

Planning and Zoning Meeting
June 15th, 2010
Victor City Hall

Present: Mike O'Neill, Lynn Bagley, Pete Linville, Jeremy Besbris, and Zachary Smith
Staff: Cari Golden

Meeting Min for May 18th, 2010 were approved correcting the spelling of Jeremy's name.
Meeting Min for June 1st, 2010 were approved correcting the spelling of Jeremy's name.

Signs:

Victor Outdoor Seconds located at 8 N. Main - Approved

Teton Granite located at 8 N. Main – Approved

Nosh located at 55 S. Main Street- tabled for more information of existing signs on the building. It was mentioned that **SUBA** would need to remove their reserved parking signs on Depot Street.

Station Grill located at 10 N. Main - Tabled for application review/ late information. The chairman mentioned that there was a glare to the surface of the sign. This was not acceptable and would need to have a glare resistant finish on it.

Business Licenses:

Teton Granite – approved

Victor Cheeseburger Factory – approved on the condition that the applicant gets their final building and health department inspections.

Nosh – Approved on the condition that their inspections are approved from Health District 7.

Pete Linville brought up the fact that the Phillips 66 stations lights violate the cities lighting ordinance.

Megan Hill/ Trail Creek Crossing/ request for building permit extension proposed to the commission in an email that they could at the request of P+Z in order for the applicant to extend their building permit, we have priced a number of options to fence/screen the foundation at the property.

Our proposed option is to install a colored shade mesh on the existing chain link fence. The mesh would be approx. 5'8" tall and would be kept a little off the ground to allow us to get in and undertake weed control as necessary without damaging the screening. Additional posts will be added to reinforce the existing fence together with more robust fencing clips. This was quoted by local contractors at around \$4,500.

The commission discussed the proposal as a condition to the building permit extension. A motion was made to approve the mesh fence at 5'8" and will post no trespassing signs with a 12-month extension. The vote was unanimous for approval.

217 South Main/ Subdivision /Special Use/Conditional Rezone

Chairman O'Neill opened the public hearing for 217 South Main and explained the combined application and the procedure for the hearing. He asked that the staff report be read into the record.

The overall concerns for the project complying with the ordinances were as follows

- The secondary access does not meet city standards for a city-dedicated street. It can't be labeled a private road because of the number of units it would access. An alley requires 26 feet of paved easement and is required to be dedicated to the city. The chicane in the road due to a berm makes it difficult to plow, and it can't be called a driveway because it does not fit the definition. The road by ordinance is not required.
- Sidewalks are required on both side of the proposed extension of Elm Street.
- The Parking assessment is inaccurate.
- There was no irrigation plans submitted.
- Where are the solid waste receptacles
- The construction drawings show an easement through to Dogwood while the preliminary plat stops at the Emery property.
- The CC&R'S explained that there would be residential allowed in the subdivision. There was not other reference to residential. If there are over 14 units allowed then the city would require a park assessment.

The recommendation from the staff was to table the project until the irrigation plans were submitted, to recalculate the parking plans, show where the solid waste receptacles would be placed and any other concerns the commission.

Herb Heimerl wanted to address the staff concerns about the road along lots 1 and two and the 150 foot road needing to be a cal de sac. He mentioned that they would be happy to get rid of the secondary road and they felt that from the Site Plan Review in 2009 that the commission wanted the second access. In talking to Brett Campbell, Herb had talked to the fire marshal about the hammerhead turnaround instead of the cul de sac. Bret Campbell had no problems with using the private parking lot for the turn around.

In regards to the residential use, the idea was to deed restrict to one story because of the fact that the Trail Creek Corridor was near the viewscape and its far enough from Main Street they didn't think that the intensity was necessary, but because of the parking ordinance that requires the applicant to assume there could be two stories because of the zone. The applicant proposed 10 units at the most.

Randy Blough with Harmony Design explained the sidewalk to the north side of Elm was omitted because they felt that it could be taken out anyway because of new development that would probably come in the future.

The pathway was helping the city's goal as proposed in the Trails and Pathways plans to continue a pathway along Trail Creek. They knew that the pathway dead ends but at some point it will continue. He explained where the bioswales are located and how the storm water will drain towards them. He located the water and sewer connections and explained that Rob Heuseveldt did the models for the water. Randy showed that by looping the two connections of Dogwood and Main Street, it would boost the needed

water pressure to service the project. Randy said that the applicants wanted to use the irrigation water. Scott Golden explained that the connection to the irrigation water for the property was located on the west side of Trail Creek. He maintained that line as a favor to the previous owner and was acquainted with the line.

Signage will be placed for traffic control.

They will allow residential units on lots 14-17

They feel that the irrigation plans don't need to be a part of the plan now and want more feed back to explain why.

They will provide places that could be used for dumpsters.

He explained that the preliminary plat map created by Jorgenson didn't show the easements all the way to Dogwood because at the time the easements didn't exist.

City Engineer had a comment in his staff report about a utility easement that was missing on the map.

The applicant got the letter from Wendy Woolstenhulme and suggested that they could post the area as dangerous during flood seasons.

The applicant would like to eliminate the secondary access if at all possible. They agree that the road does not fit any of the profiles of the city's requirements.

