

# Highland City Planning Commission

## September 26, 2006

### **Present:**

Commissioner: Larry Mendenhall  
Commissioner: Jennifer Tucker  
Commissioner: Brian Braithwaite  
Commissioner: Brent Wallace  
Commissioner: Elizabeth Macfarlane  
Commissioner: Roger Dixon  
Commissioner: Jerry Gorrell

City Administrator: Barry Edwards  
City Engineer: Matt Shipp  
Assnt. Planner: Hannah Thiel  
Secretary: JoD'Ann Bates

**Excused:** Lonnie Crowell.

Meeting convened at 7:02 pm  
Prayer given by: Roger Dixon  
Pledge given by: Claudia Stillman

**Visitors:** Chris Dalley, Brent Robert Tanner, Steve Comer, Steve King, Eric Gustafson, Kevin Pace, Dan Simons, Ron Stutz, Curtis Miner, Roma Jean Ockler, Darrel Ockler, Kathryn Schramm, Lynn Warr, Boyd Wilson, Vern Hancock, Craig Hendricks, Manuel Rueno, Don LeBaron, Rose Mary LeBaron.

### **Item 1: General Plan Update / Survey Results**

Kristine Richmond of Wickstrom Economics and Planning proceeded to explain the survey and the results that came from that survey.

Discussion ensued.

Larry Mendenhall thanked Kristine for the time and effort put into the survey results and the time she took to explain the results to the commission. Larry feels it is a fair representation of the feelings of the residents of Highland.

### **Item 2: CR Zone ~ Site Plan Review and Recommendation**

Larry reviewed the applicant's information and request.

Hannah Thiel stated they had been given a new site plan addressing the staff concerns, there is still a concern with the placement of the gasoline pumps.

Brent Wallace inquired as to what had been changed. Tom Hulbert stated the buildings have been moved up to the front of the road with parking in the rear giving them area for a parkway detail in both directions. Larry stated that the western boundary is the most sensitive area and suggested flipping the grocery anchor with the retail anchor. Tom stated the biggest obstacle to that proposal is the residents who would be shopping at the larger anchor store would not drive past the smaller shops to get the large anchor diminishing the site of those smaller shops.

Brian Braithwaite stated that his concern is the gasoline island on the west side and the affect it will have with the increased traffic and the possibility of fumes being close to the existing homes. Brian also stated a concern with building D having the parking lot out front where the rest are back behind the stores.

Jennifer Tucker stated her concerns are the same as those already stated. She is opposed to the gas pumps located where it is currently proposed. Jennifer continued to state she felt the parking lot that is being proposed on the corner is not as appealing as the other shops with the parking in the rear and felt there should be more landscaping along the roads. Jennifer concluded that her biggest concern would be the location of the gas pumps in proximity to the existing homes.

Jerry Gorrell stated the commission had originally talked about creating his zone with a significant amount of buffer around the outside for the current residential homes. He would like to see the setbacks be larger than the proposed 60 feet. Jerry concluded that he also had a concern as to the size of the anchor store it seems to be 1 ½ times the size of the anchor store of Kohlers across the street and was concerned if that large of a store was necessary.

Larry Mendenhall suggested the developer consider the suggestion of the grocery anchor and the retail shop being reversed in location. He is opposed to the proposed placement of the gasoline canopies and pumps. He also had a concern with building D and would also like to see some additional landscaping. Larry suggested reviewing the landscaping plan.

Tom Hulbert stated in speaking with residents they would like an 8 foot wall along the west boundary backing their homes. He has also has been working on an agreement as to the developer landscaping up to 10 feet into the residents back yard.

Discussion ensued regarding the landscaping.

Larry Mendenhall read the background and staff recommendations for the public.

Larry Mendenhall stated that although there are concerns from the staff and commission, he feels that this developer has been proactive in terms of putting together a total package for this corner. Larry continued that the commercial retail zone has not been approved and if it is not approved this site plan will then become void.

