

February 1, 2011

7:00 p.m.

Planning Division
Council Chambers

MEMBERS PRESENT: Commissioners Natalie Black, Jake Cordova, Donna Cosgrove, Brent Dixon, Kurt Karst, Michelle Mallard, Gary Mills, George Morrison, Leslie Polson, Paul Savidis, George Swaney, and Margaret Wimborne.

MEMBERS ABSENT: Commissioner Brent Dixon.

ALSO PRESENT: Planning Director Renée Magee, Assistant Planning Director Brad Cramer, Recording Secretary Debra Petty, and three interested citizens.

CALL TO ORDER: Vice Chair Karst called the meeting to order at 7:00 p.m. and reviewed the hearing procedures for the public.

MINUTES: January 18, 2011: Page 5, last paragraph, Polson would like the word “and” stricken and replaced with “because”. As to the motion, page 5, Polson noted the condition for the p.m. peak hour traffic study was to include completion of the study prior to City Council and wanted the motion amended or clarified to reflect the requirement. Page 5, fifth paragraph, Swaney would like “four-way” changed, as the intersection is only “two-way” at Hitt and Township. **Commissioner Wimborne moved to approve the minutes of January 18, 2011, as corrected. Motion seconded by Commissioner Savidis. Motion passed.**

Public Hearings:

Conditional Use Permit to Allow Construction of a Single-Family Attached Home in an R-1 (Residential Single-Family) Zone: Lot 10, Block 10, Cedar Ridge, Division No. 12.

Commissioner Cosgrove moved to recess the conditional use permit for Lot 10, Block 10, Cedar Ridge, Division No. 12 to March 1, 2011. Motion seconded by Commissioner Wimborne. Motion passed.

Rezone from R-3A (Apartments & Professional Office) to M-1 (Industrial Park): Lot 2, Block 1, University North Addition, Division No. 1. Cramer reviewed the staff report, a part of the record. As noted, the property is zoned R-3A and allows offices but not laboratories. The M-1 zoning is consistent with the comprehensive plan designation of higher education centers and allows laboratories. M-1 zoning exists to the east and northeast of the site.

Since the delivery of packet materials to the Commission, staff received a request from the applicant to reduce the area of the rezone from 25.7 acres to 10 acres. A reduction in the area legally advertised is not an issue. Cramer confirmed for Karst the parking to the east will remain R-3A and told Wimborne, regardless of the size of the parcel being rezoned, the applicant is required to mitigate any stormwater issues. Cramer verified for Cosgrove the rezoning request is for 10 acres, the parcel is changing ownership, and the current owner and prospective owner are working together to finalize the transaction.

The applicant was not in attendance. Cramer read the application for rezone into the public record. Cramer said University Boulevard was reconstructed to city standards.

The hearing was opened to the public. There were no comments and the hearing was closed to the public.

Cosgrove said the rezone is consistent with the comprehensive plan and current land use in the area. **Commissioner Cordova moved to recommend to the Mayor and City Council approval of rezoning from R3-A to M-1 for 10 acres of Lot 2, Block 1, University North Addition, Division No. 1, as presented. Motion seconded by Commissioner Savidis. Motion passed unanimously.**

Annexation Prior to Platting of 8.50 Acres with Initial Zoning of I&M-1 (Industrial & Manufacturing): 8.50 Acres NE ¼ Section 7, NW ¼ Section 8 (Maverik-Lewisville Highway). Magee reviewed the staff report, a part of the public record. The comprehensive plan identifies the area as commercial and suggests this area may develop into a regional commercial center in the future. The current land use is single-family residential. Staff is recommending a zone of HC-1, highway commercial, as it is better suited to the proposed use. Magee said frontage of the parcel along Iona Road is 384 feet, and frontage of the parcel along Lewisville Highway is 285 feet. Although outside city limits, there is a city water main extending across the frontage of this parcel as well as a sewer line. Idaho Falls Power and Idaho Falls police are capable of providing services to this area. Fire/emergency services are currently provided to this area by the City fire department through a contract with the fire district.

Cosgrove said the staff report implies the single-family homes are vacant. Magee said the homes are for sale but not vacant. Part of the land is vacant. Cosgrove expressed apprehension regarding contiguity of the parcels, a requirement for annexation. Magee replied the annexation statute states an annexation may be contiguous or adjacent. The issue is whether the city is able to provide needed services, and it can. There is 158 feet of frontage which belongs to the owner of the building housing Docutech and which is not part of this annexation request. The city relies on voluntary annexation. Cosgrove is uncomfortable with the contiguity.

Wimborne asked Magee to clarify the recommendation by staff for a zoning designation of HC-1. Magee said the request was for I&M-1 zoning. The comprehensive plan identifies the area as commercial and the proposed land use is for a convenience store which fits well in an HC-1

zone. Based on other uses in the area and the fact the site is an entranceway to the city, HC-1 seems more appropriate. The HC-1 zone is more restrictive and does not require re-advertising. Polson questioned annexing an HC-1 zone prior to platting. Magee responded platting will be required prior to the issuance of a building permit. The developer will return with a final plat if annexed by city council.

