

Planning and Zoning Minutes
May 20, 2008

Present: Mike O'Neill, Russ Barney, Jeff Secrest, Karen Hodge

Dennis Jennings/ Annexation and Rezone/ Public Hearing Chairman O'Neill explained the process of the hearing.

Rachelle Fullmer of Nelson Engineering, representing Dennis Jennings, Bradford Mead, and William Johnson presented the project. The property currently exists as four separate parcels on five acres of land south of Bressler Lane. Fullmer explained that William Johnson has agreed to be annexed and the Tharps understand that they will still be annexed, although they are not being represented at this time. The applicant is requesting being included in the R2 zone.

Cari Golden read the staff report. She explained that the property was surrounded by the impact area and the City zoning of R2 to the north. The property is also within the TND overlay being proposed. It also complies with the comprehensive plan map for the area. There is an access easement on the property that could be adjoined with the access easement on the property bordering the north in order to create one single road. The road should be brought up to the gravel road specification standards. Staff recommends approving the annexation with the conditions of straightening out the access and allowing the R2 zone.

Chairman O'Neill opened the public comment portion of the hearing.

Stephen Tharp was in favor of the annexation and rezone. He explained that it was not made official yet, but his family has decided to be a part of the application.

Chairman O'Neill closed the public comment portion of the hearing and opened the application up for deliberation by the commission.

Commissioner Hodge was concerned that by bringing the two roads together, it would create a 100 foot easement which seems too large.

Commissioner Barney is in approval of conjoining the two roads in order to make it more aesthetically pleasing.

Commissioner Secrest questioned if the easement/road would continue north or go east at the end of the Jennings' property. At some point, this road will need to connect to another development.

It was moved and seconded to approve AX2008-1 as presented with the conditions that the easements will be realigned to be 60 feet with 30 feet on the north of the Johnson, Tharp, Mead, and Jennings' property and 30 feet south of the four properties. The gravel road will also be brought up to city standards.

Chairman O'Neill asked if there was any additional information pertaining to the rezone portion of the application.

Rachelle Fullmer declared that the presentation remains as is.

Cari Golden declared that the staff report remains as is.

There was no public comment.

All of the commission was in support of the rezone.

It was moved and seconded to approve ZV2008-1 subject to annexation be rezoned to R2.

In a moment of free time, Chairman O'Neill suggested looking at the meeting minutes.

It was moved and seconded to approve the minutes from March 18, 2008 as amended.

Jessica Cotton/ Site Plan Review Jessica Cotton presented the application. She is requesting a remodel of a structure located on 185 W Center St. The upper portion of the building will be used for living quarters, while the downstairs portion will serve as a restaurant.

Cari Golden brought to attention that the City has an ordinance requiring earth tones on all commercial buildings.

Jessica Cotton explained that the building has recently been painted "million dollar red" with black trim.

The ordinance states that colored accents are allowed, but the main façade of the building should not be a brilliant color. Exterior colors should harmonize with the surrounding buildings. All colors should be warm, earthy tones. Color samples are also required to be presented to the commission.

Commissioner Secret described that the building is a vibrant color and is very noticeable. He is not stating an opinion in either direction. He suggested that future applicants should be required to bring in a sample of the colors to be used as the ordinance states. He thinks the color is attractive and the black trim helps to tone it down.

Commissioner Hodge was concerned that the applicant was under the impression that the building could be painted. She is concerned that staff did not tell the applicant everything required upon color.

Commissioner Barney is concerned that the commission represents the City and there is no way to twist the situation around to make it comply to the ordinance, which is the most important part of development within the City.

Commissioner Secret suggested bringing in photos of the building and making a formal presentation of the color. The applicant should make an argument as to why they are in compliance. The applicant was also made aware that she may be required to make changes to the color, dependent on the decision of the commission.

Cari Golden explained that in the zone the property is located, the City requires sidewalks. Staff does not feel that the sidewalk needs to be constructed at this time.

It was decided that the applicant will be returning for approval of color on June 3, 2008.

RAB, LLC/ Site Plan Review A new plan was presented to the commission replacing two pages of the old plan. Darrin Allen presented the project. The project is located within Teton Town Center. There will be five residential units above five commercial units. When the plan was presented to the fire marshal, he was pleased with the layout. Allen questioned if a curb and gutter was required. Cari Golden clarified that a city engineer letter explained that since the road is already in place, it would be difficult for a curb and gutter to be constructed.

Cari Golden then read the staff report. The zone requires an eight-foot sidewalk. According to the ordinances, parking is required to be on both the side and the rear of the building. A drain and grade plan, along with an irrigation plan is required. The location of fire hydrants was requested to be shown on the plan.

Commissioner Secrest feels that in this location, the parking should be okay as it is designated on the plan being in the front and the rear. The owner of the property provided information that the bay doors are located in the back so as not to be seen from the road. There is also a safety concern of service trucks driving in the area of parking if it were to be moved. He does not want there to be any danger for either the residents, workers, or customers of the development.

Chairman O'Neill questioned if the applicant could proceed since the application does not comply with the ordinances.

It was decided that since this application is just for feedback, they could proceed. There was a discussion of different alternatives for the layout of the property. It was suggested that the building be moved forward toward Larkspur Ave. in order to place the parking in the back to comply with the ordinance.

Darrin Allen explained that if the building was to be moved, the required number of parking spaces would not be possible to meet. It would also create a hazardous environment for tenants since service trucks will be driving to the back.

Cari Golden suggested that if the applicant insists on using this plan, then they may return for a public hearing for a special use permit.

Tree Committee/ Review The Tree Committee asked the Planning and Zoning Commission if it would be possible to establish a threshold requirement, for development within the City, to need a review from the Tree Committee.

Commissioner Secrest suggested that the City should not insist on landscaping that we cannot maintain for the aesthetics of the street. He feels that the City should not require trees at this time because the labor is not something we can afford.

The commission discussed the placement of the trees. There are a lot of trees lost due to snow removal, so the location of the trees will be crucial. The commission was in favor of the idea of landscaping in the entryway of all subdivisions. They discussed the possibility of a landscaping deposit being attached to an escrow account. Some of the changes will require amendments to the residential zones.

Impact Area/ Discussion Bill Knight, who has been working on the impact area zones being proposed. There was a briefing about the progress. Knight gave the commission a revised parking ordinance.

Sign Permits Teton Thai presented an idea for a sign. The sign was approved.

Business Licenses Teton Thai was approved for a business license.

The meeting was adjourned.

P&Z Administrator Cari Golden

P&Z Chairman Mike O'Neill

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