

June 4, 2013

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners Natalie Black, Doug Branson, Jake Cordova, Donna Cosgrove, George Swaney, Dee Whittier, and Margaret Wimborne.

MEMBERS ABSENT: Commissioners Brent Dixon, David Hodder, Kurt Karst, George Morrison, and Leslie Polson,

ALSO PRESENT: Planning Director Renée Magee, Assistant Planning Director Brad Cramer, Recording Secretary Debra Petty, and 12 interested citizens.

CALL TO ORDER: Chair Cordova called the meeting to order at 7:00 p.m. and reviewed the public hearing process.

MODIFICATIONS TO THE AGENDA: The minutes for approval are for June 4, 2013. The public hearing for the rezone and final plat for Lot 1, Block 1, Utah Avenue Overlook, Division No. 1, 1050 Crane Drive, is being recessed to July 9, 2013.

MINUTES: Cosgrove moved to approve the minutes of June 4, 2013, as presented. Motion seconded by Swaney and passed. Aye: 7, Nay: 0, Abstain: 0.

PUBLIC HEARINGS:

Zoning Ordinance Text Amendment to Section 7-15-2, Uses in an Industrial Zone: Cramer presented the staff report, a part of the record. The applicant is requesting a text amendment to allow indoor gun ranges as a permitted use in the I&M-1 Zone. An alternative is to allow indoor gun ranges as an indoor amusement; however, staff is not comfortable with this approach as it allows gun/shooting ranges in some commercial zones which are adjacent to residential development. The U. S. Department of Energy (DOE) has strict guidelines for federal facilities but there are no federal, state, or local standards. He said the one known standard is lead cannot not go into the city sewer. Staff believes I&M-1(Industrial) zone is the most compatible zone for a shooting range. Research by staff shows zoning and classifications of shooting ranges varies widely from city to city in the State of Idaho. Cramer said the commission has several options: to approve a text amendment to allow an indoor shooting range as a permitted use in the I&M-1 zone; interpret an indoor shooting range to be an indoor amusement facility which allows the use in several zones; require a conditional use permit with standards in the I&M-1 Zone or other zones; or continue to not allow such ranges within city limits unless part of a public building such as the National Guard Armory. Cramer told Wimborne if the text amendment is approved as written an indoor gun range will be a use by right in the I&M-1 Zone with no required standards.

Cordova opened the hearing to public comment.

Ryan Later, 1170 Grasslands Drive, Idaho Falls. Mr. Later is the founder and owner of Guns and Gears Sporting and trained as a range developer. He emphasized the need to provide a facility offering a safe place to practice, educational and training opportunities, and retail sales of equipment. The NRA classifies ranges as indoor recreation facilities. Mr. Later is requesting the same designation. Wimborne has concerns for others that may not be conscientious as Mr. Later in the construction of a gun range. Mr. Later said the NRA has several industry standards. Whittier asked what certification the industry has. Mr. Later said the National Sport Shooting Foundation has range standards and will support and advertise

certified ranges. Certification is voluntary. Cosgrove said testimony is for consideration of a text amendment to the I&M-1 zone. The additional information is helpful but has no bearing on the decision for the amendment.

Kitty Sieh, 1333 S Pioneer Road, Idaho Falls. Ms. Sieh does not want a designation for an indoor shooting range as indoor amusement facility. She said, if approved, specific requirements and standards should be implemented by the City of Idaho Falls.

Christopher Meeks, 1610 Irving Street, Idaho Falls. Mr. Meeks is a recreational shooter and supports the indoor range. At present he goes to the outskirts of town and would like a place that is controlled and reduce environmental hazards.

Cosgrove said she is in favor of gun and shooting ranges but does not believe they should be designated as an indoor recreation facility. She believes ranges should be held to specific standards, permitted, and inspected. Cramer said the commission can require a conditional use permit with standards for approval and include the standards as part of the zoning ordinance but he believes a conditional use permit is not the best alternative. The ordinance should state gun ranges/shooting ranges must meet industry standards. Swaney concurs with Cosgrove. He said shooting ranges that include archery would require a separate set of standards. Wimborne would like to extend the number of zones allowed. Magee said her past research revealed gun ranges are generally located on state highways and in industrial zones. Black supports the proposal and is most comfortable having them located within the city but must meet industry standards.

Cosgrove believes it premature to recommend to the Mayor and City Council. Staff should reword the document to include citations if industry standards are not met. Swaney favors the I&M-1 zone. If an applicant wants to build elsewhere than the I&M-1 zone, a conditional use permit should be required. Whittier said an applicant should be certified but also wants a minimum “star” rating. Branson agrees with comments by the commissioners. Wimborne believes they are headed in the right direction but more research is needed. **Cosgrove moved to recess the request to amend the I&M-1 zone to permit indoor gun and archery ranges to allow staff to expand the wording to include industry standards and allow conditional use permits to Tuesday, July 9, 2013. Motion seconded by Swaney and passed. Aye: 7, Nay: 0, Abstain: 0.**

Rezone from CC-1 (Central Commercial) to I&M-1 (Industrial) and Final Plat: Lot 1, Block 1, Utah Avenue Overlook, Division No. 1, 1050 Crane Drive. Swaney moved to recess the public hearing for Lot 1, Block 1, Utah Avenue Overlook, Division No. 1, to July 9, 2013. Aye: 7, Nay: 0, Abstain: 0.