**Motion by Roger Dixon, Planning Commission recommends City Council grant site plan approval for the Highland Market Place in the CR Zone to included all staff comments and recommendations with the following amendments: 3) add the wording “with the exception of building D”, 8) add the wording “to include refrigeration units”, 13) Delete “to the north of building E” insert no less than 300 feet from the west property line, 14) Replace the word “East” with West, 16) Planning Commission require an 8 foot masonry wall be constructed along the west boundary and a 6 foot along the north boundary, and additions as per Planning Commission: 20) Landscaping to be provided as per the agreement between the developer and residents to the west in an amount not to exceed (25) twenty five dollars per linear foot, 21) Modify the landscaping to Building D to mitigate the impact of the parking as suggested by staff , 22) All construction access to the development be limited from SR 92 or SR 74, 23) The masonry wall to the west be constructed within (60) sixty days from the time of first shovel.**

Seconded by Elizabeth Macfarlane.  
Unanimous vote.

### **Item 3: CR Zone ~ Architectural Review and Approval**

Hannah Thiel stated the developer’s proposal is consistent with other commercial buildings in the area. Hannah reviewed the recommendations by staff.

Larry Mendenhall indicated there needs to be some changes to the architectural drawings. He feels there is nothing that grabs his attention.

Brian Braithwaite agreed with Larry that with this being the corner of the intersection he feels this needs to be improved upon. He felt that there is nothing that jumps out as being anything special.

Discussion ensued.

**Motion by Brian Braithwaite, Planning Commission move to continue this item to the next scheduled Planning Commission meeting and request the applicant provide the Commission with 1) Additional evaluations showing each side of the proposed building 2) A color and material board be presented regarding the proposed materials.**

**Seconded by Roger Dixon  
Unanimous vote, motion carried.**

**Item 4: Brookridge Subdivision Plat Amendment ~ Preliminary and Final Subdivision Approval and Public Hearing**

Dan Simons stated that Brookridge is currently a recorded plat. Lot 101 is a larger lot with a ditch splitting it in half. He would like amend the plat and divide lot 101 down the line of the ditch making it two lots. Dan stated that he had reviewed the staff report and had no problems with the requirements.

Hannah Thiel reviewed the staff recommendations.

Discussion ensued.

Larry Mendenhall opened the public hearing,

Kathryn Schramm inquired if the ditch would be covered due to users down stream still needing the water. Barry Edwards stated that the ditch would remain open and operative.

Hearing no further comments Larry Mendenhall closed the public hearing and brought the item back to the commission for further discussion.

Discussion ensued.

**Motion by Brent Wallace, Planning Commission grant Preliminary Approval and Recommend City Council grant final approval of the Brookridge Subdivision Plat Amendment per the conditions and recommendations of staff.**

**Seconded by Elizabeth Macfarlane.**

**Motion to Amend: Brian Braithwaite moved to include the condition that lot one be required to have a (15) fifteen foot setback off of the (25) twenty five foot access easement to the north.**

**Seconded by Brent Wallace.**

**Motion to amend passed by unanimous vote.**

**Amended Motion: Planning Commission grant Preliminary Approval and Recommend City Council grant final approval of the Brookridge Subdivision Plat Amendment per the conditions and recommendations of staff and to include the condition that lot one be required to have a (15) fifteen foot setback off of the (25) twenty five foot access easement to the north.**

**Unanimous vote, motion carried.**

**Item 5: Hollow Acres Subdivision Plat B ~ Preliminary Subdivision Approval and Public Hearing**

Boyd Wilson stated Vern Hancock divided 19 acres in the Mitchell Hollow area into 4 large lots and now would like to propose a division of his original lot into two lots. Boyd continued to state that comments received at the DRC meeting requested they show the building envelopes indicating preservation of the wetlands.

Hannah Thiel indicated that staff would like to require the developer to have an environmental fence to be construction along that building envelope to ensure the preservation of the wetlands.

Vern Hancock supported avoiding any slough off into the wetlands and presented photos as to the placement of the proposed home against the slope of lot 1.

Larry Mendenhall opened the public hearing.

