



## Town of Alpine Planning & Zoning Commission MINUTES

DATE: June 27<sup>th</sup>, 2006

Attendance: P&Z members: Dave Gustafson, Don Sherman and Paula Stevens. Scott Reed absent & excused. Others in attendance: see attached sheet.

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- 1 - CALL TO ORDER at 7:00pm
- 2 - ROLL CALL & ESTABLISHED QUORUM BY KIMBERLEE JANSEN
- 3 - P&Z MINUTES: *None*
- 4 - COUNCIL MINUTES: *None*

### 5 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **LANPHEAR, Gary & Marietta - S-06-06 - 20 Hwy. 89: DBA Yankee Doodle's Cafe and Red, White & Brew** - The Lanphears' are the new owner's of the restaurant that was formally the Red Baron, they are applying for a sign permit. The restaurant will be called Yankee Doodle's Cafe and the sign will be placed on the roof. The sign is a double sided lighted cabinet sign. The lounge will be called Red, White & Brew, and the sign will be attached to the front of the building. This sign is a temporary vinyl sign. *FYI: This is a non-compliance issue. The signs have been installed and the clerk sent a letter to the owner's explaining the Town's sign codes. The letter is included in the application packet.* Dave G. explained to the other board members the non-compliance issue and that he requested they be on the agenda to resolve this issue quickly. Gary L. explained that with opening a new business the sign permit application was just overlooked.

Paula S. inquired about the permanent sign and its exact location. She then informed Gary L. that the current regulations read that a sign cannot be placed above the peak of the building's roof. Gary L. stated that the sign company used the brackets that were already on the roof when they installed the sign. Before the restaurant was the Red Baron it was the Lakeview, and the sign on the peak of the roof had blown down. Gary L. stated that his wife was under the impression that the sign was within the height limit, Don S. read from the codes regarding the sign. Paula S. asked if Gary L. had any alternatives for the sign, he stated that he could make the sign a freestanding sign. Dave G. thought that would be fine as long as he kept it within the height restrictions for a freestanding sign. Or he could apply for a variance to keep the sign where it is, Paula S. also explained that a variance process would have an unknown outcome. She recommends he go with a course of action for the sign that does not require a variance but the decision is up to him. Dave G. suggests that a motion be made for the permanent sign; **Paula S. motioned to deny the permanent sign because it is not in compliance with the Town codes. Don S. seconded. VOTE: 3- Yes; 0- No; 0- Abstain; 1- Absent.**

Dave G. explained to Gary L. that he would stay on the agenda and to inform us when he is ready to present the changes to the permanent sign. Paula S. confirmed that Gary L. is also seeking a temporary sign permit. Dave G. asked if they should allow the permanent sign to stay until it is in compliance, Gary L. informed the board that the sign was installed by a company out of Idaho Falls, and this sign is not a sign that he can easily take down. He asked the boards permission to leave the sign up until the next meeting; he will then have the sign company come on July 12<sup>th</sup>, 2006. This will give him time to come up with the plans for a freestanding sign. Gary L. also requested that the 15 feet height restriction start from the parking lot, and not the bottom of the slope in front of the restaurant. The board agreed to this request. Don S. also reminded him to check all the setbacks, Dave G. would like to have Joe S. do a site inspection before the next meeting.

Paula S. asked if Gary L. would like the board to consider the signs that are up be considered temporary, he stated that yes he is requesting two temporary sign permits. The board asked what the square footage of the temporary sign is; the sign is 18 square feet. Paula S. questioned how long to let the temporary signs could hang, Dave G. read from the codes and the sign can hang for not more than 21 days and not more than 4 times per calendar year. Don S. asked if at that time he has to come back for a new permit for the permanent sign, Paula S. and Dave G. agree that yes he will. Dave G. asked if there was a motion on the temporary sign for the Red, White & Brew. **Paula S. moved to approve the temporary sign permit with the condition of installation not to exceed 42 consecutive days. Don S. seconded. VOTE: 3- Yes; 0- No; 0- Abstain; 1- Absent**

- **TAYLOR, Diana - F-01-06 - Unit A of the Lost Elk Townhouse II - 153-A Alpine Drive** - Ms. Taylor would like to install a 3' white decorative fence on her half of the yard in front of her townhouse. Joe Sender has inspected the site,

and Ms. Taylor has the permission of the adjoining owners to put a fence on the imaginary line separating the townhouses. Don S. confirmed that she intends to section off one duplex from the other in the front lawn. Don S. stated that it appears that the permanent fence along the front of each townhouse is on city property. Diana T. commented that she found the pins along the side of her home and that the lots are all irregular in size and would not run in an even line. Don S. explained to the board how the fence would run between the two units. Diana T. explained that she had planned on running the new fence up to the existing fence. **Don S. motioned to approve permit with the condition that Joe S. check property pins and her fence does not exceed the property line. Paula S. seconded. VOTE: 3- Yes; 0- No; 0- Abstain; 1- Absent**

