

IDAHO FALLS PLANNING COMMISSION

CITY OF IDAHO FALLS PLANNING DEPARTMENT

P.O. BOX 50220

IDAHO FALLS, IDAHO 83405-0220

May 6, ~~2010~~ 2014

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners George Swaney, Doug Branson, Brent Dixon, Natalie Black, George Morrison and James Wyatt.

MEMBERS ABSENT: Margaret Wimborne, Donna Cosgrove, Kurt Karst, and Leslie Polson.

ALSO PRESENT: Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler, 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: None.

Business:

Final Site Plan: Lot 7, Block 1, H-S Division No. 1: Beutler presented the staff report, a part of the record. The property is zoned RSC-1 which requires the site plan be reviewed by the Planning Commission and approved by the City Council. The property will be developed on an existing pad site in the Winco parking lot. Beutler showed the elevation drawings for the proposed store.

Tamara Thompson, The Land Group Inc., civil engineer representing the applicant, Eagle, Idaho. Thompson indicated that the franchise is from the mid-west, but is planning eight stores in Idaho in the next two years. Black asked if there were any remaining issues with the previous use being a fueling stations. Thompson indicated that the site has received a clean report from the EPA. All of the clean-up has occurred.

Dixon moved to recommend to the Mayor and City Council approval of the final site plan. Morrison seconded the motion and it passed unanimously.

Final Plat: Avalon Village, Division No. 1: Cramer presented the staff report, a part of the record. A previous plat was approved in this area under the name Sunterra. There is now a new

owner and they would like to change the name and modify the plat slightly. Road patterns and utility remain the same as was previously submitted. The proposed plat does include two additional lots. There will be a landscaped lot along Holmes Avenue. Staff recommends the Commission to consider a recommendation to have the landscaped lot constructed with the early stages of this plat. Also, Lot 17, Block 3 is a corner lot and does not meet the minimum requirements of being 10% larger and that will need to be changed prior to going to City Council. Dixon asked about the requirement for lots along Holmes to be deeper. Cramer indicated that the lots do meet the requirement. Wyatt asked about the storm drainage draining to a vacant lot in the next phase of development. Discussion on utilities and drainage followed.

Dixon moved to recommend the Mayor and City Council approve the Final Plat for Avalon Village Division No. 1., with the condition that the landscape lot along Holmes Ave. be constructed with this phase. Black seconded the motion and it passed unanimously.

Public Hearings:

Planned Unit Development: St. Clair Estates, Division No. 13, 3rd Amended: Beutler presented the staff report, a part of the record. The area is being developed with medical and professional offices. The purpose of the PUD is to address cross-access through the properties as well as a reduction in the setback from 20 to 15-feet. The property has been designed to meet the PUD requirements. Swaney opened the public hearing.

Ryan Loftus, P.E., Aspen Engineering, Inc. representing the applicant, 10727 N. Yellowstone Hwy. The property owner has no issues with the cross-access. Dixon asked about pedestrian access to the building from the rear of the property.

Swaney asked for further discussion, hearing none he closed the public hearing. He then asked for additional discussion from the Commission.

Morrison made a motion to recommend to the Mayor and City Council approval of the Planned Unit Development for St. Clair Estates, Division No. 13, 3rd Amended. Dixon seconded the motion and it passed unanimously.

Conditional Use Permit: Lot 11, Block 2, Bowen Addition, Division No. 3: Beutler presented the staff report, a part of the record. Odyssey received a previous conditional use permit for the charter school last year. This proposal includes an additional modular classroom as well as the conversion of the rest of the metal building that is on site. The previous conditions include the extension of the landscape strip across the north of the property which is shown as part of the site plan. The applicants have discussed the option of adding a 4th modular unit to their proposal. Swaney asked if the addition of the 4th modular was included in the notice for tonight. Beutler indicated that it was not. Swaney stated that they would be uncomfortable acting on a 4th unit if it has not been advertised.