Kevin Pace stated Mitchell Hollow is a unique piece of property because its the only place in Highland where there is still wetlands. Kevin continued to describe the history of the hollow. Kevin indicated that looking at the proposed development the frontage has been put in place to adhere to the letter of the law and feels that as the commission looks at this they need to think of the historic value of that hollow. Kevin stated his concerns with the width of the driveway to lot 1 and that the building envelope does not clearly indicate where the lot ends and the wetlands start. He feels the city is quickly loosing this type of property to development and consideration for the wetlands needs to be a priority. Kevin concluded that the commission should consider the feasibility of building on the slope and dirt sloughing down into the hollow. He would like to know what protection they have so that further destruction of the wetlands would not happen in the future.

David Larson stated that he has lived in Highland all his life and it was his grandfather who once owned the hollow. David commented that he is ashamed as to what has become of the hollow. He realizes it is a person's property but he also knows what a value it is and is sad to see what it has become. David concluded that he feels there needs to be something done in order to preserve the hollow more.

Jerry Hancock owns the lot along 9600 North which is indicated as lot 3. He stated that his father bought this land in an effort to try and preserve the hollow. Jerry gave some history as to what has happened with the hollow in the last 10 years. Jerry feels there has been a lot of care in trying to preserve the wetland in this area. He has personally planted trees not only on his lot but throughout the entire area in order to help preserve that area and feels the wetland are still in tact.

Hearing no further comments Larry Mendenhall closed the public hearing and brought the issue back to the commission for further discussion.

Jerry Gorrell stated he feels this is a positive thing versus a large developer coming in and completely covering up the wetlands and the hollow. He feels that with the placement of the future home he sees it blocking off the potential for further construction.

Elizabeth McFarlane stated that although it may meet the code she feels that no matter what you build there, it will destroy the hollow. The existing homes are on top of the hollow and this home will be built on the slope. Elizabeth stated she would like to call for a roll call vote on this item.

Brent Wallace stated that Mr. Hancock has rights as a property owner and as long as he complies with the ordinance put upon him by the city, he has the right to develop his property.

Roger Dixon stated he would have to agree with the comments made by Jerry Gorell and feels this proposal meets the ordinance and preserves the hollow.

Discussion ensued.

**Motion by Brent Wallace, Planning Commission grant Preliminary approval for the Hollow Acres Subdivision per the conditions and recommendations of staff and with the additional conditions 1) The wet land area be protected by silt construction fence being placed along the building envelope 2) The wetland area to remain undisturbed.**

**Seconded by Jerry Gorrell.**

**Motion to Amend: Brian Braithwaite moved to include a condition that the barn be removed.**

**Seconded by Jerry Gorrell.**

**Motion to amend passed by unanimous vote.**

**Amended Motion: Planning Commission grant Preliminary approval for the Hollow Acres Subdivision per the conditions and recommendations of staff and with the additional conditions 1) The wet land area be protected by silt construction fence being placed along the building envelope 2) The wetland area to remain undisturbed and to include a condition that the barn be removed.**

**Larry Mendenhall, Jennifer Tucker, Brian Braithwaite, Brent Wallace, Roger Dixon and Jerry Gorrell voting in favor with Elizabeth Macfarlane voting opposed.**

**Motion carried.**

**Item 6: Town Center Retail Building #1 ~ Architectural Review and Approval**

Hannah Thiel reviewed the information of the requested proposal.

Eric Gustafson commented that this is the first building being proposed for this area. It will have retail on the ground floor with executive offices on the top floor. When he bought this area he had tenants that wanted to go in the Town Center. The proposal on the corner of SR92 and SR74 has made some of his tenants pull back and feels he has been massively impacted by that proposal. It was his understanding that corner was not going to be considered for commercial until the Town Center was built out. Eric continued to review the materials and colors of the proposed elevations.

Discussion ensued.

**Motion by Roger Dixon, Planning Commission grants architectural approval for the Town Center Business Park Building #1 subject to all conditions of staff and the color as indicated as #2 be muted.**

**Seconded by Brian Braithwaite  
Unanimous vote, motion carried.**

#### **Item 7: RP Zone ~ Code Amendment & Public Hearing**

Hannah Thiel reviewed the information of the requested proposal.

