

April 21, 2020

7:00 p.m.

Planning Department

Council Chambers

Notice: Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.

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

MEMBERS ABSENT: George Swaney, Gene Hicks

ALSO PRESENT: Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brian Stephens; Naysha Foster and interested citizens.

CALL TO ORDER: Natalie Black called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: No Minutes.

Public Hearing(s):

1. PLAT 20-010: PRELIMINARY PLAT. Providence Point Preliminary Plat. McLane presented the staff report, a part of the record. Dixon asked about the 2 large lots against 49th South. McLane indicated that the lots on the southern end of the plat are part of the plat and will be lots that will face internally to the subdivision and will not have direct access to 49th South. Morrison asked if the lot on the south is the storm pond. McLane stated that is not the storm pond. Dixon is concerned about access to the area to the north and the potential City Park that would eventually be built. Dixon showed concern about the long straight road and the access to the Park. McLane stated that the property to the north is owned by the City, there are 2 other stub roads that go into the area from other subdivision and the main access will be from the west on St. Clair. Dixon expressed concern about potential park access and the traffic. McLane indicated that the traffic is yet to be determined. Wimborne indicated that the City would address that at the point when it is actually going to develop. McLane reiterated that the primary access for any future development will be from St. Clair.

Black opened the public hearing.

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

Roland indicated that it is a straight forward development, with single family and a section of twin homes in the northern end of the development, with a storm pond on the west side of the development that will be a 30' green space with a walking path going through it. Roland indicated that there will be access stubbing into the church when 49th gets widened.

There were no written statements to be read.

No one appeared in support of the application.

Opposition:

Russell Spencer, Idaho Falls, Idaho. Spencer lives in Brookside Subdivision. Spencer is hoping the development will cut down on his snow drift. Spencer is concerned about the twin homes and asked the developer to remove them from the plat or move them towards the entrance of the subdivision.

Black closed the public hearing.

Wimborne indicated that it is a great subdivision for the area, and she has no concerns and likes the mix of the layout and gives homeowners lots of variety.

Black wants to see more twin homes in Idaho Falls.

Dixon indicated that the “island” of 10 lots has the smallest lots and is away from existing development and that is likely where the twin homes would be, but there is potential for some against the east side where there are smaller lots. Dixon indicated that with the exception of the pie shaped lot to the east, all the other existing lots have no more than 1.5 lots against them from this proposed subdivision so the difference in density is not that great.

Morrison agreed with Dixon and Wimborne and believes it is a good subdivision.

Dixon is concerned that the only connection to the west is close to Township and that could affect the ability to expand the road westward. Wimborne stated that she is not concerned, and they should not hold this developer responsible for what the impacts of a future development.

Wimborne moved to approve the Preliminary Plat for Providence Point as presented, Morrison seconded the motion and it passed unanimously.

Cantu moved to accept the Reasoned Statement of Relevant Criteria and Standards as presented, Denney seconded the motion and it passed unanimously.

2. RZON 20-001: REZONE. Rezone from LC to HC Section 16, T 2N, R 38 E. McLane presented the staff report, a part of the record. Morrison asked about the entrance to the property being just a single driveway to get to the larger area. McLane stated that the single access to Lincoln would not be ideal for most retail type businesses. Black asked if the subject property is separately owned from the residential. McLane indicated that they are not the same owner, but the property to the east has the same situation, and that is why they established the buffer requirements they did in the zoning ordinance between HC and residential. Dixon asked if there is a road network coming off the development (Kia Dealership) to the east that would connect to this property from the south. McLane indicated that they would connect. McLane showed Bentley way and the Kia dealership (HC). McLane showed that the preliminary plat for the subdivision to the south has stub roads going to the north so there is potential connection to the south for this development.

Black opened the public hearing.

Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho. Jolley clarified part of the request. Jolley indicated that the request is to slide the west line to the east a bit and the south line will be shifted to the south slightly but stay at the 10-acre request. Jolley showed on a slide what the new request is that stays with the 10 acres. Jolley stated that the access along Lincoln is 75' wide so there is plenty of room for access for any type of

business. Jolley stated that they requested HC because this property is adjacent to HC on the east and south west, and closely on the corner of Woodruff and Lincoln so this would fit the area, and will accomplish what they want to develop with the HC zone and the need in the Comprehensive Zone. Dixon asked about the ownership and how they are adjusting the lines to get the 10 acres the way they want. Jolley agreed with Dixon that they are the same property owners. Dixon asked about the development of an internal road network to connect the access point further to the west onto Lincoln and something to the southwest to connect to Woodruff, or something to the east other than Duchess Drive, and will there be access to Duchess Drive. Jolley stated that they are talking with the City on the Preliminary Plat and on the west side there is an intended road that will tie into Lincoln Road that would make its way to Bentley Way behind the Kia dealership. Jolley does not believe there is an access to the east, and they have no plans to connect to Duchess Drive to the east. McLane indicated that there is a connection from the southern development to the east as well.

There were no written statements to be read.

Ann Bates, Bates is available to answer questions, and is a property owner. Bates stood for questions. Bates indicated that the property is part of a Trust. Dixon asked if Bates has control/ownership of the residential properties on either side of the property. Bates indicated that they do have an option to buy with right of first refusal on the one property that is not a family member and the other properties are family members. Dixon stated they show concern with single family homes that being grown in with commercial. Bates indicated that the residential properties understand that.

Jolley indicated that Ann Bates is the current owner of the property and it is under contract to be sold to someone else. Jolley stated that his client is the person that has the property under contract and his client has no intent to buy the two residential properties.

Black closed the public hearing.

Dixon stated that the Comprehensive Plan shows a section of low density residential throughout the area, and some higher density residential, and instead we are seeing it develop as commercial and employment center. Dixon stated that the zoning that exists around the property, it is already commercial. Dixon believes there is a transition happening based on market drivers and they need to look at the Comprehensive Plan and update the area. Dixon is concerned about the residential near this property that is becoming more and more isolated.

Black stated that it is already zoned limited commercial. Black wants the property to the south to develop into higher density housing/townhomes/twin homes like Three Fountains, but it does not appear that the market is going that way. Black stated that this property is already zoned LC and HC is not a big step.

Cantu moved to recommend to the Mayor and City Council approval of the rezone from LC to HC for 10 acres, Park of the NE ¼ of the NW ¼ of Section 16, T2N, R 38E, Wimborne seconded the motion and it passed unanimously.

3. RZON 20-003: REZONE. Amend Zoning Ordinance, Table 11-3-1 R2 height 36', Airport. Beutler presented the staff report, a part of the record. Black asked if this change would help with building and development. Beutler agreed with Black and stated that when they looked at trying to provide more variety, they looked at early straight forward things to assist in

doing that, and changing the height seemed like it would work. Wimborne likes the idea of creating a middle height and loves the new language as this has been a concern. Dixon asked what the maximum height is for the TN Zone and asked if it allows multi-units similar to R2. Beutler stated that the TN Zone does have similar density and similar uses that are allowed. The TN zone references the block that the property is part of to keep the integrity of the neighborhood. Beutler indicated they are still limited to 2 story. Wimborne clarified that this zoning change will not impact TN Zone. Beutler moved onto the airport portion. Wimborne clarified that this change will not give the City Carpe Blanche to do whatever it wants, but rather allowing the City run airport to work with people who are trying to develop the land around the airport. Beutler agreed with Wimborne.

Black opened the public hearing.

Applicant: City of Idaho Falls

No written comments were received.

No one appeared in support or opposition to this application.

Morrison moved to approve the Comprehensive Zoning Ordinance Amendments R2 Zone Height and Airport Waivers., Wimborne seconded the motion and it passed unanimously.

Morrison moved to accept the Reasoned Statement of Relevant Criteria and Standards, Dixon seconded the motion and it passed unanimously.

