

March 2, 2021

7:00 p.m.

Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Brent Dixon, Gene Hicks, Lindsey Romankiw, Natalie Black, George Morrison.

MEMBERS ABSENT: Joanne Denney, Margarete Wimborne, Arnold Cantu

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

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

CHANGES TO AGENDA: None.

MINUTES: Morrison moved to approve the Minutes of the February 2, 2021 minutes, Black seconded the motion and it passed unanimously.

Public Hearing(s):

1. ANNEX 21-001: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of HC.

Dixon opened the public hearing.

Applicant: Steve Elsworth, Elsworth & Associates, 253 1st Street, Idaho Falls, Idaho. Elsworth indicated this is to annex a small piece of ground behind what has been annexed.

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

Dixon confirmed that there is not a preliminary plat for this item.

Morrison asked if Grab N Grub is HC. Beutler confirmed that the pink is the HC and that includes Gas N Grub.

Support/Opposition:

No one appeared in support or opposition of this application.

Dixon closed the public hearing.

Black feels it is straight forward.

Black moved to Recommend to the Mayor and City Council approval of the Annexation and Initial Zoning of approximately .237 Acres in Section 16, Township 2 North, Range 38 East with initial zoning of HC, Romankiw seconded the motion. Dixon called for roll call vote: Black, yes; Hicks, yes; Morrison, yes; Romankiw, yes. The Motion passed unanimously.

2. PLAT 21-004: PRELIMINARY PLAT. Amended Preliminary Plat for Park Place.

Dixon opened the public hearing.

Applicant: Justin Scott, 2194 Snake River Parkway, Idaho Falls, Idaho. Scott indicated that the original preliminary plat was done in September 2005 and this is an amendment to the

original plat. Scott stated that the amended plat has 83 buildable lots and is 29 acres. Scott stated that the property is zoned R1 and is proposed for single family detached units.

Dixon asked if there are any changes from the original preliminary plat. Scott stated that the original plat had 98 lots and this amendment is proposing 83. Scott stated that the reason they are amending the plat is because the original preliminary plat has expired as it was done in 2005 and this plat now updates the plat to the current standards of the City of Idaho Falls.

Morrison asked if there is a walking path between the streets. Morrison indicated that the City is trying to encourage developers to make neighborhoods that are walkable. Scott stated that there will be sidewalk in the development. Morrison asked if there are cut throughs that go between lots, so you don't have to drive around. Scott stated that there are no proposed walking paths that cut through lots. Scott stated that they met with City Staff and talked about the common lot that could turn into a shared use with the irrigation district and the City of Idaho Falls for their Connecting Communities Program. Morrison asked what the access to the common lot from the housing. Scott stated that there will be access off of Brigham Drive. Morrison indicated that they are trying to encourage access from inside the housing development.

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

Morrison stated that the long skinny lot has been referred to as a common lot and that cannot be a common lot if you can't get to it from the subdivision. Foster indicated that it is a non-buildable lot. Morrison stated that common lot term should not be used because it is an uncommon lot that you can't get to. Dixon indicated that you could get to it from the previous division where the road crosses the canal. Dixon stated that it is likely a legal term because the HOA is required to maintain it, just like a landscaping lot.

Black asked if there are any connecting paths to this and some of the future areas for the Bike Paths with Connecting Our Pathways along the canal. Foster stated that this canal was not part of the plan and it is privately owned by the property owner. Foster stated that having a walking path along this portion of the canal wasn't part of the City's plan to connect the City's pathways.

Support/Opposition:

Email:

David Gonzalez, Gonzalez listed his concerns regarding the plat expansion. Gonzalez stated that in a previous meeting about Park Place the Board was concerned with too much traffic on Fox Run, so Maggie Drive was developed, however Maggie Drive is not completed it doesn't detour drivers and Fox Run is currently the main exit point. Maggie Drive needs to be completed and an additional plat needs to be redesigned to filter traffic out different exits. Gonzalez stated that the new plat should be designed for a major exit to 65th West, Fox Run and east of the property owned by Ray Proctor. Gonzalez indicated that Fox Run is a narrow County road and is not designed to handle the increased traffic, and there are additional concerns with exit visibility to the east. Gonzalez stated the road is deteriorating due to the construction traffic from previous plats.

In Person:

Dr. Eric Olsen, 595 West Copper Creek, Idaho Falls, Idaho. Olsen is hearing from his patients (pediatrician) that Sunnyside and Long Fellow are both over capacity. Olsen is seeing a lot of new homes being built by Rockwell. Olsen asked what the City's plan is to handle children's school needs. Olsen wants to ensure there is easement between the canal because they are unable to clean the canal from the east side, and he has a 30' easement on his side, so the fence to keep horses in is 30' from the canal. Olsen stated that the last 20 years they have been cleaning the canal on the other side, and they are about ready to clean the canal again, and he wants to ensure there is adequate space for the canal to be maintained. Olsen asked if there are plans to handle the children's living in the future homes. Olsen stated that there has been talk of an elementary school on York, east of Park Road but he hasn't seen any plans to handle the influx of children in schools.

David Gonzalez, Fox Run, Idaho Falls, Idaho. Gonzalez is concerned that 100's of cars a day will be going down Fox Run. Gonzalez wants Maggie finished before this subdivision starts otherwise there will be 1000's of cement trucks going down Fox Run instead of Maggie, as Maggie is useless at the moment. Gonzalez had City Garbage truck stuck in his yard. Gonzalez had a fiberoptic truck drive through County residents' driveways to access to the backside of the properties. Gonzalez stated that they are not happy about trespassing, and they are getting a lot with the City moving in.

Justin Scott, Horrocks Engineers, 2194 Snake River Parkway, Idaho Falls, Idaho. Scott stated that they have met with City Staff to go over the proposed layout of the preliminary plat and they came up with the changes as shown with the adjusted lots and layout to try and funnel as many cars and people out through Maggie Drive. Scott stated that coming up Fox Run it now T's and goes to a cul-de-sac to the east. Scott stated that the majority of this development will be going out Maggie Drive South of 65th. Scott stated that they are working with the Idaho Irrigation District to ensure there is adequate access to the canal and the system so it can be properly maintained. Scott stated that they have a meeting set up to go over the plan.