Magee told Polson the Idaho Transportation Department (ITD) constructed Holmes Avenue and, through the city's request, constructed this street as an urban cross section with curbs, gutters, and sidewalks. She told Polson a traffic study is required and ITD will review the study. The existing driveways are for single-family use, and the study may show an access to Holmes unfavorable due to the limited frontage.

The hearing was opened to the public.

Todd Meyers, 880 W. Center Street, North Salt Lake, Utah. Mr. Meyers represents Maverik, which is in the process of purchasing the property for development. He is supportive of the HC-1 zone proposed by staff. Under Idaho statutes, there are three classifications of annexations. Most which come before planning commission are a class A or voluntary. The property owner is requesting annexation, is located within the area of impact, and the comprehensive plan covers this parcel and surrounding area. The land may be contiguous or adjacent for annexation if it meets all of those elements. The state does not give a specific measurement when determining "adjacent" as each community is different.

Mr. Meyers said the zone recommended by staff of HC-1 is more favorable to achieving a landscaped entrance to the city than the current zone of I&M-1. They will be required to have a 20-foot landscape strip along the front setback of each road. It is his hope as this property develops that other businesses in the area will follow suit. He said trunk lines are a tool used to develop growth and the city already has that infrastructure in place. The city will recoup the cost of those lines through required frontage fees.

In response to Mr. Mills, Mr. Meyers said Maverik stores do not generally cater to large diesel trucks, so the "curved radius" for the driveway is not a concern. He is willing to accommodate the request in their design for ease of their patrons when entering and exiting the site. He told Cosgrove they do not own the property under review and will not close until it is known they are eligible for development permits. Mr. Meyers said ITD provided three points of access on Iona and suggested the required traffic study determine the number of access points. The study will be complete prior to final platting.

Randy Waters, 700 S Woodruff, Idaho Falls, ID. Mr. Waters represents the Loveland's and Bartlett's, current owners of the parcels. He believes the proposed development will improve the value and appearance of the area. He said large trucks will not frequent the convenience store/gas station. Most will go to the truck stop down the road. The pink house on the corner has been vacant for years, and demolition is planned for the Bartlett home.

There were no further comments and the hearing was closed to the public.

Cosgrove likes the HC-1 zone, and it is a good tool for addressing the entranceway. Polson said it fits within the comprehensive plan. Mallard said it will be a vast improvement to the neighborhood.

Commissioner Cordova moved to recommend to the Mayor and City Council the annexation prior to platting of 8.5 acres and initial zoning of HC-1 with the conditions the applicant limit access onto Holmes to one driveway and the traffic study determine the number of access points onto Iona Road. Cosgrove stated the unease she felt regarding contiguity was addressed and believes it is best to have the area develop under city ordinances. **Motion seconded by Commissioner Wimborne. Motion passed unanimously.**

Business:

Final Plat: University North Addition, Division No. 2. Cramer reviewed the staff report, a part of the public record. The parcel consists of 18.5 acres. Lot 4 is 8.5 acres with no current development plans. Lot 5 is 10 acres and anticipated to develop as a research facility with approximately 40 employees. When originally platted, connectivity north to Iona Road was not determined since the location of buildings had not been determined. As there is now more clarity how development will occur, staff proposes dedicating a 30-foot right-of-way on the western edge of Lot 4. The additional 30-feet will come from future development of the county parcel to the west. Cramer said the Foundation attorney has stated the Foundation is agreeable to dedicating the right-of-way.

Cramer told Karst, although it is not common for connectivity of roads to take place on a turn, engineering said it is favorable in this case as it better accommodates maneuvering large trucks with a better line of sight. In addition, dedicating right-of-way between Lot 4 and Lot 5 continues the situation in which University Boulevard is too long under the subdivision ordinance. If platted on Lot 5, Lot 5 will be too small for the proposed development. Cosgrove said a number of years ago there was talk of constructing a road over the railroad to connect the southern campus. Cramer said it is not probable due to the necessary grade and length of the road and acquisition of the necessary easement from the railroad. He told Polson a traffic study will eventually be required for the area but this development brings only 40 employees.

Commissioner Swaney moved to recommend to the Mayor and City Council approval of the final plat, University North Addition, Division No. 2, with the condition a 30-foot right-of-way be platted along the western edge of Lot 4. Motion seconded by Commissioner Mallard. Motion passed unanimously.

Miscellaneous:

Calvary Chapel: Cramer explained Calvary Chapel is experiencing difficulty acquiring the right-of-way to improve Hitt Road at their southern access to the parking lot. It is their desire to move the primary access for the Park-n-Ride to the center access for Calvary Chapel. The p.m. traffic study recommended will need to address this proposed change. Originally, access was

located to the south as parking is located on the south. However, the city engineer expressed concern for visibility due to the large trees on private property to the south. Moving the access will solve the issue. Mallard is comfortable in moving the access so long as the traffic study is favorable and so long as there is no conflict with school buses/traffic and the INL buses. Commission members agreed.

Election of Officers: Cordova said it is the proposal of the nominating committee (Morrison, Wimborne, and Cordova) to appoint Wimborne as chair, Mallard as vice-Chair, and Polson as secretary/treasurer for 2011. **Motion by Cosgrove to accept the recommendations of the nominating committee as stated. Motion seconded by Savidis. Motion passed.**

Debra Petty, Recording Secretary