



## Town of Alpine Planning & Zoning Commission Minutes

DATE: March 10, 2009  
TIME: 7:00 p.m.

PLACE: Alpine Town Hall • 250 River Circle  
TYPE: Regular

---

1 - CALL TO ORDER at 7:10pm.

2 - ROLL CALL & ESTABLISH QUORUM by Terra Miller.

3 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **Apostolic Church: Lot 612 Lakeview Estates C; 173 Hwy 89-Sign Permit, S-01-09, needs approval.** Wayne Neal, representative, has a concern about the sign height limitation. The current code limitation was changed from 15 feet to 12 feet on June 3, 2008. If he reduces his sign to 12 feet, the bottom of the sign will only have a 5 ½ feet clearance. This causes difficulty with snow plowing. They also have bicyclists in the parking lot during summer months. He is worried about liability if someone gets hurt with a 5 ½ foot clearance. Other than clearance concerns he is also worried the snow banks in the winter will prevent sign visibility. Josh Floyd asked where the placement of the sign is going to be. Mr. Neal stated it will be in the north-west corner of the parking lot. Mr. Neal understands a variance would need to be applied for but he is concerned about the fee. Terra Miller stated in the past it has been the Council who determines if a fee is waived with the Commission's recommendation. She also recommended to the Commission, since the LUDC is under review, have the sign height changed back to the 15ft and then have Mr. Neal resubmit his application when the LUDC passes. Mr. Neal asked the Commission if they had any problems with the components of the sign. No one had any objections as long as it meets the linear square footage. Melisa Wilson asked about the lighting. Mr. Neal stated it was internal lighting. Mr. Neal withdrew his application at this time. **Carla Stone made a motion to amend the sign height to 15 feet in the LUDC; Melisa Wilson seconded it; Vote: 5-Yes, 0-No, 0-Abstain, 0-Absent.**
- **John Jennings: Lot 214 Lakeview Estates A; 794 Terrace Lane-Remodel Permit, RE-01-09, needs approval.** Commission reviewed packet. Jody Tibbitts had a chance to go and inspect the property today. The construction was exposed so he was able to take a good look. However there are still a couple of things he would like to go over with Mr. Jennings in person. Jody is willing to meet with him on the weekends if needed. **Carla Stone made a motion to approve pending Jody's meeting with Mr. Jennings; Joshua Floyd seconded it; Vote: 5-Yes, 0-No, 0-Abstain, 0-Absent.** Mr. Jennings stated he has plans to continue to remodel the property piece by piece. He asked what the best process would be for permits. Terra Miller stated a permit is required for any remodels done to a property. The permit he received today was specifically for his roof. She suggested he apply for a remodel permit valid for one year. Then an extension for an additional year if needed. When he submits the permit she suggested encompassing everything he plans on doing, including structural, plumbing & electrical changes.

4 - UNFINISHED/ONGOING BUSINESS:

- **Steve Chichinsky: Portion of Lot 28 Riverview Meadows-Rezone Permit; REZ-01-09, needs recommendation to Council.** Steve addressed some of the concerns brought up in the letter from the home owners. In order to prevent conflict with the neighboring residential units concerning parking Mr. Chichinsky wants to rezone the entire side of River Circle. The types of business he has agreed on with Riverview Meadows Home Owner's Association are light commercial. There will be deed restrictions. After reviewing the plat map provided her Shannon Piatak, RVM home owner, asked why units 2-14 needed to be rezoned. Mr. Chichinsky stated, as of the last meeting, the legend on the current map will be changed and a new plat will be filed according to Surveyor Scherbel's suggestion. Brenda Bennett, RVM home owner, asked what Mr. Chichinsky's plan is for snow removal. He stated it would be up to the contractor hired to remove snow to remove it properly. Josh Floyd stated according to our building codes he is required to have 52 parking spaces and he only has 26. He is concerned about consistency if we don't stick to our building codes by allowing him to have less. For calculating the needed spaces for the day care the parking requirement it was suggested to use "Other Private or Educational Facilities". This might reduce the number required. Mr. Chichinsky doesn't see any more room for parking spaces. Melisa Wilson suggested making the building units smaller. Mr. Chichinsky stated he certainly wouldn't want to do that because it would make it less attractive. Deb Wolfley also mentioned shared parking. Mr. Chichinsky asked if it was possible to add parking behind the Town Office Building. Brenda Bennett, Town Clerk/Treasurer, stated that according to the CC&Rs for Riverview Meadows Shopping Center Association there is to be a fence along the back of the building. After finding out how much buried utilities it was extremely difficult to dig without hitting something. Paving would also be an expensive option because if something broke you would have to pay for the asphalt again. The only reason there is parking there now is to allow for more parking out

front in the summer. **Kennis Lutz made a motion to recommend approval contingent on the deed restrictions language put into light commercial and a day care, identifying units 2-14 as residential, and check into shared parking for the missing required parking; Carla Stone seconded it with the amendment of adding the required plat as suggested by Karl Scherbel's letter; Vote: 4-Yes, 0-No, 1-Abstain-Josh Floyd due to the parking requirement concerns, 0-Absent.**

