

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD AT CITY HALL
November 10, 2010
7:15pm

MEMBERS PRESENT: Rene Lusser (conducting), Rick Baldwin, Delwyn Jensen, and Ralph Mossman.

OTHERS PRESENT: Planning and Zoning Administrator Doug Self, Deputy Planning and Zoning Administrator Kreslyn Schuehler and various other community members.

1) Approval of Minutes

The Commission reviewed the minutes from October 13, 2010. There were corrections made by Commissioners Mossman, Jensen and Baldwin.

Commissioner Ralph Mossman made a motion to approve the minutes from October 13, 2010 as corrected. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.

2) Sign Permit – New Star Restaurant

Mr. Self stated that clarification was needed regarding the width of the sign because the proposed sign was 8 feet wide and the existing sign structure was 7 feet 4 inches wide. Mr. Self sent a letter to the applicant, but it had been returned. He suggested tabling the application until this was clarified.

Commissioner Delwyn Jensen made a motion to table the sign permit application for New Star Restaurant. Commissioner Ralph Mossman seconded the motion.

Commissioner Lusser questioned if the Commission would approve mounting the sign to one side of the existing sign structure. Commissioner Baldwin felt the sign would not look right and some portion of it would be obscured. Commissioner Mossman believed the application to be premature and felt it should be tabled.

The above motion passed with all in favor.

3) Sign Permit – Outfitters Building Master Sign Plan

Mr. Self stated that the applicant, Ken Dunn, was asking for approval of the size and locations of the signs so as businesses start in this building they do not have to come back for approval. Mr. Self stated that the application conformed to the sign code. A permit for the south elevation wall sign was being applied for at this time.

Commissioner Ralph Mossman made a motion to approve the south facing wall sign and Master Sign Plan with the conditions proposed and recommended by staff to include that the projecting signs shall maintain an 8ft minimum clearance over the right of way, wall

signs on the west deck must fit within the areas bounded by top and bottom rails and railing posts and any sign lighting must be downcast with no glare into roadways or residential properties. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.

4) Sign Permit – Alpine Wines

Commissioner Baldwin questioned what color the lighting fixtures would be. Mike Bowen, the owner of Alpine Wines, responded stating they would be rustic brown.

Commissioner Delwyn Jensen made a motion to approve the wall sign for Alpine Wines. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.

5) Public Hearing for a Conditional Use Permit for Head Start Preschool located at 215 N. 5th E – 7:30pm

Commissioner Mossman disclosed that he had a discussion, as a neighbor, with Christine Johnson regarding the application.

Ms. Johnson presented information to the Commission. She stated the business was trying to get licensed as a preschool for low income at risk children. The program was government funded with 5 employees and 18 children. In order to license the preschool, a conditional use permit must be obtained.

Commissioner Mossman questioned if a school was allowed in the R-1 zone. Mr. Self stated that for it to be allowed, grades kindergarten and up must be included. Ms. Johnson stated that the preschool did have a curriculum with a classroom style involving art, music, science, and beginning math skills. Mr. Self read the definition of a school and a day care.

Mr. Self explained that the zoning of and around the property was R-1 Single and Two Family Residence. He voiced possible disturbances with the use stating that noise may be a concern. However, the proposed hours of operation and the large lot for the play area, which was 70 feet away from the nearest neighbor, reduced the concern. He explained that the use should have 7 parking spaces with the number of staff and children. Ms. Johnson felt that there was enough room for 8 spaces plus the driveway and stated that TRPTA brought some students to school.

Mr. Self stated that no off-street parking area shall create a situation in which vehicles back into the public right of way, no access point shall be within 40 feet of an intersection, no off-street parking shall be permitted within the required street setback, and all parking over 3 spaces must be hard surfaced with asphalt, concrete or similar material.

Mr. Self reminded the Commission that the current parking standards were not in effect in 1998 when the business first began. He asked that the Commission apply flexibility while trying to get as close to the current standards as possible. In 1998, Head Start would have needed 4 spaces as opposed to 7 by the current standards. Mr. Self also reminded the Commission that the Safe Routes to School grant would construct a sidewalk along 5th Street in 2011. This would impact how parking spaces should be developed. He concluded by stating that on-street parking could

be developed and head-in parking should be avoided to ensure vehicles were not backing over a sidewalk in the future.

Commissioner Mossman questioned if a school sign could be erected at the corner of 5th Street and Ashley Avenue. Discussion of the avoidance taken with the dip in front of the property began. It was suggested that a vertical signpost, with a school indicator, be erected in the problem area.

It was suggested to add parking on the south side of the property. Commissioner Lusser felt that parking in that area may cause problems due to the proximity to Ashley Avenue.

Commissioner Lusser opened the Public Hearing. There were no comments and the Public Hearing was closed.

Commissioner Mossman stated that he felt the business was great, but that parking had become an issue. He encouraged a safer way to park and didn't want to see vehicles backing onto 5th Street. Ms. Johnson stated the owner of the property had intentions to repave the parking and she suggested sending both of the staff recommendations to him.

Commissioner Mossman stated he would approve the application with the minimum number of conditions and felt that because the business had already been established for several years, he was unsure if restrictions should be placed on the parking, but strongly encouraged the applicant avoid vehicles backing out onto 5th Street.

Commissioner Jensen questioned the hours of operation and the amount of children allowed. Ms. Johnson stated that most days the staff arrived at 8:00am and left at 4:00pm, with children arriving at 8:30 and leaving at 3:30pm. The amount of children was determined by the National Association for the Education of Young Children, which based the allowed number of children on the square footage of the building.