Dixon stated the plat will be developed in 4 divisions and asked when the remainder of Maggie Drive to the south gets developed relative to the 4 divisions. Scott stated that the remainder of Maggie will be developed either prior to or after the final plat. Scott stated that there is a final plat that is already in for City review for that section of Maggie Drive to be finished. Dixon clarified that Maggie will be finished either before or in conjunction with the 1st Division. Dixon asked if there is any idea of what might develop to the west and whether there could be another access to York from the west as that develops. Scott doesn't know what is going to happen to the west.

Dixon closed the public hearing.

Black recalled an action dealing with Fox Run Drive when they built that section and asked if there are speed bumps or something or ballasts that would stop some of the faster traffic. Morrison believes they talked about Fox Run Drive regarding the hill to the east on 65th and they were saying that visibility is hard to turn out from Fox Run.

Hicks stated that there are no speed bumps and the visibility from Fox Run to the hill is less than 50 yards and it is a dangerous intersection. Hicks suggested stopping multiple entries while construction is going on as it does create safety hazards on 65th.

Dixon stated that the problem is Fox Run is below the hill and for that reason it would not be a long-term major access, and so Maggie Drive was to be developed with a wider cross street section so it can be wider asphalt and the road as it is developed will funnel more traffic out that way. Dixon added that 65th is slated for major improvement in the future to have 3 lanes in each direction plus a turn lane and at that time the hill might be trimmed some. Dixon stated that the bollards were discussed, and the County was against putting bollards in and wanted connectivity. The City was trying to minimize the traffic down Fox Run, but there still is a connection for road connectivity. Dixon stated that the next part is having Maggie Drive finished soon and that will hopefully alleviate the problems.

Beutler stated that the Commission had decided not to connect Fox Run and the County planning office asked the Commission to reconsider that decision and come back, which the Commission did and made the connection at the County's request.

Morrison stated that the City of Idaho Falls has no jurisdiction over the School Districts and that is a separate item. Morrison stated that those issues are addressed in School Board Meetings and this Commission has no authority to make recommendations.

Black moved to approve the Park Place Amended Preliminary Plat as presented, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Hicks, yes; Morrison, yes; Romankiw, yes. The Motion passed unanimously.

Morrison moved to approve the Reasoned Statement of Relevant Criteria and Standards, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Hicks, yes; Morrison, yes; Romankiw, yes. The motion passed unanimously.

3. REZONE 21-002: REZONE. Rezone 27.018 Acres of Ivywood West Subdivision from R1 to R3A.

Dixon opened the public hearing.

Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho. Roland is proposing approximately 27 acres to be rezoned from R1 to R3A. Roland indicated that the preliminary plat in the area is proposing twin homes.

Dixon stated that twin homes are allowed in R1. Roland stated that a portion of the rezone is proposed to be multi-family up closer to the school on the north end. Roland stated that to the west of the school would be multi-family. Roland stated that when they met with Staff, staff suggested zoning the entire 27 acres as R3A.

Black asked if he is referring to the lot owned by the school district, Roland agreed, and clarified it is a parcel owned by the School District.

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

Dixon asked if the School District has a plan to develop the lot. Foster indicated she doesn't know of any plans at this time. Dixon stated that the applicant is needing a small amount of R3A and staff recommended that they zone all of the parcel R3A. Dixon asked what is the reasoning

behind that suggestion from staff. Beutler stated that staff recommended R3A is because you do have an employment center designation on the Comprehensive Plan in that area, and R3A is a mixed zone that would allow for both residential development and some professional office type of development. Beutler stated that they are trying to get the same zoning for the similar uses, and it's been challenging to develop those things when the zoning doesn't match.

Support/Opposition:

Mark Radford, 825 W 66th South, Idaho Falls, Idaho. Radford asked if they have done any financial impact models on what the zoning was at and then on R3A, that would show the fiscal impacts. Radford stated that the Comprehensive Plan on page 62 requires it. Radford feels this rezone shouldn't be approved if they haven't done that.

Kirkham reminded everyone that this is the time to receive public testimony and not a forum to answer questions.

Radford continued and stated that the Comprehensive Plan and the use requires that this area remain R1 and not R3A.

Nick Valenti, 6767 South 15th West, Idaho Falls, Idaho. Valenti has multiple concerns. Valenti stated that there is no way they can expand 65th to handle traffic from the housing. Anton stated that if you sat out there any time of the day and observe traffic, you'll notice a lot of illegal behavior and unhealthy driving habits. Valenti showed on a bridge that he has seen multiple times where traffic passes construction vehicles and other vehicles on the narrow bridge. Valenti stated that if you talk about expanding 65th or South 15th you are only going to compound the situation by adding more traffic flow. Valenti asked the City to reconsider that. Valenti stated that the Butte Canal will be impacted if there are more people living around it. Valenti stated that there isn't enough planning as they plan only for the houses, but not the impact that it has on the agricultural area and the people currently residing. Valenti has seen the poor traffic patterns at all hours of the day. Anton stated that this City Annex hasn't considered the County residents and they need to consider the County residents in a preliminary hearing before they make any decisions.

Jack Goddard, 6538 South 9th West, Idaho Falls, Idaho. Goddard asked how many units this rezone would add. Goddard stated that there are 540 approved for the subdivision and they want to add more dense population.

Dixon indicated that the requested change would allow for additional units, but how many additional units isn't part of this hearing, this is only for the zone and what the zone allows.

