

February 16, 2021

7:00 p.m.

Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Brent Dixon, Gene Hicks, Lindsey Romankiw, Natalie Black, George Morrison, Joanne Denney, Margaret Wimborne, Arnold Cantu.

MEMBERS ABSENT:

ALSO PRESENT: Assistant Planning Directors Kerry Beutler; Naysha Foster, Brian Stevens; and interested citizens.

CALL TO ORDER: Brent Dixon called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: Wimborne moved to table the Minutes and move the approval of the February 2, 2021 minutes to the March meeting, Black seconded the motion and it passed unanimously.

Public Hearing(s):

1. ANNEX 20-019: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of R1.

Dixon opened the public hearing.

Applicant: Ryan Loftus, Aspen Engineering, 10727 N. Yellowstone, Idaho Falls, Idaho. Loftus is requesting annexation of 4.2 acres with initial zoning of R1 which is the prevailing zoning in that area. Loftus stated that the 4.2 acres abuts 5th West which has utilities for sewer and water and those utilities would be extended to this property. Loftus stated that the proposed use is for single family attached homes.

Foster presented the staff report, a part of the record.

Morrison asked about the Limited Development Overlay. Foster indicated that a year ago the City worked with the Airport and created an overlay zone. Foster confirmed that the overlay zone for the airport will not affect this property being developed for single family.

Dixon asked Foster to explain the overlay limitations. Foster indicated that there is an aviation easement, and a noise thing that has to be put on the plat, but no limits on density.

Dixon asked about the zoning of the property on the north east. Foster indicated that it is LM and the gravel pit is directly east.

Support/Opposition:

Hallie Conay, 430 10th Street, Idaho Falls, Idaho. Conay has bought the property directly south of the subject property. Conay bought her property because she wanted to be in the farming area, and away from neighborhoods. Conay doesn't want houses next to her. Conay asked how many houses will be built in this area, square footage of the homes, are they manufactured homes, tiny houses, and they haven't started building so they want to know what will be the neighbors to them.

Dixon indicated that this hearing is only for the annexation and zone and they can tell her what is allowed in that zone, but what actually gets developed is hard to say because it could get sold and if it is legal to build in the zone.

Conay asked if there was an assurance that it would-be single-family home or something that wouldn't affect her directly then she wouldn't have a problem with it. Conay stated that they considered annexing into the City, but after looking at utilities it would cost them \$80/sq. ft on frontage (\$80,000). Conay wants more information because she is the property adjacent. Conay wants the property to stay County.

Foster indicated that public testimony is about fact finding and if anyone has any information about the property as to why it shouldn't be annexed that is something the Commission wants to hear. Foster added that R1 only allows single family and twin homes and is one of the lower density zones that has 8 units per acre. Foster indicated that if someone wanted to rezone it after this initial zoning it would come back to the Commission to determine if it is consistent with the area.

Dixon clarified that if someone wanted to rezone there would have to be another hearing.

Applicant: Ryan Loftus, 10727 N. Yellowstone, Idaho Falls, Idaho. Loftus stated that the current proposal is for 16 single family attached lots which would provide for 8 single family attached homes. Loftus stated that twin homes is what these will look like. Loftus added that the developer is planning for 1600 square feet in each of the homes which would be 3200 square feet per building (both units) with attached garages. Loftus stated that these will be stick built homes on site, and there is a plat that is submitted and there are some items to take care of with the development of 5th West and the improvements to the roadway, pavement, and canal. Loftus stated that the current owner is planning to follow through with this development, although he is not obligated to do so. Loftus stated that the proposed twin homes meet the City's requirements for parking, setbacks, and offsets.

Dixon closed the public hearing.

Black asked staff to clarify that the property will be annexed into the City, but at this point the County could change the zone from County A1. Black stated that the County could still designate the property for residential.

Foster stated that A1 is one dwelling per 5 acres, and there is a possibility the County could change the zoning, but the developer and property owners have the right to annex the property and zone it, where it is contiguous to City Limits.

Wimborne stated that they shouldn't get caught up in "what could happen", because what is before the Commission is a request for annexation with an initial zone of R1, and that is the only thing that they can move forward and look at.