- **DECOU, Jack - R1-05-06 & SP-04-06 - Lot #62 Palispark - 224 Riverbench Road:** Mr. DeCou has submitted a building permit application and septic permit application for a single family residence. Joe S. has approved the septic permit and Rob W. has approved the Stage I inspection. Jack D. informed the board that he will present Rob W. With corrected plans as soon as he gets them. Paula S. asked if the corrections had been done, Rob W. stated that there are minor adjustments that he had just spoke with Jack D. about. Dave G. asked if Rob W. would like to have the revised plans before approval of the building permit. Rob W. stated that he would need the revised plans before the concrete is poured, so it was okay for the board to process the building permit. Don S. asked if there was a firewall, Jack D. stated that he intends to use 5/8" drywall through out the house. **Paula S. moved to approve the permits with condition that corrections noted by Rob W. be made. Don S. seconded.** Jack D. asked if he could have the excavation work started. It will take Nelson Engineering a week to return the revised plans to him. The board asks Rob W. if this is alright, he stated that as long as he has the plans before the footers are poured. Paula S. requested that the condition include the requirement that the excavation can begin, but no footers can be poured. **VOTE: 3- Yes; 0- No; 0- Abstain; 1- Absent**

## 6 - UNFINISHED/ONGOING BUSINESS:

- **RE/MAX Advantage of Wyoming - S-05-06 - Lot # 601 LEC - 91 Hwy. 89:** *Please read faxed letter from Carter W. received today at 4:21 P.M.* Review by P&Z Commission and legal counsel for grandfathering issues and the Town's P&Z codes. Existing signage for the Bull Moose is 278.6 square feet. They are allowed 200 square feet. Re/Max came by today and pick up a variance application. Dave G. gave a history on the sign permit application, Rob W. went and measured the existing signage, Jerry H. and Jim B. both thought the freestanding sign was grandfathered in. This was researched by the Town Clerk and then passed onto the Town Attorney. Carter W. had spoken with Dave G. as well as faxing a letter to the Town office; he recommends that the board approve the sign permit. Don S. inquired about the square footage used without the freestanding sign; Jerry H. stated that there is 99.75 square footage used. Don S. then asked the square footage of the RE/Max sign, Jerry H. replied that Option B is 20 square feet and Option A is about 35 square feet. Option A is the sign they would prefer to use. Paula S. is troubled by the letter from the attorney: in her readings of the regulations she does not agree with Carter W's letter. She would like to have all existing signage measured and calculated; this will prevent any future problems with signage and non-conformance. Don S. stated that they did not account for all the smaller signs on this property. Paula S. said she would only feel comfortable approving a sign permit if all the other signage was measured and documented. Dave G. agreed with this so Jim B. knows what he has available in the future. **Don S. motioned to approve sign permit for Option A. Paula S. seconded and added an amendment that existing total signage be documented. Dave G. confirmed that Option A is the choice they wish to use. VOTE: 3- Yes; 0- No; 0- Abstain; 1- Absent**
- **BATES, Larry - Lot #34 Grey's River Village #2 - 441 Grey's River Loop:** Larry Bates is applying for a building permit and a septic permit. *FYI: The excavation work for the lot has been done and a letter sent to Mr. Bates regarding work done w/out a permit.* Secretary has not heard from Mr. Bates regarding his corrections. **Mr. Bates was not present at this meeting.**
- **DAVIS, Eugene R. - REPLAT APPLICATION – PRELIMINARY REVIEW - REP-02-06- Lot # 325, 326, and 327- Located at 192, 194, 196 Trail Drive:** The Town Council has tabled this issue and sent it back to the P&Z Commission. Dave G. informed the board of the history and what happened in the Town Council meeting and why this issue has come back to the P&Z commission. Christine Wagner speaking on behalf of Mr. Davis wishes to table the replat application at this time and only move forward with the rezoning. Don S. stated that he would like to see the rezone application tabled, Dave G. agreed. He informed Christine W. that they do not wish to see rezoning issues until the public comment on the master plan. Don S. commented that this property was not intended for B-1 or C-1 use in the future with the master plan, it was always intended to be a residential area. He would vote against the rezoning. Dave G. explained that until the master plan in place they are trying to maintain a constant vision for Alpine. Paula S. agreed with Don S. that at this time she would also deny the rezoning in the absence of the master plan. Dave G. explained that if they make a recommendation tonight it will go back to the council.

Lloyd Baker stated that the lots face the power plant and also the car wash, all the property across the street is commercial. He also feels this is not a good location for residential lots, because of the possible effects of the power plant. Don S. commented that in every town there is a point where the commercial and residential areas meet. Dave G. has mixed feelings about the issue; he thinks that this is an issue that needs to be addressed in public meetings for the master plan. But until this happens the board is responsible for the vision of this town. Dave G. explained that until the annexation and sewer and water

issues are resolved then the master plan is on hold. Dave G. feels that the master plan should move forward, waiting on the master plan is holding up codes and zoning issues. Dave G. inquired if the applicant would like the board to proceed with a vote. Dave G. believed the replat issue was addressed positively by Leon K. and Surveyor Scherbel. Don S. asked for a definition of what their view is on the replat; Paula S. asked why they wish to table the replat. Christine W. explained that the owner wishes to move forward with the rezone, the replat originally started when they submitted the application for the rezone. She stated that they were told the rezone and the replat had to be done at the same time.