Goddard stated that 540 units is enough and to add more congestion to the County residents is concerning. Goddard stated that the average residence has 2 vehicles and 540 x 2 is over 1000 vehicles. Goddard is concerned on how they would access the limited amount of street access to 65th, South 15th West. Goddard stated that the streets are already a nightmare. Goddard stated that when these units are built, they will dump all the traffic to South 9th West, South 12th West, and 15th, now there is a bottle neck with Fox Run or Maggie. Goddard stated that you have Maggie, Fox Run, 65th all within 100 feet of each other. Goddard stated that is poor planning, and then you include the hill with the limited visibility will increase accidents, there will be school bus stops, and traffic will back up. Goddard stated that people accessing 65th to access the interstate and work, now they will have more congestion and it doesn't make sense.

Gloria Valenti, 6767 South 15th West, Idaho Falls, Idaho. Valenti stated that here is a canal that runs east of their property. Valenti stated that their property sits 3-4 feet lower than the subject property. Valenti stated that the canal is approximately 4 feet above her property. Valenti stated that they have cleaned out the canal and right now it is about 10' deep and 14-15' wide. Valenti stated that the canal is dangerous and if that canal is adjacent to the new development what are they going to do to make it safer. Valenti stated that South 15th West is used by all the truckers instead of using Yellowstone to get to Shelley because there are no stop signs between 65th and 97th and no speed limit signs so people are traveling fast. Valenti stated that they have truckers coming east down West 65th and turning left on Jameston Road to go to the Malt Plant and they cannot make the turn, so they go off the side of the road and they have to make sure that traffic is clear from all ways. Valenti stated that the road is extremely narrow, and they have already ruined the road and if you hit places on the road in a car it's very bumpy. Valenti stated that the only time that police come to patrol is when they call, because it is designated an enclave, so they don't patrol that area. Valenti stated that they came to patrol and had many cars pulled over quickly. Valenti described a near miss crash that happened the other night. Valenti is concerned with what they are going to do with unmanned fire station. Valenti stated that her insurance company (Allstate) told her that if your house catches fire it will be gone before the fire trucks get there, because by the time they respond it will be 15-20 minutes. Valenti asked her insurance is that is why she is designated "8", because the area is very high risk. Valenti feels the density and population is too large for the area. Valenti stated that 800 homes between Park Place and Ivywood and if you consider there are approximately 4 people in each home, that is 3200 people in the area and approximately 1400 more people driving cars in the area.

Denise Tuttle, 67__S, 15th West, Idaho Falls, Idaho. Tuttle asked if the Rockwell Plat Map has been approved, or if they are still working on that, or was it the Groberg Plat that was approved. Beutler indicated that the Plat is the next item on the Agenda.

John Jensen, 7228 South 15th West, Idaho Falls, Idaho. Jensen stated that the Valenti's are correct on the traffic, the speeds are excessive, and there is no patrol. Jensen stated that the increase in density is not accommodated by the infrastructure that exists. Jensen stated that the density shouldn't be approved. Jensen stated that 65th has at least 10-20 cars backed up going east and west, and the road doesn't accommodate the current traffic. Jensen stated that unless the road gets fixed before this goes in, it will compound the problem. Jensen stated that the infrastructure is not there, and by increasing the capacity will make it worse. Jensen stated that in the winter this road is blown shut for several days. Jensen asked how on the Comprehensive Plan where it shows estate, how this subject property could be approved how it is.

Dixon indicated that the Comprehensive Plan Map is drawn in broad brush, and not exact lines. Dixon stated that the estate is mostly farther south, and the idea is this is where the large lot county development already exists. Dixon again clarified that it is drawn in blobs, not in strict lines like on legal plats. Dixon stated that when they come in with the lines, they don't always line up with the blobs, but they should be reasonably consistent with the blobs in the area.

Jensen stated that putting high density close to his property, shows no consideration for the existing landowners. Jensen stated that he has been there for 20 years. Jensen stated that when he bought in 98 the Comprehensive Plan likely showed that there was going to be a gravel pit in

the area. Jensen asked if the developer is going to tell everyone that buys a lot that there is going to be a gravel pit that goes right to the property line.

Mark Radford, 825 West 65th South, Idaho Falls, Idaho. Radford stated that the Comprehensive Plan does show this area is low density, and there is no high density any where in the area except for the far side of the map. Radford stated that if there is high density it should have gone in 2013 when the Comprehensive Plan was designed. Radford stated probably because they wanted as much low density as possible, including traffic. Radford stated that there hasn't been a traffic study regarding this subject property. Radford hasn't seen a financial impact study. Radford stated that no where around within a square mile does it show that it should be high density housing.

Black asked if staff could address some of the traffic issues and what the City plans for that area. Dixon asked if there was a traffic study done in this area. Dixon feels it is important to understand the timing for widening the County roads as it is pertinent to the development.

Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho. Roland stated that as far as the high density of the 27 acres, they don't need R3A for the entire 27 acres, just for the portion in the north west portion. Roland stated that below that they are putting twin homes in that area, which R1 allows. Roland stated that in the far south west corner there will be a storm drain/park area. Roland stated that the park will be approximately 3 acres. Roland stated that will be a buffer along that south boundary to the County properties. Roland stated that they will add one access out onto South 15th West, 3 access points onto 65th, and 2 proposed to the south, and one tie into the existing Ivywood Subdivision.

Black asked if the park is going to be private or something that will be turned over to the City. Roland indicated that they'd like to turn it over to the City.

Dixon asked if there are areas that are already zoned R3A that they intend to do the twin homes in that don't need the R3A. Roland stated that the entire west portion is R3A and they will have the north half R3A and the south half would be twin homes.

Foster indicated that the appropriate time for some of the questions would be with the plat process. Foster stated that fiscal impact doesn't happen until there is plat, traffic studies don't happen until there is a preliminary plat. Foster stated that R1 does allow for 6 units per net acre, and the R3A allows for 35 building units per net acre. Dixon asked if there has ever been a development that reached the maximum density due to parking, setbacks, etc. Beutler agreed. Beutler stated that the density that is shown on the preliminary plat for the R3A area is 8 units per acre. Dixon clarified and Beutler agreed that the twin home area would be a higher density than allowed in R1, so it would need at least R2.

Dixon closed the public hearing.