Business:

1. ANNEX 20-001: ANNEXATION/INITIAL ZONING. Southpoint Division 10 Annex and Initial Zoning of RP & R1. Foster presented the staff report, a part of the record. Black lost internet at some point, and Co-Chairman Romankiw completed chairing this item.

Applicant: Jeff Freiberg. Stood for questions. Dixon asked what is pushing the R1 in this area and is concerned with spot zoning. Freiberg stated that the new zoning ordinance is pushing it. Freiberg stated that the R1 is different than RP, so they have had to change the zoning to meet the new zoning ordinance, and that is why there is RP on the east side next to the canal. Naysha confirmed that R1 has a maximum of 12,000 and cannot go over 13,000 so he was directed by staff to zone this way. Dixon stated that .22 acres kicks down to R1. Freiberg stated that the old RP zoning ordinance is different than the new zoning ordinance. Freiberg stated that he is just trying to make the lots fit into a zoning ordinance. Dixon asked about the cut off point for RP. Naysha stated that the maximum for R1 is 13,500. Cramer showed the table that has the minimum and maximums. Dixon stated that a preliminary plat is coming up and gives it in acreage. Cramer stated that 12,000 sq. ft is .27 acres.

Dixon moved to recommend to the Mayor and City Council approval of the Annexation and Initial Zoning of RP & R1 to the Mayor and City Council with the Stipulation that staff clearly identify the parts that are RP and R1, Morrison seconded the motion and it passed unanimously.

2. ANNEX 20-002: ANNEXATION/INITIAL ZONING. Falkernath Annexation TN Initial Zoning. Foster presented the staff report, a part of the record. Morrison asked what could go

here. Foster indicated it could accommodate a street and a row of housing. Dixon clarified it would be houses on one side of the street.

Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark, Idaho Falls, Idaho. Jolley indicated that the property is 153' wide along Holmes. Jolley stated that they are requesting TN because of the unique width of the property and being next to the school.

Wimborne is intrigued by the property and likes the idea of the TN Zone. Wimborne believes this is the type of properties that she had in mind when they revised the zoning ordinances. Wimborne stated that she has seen these types of developments in Boise within a single-family development and they work well.

Morrison moved to recommend to the Mayor and City Council approval of the Annexation and Initial Zoning of TN for the 4.63 Acres, SE ¼ of Section 31, Township 2 North, Range 38 East, as presented, Wimborne seconded the motion and it passed unanimously.

3. PLAT 20-005: FINAL PLAT. Southpoint Division 10 Final Plat. Foster presented the staff report a part of the record. Dixon asked if there is a problem with the plat a “glitch”. Foster stated that the preliminary called for a cul-de-sac, but the final shows the road going through and there is a wayward line.

Applicant: Jeff Freiberg. Freiberg confirmed that the cul-de-sac goes all the way through. Freiberg is concerned that today they got back the comments from the plat and improvement drawings and the engineering department is now asking for 70' right of way on Palisades Drive and Broken Stone Drive (eastern street) and “Street “D”. Freiberg stated that when they started working on Southpoint 10, he told them they were working on the preliminary plat and he told them they were taking out the cul-de-sac, and they told him he didn't need to do a new preliminary plat. Freiberg stated that the preliminary plat has 60' right of way on all of the streets, and Broken Stone goes to a 50' right of way. Freiberg stated that they have done a lot of work using 60' streets and now the request for 70' right of way is having the property owner wanting to pull the plat. Freiberg stated that they are tying into an existing 60' right of way on Palisades Drive, and Broken Stone. Freiberg stated that 70' right of way takes a lot of square feet out of the lots and changes the way they want to develop the area.

Wimborne asked for staff to address Freiberg's comments.

Beutler indicated that there was a change to the subdivision ordinance several years ago and it required residential collector streets to have a 70' right of way instead of a 60' right of way. Beutler assumes that public works is seeing these roads as the backbone to getting people in and out of the subdivision and classifying it as a residential collector. Beutler stated that it is a technical issue and they can sit down with public works and work through what makes sense. Beutler stated that it is not a decision for this Commission regarding right of way access.

