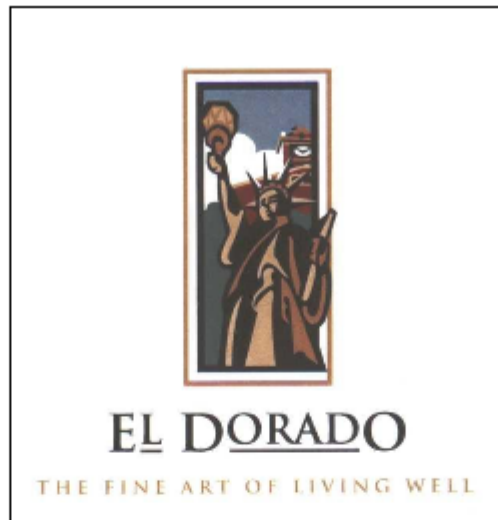




PLANNING COMMISSION AGENDA

September 25, 2014

6:30 p.m.

1. Call To Order & Roll Call

2. Approval Of Minutes

Documents: [7-24-14 PC MINUTES.PDF](#)

3. New Business

3.I. CASE NO. 14-008-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF OIL & GAS EXTRACTION ON PROPERTY ZONED I-1 AND LOCATED ON N. OIL HILL RD.

3.II. CASE NO. 14-009-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A WIND TURBINE IN AN R-S ZONE LOCATED AT 3021 SE 34TH STREET.

3.III. CASE NO. 14-011-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST BY JEFFREY JONES FOR A SPECIAL USE PERMIT TO ALLOW A TAEKWONDO SCHOOL IN A C-2 ZONE LOCATED AT 135 N MAIN,

3.IV. CASE NO. 14-012-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST BY JOHN BANKS FOR A SPECIAL USE PERMIT TO ALLOW A PARKING LOT IN A C-2 ZONE LOCATED AT 112 W CENTRAL.

4. Old Business

5. Staff Items

6. Adjournment

PLANNING COMMISSION MINUTES

July 24, 2014

6:30 P.M.

1. CALL TO ORDER

Commissioner Britain called the July 24, 2014, Planning Commission meeting to order at 6:30 P.M.

MEMBERS PRESENT:

Fred Britain
Scott Leason
Gregg Lewis
Kyle McLaren
Allen Potter
Gerald Watson

MEMBERS ABSENT:

Steve Funk
Brad Long
Van Pooler

STAFF PRESENT:

Scott Rickard, Assistant City Engineer

OTHERS PRESENT:

Jim Johnson
Richard Nibarger
Alecia Lewis

2. APPROVAL OF MINUTES

Commissioner Watson moved, Commissioner Potter second, to approve the minutes of the April 24, 2014 meeting. Motion carried 6-0.

Commissioner Watson moved, Commissioner Potter second, to approve the minutes of the May 22, 2014 meeting. Motion carried 6-0.

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 14-002-REZONE: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE THE PROPERTY AT 2700 W. 6TH FROM R-1 TO O-I.

A) PRESENTATION OF REQUEST

Commissioner Britain requested that Items #1, 2 & 3 are for the same property will be grouped together for the presentation and public hearing, but will have separate motions.

Scott Rickard noted that the Planning Commission had previously voted on the last item which is the off-site advertising sign, it went before the City Commission, and the City Attorney had a different interpretation of the regulations. He suggested that the property be rezoned with a special use. And be sent back to the Planning Commission. Staff recommends the rezone and the SUP to allow the educational institution on the property.

When the new Middle School was built it was rezoned O-I. It has been discussed to bring all of the properties with schools before you to have them rezoned.

Item #3 is the special use permit for offsite advertising, if the planning commission recommends denial staff feels that it follows the comprehensive plan, but if the planning commission decides to allow the special use then City Staff recommends making some conditions for the sign.

Those conditions would be only allowing Verus Bank to advertise and no other off-site advertising shall be allowed.

The off-site advertising shall be 1/3 of the size of the identification sign.

Illumination shall be in a consistent manner with the rest of the sign.

The sign shall meet all landscape requirements.

The color of the sign shall be complimentary to the entire structure throughout.

The entire sign shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.

Mr. Rickard noted that Mr. Johnson with USD #375 was also present at the meeting if anyone has any questions, for him.

B) PUBLIC HEARING

Commissioner Britain opened a public hearing for items 1, 2 and 3. Seeing no one, the hearing was closed.

C) DISCUSSION BY PLANNING COMMISSIONERS

Commissioner Britain suggested having another option which would be to put an exemption in the regulations, to allow these off site advertising signs without a special use permit. Which would allow one sign for all public entities with the same conditions as stated.

Commissioner Watson stated if Commissioner Britain was suggesting all schools have the option of off-site advertising signs.

Commissioner Britain said yes, he was proposing that the regulations be changed to allow an exemption to place an off-site advertising sign without going through the special use permit.