Jennifer Zung, Harmony Engineer, explained the flood plain study. She explained that they had done studies along Trail Creek for several projects around this area. She showed where the existing flood plan as mapped by FEMA stopped in their study to the south of the project. Public Works Director explained that they have had to break up ice in the are due to the freezing and ice jams that occur in the winter. He showed where the flooding has occurred. They are proposing that if they raise the path it might work like a dam. Their preference is that the water flows over top of the path. They are proposing to place fill to raise the building lots.

The chairman opened the process to the public for comment. **Fletcher White** was in support of the development. **Doug Gemmel** 60 West Dogwood, was uncommitted but wanted to have the secondary access be removed. His porch is adjacent to the easement and he would just as soon see it go away.

The public comment was closed and opened to discussion with the commission.

Zack wants to see the 9 extra parking spaces and wants to see residential on the second story. It's more of what the downtown needs. He is pleased to see a plan attached to the request for a zone change. He wants to see at least curb and gutter on the north side of Elm Street. It would make it more complete. He is not convinced that the second access needs to be in the project.

Jeremy would like to see the secondary connection to Dogwood It fits with the Traditional Neighborhood overlay. Since the existing sewer lines are in an existing easement, there should be an access there. The request for sidewalk on the north side of

Elm may not be warranted but some sort of finish work to make it look like it has a finished look. He feels that the additional 9 parking spaces is something he could support. He would like to see a connection from the Trail Creek Pathway to the proposed Elm Street would be a good idea. Addressing the hammerhead turn around, he feels that he could support Randy Bloughs suggestion of ending the street at the second parking lot access.

Pete Linville supports the secondary access. He feels that the access could be a service access. He is concerned about the parking lot runoff into Trail Creek. He feels that membrane filtration should be implemented in the stormwater run off.

Lynn Bagley echoes the feelings of the other commissioners. He is concerned about the irrigation plan. He explained the reasons those plans are reviewed before a subdivision is approved is because there is just so much water to go around and they are allotted 1 sprinkler head per acre for their usage. Sometimes irrigation plans are ignored and the subdivision decided they do want the water and it gets difficult manage after the fact.

Mike O'Neill agrees that the second access would make the project better. He feels it should be an alley. The north side of Elm needs to be a complete street. He thinks that the council will require a complete street. It's in the best interest for the development. The pathway next to the creek is a good plan for the future in regards to the western most street. In regards to the 150 foot portion of Elm Street, he feels it's a good idea to close it at the second parking lot access. The city will not have to deal with the snow removal at the dead end. The rezone is much easier to approve with the proposed project.

Bill Knight came into the meeting at this time and addressed the parking issue with the commission. He was concerned about the secondary access and the bulb outs in the parking area. He feels that the fire dept. will have a problem with the width of the secondary access. If it's called a private street it needs to meet city specifications. The road that goes in there has to be 24 feet of clear travel way. In some places of the easement it would not be possible.

Herb explained that the easement could stay in place. It might be years from now that it's developed. Herb mentioned that if they could put a phasing plan in place, we could start with the phase that constructs Elm Street and the second phase would be constructed at a time when the road profiles fit the size of the easement. In some areas the easement chokes down to 20 feet.

There is a sewer easement east of this project that would be straight line. Mike felt that the proposed access easement is not a deal breaker for the development and wanted to move on.

To comply with the parking assessment the applicant has proposed to include residential on the second story that will define a solid number of required parking for the 6 lots that would equal 9 more parking spaces and assigned those spaces on lots 14, 15, 16, and 17.

The irrigation plan that is needed shows where the lines are. It's required by ordinance to have an irrigation plan and it will be conditioned to approval. The homeowners/lot owners association will maintain the irrigation.

Mike offered that the secondary road may not be needed right away, but at some point the subdivision may have businesses that will require it. We need to be prepared to

Mike wants a letter from the fire marshal that approves the turning radius, the fire flow.

Herb asked that the commission not to require sidewalk on the north side of the Elm Street.

Zach Smith made a motioned recommending approval to council for Preliminary Plat SD 2010-1 with the following conditions that:

- The applicant receives in writing from Brett Campbell his approval of the 150 foot section on the turn around on the west end of Elm, that the Fire Marshall approves the looped water flow for 1350 GPM is sufficient.
- There will be deed restriction to have residences only on the second floor of lots 1,2,14,15,16, and 17 for parking issues.
- That ribbon curb along the north side of proposed Elm and not sidewalk is required.
- There is an approved plan signed from Trail Creek Irrigation Co.
- There will be pedestrian connectivity connecting Dogwood to Elm Street.

The motion was seconded with the conditions as mentioned and the vote was unanimous.

Motion was made to recommend approval for SU 2010-1 Special use. The motion was struck and reworded.

Motion to recommend approval SU 2010-1(Special Use Flood Plane Development) as proposed by the development of SD2010-1. Motion was conveyed and seconded the vote was unanimous.

Motion was made to recommend approval of the conditional rezone located at 217 S Main Street, ZV 2010-1 as proposed by the application of SD 2010-1. The motion was seconded with reference to the approval of SD 2010-1. The vote was unanimous.

County Vision Statement/ Planning Bill Knight went over the county's vision statement. He was asked to bring it to the commission and get their input. They discussed the mention of the rural villages and what those meant. The mention of Fox Creek and how its not really a part of the cities but has the appearance of a community without the businesses.

Mike O'Neill felt that the mention of 2050 is a big stretch. The timeline should be focusing on something closer to 2030. It needs to be something that is attainable. Everything else looked fine.

Meeting was adjourned.

P&Z Administrator- Cari Golden

P&Z Chairman- Mike O'Neill