Morrison stated that this zone first the area well with the Airport Overlay.

Morrison moved to Recommend to the Mayor and City Council approval of the Annexation and Initial Zoning of approximately 4.20 acres, in the NW ¼ of the NW ¼ of the SW ¼ in section 6, T 2N, R 38 E, with initial zoning of R1 and Airport Overlay Limited Development, Black seconded the motion. Dixon called for roll call vote: Black, yes; Cantu,

yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The Motion passed unanimously.

2. PUD 21-001: PLANNED UNIT DEVELOPMENT. Amendment of Brutsche PUD

Dixon opened the public hearing.

Applicant: Clint Jolley, HLE, 101 South Park Ave., Idaho Falls, Idaho. Jolley indicated that this application is to amend the current PUD to have 2 lots instead of 1. Jolley stated that there is no plan to add units and the purpose of this amendment is for financial reasons. Jolley stated that in the future they might add units, but at this time there is no changes except to turn them into two lots.

Dixon asked what is developed on the smaller lot. Jolley indicated that it is a club house at this point. Morrison clarified that there is no need for a road access to the smaller lot. Jolley stated that is the reason for the PUD because the PUD doesn't require road frontage, however they will create the cross-access easements.

Foster presented the staff report, a part of the record.

Dixon asked if splitting the club house into a separate lot could the club house be sold off and the PUD losing the amenity.

Foster stated that the club house is currently being used as a daycare, and they still have two amenities which is the minimum requirement for a PUD under today's current standards. Foster stated that even if the property is sold it is still part of the PUD.

Dixon asked if the property is sold would it have to leave the PUD if it was being used as a different purpose. Foster confirmed that the "clubhouse" would still be part of the PUD.

Support/Opposition:

Brian Sealander, Owner. Sealander clarified that they are refinancing the debt on the apartment units and they wanted this piece out of the collateral for the refinance of the larger piece so that if they could find a way to build additional units at the location, they wouldn't have to go back to the lender to get a release to secure construction financing, but there is no intention to sell a piece of this property.

Dixon closed the public hearing.

Wimborne feels it is clear that the purpose is to restructure the debt and financing, and if there are going to be major changes, they would need to come back to the Commission.

Wimborne moved to recommend to the Mayor and City Council approval of the Amendment to Planned Unit Development Brutsche Addition, Morrison seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The Motion passed unanimously.

3. REZONE 20-003: REZONE. Rezone from LC to HC for a portion of Lot 19, Jackson Hole Junction.

Dixon opened the public hearing.

Applicant: Kaden Fuhrman, Horrocks Engineering, Snake River Parkway., Idaho Falls, Idaho. Fuhrman stated that this is the same lot that they came in to rezone last year. Fuhrman stated that due to the Covid 19 Pandemic there has been a shift in need and interest of the property in Jackson Hole Junction. Fuhrman stated that they are rezoning a small strip to accommodate a specific use.

Hicks asked if this is the same area that last fall changed from HC to LC. Fuhrman confirmed that it is the same property, and they are now requesting to flip it back to what it was. Fuhrman clarified that they are requesting a portion of that rezone request from last fall go back to HC for a specific use and a specific building footprint with an adjusted plot line.

Morrison asked how the divisions are going to work out. Fuhrman stated that there is a final plat later tonight that will redefine the lot lines that will correspond with this rezone.

Stevens presented the staff report, a part of the record.

Support/Opposition:

No one appeared.

Dixon closed the public hearing.

Wimborne feels this is a routine item, and it doesn't change the function or use of this parcel and vision for Jackson Hole Junction.

Morrison moved to recommend to the Mayor and City Council approval of the Rezone from LC to HC for portion of Lot 19, Block 1, Jackson Hole Junction Subdivision 1st Amended, Black seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The Motion passed unanimously.

Business:

4. PLAT 20-047: FINAL PLAT. Final Plat for 810 Lofts.

Applicant: Brandt Monte, S. 5th West, Rexburg, Idaho. Monte is proposing to replat the two parcels together to do an apartment complex for 220 Units.

Beutler presented the staff report, a part of the record.

