

April 20, 2021

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Brent Dixon, Gene Hicks, Natalie Black, George Morrison, Joanne Denney.

**MEMBERS ABSENT:** Joanne Wimborne, Lindsey Romankiw, Arnold Cantu

**ALSO PRESENT:** Assistant Planning Directors Kerry Beutler, Naysha Foster, Caitlyn Long 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 March 16, 2021 with requested corrections, Hicks seconded the motion and it passed unanimously.

**Public Hearing:**

**1. ANNEX 20-016: ANNEXATION/INITIAL ZONING. Annexation & Initial Zoning of LM.**

Dixon opened the public hearing.

**Applicant: Clint Jolley, HLE.** Jolley indicated the property is 26 acres located on the corner of Broadway and Bellin, with a proposed zoning of LM. Jolley stated that this is the first step in developing the property further. Dixon asked if the intention is to continue with the Dairy or move the Dairy. Jolley indicated that they intend to move the cows and keep the processing plant and create a state-of-the-art creamery. Jolley stated that currently the use would be grandfathered in, and they wouldn't be allowed to expand the operation of the dairy.

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

Dixon stated that the staff notes show the uses for commercial, not LM. Dixon asked what allowed uses are in LM. Foster listed the uses that are not allowed, including: adult businesses, processing without retail sales, health care and social services, heavy industrial, freight terminal stations, railroad, recreational vehicle parks.

Hicks asked if the airport has a problem with this change. Foster indicated that the developer has been working with the FAA and the Airport, and no concerns have been raised at this point.

Black asked if the applicant requested the zone or was that suggested by the City. Beutler indicated it is both the applicant's request and what the City would recommend. Black asked if with a conditional use permit, they will still be allowed to do everything they are currently doing as grandfathered use. Black asked how that happens. Foster indicated that if they did agriculture and agriculture tourism that would be allowed in the LM Zone and that is the current use with the creamer and petting zoo. Black confirmed that whatever they are going to do is consistent with the LM Zone. Black stated that it makes her nervous that they need the CUP and wants to make sure LM is the best zone. Foster has had meeting with the owners and managers and discussed what they are currently doing and what the proposed use, both the City and applicant felt this is the best zone for them. Dixon asked about the CUP that Black has mentioned and asked if it is

called out somewhere in the request. Foster stated that it is not called out, it is part of the staff report. Beutler clarified that it is a grandfathered use, so as it came into the City it would still be grandfathered and they can continue operations, and they do not need a CUP because it is a grandfathered use. Beutler stated that if they were going to change the use, or turn it into a more of tourism use, then they would need the CUP.

### **Support/Opposition.**

**Daniel Kingston, 421 Ashment, Idaho Falls, Idaho.** Kingston had a question about Foster's comment about medical facilities. Kirkham indicated that this is not a question-and-answer session.

Dixon closed the public hearing.

Black stated that it seems straight forward as long as the applicant is ok with the LM zoning. Morrison agreed with Black.

**Black moved to recommend to the Mayor and City Council approval of the Annexation of Approximately 26.28 Acres, SE ¼ of Section 15, Township 2, North, Range 37 East, with initial zoning of LM, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

### **2. ANNEX 21-003: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of LC, Limited Commercial.**

Dixon opened the public hearing.

**Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Dr., Idaho Falls, Idaho.**

Jolley indicated there are two parts to this project on this agenda. Jolley is asking for annexation and initial zoning of LC. Jolley stated that a portion of the property is already annexed into the City and everything north of Little Creek and the western boundary borders the south side of the hatch pit. Jolley stated that this acreage is called out in the Comprehensive Plan to be higher density uses. Jolley stated that the annexation that Bish's did on their property is all HC and this request for LC is a good fit for this area and fits within the Comprehensive Plan.

Dixon asked about the road access to the property. Jolley indicated that currently there is Recycle Road that passes the property and there is a 50' City of Idaho Falls Property that runs and could potentially give access, and applicant is working with property owners to see if they can get a full City street. Hicks asked for clarification on single access. Jolley stated that at this point Recycle Road is the only access to the property.

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

Dixon asked about the controlled development zone. Foster indicated that it is within the controlled development area for the airport, but it does allow for residential and commercial uses.

No one appeared in support or opposition.

Dixon closed the public hearing.

Morrison indicated that it is straight forward.

**Morrison moved to recommend to the Mayor and City Council approval of the annexation of 22 acres in the SE ¼ of Section 6, Township 2 N, Range 38 E with initial annexation of LC, Black seconded the motion. Dixon called for roll call vote: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**3. RZON 21-007: REZONE. Rezone from I&M, Industrial and Manufacturing to LC, Limited Commercial.**

Dixon opened the public hearing.

**Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho.** Jolley stated this property is annexed into the City as I&M and they are requesting this rezoned to LC to match the rest of the property (previous Agenda item).

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

Dixon asked if under the controlled development area if they can still do high density residential. Foster confirmed that high density is allowed.

No one appeared in support or opposition.

Dixon closed the public hearing.

Black feels it is straight forward.

