

February 4, 2014

7:00 p.m.

Planning Department  
Council Chambers

**MEMBERS PRESENT:** Commissioners George Morrison, Donna Cosgrove, Leslie Polson, George Swaney, Doug Branson, Brent Dixon, and Natalie Black.

**MEMBERS ABSENT:** Margaret Wimborne, Kurt Karst, and James Wyatt.

**ALSO PRESENT:** Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler, Recording Secretary Cynthia Likes, and interested citizens.

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

**MINUTES:** Cosgrove had some verbal corrections to the minutes of December 10, 2013. Morrison moved to approve the minutes of December 10, 2013, with the verbal changes presented, Cosgrove seconded the motion and it passed unanimously.

**APPLICANT HEARINGS:**

**Final Plat: Fairway Estates, Division No. 20.:** Cramer presented the staff report, a part of the record. Cosgrove questioned the black coloring on the preliminary plat. Cramer explained it was a common area and is functioning as a storm water retention area now. Dixon asked if there was a minimum frontage for a lot. Cramer said in the R-1 Zone, a minimum of 50 feet, measured at the front setback line, is required. Polson then asked to go back to the definition of a corner lot and reviewed that Cramer tried several ways to make the lots fit the requirement, and then asked if he feels that it meets the requirement. Cramer said yes he does. Cramer looked at the entire plat for Division 20 plus the rest of Block 9, which is in Division 19 and averaged those together and Lot 17 was in compliance. Polson said Lot 43 is not 10 percent larger than the average lot size. Cramer agreed it didn't meet any of those, but reiterated that it is not technically a corner lot; it does meet the ordinance so that is why he is asking them consider it be a condition that it be adjusted.

Swaney opened the floor to the applicant.

**Kevin Alcott, Box 3082, Idaho Falls, Idaho.** Mr. Alcott wanted reiterated that Lot 43 is not a corner lot by ordinance. By changing the lot just a little bit, a lot that will fit a house with a three-car garage, which is what potential homeowners want at this time, it will no longer fit those plans. By taking Lot 12 and moving it over a little bit only get a 2-car garage will fit rather than a 3-car garage, which is what the market is right now. He said for several years it was difficult to sell any homes and now people want to buy a house and they want 3 car garage. It is critical to

Comment [WU1]: page 2, third paragraph delete the first five words after "the" in the second line and change the "but" to "and if" on the fourth line. Page 3, second paragraph: delete the word "maintained" and all the words after "fears" and add "about maintenance." Page 4, sixth paragraph, add the word "stated" after "Cramer." Since I don't have the minutes they reviewed, if I tried to edit mine, I was afraid there might be more mistakes, so I put the info here for you to perhaps fix from the last minutes.

be able to finish up this development and sell the houses. Moving things around makes it so the house plans won't fit. He explained that all of the lots have been laid out specifically to get a 3 car garage, except one that can only have a 2 car garage. He said the lots are wide enough at the setback and meet the ordinance but is also sized so at the setback you can get a house and a 3 car garage into that lot. So it is a critical item. It may seem like a tiny adjustment, but it is not. He further explained that all of the corner lots have compensated for the additional setback that is required on both sides, which is 30 feet rather than 7.5 feet so each of those lots is 22.5 feet wider for consistency throughout the subdivision. Lot 43 meets the ordinance and if it is disrupted, it disrupts two lots.

He explained that this division has a disproportionate number of lots that back up to arterial streets and by ordinance have to be 150 ft deep, so because of the ordinance, these lots are deeper than most lots are. He told the commission that they are comparing those deep lots, which are required to be that deep by ordinance, with interior lots that are not required to be that deep. He said he understands the intent of the ordinance, but that lot will hold a house and a 3 car garage.

Swaney turned time to the Commission for discussion. Dixon mentioned that the arterial lots that are reverse frontage and have the lot behind them need to be discounted but his main concern is this is one of the main entrances into the development and you will look directly at whatever is built on Lot 43 and it should not have to be smaller than the other homes in the neighborhood, it should be a showcase for the neighborhood and asked the applicant if he feels there is enough buildable land to build a nice home. Applicant agreed that there was. He said the subdivision is a blend, with some larger lots and some smaller lots and that is by design because the market isn't homogenous.

Polson said you could take a lot out and everything would fit. Alcott replied that everything fits now. Polson said Lot 43 doesn't quite meet the requirement. Alcott disagreed and said it absolutely does meet the code. Polson said it does meet according to that, but that two sides are exposed and have to have setbacks on two sides and he said they have allowed for that in the building footprints.