Morrison reminded everyone that they are only discussing the rezone and the allowed uses in that rezone, and no firm plans should be discussed. Morrison stated that he doesn't want the audience to think they are being ignored (i.e. roads, canals, schools) but the Commission has no authority and no decision-making power over certain things. Morrison stated that the Comprehensive Plan does show the big area as R1, but it also shows a big blue area that is employment center, and there are no employment centers in the area, and that is just a suggestion

for the future. Morrison stated that the Comprehensive Plan is a suggested plan that they try to follow.

Dixon stated that R3A allows uses that could include employment activities and is not just residential.

Morrison moved to recommend to the Mayor and City Council approval of the Rezone from R1 to R3A for approximately 27 Acres of Ivywood West Subdivision as presented, Romankiw seconded the motion. Dixon called for roll call vote: Black, yes; yes; Hicks, yes; Morrison, yes; Romankiw, yes. The Motion passed unanimously.

4. PLAT 21-003: PRELIMINARY PLAT. Preliminary Plat of Ivywood West Subdivision.

Dixon opened the public hearing.

Applicant: Kurt Roland, Eagle Rock Engineering 1331 Fremont Ave, Idaho Falls, Idaho.

Roland stated that Ivywood West is 172 Acres zoned R1 in the yellow and R3 in blue as existing with single family housing proposed from existing Ivywood on the east side and they will extend Montezuma through the middle to 15th and that is proposed to be a 70' right of way. Roland stated that Bronson drive runs north/south with a proposed park on Bronson. Roland stated that the south west corner is proposed for twin home lots and a proposal of 3-acre lot for a park and storm pond for a total of 2 parks in the development. Roland stated that there is a 19-acre lot in the north west corner and that is proposed to be the R3A portion of the development. Roland stated that there are 3 access points to 65th, 1 to 15th between twin homes and multi-family, and 2 access stubs to the south, and 1 tying into the existing Ivywood subdivision.

Morrison asked if there are any walking/bicycle paths between the blocks on the interior sections. Morrison stated that the City is pushing walkability and the ability to make it easier to drive less to visit neighbors. Morrison would like to see something on the final plat that puts a 5' path between the blocks so people don't have to drive around the block to visit neighbors. Roland stated that he would meet with staff. Roland stated that they tried to make the blocks not super long. Morrison stated that in the denser area there are a lot of buildings and path between 2 of those would make a big difference. Roland agreed to discuss the issue with staff.

Black asked if on the east end of the plat that is up against the other subdivision with Grey Hill Ave., is there a connecting path/bikeway/walkway. Roland stated that there is not, and all they have is Montezuma that is the main 70' road. Roland indicated that there is a canal that runs north and south against Roy Hill Ave. Black asked if there is a walking path along the canal. Roland indicated that there is not one planned at this time. Black stated that other subdivisions near the Sand Dunes made the bike path a priority and the developer worked with the canal companies to have walking paths along those areas. Roland stated that they have not had any of those discussions.

Dixon is concerned that S 12th West is tying into the existing stub road by the church and taking it straight south for a half mile and stub in for the property to the south for future development. Dixon is concerned with the ½ mile long straight road. Dixon stated that in the past that type of road encourages excessive speeds. Dixon asked if they could make that road jog, so it won't create a speedway through residential areas. Roland stated that they will meet with staff regarding that and discuss it with engineering. Dixon indicated that maybe stop signs would work like they did on 25th Street. Dixon stated that when York is widened it will only have

traffic lights where there are other arterials intersection (every mile) so it will be a harder time to turn left on York with three lanes in each direction and traffic will have to move east west to get people out.

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

Black asked why this area is not included in the Connecting Our Community and pathways. Black stated that they are adding 528 lots, and this should be a natural spot to have Connecting Our Communities. Beutler stated that he not sure, and it does make sense. Beutler stated that the challenge here is trying to make connections along the canal because the canal is internal to the development and runs between the existing Ivywood subdivision and on the east side, and they don't make natural connections and they would encourage pedestrians to come to York where there wouldn't be a pedestrian crossing for the rest of the system (Connection points on 5th West and 15th West). Beutler stated that it makes sense for people to go to arterials where they can cross the strategic arterial with 65th safely. Black confirmed that they are sending pedestrians to where they just heard horror stories about traffic. Beutler stated that as development occurs there will be improvements to the roadway including sidewalks, etc. Black asked if there is anything like the improvements made on Park Road entering into Southpoint. Beutler stated that the Connecting Our Communities Plan doesn't comprehend that. Black asked if that improvement is part of Connecting Our Community. Beutler stated that the pathway system is called out in Southpoint. Black asked if the sidewalks along the outside of the subdivision on Southpoint is part of Connecting Our Communities. Beutler stated that sidewalks would be part of the development of arterials, and with arterials there is that designated improvement including some bike lanes, some pathways, so you would see that on the arterials.

Dixon asked if the City has outgrown the Connecting Our Community plan and they need to update it. Beutler stated that the plan came after the annexation of this area, so he is unsure why this area isn't in the plan. Beutler stated that there are places that are in the plan that aren't developed yet. Dixon stated that they need to provide a way for pedestrian traffic to get from the residential to the schools and a the 70' collector could provide an opportunity for a path or a bike lane. Dixon feels there is something missing. Beutler stated that they can look into it and address it at the final plat. Beutler stated that internally there will be sidewalk connection.

Morrison wants pathways and they shouldn't wait. Morrison stated that this area is going to grow. Morrison asked if they are going to wait until last minute and then regret it. Morrison stated that they are creating a community of islands and he doesn't like that, and he feels they should plan ahead even if its 20 years too early.

Black asked if the City has plans to take over the park. Beutler stated that he has had conversations with Parks and Rec, and they are open to discussing with the developer the potential of taking over the parks because of their larger size. Beutler clarified that in order for Parks and Rec to accept the parks they would need to have specific improvements, as Parks and Rec is not wanting to take on any additional storm ponds, they want to see larger parks that have playgrounds, turf, amenities, etc. Black asked of what park in town is a similar size.