- **Jody Tibbitts: Ongoing.** WWTP-had its final inspection. Jody had a question concerning the ADA bathroom requirements. Since it is an employee bathroom there isn't a need to meet ADA requirements. Josh Floyd asked if there would be an issue with equal employment. Jody stated it was determined that there are other factors within the plant making the job inappropriate.
- **Active Building Permits & Non Compliance Issues:** *Nothing new at this time, see handouts.* **IH Investments**-Deb Wolfley contacted the state. There is nothing in the state statues to help us out on the Public Health level. They have identification kits, but nothing more. Terra Miller stated the Town has an ordinance dealing with public health and safety but not the state. Terra will contact the owner via letter.
- **LUDC & Development Standards:** *Combined Draft needs recommendation to Town Council.* Carla Stone withdrew herself from the Commission for discussion on this topic. The partnership she has land with had filed a petition to de-annex from the Town of Alpine. She passed out the state statue regarding de-annexation to the Commission. They feel that any passing of the LUDC is going to affect their property in a negative manner while the County is reviewing it in the next 60 days. Diggs Lewis also asked the Commission to put on hold their decision concerning the LUDC. Robert Meikle would like to see the Town open to smaller businesses and not the large box companies. He suggested the Commission take their time with these and review them over a year before approving the LUDC. Pat Marolf stated the Commission has been working on these codes for over two years. Terra Miller mentioned most of the LUDC being reviewed this evening was already approved in June 2008. The only addition to the LUDC is the subdivision process and guidelines. Robert asked if there had been public hearings on it. Terra stated yes. Pat stated there was a special meeting for the zoning portion of the LUDC. Mr. Meikle feels the Town has become too restrictive. Mr. Lewis feels the fees are too high. Pat was concerned of legal restrictions for making decisions during a de-annexation process. Melisa Wilson asked what exactly was the reason people wanted to de-annex. Carla stated the main reason is fees. She wonders if the fees we currently have are based on what was lost in the past. After reviewing the numbers for the replats recently it seems we weren't charging enough initially due to the resources we use. Terra tried to explain the reason the costs are what they are because the Town has set higher standards than the county. The Town sets precedence and with that comes more costs for building officials, engineers, surveyors. In order for the Town to cover those costs they in turn put them onto the developer and home owner. Deb Wolfley encouraged the Commission to look at the current amendments and adopt the LUDC to pass onto the Council. Pat Marolf does think the Town needs codes in land use to set a quality of living. He doesn't want to see the Town turn into a junk yard because it doesn't have a structure in place to follow. Josh Floyd agrees the fees may be high but in order to cover the costs of the Town needs to be kept in mind. He is concerned the restrictions are causing people to de-annex. Kennis Lutz stated he too would be abstaining from the discussion because the subdivision he is in is currently seeking signatures to de-annex as well. Terra asked if the restrictions are such a problem why anyone didn't come forward a year ago or is it simply the sewer plant. Melisa mentioned without more public present it would be hard to say. Terra explained to the Commission the number of hours and amount of research Pedersen Planning and the Commission has put into this project. This again is not something which was developed over night. She feels it is important to have guidelines for the Commission and Council so they are not accused of favoritism. Without the LUDC the Town has no guidelines. Without moving forward with the amendments to the current LUDC the Town has no subdivision guidelines at this point. Josh and Melisa asked if we could advertise the final review for the next P&Z meeting to give the public an opportunity to speak. **Josh Floyd made a motion to table the LUDC until the next meeting; Melisa Wilson seconded it; Vote: 3-Yes, 0-No, 2-Abstain, 0-Absent.**
- **Zoning Administrator: review job description.** The two options were reviewed. Carla Stone brought up a concern on what discipline steps were in place for the position. It was discussed that a.2 of either option would cover those situations. Kennis Lutz feels the Town does not have enough in the budget to create another position or give the Council an option to do so. Josh Floyd would like to see putting a.3 from option two into option one. Carla Stone is also concerned about the budget. **Melisa Wilson made a motion to add option one to the LUDC with the amendment that a.3 from option 2 be added; Joshua Floyd seconded it; Vote: 3-Yes, 1-No-Kennis Lutz, 1-Abstain-Carla Stone, 0-Absent.**
- **GIS System:** *review to see if it something the Commission feels we need at this time.* Commission did not feel that the budget warrants this at this time. Will be removed from the agenda.

**5 - P&Z MINUTES: February 24, 2009 need motion to approve. Kennis Lutz made a motion to adjourn the meeting at 10pm; Melisa Wilson seconded it; Vote: 4-Yes, 0-No, 1-Abstain, 0-Absent.**

**6 - COUNCIL MINUTES DISTRIBUTED: February 3, 2009.**

- **P&Z ATTENDING COUNCIL MEETINGS:**

1) March 17, 2009-Pat Marolf

2) April 7, 2009-Pat Marolf

7 - ADJOURN MEETING- Need Motion. Kennis Lutz made a motion to adjourn the meeting at 10pm; Melisa Wilson seconded it; Vote: 5-Yes, 0-No, 0-Abstain, 0-Absent.

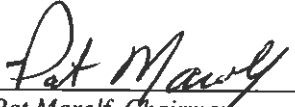
---

8 - Items given to P&Z during tonight's meeting:

- Active Permits Worksheet
- Non-Compliance Worksheet
- Signed Letters from Riverview Home Owners concerning Steve Chichinsky
- Title 15-1-421. Cities and Towns- Municipal de-annexation

9 -Items mailed to P&Z before meeting:

- Secretarial Review for Steve Chichinsky Rezone (previous meeting)
- Letter from Chris & Rosie Rorke concerning Steve Chichinsky Rezone (previous meeting)
- Letter from Karl Scherbel concerning Steve Chichinsky Rezone (previous meeting)
- Letter from Riverview Meadows Home Owners concerning Steve Chichinsky Rezone (previous meeting)
- Revised Version of the LUDC/DS
- Local Area Subdivision/Replat Fee Schedules for LUDC discussion (previous meeting)
- Options for the Zoning Administrator position

  
\_\_\_\_\_  
Pat Marolf, Chairman

3-24-09  
Date

Attest

  
\_\_\_\_\_  
Terra Miller, Secretary

3-24-09  
Date