Don S. asked her to define the replat, Christine W. explained that the original vision was to take the upper 1 acre lot and subdivide it into two ½ acre lots. They only wish to rezone the three front lots from residential to B-1 and keep the two ½ acre lots residential. Dave G. stated that a road will then be put in there to access the residential lots. Paula S. asked about lot 327, it appears to go all the way back, Christine W. explained that this area is unclear and every map she gets has a different drawing. Don S. suggested that it needs to be surveyed; it is in the process of being surveyed. Paula S. commented that because this area is in question they really don't know what lots they are dealing with now. Christine W. explained that is why they wish to table the replat at this time, so she can find out who owns the road. The original recorded plat shows the road is dedicated as a public street, she believes that the road is a dedicated Town of Alpine road. Don S. adds that he thinks Surveyor Scherbel needs to define the lots and boundaries. Dave G. stated that Surveyor Scherbel has already reviewed and there is a letter from Scherbel and a letter from Leon K.

Christine W. stated that the map is the proposed draft; she explained where Stoor Drive, Trail Drive and the “imaginary” Lakeview Drive were located at. Lloyd Baker stated that the map was accurate and three of the properties were within the Towns boundaries. Christine W. explained that she spoke with Marlow Scherbel, he informed her that lot 4 was in the incorporated part of Alpine but was not a platted parcel. Lloyd Baker was under the impression that there was only 15 lots in the city limits that were not zoned residential, Don S. corrected him that there were 115 non residential lots. **Dave G. confirmed that at the applicants request they are tabling the replat.**

- **DAVIS, Eugene R. - REZONE APPLICATION- REZ -01-06 – Lot # 325, 326, 327 located at 192, 194, 196 Trail Drive:** The Town Council has tabled this item and sent it back to the P&Z Commission. Dave G. asked if they would like to have the board vote on the rezone, he also suggested that when it goes back to the council they need to make a decision and not refer it back to the P&Z Commission. Don S. thought some of the confusion came with the replat and rezone, Christine W. agreed and she spoke with Mr. Davis. They would like to streamline and simplify the process that is why they wished to table the replat. They do not wish to subdivide the 1 acre lot at this time; they would like to concentrate on rezoning the front three lots. Don S. inquired about the next closest house; Christine W. explained that the properties bordering these lots are vacant. Dave G. asked if all adjacent property owners had been notified, Christine explained that it was published in the newspaper and a mass mailing had been sent. She also personally knows someone who had received their letter. The board went on to discuss the procedures for notifying the adjacent property owners. Dave G. recommended this go back to the council so that it continues through the process. **Don S. motioned to not recommend this be rezoned to B-1. Paula S. seconded the motion so the board could move onto discussing the issue.**

Dave G. commented he has mixed feelings over the issue and if they rezone this property to B-1 then where does it stop. He would like to see business in this town but feels there is a certain area for businesses. Don S. commented that if they were to rezone it then a business could go in there and remove all the trees in that area, a residential area is less likely to do that. Dave G. felt that they need to provide an area of safety for the citizens and to preserve the safe havens in Alpine. **Dave G. confirmed that the board not recommend the rezoning and send it back to the council for them to make a final decision.**

- **ROB WAGNER, Town Building Inspector - P&Z Issues:** Discuss recommendations with the committee regarding adopting the IBC Codes. Secretary has received information from Rob W. Brenda B. made a new fee schedule and this information was passed onto the board. The board discussed suggestions and changes to for the new fee schedule.

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

1) July 6<sup>th</sup>, 2006 - All will be attending

2) July 13<sup>th</sup>, 2006 - All will be attending

7 - **ADJOURN MEETING-** Dave Gustafson called for a motion to adjourn meeting. Paula S. motioned to adjourn the meeting at 8:35 P.M., Don S. seconded. **VOTE: 3- Yes; 0- No; 0- Abstain; 1- Absent**

### **AFTER MEETING REVIEWS/WORKSHOPS:**

- **Letter to Business District Regarding Temporary Sign Codes/Regulations:** Dave Gustafson would like comments and/ or an approval to send the letter to the business district.
- **Update regarding the Master Plan -** Dave Gustafson would like to discuss the status of the Master Plan.

***Items mailed to P&Z before tonight's meeting:***

- Town of Alpine Building Department Fee Schedule

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

- COUNCIL MINUTES FOR REVIEW: June 20<sup>th</sup>, 2006
- P&Z MINUTES FOR REVIEW: June 13<sup>th</sup>, 2006
- Letter to P&Z members from Tracy Matthews RE: P&Z application fees
- Special Meeting Notices

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*Dave Gustafson, P&Z Chairman*

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*Date*

*Attest:*

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*Kimberlee Jansen, Secretary*

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*Date*