Support/Opposition:

Email:

Mark Hansen. Hansen is an adjacent property owner and opposes the project as follows: increase in density will make roads hard, and roads will need to be widened and that will put an increased tax burden on all residents; Schools in the District are at full capacity and the increase in homes will increase the burden on education system and schools will need to be built which will increase the tax burden on residents; Hansen wants the lot sizes increased to decrease the density of new people; roadways are not safe to elements north of 65th Street and 5th West, the diversion of traffic to create turn lanes move the east bound traffic on 65th just west of 5th west to the shoulder of the road and it is not a natural flow of traffic and is not easily recognized by drivers and people are not used to driving outside of the road and this makes it dangerous for all drivers in the area. Hansen wants these things considered in detail before permission for the development is given. Hansen stated that the development impacts the residents in the area financially and poses safety risks for anyone who uses the roadways in the vicinity.

In Person:

Denise Tuttle, 6712 South 9th West, Idaho Falls, Idaho. Tuttle is concerned about parks, walkways, greenspace. Tuttle stated that they need community, and they aren't building community. Tuttle stated tree, parks, are needed and they need to think of the kids in the area. Tuttle stated that she feels that everyone is responsible to have great spaces for our communities. Tuttle asked if they could get any of that in, and where do they go to get that. Tuttle used to walk down the canal every day. Tuttle stated that she seldom sees kids playing in a drain field, and she would like more parks, swings, trees to build the community that is lovely and something everyone wants to be a part of.

Bridger Mars, 989 W 65th South, Idaho Falls, Idaho. Mars is a shareholder of Ririe Pond, LLC. Mars stated that Ririe Pond is a 6-acre pond that is adjacent to the subdivision. Mars stated that Rockwell is also a shareholder in this pond. Mars stated that two of the lots that back up to the pond have legal access. Mars is concerned for the lots that do not have the legal right to access the pond. Mars stated that given the proximity the risk of residents or children trespassing onto the property would be increased. Mars stated that CDC reported that drownings are the second leading cause of death in children 1-14, only following vehicle accidents. Mars wants to know what Rockwell plans to do to keep access from the rest of the subdivision especially the homes that border the pond that do not have legal rights to the pond. Mars wants to know if Rockwell will acknowledge in its covenants that Ririe Pond is private property and should not be accessed by the general public. Mars proposed that the plan not be approved until the question of liability is resolved or a permanent barrier installed. Mars stated that the lots that need to be resized are the ones that are next to the pond and Mars would like those lots to stay the larger size to stay similar to the rest of the property around the pond.

Jack Goddard 6538 S 9th West, Idaho Falls, Idaho. Goddard owns lots around Ririe Pond. Goddard has the same concerns as Bridger with regards to liability. Goddard is proud of the recreational area pond it has fresh water, and a membrane that seals it off to have freshwater year-round, with ice skating in the wintertime. They did have an issue with a neighbor's dog falling through the ice. Goddard stated that if a subdivision were built near the pond who would be liable, the developer, the City, or the owner of the pond. Goddard would like the developer to build a barrier fence to prevent access to the Pond from the residents of the proposed subdivision. Goddard doesn't want to shoulder the liability of a child losing its life in the pond. Goddard is concerned with traffic and would like a ballast at the end of the County road to

prevent the overflow of excess traffic from the subdivision onto 65th. Goddard stated that Fox Run, Maggie and 9th West are converging within 100' of each other. Goddard things planning needs to be done way ahead of the approval of this subdivision. Goddard stated that he feels that this is creating an island. Goddard feels that the development gets the developer money, the City Tax Revenue and the existing neighbors get the shaft.

Mark Radford, 825 West 66th South, Idaho Falls, Idaho. Radford stated that one of his concerns is that this body is disregarding the Comprehensive Plan. Radford asked the Commission to use the Comprehensive Plan as guidance on how to develop in the City. Radford stated that on page 59 of the Comprehensive Plan it states: "The Comprehensive Plan directs the City to encourage development in areas where extensions of the facilities are least costly." Radford stated that Ivywood is at the end of the City. Radford asked who is going to maintain the road, County or City. Radford asked who is going to maintain 9th, 65th, etc. Radford asked what the plan is. Radford hired an engineering firm to get a second opinion on a traffic study. Radford stated that the engineering firm is out of Utah and does developments through Utah, Nevada, and Arizona. Radford stated that the engineering firm has a concern with 65th South and that should be developed before the subdivision goes in. Radford stated that the Engineering Firm told him that if you allow all the homes to be put in this subdivision the impacts will be so bad. Radford indicated that he could provide that information and asked to reserve the right to present that information when the final plat is approved or when it goes to City Council. Radford stated that they are going to do a traffic study. Radford showed the plat and showed a roadway that is only 15' wide. Radford showed an easement and the instrument number that is attached and if you go back to the plat it calls out that easement instrument number. Radford stated that everyone in his subdivision have a right to use that irrigation easement and have water rights that come out of the canal. Radford verified that he has water rights. Radford stated that Eagle Rock Engineering has built the subdivision into that easement and that isn't legal. Radford had his legal team review the documents and the instrument and it clearly states that when Grobergs bought the property the easement was not included in the sale, and that easement must stay in existence. Radford asked for that issue to be addressed before the plat is approved. Radford asked if the parks for the subdivision are going to be in drainage ditches and is that where they want the kids to play, or do they want to make that park official. Radford stated that it is important to have walkways. Radford stated that all these homes will bring between 3,000-4,000 people and 10 years ago that was the size of Rigby Idaho. Radford stated that if they are presenting a subdivision the size of Rigby Idaho, they need all the infrastructure and some major infrastructure requirements. Radford asked what the fiscal impact will be for the current residents. Radford stated that if it is going to be a community, they need to create a win/win for everyone to benefit. Radford stated that Ammon and Iona have done this same exact model and if you drive by Thunder Ridge it takes an hour to go 1 mile. Radford doesn't feel that is what Idaho Falls should be about, and they have an opportunity to develop this in a responsible way. Radford again stated that the Engineering Firm has told him that the road is the biggest thing, and that road needs to be addressed. Radford feels that Rockwell and other developers should contribute and make that roadway 6 lanes now, and not wait. Radford stated that if you make it impossible to drive and get around it will make people want to live somewhere else. Radford asked the Commission to not approve it, as there are several legal issues, including the easement issue; wait for the traffic study and fiscal impact study before this is approved.