**Black moved to recommend to the Mayor and City Council approval of the rezone from I&M to LC for 5.3 acres in the W ½ of the W1/2 of the SE ¼ of Section 6, Township 2 N, Range 38 E, as presented, Morrison seconded the motion. Dixon called for roll call vote: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**Business:**

**4. PLAT 21-008: FINAL PLAT. Final Plat for Riverfront Luxury Townhomes, Division No. 1.**

**Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho.** Jolley indicated that this is a straightforward request to plat these parcels that are just of Latah.

Dixon asked if there is storm retention. Jolley stated that the storm water developed on the lots, will be contained on the lots, and as part of the plat they will be required to finish Latah so it will be improved to City standards.

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

Black asked what the long lot on the back is for. Beutler stated that the long lots are for rear loaded access into the properties.

Morrison asked about the spaces on the front of the lot. Beutler stated that the east side is Latah that runs down the east. Beutler stated that they will have smaller pads of green space, and immediate access to the park.

Dixon asked if there is any cross access with the existing condos. Beutler is unaware of any existing easements or agreements.

Morrison would like to see more open space, even though it is close to the park. Morrison doesn't want to set a precedent.

Black asked if this has landscaping requirements. Beutler stated that they will have to meet the requirements for that zone as they develop each lot. Black asked if there will be rear parking. Beutler stated that he understands they will load from the rear which will help with street scape along Latah, so there aren't driveways breaking up the sidewalk, but rather a nice street scape with the front of buildings and rear access.

Morrison asked if there is tandem parking. Beutler stated that they will have to meet the parking requirements for the zone (2 parking spaces for each unit). Morrison asked if they are part of the HOA for the other units. Dixon stated that it appears to be independent, and Beutler agreed.

**Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Riverfront Luxury Townhomes, Division No. 1, as presented, Denney seconded the motion. Dixon called for roll call: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**5. PLAT 21-010: FINAL PLAT. Final Plat for Bowen Addition Division No. 3 First Amended.**

**Applicant: Jeff Freiberg, 946 Oxbow, Idaho Falls, Idaho.** Frieberg stated that this is an existing lot in the Bowen Addition and the owner wants to split it into two lots so he can build a warehouse on the south end of the site and then it will be split in half and in the future, he can sell the north half and have a new warehouse. Freiberg indicated that the lot is approximately 3 acres.

Long 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 Bowen Addition Division 3 First Amended, Morrison seconded the motion. denial of the Rezone from TN & PT overlay to HC, Black seconded the motion. Dixon called for roll call vote: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**6. PLAT 21-011: FINAL PLAT. Final Plat for Snake River Landing Division No. 15 First Amended.**

**Applicant: Justin Scott, Horrocks Engineering 2194 Snake River Parkway, Idaho Falls, Idaho.** Scott indicated that this is the first Amendment to the Snake River Landing No 15 Plat. Scott stated that the original plat was approved August 2020, and the amendment is to split the lots into 5 separate parcels with an average lot size of 1.08 acres.

Dixon asked about the access to lots 5 and 7. Scott stated that there will be cross access easements. Scott stated that there is already a private drive that is under construction between the northern lot and the 2 lots between it, and there will be cross access easements to the remainder of the lots. There is a portion owned by the City and it doesn't need road access because it is a park.

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

Dixon asked if there is any drainage. Beutler stated that commercial requirements require them to maintain storm water on site. Beutler stated that there is a master drainage plan for Snake River Landing.

**Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Snake River Landing Division No. 15 1<sup>st</sup> Amended, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**7. AP 21-001: APPEAL. Reasoned Statement of Relevant Criteria and Standards for the Request for Reconsideration of the approval of the preliminary plat for Ivywood West.**

Beutler stated that the revisions are in 9, 10, 11, 12. Beutler feels that they were able to capture the discussion of the Commission that night in the revisions. Beutler gave a brief review of each number 9-12. Beutler asked if there were any changes or modifications that the Commission desires.

After brief discussion, and legal Counsel's confirmation that he feels it is appropriate, the Commission concurred that the Reasoned Statement of Relevant Criteria and Standards is appropriate.

**Black moved approve the Reasoned Statement of Relevant Criteria and Standards for the Request for Reconsideration of the Preliminary Plat of Ivywood West Subdivision, Denney seconded the motion. Dixon called for roll call vote: Black, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**Miscellaneous:**

