

Highland City Planning Commission

November 22, 2005

Present:

Commissioner: Steve Draper
Commissioner: Larry Mendenhall
Commissioner: Brian Braithwaite
Commissioner: Jeff Clyde
Commissioner: Bryce Flanary

City Council: Gwyn Franson
City Administrator: Barry Edwards
City Engineer: Matt Shipp
Secretary: Jennifer Davis

Excused: Jennifer Tucker, Lonnie Crowell, Mike Walch

Meeting convened at 7:02 pm
Prayer given by: Bryce Flanary
Pledge given by: Jeff Clyde

Visitors: Chris Dalley, Ryan Scholes, Carrie Morgan, Robert Marshall, Milan Malkovich, Craig Mortensen, Vince Warner, David Warner, Dan Van Woerkom, Claudia Stillman, Todd Berry, Sherri Berry, Kathryn Schramm, and Jay Franson.

Item 1: 11800 North Street Church Subdivision -

- **Preliminary & Final Subdivision Approval & Public Hearing**
- **Conditional Use Permit & Site Plan Approval & Public Hearing**

Steve Draper discussed the background of this project and also reviewed the comments from Staff with those representing this proposal. Discussion took place regarding the grading of the property and especially on the east side of the church with a proposal to drop the parking lot to avoid the need for steps, even if that included a decorative retaining wall that would comply with current ordinance to help in this matter. Milan Malkovich also addressed that he would like to avoid having too much slope in the parking lot and keep it to no more than 5%. Discussion also included the mitigation of steps on the west side of the building.

Steve Draper opened the public hearing portion of this discussion. Hearing no comments from the public Steve closed the public hearing and brought the discussion back to the Planning Commission. Currently planned there are 189 parking spaces, plus 6 Handicap

parking spaces for this development. Barry Edwards commented that with past church developments, they have planned for 200 parking spaces and would like to have this plan evaluated to add 5 more spaces bringing the total to 200.

Motion by Jeff Clyde, Planning Commission recommend to City Council to grant preliminary approval for the 11800 North Street Church Subdivision based on the following conditions, 1) Resolution of grading, based on the finding of fact that because of the lot configuration as currently drawn out is to be changed to a grade that does not exceed a maximum of 5% in order to accommodate for safety, 2) Greenbelt taxes be paid, 3) Applicant provide 200 parking stall, and 4) provide the 35% landscaping plan to be presented at City Council as requested.

**Second by Brian Braithwaite
Unanimous vote, motion passes**

Conditional Use Permit & Site Plan Approval - Lighting plan and signage plan proposal is missing from this request. Lighting and signs are governed by ordinance in order to protect the residents of Highland City. Steve Draper commented that the lighting standards are such that poles cannot exceed 15 feet in height, and must be in compliance with established ordinance. As for signage, Milan states that preference is to those signs that are mounted on the church.

Steve Draper opened the public hearing portion of this discussion. Hearing none, Steve closed the public hearing and brought the discussion back to the Planning Commission for further discussion. Bryce asked if there will be a fence, with Milan replying that most properties are fenced, and recognizes the concern of residents around the proposed church. Staff has recommended in the past for vinyl coated chain link fencing minimizing the obtrusive nature of a fence. Discussion continued regarding the types of fencing possible for this development. Brian Braithwaite expressed his concern for future residence to be located on the west side of the building that would be elevated causing lights to be cast upon and into the homes. Steve commented on the possible need for a solid fence on the west side, and was concerned for the continuity of the fencing around the lot. Steve suggested that Milan come up with a proposal to be presented at the time of meeting with the City Council.

Steve also reviewed the staff comments for this subdivision and commented that the elevation was just presented this evening without a chance to review this plan. Steve discussed the height of the building with Milan and proceeded to inform remind him of current code that regulates the height of any building based on back of curb measurements. Discussion continued.

Motion by Brian Braithwaite, Planning Commission to recommend to City Council the Conditional Use permit and recommend final Site Plan Approval, on the 11800 North Street Church Subdivision subject to all the conditions of staff which include 1) specifically pointing out that there is not a current lighting plan included in this

proposal, but recognize that one will be provided at the time of City Council Meeting, 2) the applicant to identify a solid fence for residents on the west side with a corresponding fence on the south and east side that would blend in to the area, with a variable given on color and type of fence, 3) Identify the height of building to be in compliance with code, 4) Resolution of grading, based on the finding of fact that because of the lot configuration as currently drawn out is to be changed to a grade that does not exceed a maximum of 5% in order to accommodate for safety, 5) Greenbelt taxes be paid, 6) Applicant provide 200 parking stall, and 7) provide the 35% landscaping plan to be presented at City Council as requested.

**Second by Bryce Flanary
Unanimous vote, motion passes.**

Item 2: Country French Plat A - Fence Variance

Barry presented the request by Patterson Construction to change the height of the fence located in the Country French, Plat A Subdivision. Steve Draper commented that the corridor is not such that would need to have a smaller fence, and pointed out on the map that intersecting fences from residences would be likely to place 6 ft fences along their property that would be visible if a 5 ft fence were to be installed.

Steve Draper opened the floor for public comments. Kathryn Schramm asked for clarification of the original proposal. Steve reviewed the information for clarification with the public.

Motion by Brian Braithwaite, Planning Commission recommends to City Council to modify the condition the Country French Plat A, based on the finding of fact that code allows a 6 ft fence and allow change to the proposed fence with conditions to have the applicant construct a 6 ft tall masonry wall along highland blvd, 30ft from the curb.

**Second by Larry Mendenhall
Unanimous vote, motion passes**

Item 3: Sensitive Land Code Amendment - Public Hearing

Steve Draper commented on the background of this code amendments, and recognizes that Staff has requested that the public hearing be continued until the City Attorney is able to complete the review of this proposed ordinance. Steve suggested that the public hearing be scheduled at the earliest convenience.

Motion to continue the public hearing on the Sensitive Land Code Amendment, be continued, that the staff may have the time to gather the necessary information and that staff be allowed to schedule the public hearing at their earliest convenience.

Second by Jeff Clyde

Unanimous vote. Item continued until such a time that all information is gathered.

Item 4: Approval of Meeting Minutes for November 8, 2005

Motion by Bryce Flanary, Planning Commission approves the meeting minutes for November 8, 2005 as amended.

Second by Jeff Clyde

Unanimous vote, motion carried.

Meeting adjourned at 8:14 pm.