exposed wall on the down slope of the property. Barry said that with the building of homes with walk out basement and such, that it may not be avoidable. Lonnie clarifies how measurements will be taken in order to establish compliance.

In attendance to the meeting previous talked about were Lonnie, Mayor Franson, Jay Haws, Matt, Barry, Tracy Smith, Kevin, Keith Leavitt, Bruce Harvey. Barry commented that Matt is working with the developers in maintaining the relationship of natural grade and road grade work. Discussion continued. Barry clarified that with this change, we are in the middle of a process but with the implementation of the grading plan when complete, the city will be in a more solid position than we are currently. Lonnie also pointed out that the code change would allow for slope away from the house on the up slope minimizing the need for retention walls, and drainage problems from the adjacent

property. With regards to the already approved developments, the developers will have the choice to abide by the 42" rule, or by the new code. See attachment for proposed changes as provided by Lonnie.

Steve says that he would like to postpone any motion on this item to allow the Planning Commissioners to analyze the information presented and to make a decision at the next scheduled meeting. Steve then opened the floor for public comments on this item, hearing no comments Steve closed the public hearing and brought the discussion back to the Commission.

Motion by Larry Mendenhall to continue the building height definition discussion until the next scheduled Planning Commission meeting to be held on February 28th.

Second by Mike Walch
Unanimous vote – Motion passes

Item 4: Approval of Meeting Minutes for January 24, 2006

Motion by Brian Braithwaite, Planning Commission approves the meeting minutes for January 24, 2006 as amended.

Second by Jennifer Tucker
Unanimous vote – Motion passes.

Item 5: Work Session Proposal

Brian Braithwaite would like to propose work session to be scheduled between the City Council and Planning Commission to discuss items pertaining to the Planning Commission responsibilities.

Motion by Brian Braithwaite, Planning Commission to meet with the City Council in workshop to discuss the Master Land Use Plan and all other items of importance pertaining to the Planning Commission's direction.

Second by Larry Mendenhall

Unanimous Vote – Motion Passes

Meeting adjourned at 8:57 pm