Commissioner Ralph Mossman made a motion to approve the conditional use permit as submitted.

Commissioner Jensen felt that either parking plan was agreeable but gave heavy suggestion to the first option.

Commissioner Delwyn Jensen made a motion to approve the conditional use permit for Head Start with conditions that the number of children shall not exceed 18, the hours of operation shall be from 8:00am to 5:00pm, the applicant shall make improvements to conform with either parking plan listed in the staff report by the end of 2011, a business license and appropriate occupancy certification shall be obtained, the maximum occupancy load listed on the occupancy certificate shall not be exceeded and that any new or existing lighting shall be shielded so that no glare is cast onto the roadway or neighboring properties. Commissioner Rick Baldwin seconded the motion. The motion passed with all in favor.

6) Public Hearing for a Conditional Use Permit for the Rotary food Bank located at 341 N. First E., as submitted by Teton Valley Health Care – 7:50pm

Cleeve Booker spoke to the Commission. He stated the conditions stated in the staff report had been agreed upon, but asked that the hours of operation be changed to 4:00pm-7:30pm.

Commissioner Mossman questioned if any discussions had occurred with the neighbors. Mr. Booker stated they had spoken to one neighbor and would ensure that the disturbances were kept to a minimum.

Mr. Self stated that the traffic counter was out and had reported 133 vehicles on the road between 4:00pm and 7:00pm. He felt that an increase of 25 vehicles once a week would not be noticed. His concern was parking and noise in front of the existing residences. He suggested keeping all parking adjacent to the hospital properties and parallel on First Street.

Mr. Self read a comment letter in support of the conditional use permit from James Rein. He then read his staff recommendations which included the hours of operation be limited to 4:00pm to 7:30pm, designated parking areas are parallel parking along the 1st Street right of way adjacent to the hospital-owned properties and the See-n-Save parking lot, using signs, parking attendants, verbal communication and other appropriate means to ensure that recipients park in designated areas, a new occupancy certificate shall be obtained prior to operation, the occupancy load stated on the new certificate shall not be exceeded and any additional lighting fixtures shall be shielded so that no glare is cast onto the roadway or any residential properties.

Commissioner Mossman questioned if the building had other uses. Virgil Boss, CEO of Teton Valley Hospital, stated that the basement was storage for medical records that was accessed 1-2 times a day. The garage was storage for See-n-Save. He further explained the improvements that had been done such as installing a new light on the back of the garage for staff safety. He concluded by stating that due to holidays, the food bank may be open on different days with different hours.

Commissioner Lusser opened the Public Hearing. Lisa Wagner, treasurer of the Food Bank, spoke. She stated that since working with the food bank, she had not experienced any problems with people being out of control. She stated that children were very respectful and quiet and that the adults were very humble and was willing to do what was asked of them.

Paul Kelly spoke in favor of the application. He felt this location would work well for the food bank.

Commissioner Lusser closed the Public Hearing. Commissioner Mossman felt that the hours of operation be classified as hours of distribution instead, as there are other operations that take place in the building. He suggested having hours of distribution as no more than 4 hours a week.

Commissioner Lusser was concerned with vehicles backing out onto First Street. It was discussed that volunteers park in the driveway to ensure that parallel parking was used.

Commissioner Delwyn Jensen made a motion to approve the conditional use permit for the food bank with the following conditions; that the hours of distribution be limited to 4pm-8pm no more than one evening per week with the exception of holidays or other events needing additional hours, designated parking areas are parallel parking along the 1st St right of way adjacent to hospital-owned properties and the See-n-Save parking lot. The applicant shall use signs, parking attendants, verbal communication and other appropriate means to ensure that recipients park in designated areas, a new occupancy certificate shall be obtained by the Driggs building Official for the Business Class Occupancy prior to operation, the occupancy load stated on the new occupancy certificate shall not be exceeded and any additional lighting fixtures shall be shielded so that no glare is cast onto the roadway or any residential properties. Commissioner Mossman seconded the motion. The motion passed with all in favor.

7) Shawn Hill, Teton County Planning and Zoning Commissioner – Presentation on the Teton County Comprehensive Plan Update

Shawn Hill spoke to the Commission about the planning committee that had been developed for the Comprehensive Plan for Teton County. Mr. Hill stated the most important goal for the committee was to get public input. They hoped to get enough public input to do an analysis that could be given to a consultant. He explained the proposed timeline, stating that by January, the committee hoped to have an idea of the issues and goals so that a consultant could be hired in February. He asked that the Commissioners take a survey about Teton Valley at tetonvalley2020.org.

Commissioner Mossman questioned how a consultant would be hired. Mr. Hill explained it would go through the RFQ process. The committee would make a recommendation to the Board of County Commissioners. Commissioner Mossman felt that if a consultant was hired that didn't react well with the community the whole process would not work.

Commissioner Jensen asked if the county was going to coordinate with cities to ensure all of the comprehensive plans work together. Mr. Self felt that was the intention and stated that the City of Driggs would update their plan after the County developed the new plan. Mr. Hill stated that the county had budgeted to fund this process and was focused on adopting the end result.

Commissioner Lusser was concerned that if boundaries were blurred the rules would not get factored in and when applications arose, it was important to have standards to ensure governing took place fairly. Mr. Hill stated that a joint effort would be needed to work out administrative issues.

Commissioner Ralph Mossman made a motion to adjourn. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:00pm.