

# Highland City Planning Commission

## March 27, 2018

*Approved April 18, 2018*

The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair, Christopher Kemp at 7:00 PM on March 27, 2018. An invocation was offered by Commissioner Day and those assembled were led in the Pledge of Allegiance by Commissioner Abbott.

**PRESENT:** Commissioner: Christopher Kemp  
Commissioner: Sherry Carruth  
Commissioner: Ron Campbell  
Commissioner: Abe Day  
Commissioner: Jerry Abbott  
Commissioner: Tim Ball

**EXCUSED:** Commissioner: Brittany Bills  
Commissioner Alternate: Brady Brammer  
Commissioner Alternate: David Harris

**STAFF PRESENT:** Community Development Director: Nathan Crane  
Planner: Victoria Kemp  
Planning Coordinator: JoAnn Scott  
Planning Commission Secretary: Heather White

**OTHERS:** Stephanie Juncker, Darin Juncker, Don Challis, Brenda Thurgood, Stephanie Hicks, Daniel Thurgood, Gwyn Franson, Bret Hardy, Dave Jardine

### **OATH OF OFFICE**

Planning Coordinator JoAnn Scott led the Oath of Office for Commissioner Tim Ball.

### **PUBLIC APPEARANCES**

Chair Kemp asked for public comment. None was offered.

### **PUBLIC HEARING ITEMS**

1. Z-18-01

*Darin Juncker of New Element Construction is requesting a rezone of the 5.475 acres located at 5959 W 10100 N from R-1-40 to R-1-20.*

Mr. Crane reviewed the history of the area and explained that "large lot" was different for each city. He explained the specifications of R-1-40, R-1-30, and R-1-20 districts and said that most of Highland was R-1-40 with various areas that were zoned R-1-20 by the county prior to city incorporation. He pointed out that the R-1-20 district was not intended to be an "everyday" district and the use over time had been restricted. Mr. Crane explained that the infrastructure could accommodate zoning for both R-1-20 and R-1-40 districts. He pointed out that if R-1-20 was approved, there would be additional requests in the future. Mr. Crane reviewed the information for the application, including location and surrounding land use.

Chairman Kemp opened the public hearing at 7:10 PM and asked the applicant to present information. Mr. Juncker said he intended to keep large lots; all lots were over 20,000 square feet. He said the two existing homes would stay.

Resident Brenda Thurgood read a letter she gave to the commissioners. She owned land immediately to the east. She reviewed the concept plan and had additional questions that she would like to investigate before formal city council action. Her concerns included a future street through her property shown on the concept plan that was different than concepts contemplated in the past, a city requirement of a thru street on her property rather than a cul-de-sac which would limit future development of her property, and an intent to install utilities through her pasture right away. She thought the rezoning of the Juncker property and the R-1-20 district was appropriate, however, was concerned with the city determining what would happen to her property now and in the future by introducing constraints and requirements without consultation from her. She supported a Planning Commission recommendation of approval of the rezone application as long as it included a stipulation that city staff work with her and her family to address concerns related to her property prior to formal city council action.

Resident Gwen Franson was concerned about setting a precedent. She thought the city needed good argument and good reason to change the zoning.

Chairman Kemp asked for additional comments. Hearing none, he asked for Planning Commission comments.

Commissioner Abbott wondered why cul de sacs were not set up on the property. Mr. Crane explained that the development code was set up to provide connections to existing streets. He said a cul de sac on this property would exceed the maximum length of 600 feet. He explained that a turn around for fire would be provided until the through street was constructed on Ms. Thurgood's property. Mr. Juncker said he originally intended to build a cul de sac, but the city engineer strongly suggested having a road that connects to 10040 North. He said they currently planned to have utilities from 10100 North. Mr. Crane pointed out that the city was not sure yet if sewer could connect to 10100 North. Commissioner Abbott was concerned for the Thurgood family and said that some thought needed to go into what their property would look like in the future if the recommendation was to rezone.

There was discussion regarding combining some of the proposed lots. Mr. Juncker said he would be opposed to combining lots, but could get the proposed zoning to R-1-30, if needed.

Commissioner Day wondered why cul de sacs couldn't be used on both properties when it had been used in other developments. He wondered if the infrastructure needed to be figured out before moving the application forward. Mr. Crane explained that the development code required connectivity because of

infrastructure and traffic flow. He said the last development that was approved with a cul de sac had significant elevation issues as well as development on both sides that restricted going north and south. Regarding the infrastructure, Mr. Crane said there was a question whether or not the back lots could have sewer from 10100 North. If not, it would need to go through Ms. Thurgood's property to 10040 North and the property owners would need to reach an agreement.

Commissioner Campbell did not agree with the requested R-1-20 zoning based on the purpose statement. He thought R-1-30 was a better transition. Mr. Juncker mentioned the Mountain Ridge subdivision in the area that was zoned R-1-10. The Planning Commission discussed the Mountain Ridge subdivision and reasons for the zoning.

Commissioner Ball voiced concern with setting a precedent of approving a variance for R-1-20. He wondered since it did not fit the traditional transitional area and was not on the periphery of the city, if an approval could set a precedent that would force the city to consider other R-1-20 applications in the future. Mr. Crane explained that other property owners watched decisions made by the Council and Planning Commission. He said it was not legally setting a precedent, but could be intention setting. He told the Commissioners to expect additional requests for R-1-20 in the interior of the city if this application was approved.