Dan Donaldson a partner in this project stated that they are proposing a 23,000 square foot professional building. They would like to provide a project that is expected to be a very nice building to replace current field. Dan stated they had met with the City Council regarding the position of the buildings and the setbacks. Dan concluded that working with all parties involved within this area the orientation as proposed makes the most sense.

Discussion ensued.

Dan Donaldson stated he had spoken to both Wells Fargo Bank and the IHC clinic and informed them of the proposed amendment to the ordinance in regards to the landscaping requirements. He feels that were both entities are positive in seeing something come into that area to finish the off the property.

Larry Mendenhall opened the public hearing.

Kathryn Schramm stated she had met with Mr. Bullington regarding this proposal and feels this is a great contribution to the community. Amending the ordinance to allow this to come in and replace the existing weeds is a definite plus.

Hearing no further comments Larry Mendenhall closed the public hearing and brought the item back to the commission for further discussion.

Jerry Gorrell stated a concern with the number of parking spaces and if there would be enough to support all the employees that would be associated with this proposal. Barry Edwards stated that if you take into account the underground parking they will have more than sufficient for the size of the building. Barry suggested if they are considering rising the landscaping to 35%, the commission then allow them to reduce the parking spaces in order to balance it out.

Discussion ensued.

**Motion by Roger Dixon, Planning Commission recommends the City Council amend the RP Zone per the Recommendations of staff to include the following: 1) increase the landscaping to 35%, 2) reduce the parking to 4.0 per 1000 and, 3) allow a 20 foot rear set back if the building faces the Alpine Hwy.**

**Seconded by Brent Wallace  
Unanimous vote, motion carried.**

**Item 8: RP Zone ~ Site Plan Review and Recommendation**

Larry Mendenhall reviewed the proposed information and changes previously discussed.

**Motion by Brian Braithwaite, Planning Commission recommend City Council approve the Site Plan for the Lot 3 Highland Corner Commercial Subdivision as submitted by applicant according to the conditions and recommendations of staff and contingent upon the RP Zone Code Amendment approval for the City Council and with the additional change in the number of parking spaces to be reduced to 4.0 per 1000 square feet.**

**Second by Brent Wallace  
Unanimous vote, motion carried.**

**Item 9: RP Zone ~ Architectural Review and Approval**

Larry Mendenhall inquired what type of stone would be used. Dan Donaldson stated that had not been determined at this time. Barry Edwards suggested having them bring back a color chart and materials board. Dan Donaldson asked for any suggestions the commission could give.

Brian Braithwaite stated he would like to request to see elevations for all sides.

Roger Dixon inquired regarding the lighting plan. Barry Edwards stated due to the zoning requirements it would have to be similar to what is existing on the IHC and Wells Fargo Buildings.

Discussion ensued.

**Motion by Jennifer Tucker, Planning Commission moves to continue this item until the time when the applicant can provide a color board and all 4 elevations of the proposed building.**

**Seconded by Roger Dixon  
Unanimous vote, motion carried.**

**Item 10: Building Height ~ Code Amendment and Public Hearing**

Hannah Thiel reviewed the proposed code amendment.

Barry Edwards stated that it will not allow builders to go higher on the foundation it will make the foundations more esthetic.

Larry Mendenhall opened the public hearing. Hearing no comments Larry closed the public hearing and brought the item back to the commission for further discussion.

**Motion by Brent Wallace, Planning Commission recommend City Council adopt Ordinance No. 2006-32 “ An Ordinance Amending Section 10-102 (23) (26), an Ordinance amending Building Height Definition.**

**Seconded by Brian Braithwaite.  
Unanimous vote, motion carried.**

**Item 11: Approval of Meeting Minutes for September 12, 2006**

**Motion by Roger Dixon, Planning Commission grants approval of the Meeting Minutes for September 12, 2006 as amended.**

**Seconded by Brian Braithwaite.  
Unanimous vote, motion carried.**

Meeting adjourned at 11:30 pm