Dixon said he is comfortable with this and recognizes the need for larger lots along two sides of this plat because of the major arterials, East River Road and Tower Road, require reverse frontage.

Cramer said he agreed with Dixon and the applicant. Staff hadn't considered the fact that the city's ordinance demanded most of those lots be larger, and by eliminating some of those lots because of their odd shapes, the average lot size is smaller. As a staff person he is comfortable that this meets both the intent and the letter of the ordinance.

Cosgrove said she is happy to see this development move forward.

**Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for Fairway Estates, Division No. 20. Morrison seconded the motion and it passed unanimously.**

**Final Plat: Safari 66, Division No. 1, 1st Amended, Being a re-plat of Lot 1, Block 1, Safari 66, Division No. 1:** Beutler presented the staff report, a part of the record. Dixon said the staff notes indicate desire for an access is desired off Skyline and asked where it would be located and how far off from the intersection as opposed to the current access. Beutler said it is proposed to be at the south end of the property. Public Works has reviewed it and is comfortable with the amended re-plat. The access was part of the original proposal with other multiple office buildings. Brent asked if the lot to the south has the same zoning and Beutler said yes. Dixon wondered if there was discussion of a shared access off of Skyline similar to the shared access off of Pancheri. Beutler said no. Polson said she wanted to explore that further. She asked if that something that has to be done now or is that done when the land to the south is developed a cross access agreement is recorded. She assumed they wanted to share that same access when the southern part is developed so a cross access agreement between the two lots would be needed. Cramer said it could be discussed now, and didn't know if the southern part has been platted.

Swaney opened the floor to the applicant.

**Ryan Loftus, 10727 N. Yellowstone Highway, Idaho Falls.** Loftus said the distance from the intersection to the Skyline access is 150 ft, which is the minimum that is required. He also explained that the access onto Skyline was moved to the southernmost portion of the lot. The original site plan was approved with three additional buildings so there were four total on the single lot. Loftus explained that since the original Safari 66 Plat was made, the Idaho Transportation Department has made improvements to the intersection so these lots have been squeezed by that development and that is the bad news. The good news is that it has been all done and so they know where the curbs, gutters, sidewalks, signal boxes, and all the utilities lie so planning can be made around those existing utilities. Loftus said there is a Division 2 to Safari 66 Plat that consists of two lots to the south of this development and it includes a new street named Tara that those two lots front on. Tara will access onto Skyline and so a cross-access agreement with those future lots is not needed. Loftus explained that the developer platting this will have a cross parking access agreement with the existing dental office so both businesses will have access to both Pancheri and Skyline. Both properties to the south will front onto Tara and the eastern most lot will have access only onto Tara, not onto Skyline.

Dixon said he is happy with the restricting the access onto Skyline to the southern edge of the lot. Swaney asked if commissioners had any other questions for the applicant. There were none. Swaney turned it over to discussion among the commissioners.

**Polson moved to recommend to the Mayor and City Council approval of the Final Plat for Safari 66, Division No. 1, 1st Amended, Being a re-plat of Lot 1, Block 1, Safari 66, Division No. 1. with the stipulation that a cross action agreement between the two lots be recorded. Branson seconded the motion. Dixon asked for an amendment that the Skyline Drive access be at the southern end of Lot 2. Branson seconded it. The amendment passed unanimously. The commissioners then voted on the original motion with the amendment, and it passed unanimously. Plat as amended was approved to be recommended to the mayor and city council.**

Swaney concluded the formal business of the meeting has been concluded, and the planning commission would move onto the other business.

**BUSINESS:**

**Election of Officers.** Swaney had a list of proposed officers to be voted on. The list was based on volunteers. The list was Donna Cosgrove for Treasurer, Natalie Black for Vice-chairman, and George Swaney for Chairman. He suggested an agenda item be placed on the November 2014 meeting agenda to establish a list of officers for 2015.

**Dixon moved to recommend approval of the presented slate of officers for 2014. Cosgrove seconded the motion and it passed unanimously.**

**County Planning and Zoning Liaison.** Swaney said a volunteer is still needed to be a liaison on the County Planning and Zoning Board. The liaison would be selected and recommended to the Mayor. The Mayor would appoint the person to serve on the commission. Dixon said he had been on the county commission before and would do it again except that he travels too much for work and wouldn't always be available. Polson said that the training received from Planning and Zoning staff by being on the city commission helps with serving on the county commission. Polson said being the liaison is a service to the taxpayers by representing their interests. Dixon said it would be nice to have someone with experience. Swaney volunteered to be the liaison for six months, and would like to be appointed by the mayor. Swaney's name will be recommended to Mayor Casper.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

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Cynthia Likes