

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD AT CITY HALL
March 3, 2010
7:15pm

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

OTHERS PRESENT: Planning and Zoning Administrator Doug Self, Deputy Planning and Zoning Administrator Kreslyn Schuehler, Mike McPherson, Anna Trentadue, Greg Sutton and John Courtney.

1) Approval of Minutes

The Commission reviewed the minutes from the previous meetings. Commissioner Rick Baldwin made a correction on the minutes for February 3, 2010.

Commissioner Ralph Mossman made a motion to approve the minutes from February 3, 2010 and February 10, 2010. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.

2) Design Review – Anytime Fitness

Mike McPherson from Rocky Mountain Enterprise was present to represent the owner of Anytime Fitness. He explained the purpose and mission of the facility and stated that the building would be open 24-hours a day. During regular business hours, trainers and business staff would be present. Because the community was able to access the facility at any time, security was a high priority. Mr. McPherson stated that security cameras would be installed and could be accessed at any time by the owners and managers.

Regarding the design, Mr. McPherson stated that changes to the exterior elevations had occurred. Faux windows had been added on the east and west to break up the solid wall. Windows had been added to the rear elevations and shrubs were added to hide the air conditioning units. Mr. McPherson reported that the siding would be fiber cement in the colors of brown and tan, and the building would have a roof of weathered wood composite shingles. Coach lights would be hung on the exterior walls and the parking lot lighting would be reduced. There would be 16 can lights under the canopy in the front of the building for safety and security.

Mr. Self stated that the asphalt, grading for storm water and the striping of the parking lot had been completed for the subdivision. However, the landscaping improvements and light poles had not been completed. The developer should have finished these items prior to selling the lots or at least bonded for them, Mr. Self stated. At this time, there was no bonding and no agreement with the city, as this property was in the County when the subdivision was approved and the first building was erected.

DRAC (Design Review Advisory Committee) recommended that a sidewalk be placed along Valley Centre Drive and around the proposed building. Mr. Self stated that had been required of developers in the past and felt the same concept should be used for landscaping as well.

Commissioner Baldwin questioned why some ideas and concepts that were recommended by DRAC were not shown. Mr. McPherson stated that the owners and designer did not want to have those items included.

Commissioner Delwyn Jensen questioned the requirement for a sidewalk along Valley Centre Drive. Mr. McPherson stated that a conversation had taken place between John Gregory and the owners of Anytime Fitness and a “deal” had been reached where the price of the lot would be reduced if Anytime Fitness puts in the sidewalks and extra landscaping. Mr. McPherson concluded stating that the “developer has a deal and the sidewalks will get done.”

Mr. Self stated that the parking lot lighting was not a requirement, but DRAC was concerned with the overage of lighting. He further explained that landscaping should be required along Valley Centre Drive in the easement.

Commissioner Mossman questioned if the Commission could proceed with approval when proposed items were not shown on the site plan, items such as sidewalks and landscaping. Commissioner Jensen suggested making conditions that included a site plan update.

Commissioner Delwyn Jensen made a motion to approve the design review for Anytime Fitness with the following conditions; landscaping be completed along the northern boundary of the subdivision, the width of which shall be defined by the ditch and Valley Centre Drive, landscaping, as proposed, be completed around the subject building, the sidewalk along the north boundary of the subdivision be completed, landscaping around the building be completed as proposed, and an updated site plan be submitted prior to a building permit being issued. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.

3) Public Hearing for the Sign Ordinance Amendment – 7:30pm

Commissioner Mossman questioned the wording in 8-2-7-3-B3 regarding murals and asked that “advertising message” be changed to “sign” as there was no definition of “advertising message.”

Mr. Self stated he spoke with Geordie Gillet regarding the sign plan for the Colter Building. Mr. Gillet was interested in having more advertising options for his tenants and felt he was too limited in regards to projecting signs. Mr. Self stated he wrote a letter explained that he felt the Downtown buildings with multiple tenants have limited signage. Commissioner Mossman stated that in downtown “you assume people are walking and businesses don’t need big signs.” Mr. Self suggesting increasing the maximum projecting size to 25 square feet and state that projecting signs could be no further than 4 feet from the building (current regulation) or 2/3 the width of the sidewalk as indicated in the International Building Code. He also recommended this apply to all projecting signs and not just those in the downtown core. Discussion continued and Mr. Self recommended allowing a projecting sign to be 6 feet from the building or 2/3 the width of the sidewalk.