**Comprehensive Plan Update.** Cramer stated that in order to achieve statistical significance for the City they needed 300 responses, and they achieved 650 before entering in the paper copies. Cramer stated that they achieved significance as the City as a whole, but also statistical significance in every neighborhood individually. Cramer stated that they have been going through the neighborhood meeting data and it is interesting, but when it comes to housing diversification, there is only one housing type that didn't achieve a place in all of the neighborhoods and that is courtyard apartments. Cramer stated that the strongest support was for accessory dwellings. Cramer stated that right now they are in a lull while they wait for results and are working on structural portions of the document and once, they have the data they can start filling in blanks. Cramer stated that they want to continue the discussion about place types instead of low density/high density. Cramer showed his screen and Google document that the Commission is working on. Cramer asked the Commissioners to discuss the place types they listed on the map. Black stated that she cannot figure out how to get the drawing tool to work. Morrison stated that he did the exercise. Morrison stated that the work that was done on 1<sup>st</sup> Street and Northgate Mile encapsulates what he is looking for, neighborhoods/streets that need lipstick and polish. Morrison stated that the park issue is discussed all the time, and south of Sunnyside there are no parks at all. Cramer stated that they did one separately as staff and everyone that has done it has taken a different approach. Cramer asked if the concept makes sense, like they are trying to get away from saying this area is "low density" and change it something else, like this is a "suburban place type" or this is "urban residential", "walkable center". Morrison stated that

the Westside of town has no shopping unless you live on Broadway. Morrison stated that the westside is neglected part of town. Black asked if Morrison is asking what the City can do to spur development on that side of town. Morrison stated that the goal is to figure out what they'd like to see happen and he feels that slowly they are getting there on westside to become denser. Black thinks they need to get rid of high-density housing because everyone hears that term and doesn't want it. Morrison stated that the goal is to have higher density and less sprawl. Black agreed but indicated that it is the verbiage that they need to change. Cramer agreed that when someone hears high or low density, they paint a picture. Cramer stated that density is about yards and number of people, where suburban and urban incorporate a concept of what kind of amenities might be close by and traffic levels and view lines, which paints a different picture. Dixon has not done the exercise. Dixon stated that there is an idea of where we are developing new land and then there is the redevelopment. Dixon stated that there was a partial effort to redevelop when there was going to be a Fred Meyer on that side, and then it stopped. Dixon stated that it left properties in limbo in the area. Dixon is unsure what they can do as far as comprehensive plan policies to force that into some sort of a conclusion to turn it into something. Dixon stated that there are tools and strategies to encourage that development through incentives and programs. Black stated that sometimes the City needs housing so badly, so they approve things and don't like what they get. Cramer stated that is another thing that came through with the neighborhood piece, that people that don't want certain things in their neighborhood, changed their answer when asked if they would accept those types of housing if there was development standards, and one of the main purposes of the missing middle reports that they did was to understand how to write a standard that produces the development that you want (i.e. same townhome, just laid out and oriented differently). Cramer stated that when something is designed right it fits in the community better. Black stated that she went to Boise 2 weeks ago and saw something that was beautiful, and it was 4 corners of some sort, and the developer she was with stated that every corner you add, adds cost, and so it is easier to do the straight-lined homes. Black stated that she doesn't want to see row townhomes. Black stated that they need some design features. Dixon stated that he will go in and circle all the urban density that is not in an incorporated city and that is not following the intent of the Idaho Legislation. Black asked what the City's plan is with parks. Cramer is frustrated with response he got with the last bike path issue, when they told him it was not slated on the connecting pathways because nothing was down there, although his profession is built around the idea of "what could be". Cramer stated that Beutler is working with BMPO to expand the plan down into that area. Cramer stated that they are getting a mixed message on parks and they are trying to figure it out and find a balance between no new parks versus strategic parks that have facilities and can be maintained. Cramer stated that they are working on a development impact fee ordinance that should be ready by the end of the summer which would require funding from every development to go towards the construction of parks, to maintain a certain level of service. Dixon is frustrated with the school district wanting to develop new practice fields down on Township where they had the site proposed for the new high school, and it is partially because they don't want to pay to use the fields at Tautphaus because one government entity doesn't want to work with another government entity and forcing the taxpayers to pay twice. Cramer stated that as the City is growing the fields have not grown with it, so there is a high demand on fields. Cramer stated that the field is being proposed on annexable land in the County, not in the City. Cramer stated that the property is within the area of impact, etc. Dixon asked about why they would want to wait until the land was developed to put in the bike paths because once the land is developed it is

hard to find space. Cramer stated that the issue was down in the south west part of town Connecting Our Communities Plan didn't show anything in that area, and when Beutler investigated why the answer was there was nothing down there, so they are trying to fix it. Kirkham feels that the area was overlooked. Dixon asked if there is a certain size of development that they should require a certain amount of diversity. Cramer stated that it is a combination of a couple things, if it becomes a strong enough priority for the City to create a housing diversity, then they would find strategies to make it happen, like some communities create a minimum density. Dixon stated that south of town the City is hop scotching and there are a lot of County lots that are being surrounded and what do you do with those enclaved lots. Cramer stated that they will have more in depth and focused conversation when they get the data put together, and they hope to have more shorter meetings so they can have more work sessions like this. Morrison asked about the Comprehensive Plan change. Cramer stated that now that they are done with public outreach, between now and the end of summer, they are working to put together all of the policy documents, and they will have another round of neighborhood outreach late Summer and have the Comprehensive Plan to the Commission for a public hearing for consideration by September or October, and to City Council in November.

Next meeting May 4, 2021.

Dixon adjourned the meeting at approximately 8:30 p.m.

**Respectfully Submitted**

**Beckie Thompson, Recorder**