Dixon asked if the property to the east has cross access agreement. Beutler stated that the property to the east of this subject property will have a cross access agreement with the property to the east of it. There will be a requirement to have a connection to the properties.

Hicks asked if there is only one entrance to Sunnyside. Beutler confirmed that this property has one entrance to Sunnyside. Beutler stated that they will also connect to the properties to the east if they develop as commercial to develop alternate access points. Beutler stated that they will deal with the access points during the site plan process. Hicks has a problem with single entrance

to the property. Beutler stated that the entrance is a development issue related to the site plan, not to the subdivision. Site plan review is required in order to develop it and that is an administrative process through the City Departments for review and staff will work with City Departments to make sure they meet all the standards.

Monte indicated that they would stay in contact with the property owners to the east and make sure that there is connectivity during development.

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for 810 Lofts, Black seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The Motion passed unanimously.

5. PLAT 20-048: FINAL PLAT. Final Plat for Victory Ranch.

Applicant: Kurt Roland, Eagle Rock Engineering, 1331 Fremont Ave., Idaho Falls, Idaho. Roland stated that they are proposing a final plat for this property and they don't have a site plan yet.

Beutler presented the staff report, a part of the record.

Dixon asked why the final plat is a different shape than the outlined area in all the aerials. Beutler stated that that is an error on staff's part. Beutler stated that the final plat includes a small area immediately to the east. Dixon confirmed that that portion is zoned R1 and Beutler agreed. Beutler indicated that the property is zoned R1 and the initial intent for use is for a club house for the development which would be considered an accessory use and can be allowed within the R1 zone, if they intend to use it for another use they will have to rezone. Dixon asked if it is common to do a plat that includes multiple zones for a single lot. Beutler stated that it is not unusual.

Hicks has a problem with the single entry to the development. Hicks asked if there is plan for future access to the west. Hicks agrees that it fits all the requirements but has a problem with the safety of people that cannot get out if the road is blocked.

Dixon asked if Harmony Lane is the primary access, and then to the north 9 lots there appears to be another drive that is a narrow 1 way, is that a pedestrian access or a secondary vehicle/emergency access. Roland agreed that is an emergency access. Roland stated that going up 49th South there will be another access so the entire subdivision will have 3 access points going into the property. Harmony Lane, half an access directly onto the arterial (shared access with LC), and an emergency access point.

Wimborne feels that the site plan review process is in place to make sure developments are meeting standards.

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for Victory Ranch, Denney seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The motion passed unanimously.

6. PLAT 21-002: FINAL PLAT. Final Plat for Brutsche Addition No. 1 First Amended.

Applicant: Clint Jolley, HLE, Idaho Falls, Idaho. Jolley stated that they are working with staff to meet all requirements.

Foster presented the staff report, a part of the record.

Black moved to recommend to the Mayor and City Council approval of the Final Plat for Brutsche Addition Division 1, First Amended, Morrison seconded the motion. Dixon called for Roll Call: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The motion passed unanimously.

7. PLAT 20-043: FINAL PLAT. Final Plat for Jackson Hole Junction 2nd Amended.

Applicant: Kaden Fuhrman, Horrocks Engineering, Idaho Falls, Idaho. Fuhrman stated that this is an amended plat to the 1st Amended that they did last year, amending the same portion of Jackson Hole Junction to be replated for a specific use to bring in another tenant to Jackson Hole Junction so they are proposing to adjust the interior lot lines.

Stevens presented the staff report a part of the record.

Dixon asked about the vacated easements. Stevens stated that they are working through it. Stevens stated that they have utilities that are located in the vacated easements and a new easement is being reshaped and they are proposing to move all of the utilities out and around. Stevens stated that some of the easement will not be vacated. The City has a water and sewer line that run from Pioneer Drive to South Fork Blvd through this easement. Stevens showed where the easement will be vacated and added that a new easement will be created. Stevens stated that the tenant wants to be in this location, so the applicant is willing to move the utilities.

Fuhrman clarified that the easement as it exists today is a public utility and cross access easement and so they are vacating it in its entirety in that section. Fuhrman stated that they will be rerouting the water and sewer.