Mike Bowcutt, Broken Bow Properties. Bowcutt said they'll withdraw the request to add the 4th modular if the Commission is uncomfortable. The school use on the property has worked great. No plans at the moment to expand to the vacant property to the west. They have discussed the fire issues with the Fire Marshall and will bring everything up to meet code. Black asked if this is going to be a permanent site. Bowcutt indicated that they had a six year lease right now. Morrison asked how things had worked out with the BLM property to the north as that was a concern previously. Bowcutt stated that there had been no issues. Dixon asked about the number of restrooms and Bowcutt stated that they had planned for all of that with the modifications that were made with the initial CUP.

Swaney asked for further discussion, hearing none he closed the public hearing. He then asked for additional discussion from the Commission.

Black stated that she is concerned about the school continuing to expand using modular units with no plans for a permanent site or building. Dixon indicated that he thinks it's more balanced as two of the classrooms being requested will be within an existing building and two will be in the modular. Dixon asked the Commission's thoughts about the need to provide more than just asphalt to the property as they add more and more students. Discussion on landscaping followed. Bowcutt indicated that the landscaping would be extended to the western property line and will include bark and rocks because they don't have the ability to sprinkle that area.

Dixon moved to approve the Conditional Use Permit for Lot 11, Block 2, Bowen Addition, Division No. 3 as presented with the requirement for an additional fire hydrant and the extension of the landscaping as indicated by Mr. Bowcutt. Branson seconded the motion. The motion passed with a vote of 5 to 1. Black voting no. Black indicated that she is concerned about the continuation of using modular units on the site

Morrison made a motion to accept the Reasoned Statement for the Conditional Use Permit for Lot 11, Block 2, Bowen Addition, Division No. 3 with the amendments that were made in the motion. Branson seconded the motion. The motion passed with a vote of 5 to 1. Black voting no.

Rezone: Lot 24, Block 1, Gustafson Park, Division No. 3, 2nd Amended: Beutler presented the staff report, a part of the record. The property was originally developed as townhome units. In 2000 a conditional use permit was issued for a professional office in the western most unit. Following that the unit was remodeled for the office use and no longer resembles a residence. The applicants have applied for the rezone in order to remove the requirement to continually come back for a conditional use permit for the office use every time ownership changed since it would be a permitted use in the R-3A. The R-3A Zone allows for both the residential and office use.

Steve Howe, 211 Lost Trail Place Idaho Falls. Howe is representing both owners of the property. They have rented out unit 4 for the professional office use and the other units would be used for residential.

Swaney asked for further discussion, hearing none he closed the public hearing. He then asked for additional discussion from the Commission.

Morrison stated that he sees the property as being very limited in what can be done there. He is concerned about the loss of the ability to regulate the property through the conditional use permit process. Dixon indicated that he has similar concerns about the removal of the permit process. The main question with this property is how much traffic and parking the use will generate. Without the CUP process that question won't come back to the Commission for consideration.

Chairman Swaney asked for additional questions, hearing none he asked for a motion.

Morrison moved to recommend denial of the rezone request from R-3 to R-3A for Lot 24, Block 1, Gustafson Park, Division No. 3, 2nd Amended to the Mayor and City Council. Dixon seconded the motion. The motion passed by a vote of 5 to 1. Wyatt voting no. Wyatt indicated that he voted no because if other uses are proposed on the property they would have to meet the minimum requirements of the City.

Comprehensive Plan Amendment from High Density Residential to Commercial located south of Pancheri Drive and west of I-15: Cramer presented the staff report, a part of the record. The comprehensive plan is intended to look at the area with broad brush strokes and whether what is happening in the area or items in the plan would support a change in this area to commercial. There is a mix of uses, zoning designations and comp plan designations in this area. Discussion followed about the amount of commercial and residential in the area and what the demand might be in the area for different uses.

Matt Smith, 12601 West Explorer Drive, Suite 200, Boise Idaho. The existing site is surrounded by commercial in this area. The freeway is not the most ideal place for residential. The commercial will allow for a buffering of uses. They will include a nice landscape buffer adjacent to the freeway. The development will increase the tax base, provide jobs as well as spur on other development in the area. Dixon asked why not develop down by Sunnyside where there is freeway access and the zoning is in place. Smith indicated that the client they are working with chose this location and would like to be closer to existing commercial.

Carl Kolbet, 3659 N. 35th West, Idaho Falls. Kolbet is associated with the property owners to the west of this development. They support development of the property in this area. It is time for this area of town to develop with some commercial uses.