Luke Valenti, 6767 South 15th West, Idaho Falls, Idaho. Valenti stated asked the Commission to reconsider because of the traffic impact. Valenti stated that he feels that the higher ups job is to consider whether R1 or R3, and they need to consider what this subdivision impact will have on the entire City of Idaho Falls, and the County of Bonneville.

David Gonzalez, 6455 (Corner of 65th and Fox Run). Gonzalez is concerned with 9th West and the traffic that will come out of this subdivision. Gonzalez stated that Maggie and Fox Run will have all the traffic pushed out and there will be some deaths. Gonzalez stated that 65th needs to be done. Gonzalez has a hard time seeing 7 lanes because they will have to buy out houses on 65th and they have the power lines on one side, and they will have to buy property to the south. Gonzalez is afraid that they will build the subdivision and wait 30-40 years before they widen it. Gonzalez again stated that people are going to die. Gonzalez stated that he has seen people walking down Fox Run and 65th and back into Maggie and it is so dangerous with the cement trucks driving back and forth Gonzalez would like 9th West closed and made into a cul-de-sac with bollards at the end to stop the traffic from exiting right into those three streets. Gonzalez suggested they go down Park and down 65th for a better way out. Gonzalez feels the problem is they aren't looking far enough into the future. Gonzalez stated that they need the main arterials big enough and set up to work before the houses come.

Phil Jordan, 6557 12th West, Idaho Falls, Idaho. Jordan stated that this neighborhood will have a lot of school buses in it. Jordan stated that if they build a school the kids will come and that means buses during rush hour traffic in the morning and evening. Jordan stated that he has lived there for 25years and when there was work going on Sunnyside, he would sit on 12th West to get on 65th for 9 minutes waiting to turn left and that is with present conditions. Jordan sees greed written into this subdivision with 511 homes. Jordan suggested cutting the density in half and make the lots bigger and more beautiful and have less of an impact. Jordan feels this is pushing the limit. Jordan stated that he has a map that stated that 12th West wasn't going to be an entry way into the subdivision, and he bought his property with that understanding. Jordan stated he is unsure how they are going to handle the traffic. Jordan recommended that there be some changes made including decent sidewalks, not creating drag strips with ½ mile long straight a-ways. Jordan stated that it is unbelievable how fast people drive. Jordan is concerned that some of the kids walking to school will not be safe.

John Jensen, 7228 South 15th West, Idaho Falls, Idaho. Jensen stated that the density is too high, and it needs to be changed and looked at. Jensen wants this rejected and reviewed and come up with a better plan. Jensen stated that there are not enough ways for people to get out. Jensen stated that 15th West has tons of grain trucks down the road, and with school starting kids will be on school buses and walking and there is too much traffic on this road to accommodate this density. Jensen asked them to cut the density and make it reasonable. Jensen stated that this plan was not thought through properly and this subdivision should make room for access off the south east end rather than just the one-way Montezuma Street. Jensen asked them to reduce the density and get the walking spaces they have been discussing.

David Gonzalez, 6455 ____, Idaho Falls, Idaho. Gonzalez asked if the street is going to be widened out now, or later.

Ross Davidson, 6626 S 12th W, Idaho Falls, Idaho. Davidson wanted to know if 12th West was going to be a main entry into the project. Davidson has serious concerns with that due to the condition of the road currently. Davidson and his neighbors share the responsibility of keeping

the road clear 70% of the time during the winter, and he invited City Council to come and take a look at the road. Davidson stated that Davinci is 200 yards to the west and he suggests going that way to the development. Davidson asked if any one can draw a clear line of the north west corner of the property that the School District owns, specifically the northern boundary on the property. Davidson indicated that the northeast corner is drawn over the section of his property that includes his well for his house. Davidson has not been contacted by anybody about losing property to the school district. Davidson sees problems with the plat going forward and there are serious issues that need to be addressed.

Beutler stated that neither the school nor his property are included in the plat as the plat boundary goes around the school property.

Davidson indicated that he feels there are issues that need to be addressed.

Dixon reasserted that neither Davidson's property nor the school district's property is in question tonight.

Davidson stated that the southern border of his property includes the canal that he has water rights to that the plat draws over on the east side.

Beutler stated that any issues with the canal would have to be resolved with the irrigation district. Beutler stated that any ownership the applicant would have to resolve with the owners and the canal company.

Davidson indicated that his biggest concern is 12th West being a main entry. Davidson has 2 kids that he drives to school every day because multiple times on 65th sending them on the school bus he had people pass the school bus while his kids were getting on. Davidson has contacted the Sheriff multiple times.

John Jensen, 7228 South 15th West, Idaho Falls, Idaho. Jensen wants to understand better how this is going to impact people with private wells and where is the water coming from for the subdivision. Jensen asked if this increased density would increase their wells because there has to be more demand. Jensen understood that the property across the street was going to be a well site, but they may have changed now that they moved the well onto 65th.

Mark Radford, 825 W 66th South, Idaho Falls, Idaho. Radford pointed out about the easement that is covered up that is a recorded instrument. Radford indicated that staff stated that it isn't their problem, and Radford asked for clarification.

Kirkham indicated that Radford needs to address the Planning and Zoning Commission as this is a hearing for the public to provide comment, not to have a debate with staff.

Radford asked if this body has the opinion that it is not their issue where there is a recorded instrument, or how should that be addressed because it is clearly a private property right. Radford stated that if they put homes there and put swing sets in the way it will obstruct their easement and that cannot be legal. Radford feels that needs to be addressed.