Black moved to recommend to the Mayor and City Council approval of the Final Plat for Jackson Hole Junction 2nd Amended, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The motion passed unanimously.

Miscellaneous:

Comprehensive Plan Update. Beutler indicated that they have created a website and logo “Imagine IF”. Beutler stated that they have a website that is ImagineIF.city. Beutler stated they are getting ready to do a continual City-wide survey that will be on the website. Beutler stated that they are reaching out to specific groups, and they are wanting to get into schools and get thoughts of what High school seniors thinks, get into colleges to see what issues that demographic struggles with; and reach out to as many groups as they can. Rotary will be doing a presentation and the other organizations during their monthly meetings. Beutler stated that Covid has made it harder to get the word out, but they are trying. Beutler asked for thoughts and ideas on groups that need to be reached out to. Beutler stated that they will be doing neighborhood meetings to discuss issues they are facing or might be facing as they grow. Beutler presented the plan for each of the 5 neighborhoods meetings. Beutler indicated these meetings

will be on Webex and personally attended. Stevens added that they will be recorded so people can watch them later online and comment via Facebook or YouTube. Beutler stated that they will be broadcasting the meetings through Facebook Live as well. Beutler stated that they are using a dynamic software that allows them to ask questions during the meeting, and people can join with the app on their phone or through the website and respond to multiple choice questions, etc. Beutler stated that they are trying to be as inclusive as they can to get information out. Beutler stated that they are experimenting a lot and they will have changes as they go through. Beutler stated that they will do outreach through March and then bring information back to the Commission. Beutler stated that they want this process done before the end of the year.

Wimborne commended the staff on the outreach plan.

Morrison agreed and feels Imagine IF is very creative. Morrison likes the idea of inviting high school and college kids.

Black agrees and loves Imagine IF.

Beutler stated that they are going to try to talk like real people, not planners and that is hard.

Dixon asked if there is going to be an outreach through media (i.e. television, newspaper) so people can find out about the meetings. Beutler stated that the City has a big Facebook following, so that is a tool, and they are doing media posts through East Idaho News, and some of the radio stations.

Morrison asked if they could put something in the utility bills. Stevens stated that they did discuss that, but a lot of the people do a digital bill so that avenue is not available.

Beutler stated that Bud Craner is the Public Information Officer, and they are working with him and using him as a major resource. Beutler stated that the City-wide survey will be flexible and can be pushed to a lot of places.

Stevens stated that if you live in one of the 5 neighborhoods look at the meeting time and it would be good for members of the Commission to listen in to the meetings but participate less. Stevens asked them to let the neighbors know and be an outreaching tool for them. Stevens thinks they will have Councilmembers available too.

Beutler stated that they are preparing scripts. Beutler stated that if they are going to participate in the meetings, please let Ann know, so they don't have more than 4 Commission members on at one meeting, so they don't have a quorum.

Dixon asked if the website would have a link to the current plan.

Stevens stated that they are trying to avoid people using the word Comprehensive Plan.

Beutler stated that the new plan has to be able to be printed, but with technology there is the ability to have interactive maps and surveys and is a way that people want to be involved. So they are working through meeting both standards.

Dixon asked them to look at getting other information out electronically such as electronic plats to be able to compare proposed plats to what the past plat showed. Stevens stated that the staff report is on the website and the notification is often difficult for a person to interpret.

Beutler stated that through the end of March they will be doing public outreach; then analyze data received; frame policy statements for the Comprehensive Plan; work on background studies to explore policy statements; second set of public outreach meeting after working through policy statements and ideas and then go back to the neighborhoods and show how they are approaching concerns; finalize document in the fall.

Stevens stated that the Facebook page already has information out and people commenting.

Dixon suggested having minutes from previous meetings to show issues that have been brought up. Dixon feels the current Comprehensive Plan says a few simple things over and over again, and really doesn't have much direction. Dixon asked if the best way is to say more? But it would help if they can point at things and say "x" is why we are recommending yes/no.

Dixon adjourned the meeting at approximately 8:40 p.m.

Respectfully Submitted

Beckie Thompson, Recorder