Commissioner Carruth voiced concern with the R-1-20 district and did not feel it was necessary.

Chairman Kemp talked about the residential survey results that showed most residents wanted Highland to remain as a large-lot city. He thought approving an R-1-20 district not in a transition area with no specific reason would set a precedent. He was not in favor of the rezoning request for R-1-20 district.

Chairman Kemp asked for additional comments. Hearing none, he closed the public hearing at 7:35 PM and called for a motion.

**MOTION:** Commissioner Day moved to recommend approval of the proposed rezoning to the R-1-30 district with the following stipulations:

1. The preliminary and final plat shall conform to the concept plan dated and stamped March 22, 2018 except as modified by these stipulations.
2. Road design shall meet all City Standards.
3. The letter presented by the adjacent property owner, Brenda J. Thurgood, needed to be addressed and agreements reached.

Commissioner Campbell seconded the motion. Commissioner Kemp, Commissioner Campbell, Commissioner Day, Commissioner Abbott and Commissioner Ball were in favor. Commissioner Carruth was opposed. The motion carried with one opposed.

2. TA-17-05

*Text amendment to the Signs in Commercial Zones section of the Development Code relating to monument signs for service stations.*

Chairman Kemp opened the public hearing at 7:37 PM.

Mr. Crane reviewed the details of the request to amend the development code relating to monument signs for service stations. He said in November there was a request to change the

signs to 49 feet. Shortly thereafter the applicant asked to again increase the sign to 58 square feet. Mr. Crane reviewed the existing regulations and compared the proposed changes.

Commissioner Campbell wondered if the change would only apply to fuel signs. Mr. Crane said that it would, although, other businesses might ask for larger signs in different areas.

Commissioner Abbott wondered if there would be two signs. Applicant Dave Jardine said they intended to have only one sign. He explained that major oil companies dictated how their signs looked without much flexibility. He said they wanted a larger sign so the Harts logo was more visible. He said it was the exact same size and dimension as the one in Cedar Hills.

Commissioner Abbott mentioned that he called Chevron with the intent to ask if the Harts name could go on the canopy. They had not yet called him back. He also asked about the sign on the grass. Mr. Jardine said he was told by Chevron that they could not put the name on the canopy. He said the A-frame sign on the grass was moveable. They used it for hiring or special product sales.

Commissioner Day wondered why they needed more square footage on the sign. Mr. Jardine said the Harts name was shrunk too small to read and they were not able to decrease the size of the whole because Chevron dictated the size of their sign. He said Chevron supplied the sign and they were required to have certain things on it.

Chairman Kemp closed the public hearing at 7:55 PM and asked for additional comments.

Commissioner Ball asked the applicant if the visibility was more of an LED feature as opposed to the size of the sign. Mr. Jardine explained that the LED sign was better because it attracted more, but not substantially. He talked about how the LED sign was safer and more efficient.

Commissioner Carruth asked to confirm the location of the sign. Mr. Jardine said it would be at the same location as the current sign; just one sign on SR-92.

Chairman Kemp asked for additional comments. Hearing none, he called for a motion.

Commissioner Day said he noticed that sign sizes seemed to be increasing. Chairman Kemp agreed and said they did not want sign-creep.

**MOTION:** Commissioner Abbott moved to increase the sign size to meet the requirement for chevron, and that Section 8b would read "A vehicle fueling station may have one fuel price monument sign."

Commissioner Campbell had a question on the motion. He wondered if businesses wanting one sign could be allowed 58 square feet and businesses wanting two signs would have a maximum of 49 square feet for each sign. Mr. Jardine thought it might be a good option in the future to allowed businesses to have two signs for both street frontages.

Discussion ensued.

**AMENDED MOTION:** Commissioner Abbott amended his motion and moved to increase gas and fuel signs to one sign with a maximum of 58 square feet and a second sign with a maximum of 30 square feet. Commissioner Campbell seconded the motion. Commissioner Kemp, Commissioner Carruth, Commissioner Campbell, Commissioner Day, Commissioner Abbott, and Commissioner Bell were in favor. None were opposed. The motion carried unanimously.

## **APPROVAL OF MINUTES**

The Planning Commission reviewed the minutes from the November 28, 2017 and March 14, 2018 meetings. Chairman Kemp called for a motion.

**MOTION:** Commissioner Campbell moved to approve the minutes from November 28, 2017 and March 14, 2018. Commissioner Carruth seconded the motion. All were in favor. The motion carried unanimously.

## **PLANNING STAFF REPORT**

Mr. Crane mentioned that a City Council work session would be held April 10<sup>th</sup> to discuss the fiscal year 2018-2019 budget. He said the public safety district was requesting a \$900,000 increase. Highland's portion would be \$450,000. He encouraged the Commissioners to be part of the discussions.

## **COMMISSION COMMENTS AND SUGGESTIONS**

Planner Victoria Kemp and Commissioner Tim Ball were introduced.

## **ADJOURNMENT**

**MOTION:** Commissioner Campbell moved to adjourn the meeting. Commissioner Carruth seconded the motion. All present were in favor. The motion carried.

The meeting was adjourned at 8:14 PM.