Commissioner Baldwin had several corrections to the ordinance and would give those to Mr. Self to fix.

Commissioner Baldwin opened the Public Hearing at 8:22pm. There was no public comment and the Public Hearing was closed.

Commissioner Delwyn Jensen made a motion to recommend adoption of the Sign Ordinance Amendment to the City Council with the revisions made. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.

4) Public Hearing for Zoning Ordinance Amendment – Addition of Temporary Rock Crushing as a Special Use in all zones – 7:45pm

Mr. Self presented a letter from VARD regarding the amendment and reviewed the minutes from the previous meeting where this issue was discussed.

Commissioner Jensen felt that days of operations should be changed to federal holidays and not legal holidays. Commissioner Baldwin asked that a statement be added that stated commercial production of crushed material was strictly prohibited. Mr. Self responded stating that the ordinance was specifically for on-site maintenance, and the materials had to be used on-site. He further stated that a permit process may be better to ensure the City receive more information on the operations rather than just allowing the operations to take place.

Commissioner Mossman questioned what would happen if the materials were not removed within 30 days. Mr. Self stated the applicant would be in violation and would receive a misdemeanor fine. He further stated that the process should be in the form of a condition use permit and not an allowed use. For new subdivisions that may use the permit, it could be coordinated with the subdivision application to allow for a one-time public hearing.

Commissioner Baldwin opened the Public Hearing at 8:38pm.

Greg Sutton spoke in a neutral position. He stated that smaller jobs would probably not mobilize a crusher, as it would be too expensive to do so. He further stated that someone should enforce and review the site plan to make sure that the overage was handled correctly. Dust control was important, and Mr. Sutton stated the city needed to ensure the application would have water on the site to manage this. He concluded by stating there were several enforcement issues that needed further review.

Mr. Self stated that the extra materials could be sent to a city-designated site, if not removed within 30 days from completion and engineer specs for the overage could be required. Commissioner Baldwin stated that would be acceptable to ensure all materials would be used on site.

Anna Trentadue spoke in a neutral position. She stated she envisioned bigger projects using this ordinance and felt the City should consider a conditional use permit instead of an allowed use. She felt that noise was a reality and the condition that land was left in after the material was

removed should also be a concern. She felt a site and vegetative plan should be required. She concluded by stating that the City should remove the materials if the applicant did not and also felt that an engineer's estimate of the overage should be obtained.

John Courtney spoke in a neutral position. He felt this was a good ordinance, but not as an allowed use. He stated that engineer statements should be required and the City should control the overage of materials and prohibit the selling or trading of extra materials.

Mr. Self suggested another requirement be added to prohibit excavation beyond approved roads and building envelopes. He reminded the Commission that mining extractions were already prohibited in the city limits. Mr. Self further stated that "it makes sense to require bonding," to ensure enforcement could be done.

Commissioner Ralph Mossman made a motion to table the Rock Crushing Ordinance Amendment to the April meeting and directed staff to work on it and submit a draft to Greg Sutton for comments. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.

5) Vacation of Heron's Edge PUD Plat at the Request of Driggs City Council

Mr. Self explained the location of Heron's Edge. The subdivision was approved and at this time there was no infrastructure, no bonding and no lots had been sold. City Council asked the developer to remedy this within 30 days and no attempt had made to fix the subdivision violations and bonding default.

Mr. Self stated the City Council was initiating the vacation of the subdivision and requested that the Planning and Zoning Commission review it to ensure there were no land issues or concerns. At this time, Mr. Self felt that there were no problems with vacating Heron's Edge. He concluded by stating the developer was agreeable to the vacation.

Commissioner Mossman asked about the different in vacating a plat versus letting it lapse. Mr. Self explained that the plat was recorded and therefore must be vacated.

Commissioner Delwyn Jensen made a motion to recommend to the City Council to vacate the Heron's Edge plat. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.

Commissioner Delwyn Jensen made a motion to adjourn. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:37pm.