

## MINUTES

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1. The meeting was called to Order with Roll Call by Chairman Bob Garrett.

2. Roll Call:   Manson           Present                           McPherson    Present  
                   Garrett           Present                           Shultz        Present  
                   Templin        Present                          Fisher        Present  
                   Lane            Present

3. Consent Agenda A and B:

A. Approve Planning Commission Agenda.

B. Approve Minutes of the Planning Commission meeting held on November 26<sup>th</sup>, 2019.

Motion by Commissioner Manson to approve the Consent Agenda A & B; second by McPherson.

4. Roll Call:   Manson           Yes                               McPherson    Yes  
                   Garrett        Yes                               Shultz        Yes  
                   Templin        Yes                               Fisher        Yes  
                   Lane            Yes

Motion carried.

A. Disclosure of conflicts of interest. None.

B. Disclosure of outside communications regarding Commission business. None.

**5. Call to Public:**

Members of the public who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Any presentation is for information purposes only. No action will be taken. There is a four-minute time limit.

No one appeared.

**6. Public Hearing:**

A. Consider a Special Use Permit for a pole sign at the Burger King. Planning Director Weisenburger stated a Special Use Permit application was submitted on behalf of Burger King by Chris Hampton of Springfield Design. They are requesting a pole sign and are required to submit a SUP application for approval. Director Weisenburger reviewed the General Zoning Requirements as outlined in the Staff Report dated January 28<sup>th</sup>, 2020. Notification letters were sent to the adjoining property owners, and a sign was placed on the property in December 2019. No one has responded to the

notification. The Matters to be Considered were reviewed. Planning Director Weisenburger also commented on the K-10 Corridor and any potential additional requests for pole signs that may cause visual clutter. The overall findings were 'Positive' in favor of granting the Special Use Permit. Staff has discussed internally the conditions for the 20-year term with an annual review after 90 days' notice to the property owner.

Commissioner Shultz commented on the application for the Special Use Permit. City Attorney Patrick Reavey said the SUP has never been granted 'in perpetuity' as that takes away the City's right to address any conditions. Commissioner Templin asked about the three pole signs currently in the City and if they have a term limit. City Administrator Brungardt commented on the term limits. Commissioner Templin said he feels if approval is granted, there should be a term on the Special Use Permit. He asked Staff if there has been more discussion on too many pole signs in the area.

Commissioner Manson asked if the property changes in ownership, does the new owner have to come in or does the sign run with the property? Attorney Reavey said the sign runs with the property.

Chairman Garrett opened the Public Hearing.

Roger Franz, 201 Commerce Street, Fort Worth, Texas said this is a franchise owner and property owner. The notification that is going to be read into the ordinance should have a time frame to respond longer than 90 days as there are always different mailings and different people; he said 180 days is more reasonable for the franchise to work with. Discussion between Attorney Reavey and Commissioner Templin.

Chairman Garrett closed the Public Hearing as there were no further comments.

Motion by Commissioner McPherson to recommend approval to the City Council of the Special Use Permit with a term of 20 years with annual automatic one-year renewals after the initial 20-year term, and with a 180-day notice to the franchise; second by Lane.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Templin	Yes	Fisher	Yes
	Lane	Yes		

Motion carried.

## 7. Old Business:

- A. Consider Text Amendment for Updating Development Procedures. City Attorney Reavey provided a memo to the Commissioners concerning the Revisions to Article 7 of Subdivision Regulations regarding "Delayed Improvements". Commissioner Templin said he certainly appreciates the memo Patrick provided. He said he had a question about the delayed improvements. Attorney Reavey explained the process of the delayed public improvement. Discussion ensued between Commissioner Templin and Attorney Reavey concerning a specific lot or parcel. The delayed improvement must have some connection to that particular lot.

Commissioner Lane asked if there are three empty lots and there are no sidewalks in front of that property, and the other lots are developed with sidewalks, what happens to the sidewalks that aren't connected between these empty lots. Attorney Reavey said the City could, after five years, put in the sidewalk and then assess the property for the cost of the sidewalk improvements. The property owner would be given proper notice. A discussion ensued among Commissioners and Attorney Reavey on the five years as opposed to an escrow account being held.

Motion by Commissioner Templin to recommend approval to the City Council for adoption of the text amendment as described in Exhibit B; second by Manson.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Templin	Yes	Fisher	Yes
	Lane	Yes		

Motion carried.

- B. Discuss Text Amendment for allowing Fowl on less than one (1) Acre. Planning Director Weisenburger said he thinks the proposed text amendment includes the language requested by the Commission. Commissioner Lane commented on the application form. Chairman Garrett asked about the 20 feet in the back and side yard setbacks. Commissioner Templin commented on the four conditions for the permit to be revoked. Director Weisenburger said this matter will be back before the Commissioners for a Public Hearing.

**8. New Business:** None.

Administrator Brungardt said the City has started the social media campaign for the Parks & Recreation bond referendum coming up on March . There is an open house next Monday in the Council Chamber at 6:30 p.m.

Commissioner McPherson said he wanted to thank Planning Director Weisenburger for getting the packets out two days earlier. He really appreciated receiving it earlier to have more time to read it. Commissioners agreed.

No further business was brought before the Commission.

Motion by Commissioner Manson to adjourn at 6:53 p.m.; second by Fisher.

All Commissioners approved by "ayes."

Motion carried.

Respectfully submitted:

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Lana R. McPherson, MMC, City Clerk