Commissioner Watson stated he believed that would be leaving the regulations wide open to allow any off-site advertising at any location without control.

Commissioner Britain suggested that conditions would be placed like those mentioned from staff on the signs.

Mr. Rickard stated that the regulations do address obnoxious and obscene advertising and does not allow any of that within 200' of a school and church. There are other protections also. Mr. Rickard then asked Commissioner Britain if he was suggesting that off-site advertising be allowed to a certain extent. Mr. Britain stated that he was suggesting allowing donor signs.

Commissioner McLaren asked if that would still be reviewed by City Staff. Mr. Rickard stated that it would. Commissioner Lewis said he did not have a problem with that. Mr. Rickard stated that the comp plan does limit signage and appearance, etc. Commissioner Watson stated that would be fair to all. Commissioner Potter asked if anyone be disallowed to place one of the signs up. Mr. Rickard mentioned the obscene, obnoxious signage would not be allowed.

Commissioner Potter asked who would approve the proposed signs. Mr. Rickard stated that if the regulations were changed then it would be up to City Staff to approve the off-site advertising signs. Commissioner Watson mentioned if the other schools wanted to place a sign that they would need to be rezoned first. Mr. Rickard confirmed he was correct. Commissioner Watson would like to leave the regulations as is, he feels there is more control with the current regulations. Commissioner Potter asked how the schools currently come up with funding for signage. Mr. Rickard stated that he believes USD #375 originally had the funds in their bond issue, but utilized the money better in other places and then they were given a donation for the sign. Mr. Johnson with USD #375 stated that school district did inquire on donations for the sign. He also stated that the school district would be very cautious on what advertising they would allow, since they are in the business of educating children. Commissioner Watson asked who came up with the sign design and if it had to go out for bid. Mr. Johnson stated that Lay Signs generated the design. Mr. Nibarger stated that yes the school district always goes out for bids. Lay Signs is the low bidder and they also have a good relationship with Verus Bank. Mr. Rickard then stated that the sign they are requesting does resemble the sign that was in the plans for the remodel. Commissioner Watson suggested that if Verus Bank's name is allowed to be on the sign, then it should be permanent and no other business would be allowed to replace that name without permission. Commissioner Lewis verified that Commissioner Watson was suggesting that the special use permitting process would start over if another business wanted to advertise on this sign and Commissioner Watson confirmed. Commissioner Britain asked if the special use transfers to new land owners. Mr. Rickard stated that it is correct. Commissioner Leason asked where the Verus Bank was placing there logo. Mr. Rickard stated the bank logo would just be in the one location on the sign and the rest will be for the school. Discussion ended.

D) MOTION

Commission Lewis moved that Case No. 14-002-REZONE, a request to rezone the property located at 2700 W. 6th from R-1 to O-I, be approved. Commissioner Potter second.

ROLL CALL VOTE

Fred Britain	Yes
Scott Leason	Yes
Gregg Lewis	Yes
Kyle McLaren	Yes
Allen Potter	Yes
Gerald Watson	Yes

Motion pass 6-0.

ITEM NO. 2 – CASE NO. 14-007-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW AN EDUCATIONAL INSTITUTION IN AN O-I ZONE AT 2700 W. 6TH.

D) MOTION Commission Lewis moved that Case No. 14-007-SUP, a request for a special use permit to allow an educational institution in an O-I zone at 2700 W. 6th be approved. Commissioner Potter second.

ROLL CALL VOTE

Fred Britain	Yes
Scott Leason	Yes
Gregg Lewis	Yes
Kyle McLaren	Yes
Allen Potter	Yes
Gerald Watson	Yes

Motion pass 6-0.

ITEM NO. 3 – CASE NO. 14-005-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST BY USD #375 FOR A SPECIAL USE PERMIT FOR AN OFF-SITE ADVERTISING SIGN AT 2700 W. 6TH.

Commissioner Watson asked if the school district was aware of the conditions for the sign and if they had any questions. Mr. Nibarger & Mr. Johnson said they were, but asked about the color scheme of the sign. Mr. Rickard stated that staff recommends that the Verus Bank logo and the school use the same color scheme on the sign.

D) MOTION Commission Lewis moved that Case No. 14-005-SUP, a request by USD #375 for a special use permit for an off-site advertising sign at 2700 W

6th be approved with the conditions stated in the staff report and also if the sign ever comes down it will come before the Planning Commission to be reviewed again. Commissioner Potter second.

ROLL CALL VOTE

Fred Britain	No
Scott Leason	No
Gregg Lewis	Yes
Kyle McLaren	Yes
Allen Potter	Yes
Gerald Watson	Yes

Motion pass 4-2.

4. OLD BUSINESS

None

5. STAFF ITEMS

Planning Commission welcomed new member Kyle McLaren. Mr. Rickard stated that the Commission is now full.

6. ADJOURNMENT

Commissioner Lewis moved, Commissioner Leason second, to adjourn the meeting. Meeting adjourned at 7:04 P.M.