BUSINESS:

Final Plat: Snake River Landing, Division No. 9. Magee presented the staff report, a part of the record. The majority of the plat is outside city limits. Planning Commission recommended approval of the annexation with initial zoning of C-1 earlier this Spring. The annexation includes all of Pioneer Road, a prescriptive right-of-way. Idaho Falls Power requests a written easement for a mega trench south of the final plat. Events Center Drive will connect Pioneer Road to Snake River Parkway and there are future plans to connect Pioneer Road to Whitewater Drive across the Porter Canal. The four conditions listed in the staff report were corrected on the newest plat. Lot 1 is 22 acres and the entire plat is 28 acres. A traffic study was completed by the city and this plat complies with the recommendations of the traffic study. Staff recommends approval. Magee told Wimborne the plat shows a dedication of a 40 foot right-of-way

for Pioneer Road west of Lot 1, Block 9, and another 40 feet north of Lot 1. As properties along Pioneer Road develop, owners will need to dedicate additional right-of-way.

Clint Boyle, Horrocks Engineering, 901 Pier View Drive, Suite 205, Idaho Falls Mr. Boyle said the annexation and final plat will now move forward to City Council. The party they represent has dedicated a 40 foot right-of-way to the center line on Pioneer Road and he has a commitment from Mr. Lofthouse to deed 25 feet to the City of Idaho Falls. The rest of the right-of-way will be dedicated as his property develops to complete the needed 80 foot right-of-way.

Wimborne moved to recommend to the Mayor and Council approval of the final plat for Snake River Landing, Division No. 9, as presented. Motion seconded by Whittier and passed. Aye: 7, Nay: 0, Abstain: 0.

Final Plat: Gillespie Addition, Division No. 1. Magee presented the staff report, a part of the record. This is a one lot plat adjacent to West Broadway. The site has two access points approved by the Idaho Transportation Department, although the driveways do not meet the *1998 Access Management Plan*. Magee told Cosgrove the parcel has been annexed and is zoned R-3A. Staff recommends approval. **Swaney moved to recommend to the Mayor and Council approval of the final plat for Gillespie Addition, Division No. 1, as presented. Motion seconded by Black and passed. Aye: 7, Nay: 0, Abstain: 0.**

Final Plat: Potomac Way Professional Plaza, Division No. 1. Magee presented the staff report, a part of the record. Staff is requesting the name be changed to 3rd Amended, St. Clair Estates, Division No. 13. The property is located adjacent to Potomac Way. There is insufficient distance between the access to Rosemark on the north and the access for the assisted living center on the south to allow a separate access to the properties. Access will be shared. Magee said a certificate of occupancy will not be issued until all public improvements have been made. Magee told Cordova some improvements have not completed including the seal coat for Fountain Bleu Lane. She wants to prevent issues when construction is underway.

Jeff Freiberg, 946 Oxbow Lane, Idaho Falls. Mr. Freiberg said the access will be shared. The seal coat on Fountain Bleu Lane will be completed soon and curb and gutter along Sunnyside will be replaced.

Wimborne moved to recommend to the Mayor and Council approval of the final plat for Potomac Way Professional Plaza, Division No. 1, as presented. Motion seconded by Black and passed. Aye: 7, Nay: 0, Abstain: 0.

Final Plat: Dora Erickson Elementary, Division No. 1. Wimborne and Black recused themselves from the meeting as they work for District 91. Magee presented the staff report, a part of the record. She said the site was never platted. The final plat clarifies property lines and creates a turn-around at the end of Cleveland. She said there is a discrepancy with the written dedication for the pedestrian walkway and its actual location on the ground to be resolved. The engineering department has safety concerns for children crossing on Lomax and 1st Street. In addition, the crossing guard has been parking in a neighbor's driveway. The engineering department and school district have proposed students cross at the intersection of Evergreen and 1st Street and walk north along Evergreen Drive through Hemlock Circle to

Dora Erickson. Whittier said little sun hits Hemlock during the winter and it is very icy. He does not see it as a safe connection. Evergreen does not have sidewalks and he suggested channeling them back to the 12 foot walkway.

Chair Cordova invited any to share their comments.

Natalie Black, 260 Evergreen Drive, Idaho Falls. Ms. Black said she would keep the path in its current location. Elementary students do use the established crosswalk. Hemlock Drive is dark and she does not consider it safe. She would like the crosswalk to be larger and direct students to the path. She would like a brightly lit crossing sign and the sign that posts motorists speeds used periodically.

Margaret Wimborne, 690 John Adams Parkway, Idaho Falls. Ms. Wimborne said the entrances and exits and traffic patterns will change with the opening of the new school in October. As time goes on new habits will develop. If the crosswalk is moved as planned, adjustments to the school zone will be made. Safety is the primary concern. Cosgrove concurs with Black's statements.

Chair Cordova closed the floor to comments.

Swaney said the discussion regarding access is not related to approval of the final plat. Magee said the discussion was initiated since the conditional use permit approved by the planning commission had a sidewalk from the 12 foot pathway to the new school. She did not want the commission to wonder why the change occurred.

Swaney moved to recommend to the Mayor and Council approval of the final plat for Dora Erickson Elementary, Division No. 1, as presented. Motion seconded by Branson and passed. Aye: 5, Nay: 0, Abstain: 0.

The meeting adjourned at 8:40 p.m.

Debra Petty, Recording Secretary