Dixon stated that a lot of those specific details get handled in final platting and at that time all sorts of easements and underground utilities, canals rerouted/covered etc., are handled at final platting. Preliminary planning just shows the general intent, and the final platting is the actual

legal item, and that is why the preliminary plat can be approved by this Commission and the Final Plat is just a recommendation and the City Council has to approve final plats.

Dixon asked staff to explain what 15th West development will likely be like (i.e. one lane each direction, etc.).

Beutler stated that 15th West is classified as a major collector so that is the classification just under arterial meaning it is designed to move traffic. Beutler stated that the long-range plan identifies this as a major collector so it calls for an 80' right of way with 2 drive lanes in each direction and a center turn lane is what would potentially be constructed. Beutler stated that construction of that roadway would occur at the time of development of the adjacent parcel. Beutler stated that generally its developed with the adjacent parcel, but the traffic study could impact that and if the traffic study recommended improvements because of a certain number of units.

Dixon asked how far the road would be widened and would it only go as far as the City property goes and not continue through the County property. Beutler stated that the City takes on rights of way when the City is on both sides of the road. Beutler stated that when the City is on one side of the road, then the road typically will continue to be a County right of way and the developer would have to work with Bonneville County with the design and getting he right of way permits. Beutler stated that if Bonneville County is able to secure enough right of way to continue the road north, that would depend on how much of the road could be widened. Beutler stated that the City doesn't have the ability to acquire right of ways.

Dixon asked about police and sheriff coverage. Dixon understands that typically when the City starts to have more of the road in the City, then there is a point where law enforcement switches over. Beutler agreed and indicated that the Police Department and the Sheriff's office will work that out. Beutler stated that snow removal and maintenance will work the same.

Morrison asked if the City owns any property in the area around this development to build a park in the future. Morrison asked how much of 65th South is County and how much is County currently. Beutler stated that immediately to the east of 5th West is still County.

Hicks asked if there is any way that a condition could be put on this or the final plat wherever applicable, that there be a date specific for the completion of the widening of 65th before this project starts. Beutler stated that would be worked out during the final plat process as part of the development agreement and as a result of the City's review of the traffic study. Hicks asked if that can be a conditional requirement that it be done before the final plat. Beutler stated that if the Commission put a condition on it, they would just want a general condition that the City review the traffic study and make recommendations to the Commission with the Final Plat, and if you get more specific that that you run into issues. Kirkham added that the default provision in Idaho Law states that public improvement needs to be completed prior to development occurring, however the Legislature has an exception to that, which has become the norm- and the rule, which is if the developer comes and negotiates with the City to put together a development agreement, that the development can be phased in, or the public improvements can be phased in instead of loaded at the front. Kirkham stated that the strong preference in Idaho, following the Legislature's lead is to permit developers to phase in the public improvements as the development gets phased in through the requirements of the development agreement. Kirkham stated that the trouble with conditioning a plat with something that is normally worked out in that

negotiation of the development agreement might be putting the cart before the horse. Hicks stated that the chances of it happening in the near future are almost non-existence. Hicks wants some way to assure that at a minimum the safety of the people in the complex.

Morrison asked again if there is any City property for parks. Beutler stated that he is not aware of any property owned by the City except the well site across 65th.

Applicant: Kurt Roland, Eagle Rock Engineering, 1331 Fremont, Idaho Falls, Idaho.

Roland stated that staff answered most of the questions.

Dixon asked if there is anything that can be done to make it harder get onto 12th West so that is not a racetrack. Dixon asked them to encourage more of the traffic to move to Montezuma or Davinci, or east to 5th West. Roland stated that they will work with staff on any suggestions they have. Roland suggested instead of a road, make it a pass through for pedestrians, not a road, so people will want to stay driving on the wider 70' road. Dixon asked if DaVinci is 60' right of way. Beutler indicated that DaVinci is 70' right of way.

Dixon closed the public hearing.

Commissioner Denney joined the meeting for a brief moment.

Black indicated that she liked the park, but the school district owned property with the possibility of an elementary school would be a good place for students to play. Black wants more green spaces and parks and wants the City to look in areas with large development to add green spaces. Black stated that since this Commission has no authority with traffic and the road widening on York, she feels they need to put the pressure on the elected officials that this is something that they want to insist on with the development plan. Black feels there have been too many developments where the infrastructure comes in later or not at all. Black feels that the City does better than the County, and they want to avoid areas like Thunder Ridge. Black again stated that they need to work with the elected officials and have the City and the developer work to make sure that is in the development plan. Black has asked for more townhomes from developers and she is glad to see townhomes in this development. Black stated that they are hearing from developers that the costs are going so high to build that sometimes they are requesting higher density not just so they can make money, but so people can afford the homes, and people are looking for higher density housing so some of the cost can be spread out. Black stated that this has a lot of mix within the development and generally she is in favor of it. Black wants the City to work with the Connecting pathways to get this area involved, and they need to work with the developer to get those connections.

Hicks likes the fact that it is on the south west of the City and going in that direction is good for the City and does a lot of other things as it goes along. Hicks agrees with applying pressure to working with the officials of the County/City to take a hard look at the future of the traffic in general. Hicks stated that one good thing about this is it is close to the north and south highway route. Hicks agrees.

Dixon stated that Idaho Falls has been discovered. Dixon stated that last month Idaho Falls was listed as the number one most attractive City of this size in the nation.

Morrison wants the Commission to think on a long-term basis when there is a lot coming in. Morrison holds to his earlier remarks. Morrison likes the mixed housing. Morrison stated that

roads and businesses are a chicken and egg, you cannot have businesses until you have housing, and they don't want to put roads in, until there is housing/business. Morrison stated that everyone has property rights and that includes the owner of this property and if the owner comes in and follows all the rules that the City has set forth, the commission is within their rights to make a few recommendations and changes, but mostly unless they change the rules and ordinances, they have to follow the ordinances.

Romankiw understands the concerns, but feels this plat complies with the Comprehensive Plan and the subdivision Ordinance and is in support of the plan.