Morrison stated that the applicant feels that the entire plat is messed up because of the request for 70' right of way.

Beutler clarified that this plat has had one set of reviews and it is because they are pushing things quickly that they are dealing with the review comments prior to the meetings. Beutler indicated that if they want to slow everything down, they can make sure that everything is tied up and buttoned before it comes to the Commission.

Dixon asked if there is any 70' right of way to the west. Freiberg indicated that there is no 70' right of way to the west. Dixon asked about Broken Stone going through to the south. Freiberg indicated that they would stub down into the south part of Southpoint. Dixon asked about Broken Stone Way not going through and will it be revised. Freiberg stated that Broken Stone will come to Broke Stone from Southpoint 6. Dixon expressed concern about the long straight road. Freiberg stated that after 10 and 11 they would have to do a preliminary plat addressing the south. Freiberg stated that the yellow cul-de-sac south of the red south Point ten would go east and then intersect wit Broken Stone. Dixon cautioned running Broken Stone all the way south, and it would be creating problems like they have in Stonebrook. Freiberg stated that after they finish 10 and 11 (north of 10) they will come back with an updated preliminary plat to address how they will finish up south South Point. Dixon asked if the commission should proceed with what is before them with the 60' right of way. Foster indicated that the Commission could proceed.

Black asked Freiberg if the applicant wanted to continue with the final plat. Freiberg would like them to make a motion to approve the Final Plat, but feels that they need to look further into the right of way widths, and so he would suggest probably pulling the final plat and see if they can come to an agreement on the right of way. Cramer stated that it is worth taking action tonight based on the current final plat and something may happen before it goes to City Council, but if no action is taken tonight then it cannot proceed to City Council until at least after the next P&Z Meeting. Cramer believes it is appropriate to move forward and if the rights of way were to change, it would not affect the overall concept of the plat. Freiberg agreed that the Commission should proceed as presented.

Dixon asked about the pedestrian pathway. Freiberg stated that they have taken the pedestrian path out completely. Freiberg stated that it was there to get storm drain to the south, but it has been redesigned and they were able to get rid of the utility easement.

Dixon is concerned about the change of the street going to the south and since there is not a preliminary plat that shows how this final plat would tie into he bigger picture and wanted the applicant to provide an updated concept before it goes to City Council.

Wimborne stated that the applicant has addressed that, and they said they are going to bring back a new preliminary plat for the area. Wimborne stated that they have recognized the concerns of the Commission about the straight through street.

Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for Southpoint Division 10, Wimborne seconded the motion and it passed unanimously.

4. PLAT 20-007: FINAL PLAT. Narrows Division 2 Final Plat. Stephens presented the staff report a part of the record. Dixon asked if the word "proposed" should be on the easements of should they be actual easements because this is a final plat. Stephens stated that is a technical item that will be completed as it goes through the review process. Stephens stated that the right of ways are required.

Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho. Roland stated that the easements will be platted on the recorded final plat. Roland stood for questions.

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for Narrows Division 2, Morrison seconded the motion and it passed unanimously.

5. PLAT 20-009: FINAL PLAT. Manchester Estates Final Plat. Wimborne recused herself from this discussion due to her position with the School District.

Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho. Roland stated that Rockwell Homes revised the plat to eliminate the reverse frontage to be a good neighbor. Roland stood for questions.

Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Manchester Estates as presented, Cantu seconded the motion and it passed unanimously.

6. PLAT 20-009: FINAL PLAT. Ivywood Division 3 Final Plat. Foster presented the staff report a part of the record.

Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho. Roland stood for questions.

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for Ivywood Division 3 as presented, Romankiw seconded the motion and it passed unanimously.

Next meeting is scheduled for May 5, 2020.

There was discussion about how to conduct the next meeting and how to have people indicate they want to speak.

Black adjourned the meeting at approximately 9:30 p.m.

Respectfully Submitted

Beckie Thompson, Recorder