Colleen Hammon, 1315 S. Skyline Drive, Idaho Falls. Property is located on the south of this development. They look forward to the development of the property, but do have a concern about buffering of their property. They realize any use within the HC-1 could be developed on the property and would like to make sure a buffer is installed with the development of the property. They are not ready to develop their property, but would not be opposed to having their property included within the comprehensive plan change. They would prefer a fence as a buffer. The fence would need to be of commercial quality, maintenance free and sturdy because of the

high winds. It also needs to be fire resistant because of several fires that have been started on their property as a result of the freeway. They have met with representatives of Zoke and discussed a retaining wall with a six foot fence on top. Zoke indicated they would install a fence and that it could be installed prior to the start of construction. Hammon is requesting the Planning Commission respectfully consider these items. Letter and photos provided by Mrs. Hammon provided to the Commission and entered into the record.

Swaney asked for further discussion, hearing none he closed the public hearing. He then asked for additional discussion from the Commission.

Black stated that the property has been listed a residential since 1967 and nothing has been built. Now with the proposed change it appears as though something might get built. Dixon commented that if we look at the zoning map a major portion of this is already zoned commercial so it doesn't appear to be as big of a choice. However, there is also a large area of commercial along Broadway to the north that is zoned commercial and has never developed. Swaney indicated his support of the change as there is actually development being proposed.

Branson made a motion that they recommend the Mayor and City Council approve the Comprehensive Plan Amendment from High Density Residential to Commercial.

Morrison seconded the motion. The motion passed 5 to 1. Dixon voting no. Dixon indicated that he is not convinced one way or the other and would like additional information about the demand for more commercial land within the area.

Revised Preliminary Plat, Annexation of approximately 17.267 acres with Initial Zoning of HC-1, Rezone to HC-1 and Final Plat for Freeway Commercial Center, Div. No. 3: Cramer presented the staff report, a part of the record. Cramer went through map slides for each action item detailing the different boundary lines for each application type. All proposed roads within the plat line up with existing road alignments. Cramer indicated that there had been some initial discussions about maintenance of the storm pond and asked that the applicant address their intentions for the storm pond as part of their presentation. Cramer indicated that the previous annexation agreement required a 30' wide landscape strip along Pancheri Drive and staff recommends this condition be extended to this annexation.

Matt Smith, 12601 West Explorer Drive, Suite 200, Boise Idaho. Smith presented the conceptual site plan for Camping World's lot. They have agreed with the Hammons to build a retaining wall with a fence on top to create a sound buffer. The building will be oriented toward the freeway so that it is attractive. Smith indicated that they would like to maintain the landscaping associated with the drainage feature and that will need to work out with the City as part of the annexation agreement.

Carl Kolbet, 3659 N. 35th West, Idaho Falls. Kolbet is associated with the property owners to the west of this development. They have owned the property to the west of this **planned** development ~~that has been developed~~. They would like to see development of this type in this area. They are in support of the application.

Swaney asked for further discussion, hearing none he closed the public hearing. He then asked for additional discussion from the Commission. Swaney asked that the Commission consider dealing with the preliminary plat separately from the other items.

Morrison made a motion to approve the revised Preliminary Plat for Freeway Commercial Center, Div. No. 3. Black seconded the motion and it passed unanimously.

The Commission discussed the issue of a joint or separate motion. Dixon questioned whether it makes sense to have a highway commercial designation with no highway access. Discussion followed regarding Saturn Road.

Morrison made a motion to recommend the Mayor and City Council approve the Annexation of approximately 17.267 acres with Initial Zoning of HC-1, Rezone to HC-1 and Final Plat for Freeway Commercial Center, Div. No. 3 with the condition that the landscape strip adjacent to Pancheri Drive be 30 feet in width and cross access agreements be recorded against all lots in the plat. Branson seconded the motion and it passed unanimously.

Miscellaneous:

1. **Bonneville County Planning Commission Report.** Swaney discussed the County Planning Commission that he attended. There will be a joint Planning Commission meeting with the County Commission on May 14, 2014 to begin to have joint discussions between the two commissions.

Meeting adjourned at 9:25 p.m.

Respectfully Submitted,


Kerry Beutler, Assistant Director