Morrison asked if anyone feels that there is a need to add anything to the motion. Morrison is prepared to make a motion as presented.

Black asked staff about having the Connecting Our Communities Organization work with the City added to the motion. Beutler stated that it wouldn't be the Connecting Our Communities Organization because that was a planning exercise of the BMPO, and they'd need to direct the comments or conditions related to pathways in general or connectivity in general.

Morrison doesn't feel that this action is the right spot for doing that.

Kirkham indicated that the Commission could put a condition on the approval of the plat for a review with the City's connecting the Communities plan. Kirkham stated that the plan might not take into account this far out from the City. Beutler agreed that the plan did not take into account this far south from the City.

Dixon suggested stating that they state "in the spirit of that plan" are there things that need to be included.

Black asked if they could state that they approve the preliminary plat with the condition that the City looks at the spirit of the Connecting Our Pathways to see what could be added. Beutler stated that he would change the word spirit to "the Principles and policies of the plan." Kirkham agreed to that wording and stated that the more specific the condition then the more easily it will be for City Council to determine whether that condition has been met.

Black moved approval of the Preliminary Plat for Ivywood West, including the staff recommendations to adjust the R1 lots that exceed the maximum of 13,500 square feet, show full street right of way on South 5th, provide connection with South 8th West, and have the City make a review of the Connecting Our Pathways principals and policies to see if there are any needed additions to the Preliminary Plat, Morrison seconded the motion. Dixon called for roll call vote: Black, yes; Hicks, yes; Morrison, yes; Romankiw, yes. The Motion passed unanimously.

Kirkham asked if the condition is only to have the City staff review the plat in conjunction with that or is there other action that the Commission is seeking, like do they want the applicant to comply with the recommendations of the City. Black wants the applicant to comply with the recommendations. Kirkham believes the way the motion was worded the condition would be satisfied with staff simply looking at the policies and principles of the plan and that might not actually affect anything on the side of the applicant. Kirkham suggested clarifying what the Commission is seeking to do.

Dixon asked if Black's motion include both staff review, and the applicant then comply with the results of that review. Black would like that to be the intent of the motion. Kirkham encouraged Black to make an amendment to the motion. Morrison stated that there is a motion passed and seconded. Kirkham suggested making a new motion to amend the previous motion.

Dixon asked Black if her intention was to include both staff review and then the applicant comply. Black agreed that was her intent. Dixon asked Morrison if his intent was to second a motion that has both staff review and then the applicant comply. Morrison indicated that was his intent for the second on the motion. Dixon asked if anyone wanted to change their vote now with the clarification of the motion. Hicks stated same vote; Morrison stated same vote; Romankiw stated same vote; Black stated same vote.

Dixon asked staff for a proposed wording to add the additional condition to the Reasoned Statement of Relevant Criteria and Standards. Beutler suggested adding a 4th bullet to the II. Decision: "City to Review Connecting our Communities Plan's principles and policies to determine application to the Preliminary Plat, and the applicant would comply with any recommendation for modification."

Kirkham feels that is sufficient.

Morrison moved to approve the Reasoned Statement of Relevant Criteria and Standards with the addition of the wording suggested by staff in II. Decision, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Hicks, yes; Morrison, yes; Romankiw, yes. The motion passed unanimously.

Dixon indicated that there will be additional meetings for comments on the annexation and final plat. Beutler confirmed that the final plat doesn't have testimony.

Business:

5. PLAT 21-007: FINAL PLAT. Final Plat for Providence Point Division 2.

Applicant: Kurt Roland, Eagle Rock Engineering, 1331 Fremont, Idaho Falls, Idaho.

Roland stated that Division 2 has 62 single family homes. Roland stated that they have a block that has 12 lots for twin homes in the middle of the plat and the rest are for single family homes. Roland stated that there is one access on the Division 2 plat, and back on Division 1 (Prosperity Lane) goes to the east towards the church and there is another access point down there, giving them the 2 access points to this division. Roland stated that this division will have a club house and an open space area for a park on the north end of the plat. Roland stated that there is green space along 49th South with a landscape strip, and a landscape strip on the west and east side of the property as well. Roland stood for questions.

Black asked where the club house will be. Roland stated that it is on the north boundary on a road called Simplicity. Black asked how many phases Division 2 will be built in. Roland stated that this will be built in one phase. Black confirmed that the club house will be included in this phase, and Roland confirmed. Black asked where the landscaping strips will be. Beutler showed that the landscape is along the frontage of E 49th South, and lot 22 will be the club house area, and there is also green space on the western side that circles around the plat. Beutler stated that it is not part of this plat, but there is also planned green space as part of the previous division that's on the east side.

Roland stated that they are only showing half of the open space lot, and the other half will be in division 3. Roland stated that the club house will be built in Division 2.

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

Dixon likes that the club house is not in the final division and he wants staff to make sure that as they do other developments, they do the same thing to ensure that the club house gets built and not sold off.

Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Providence Point Division 2, Black seconded the motion. Dixon called for roll call vote: Black, yes; Hicks, yes; Morrison, yes; Romankiw, yes. The motion passed unanimously.

Miscellaneous:

Comprehensive Plan Update. Beutler indicated that they are continuing on with the Comprehensive Plan Update. Beutler stated that on the City website on ImagineIF.City there is a City survey up and running. Beutler encouraged the Commission to tell their friends, groups, committees that they attend to go and take the survey. Beutler stated that they are in the middle of neighborhood meetings. Beutler stated that they have been listening sessions and they listen to concerns that people have. Beutler asked the Commission to start thinking about the land use map and whether there is a different way to approach that plan and maybe rather than having a zoning definition such as lower/higher density, maybe just have place types, such as suburban place type, urban place type, something that can have some form.

Beutler indicated that there is another meeting on March 16th, and they are hoping to do some long-range planning during that meeting.

Dixon adjourned the meeting at approximately 10:30 p.m.

Respectfully Submitted

Beckie Thompson, Recorder