

November 3, 2015

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners George Morrison, Joanne Denney, George Swaney, Brent Dixon, Julie Foster, Darren Josephson, Margaret Wimborne, Natalie Black.

MEMBERS ABSENT: Donna Cosgrove, James Wyatt.

ALSO PRESENT: Assistant Planning Director, Kerry Beutler and Brent McLane; and interested citizens.

CALL TO ORDER: Chairman Morrison called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

CHANGE TO AGENDA: None.

Minutes:

August 18, 2015. Wimborne moved to approve the minutes of the August 18, 2015 meeting, Josephson seconded the motion and it passed unanimously.

September 1, 2015. Dixon moved to approve the minutes of the September 1, 2015 meeting, Wimborne seconded the motion and it passed unanimously.

October 6, 2015. Josephson moved to approve the minutes of the October 6, 2015 meeting, Denney seconded the motion and it passed unanimously.

Public Hearings:

1. Annexation with Initial Zoning of R-1: Ivywood Subdivision. Beutler presented the staff report, a part of the record. Dixon stated that in the past when they have something that is being developed in sections, the annexation often happens in sections as well. Dixon stated that there is a large area to the west of this parcel that has been annexed and has not been developed. Dixon asked how long ago the property to the west was annexed. Beutler stated that the preliminary plat for the property to the west was in 2006. Dixon stated and Beutler agreed the parcel is undeveloped. Beutler stated that there was a church parcel that was developed as part of the annexation and plat. Dixon asked about annexing the whole parcel then developing instead of annexing as you develop each section. Beutler stated it was not a policy of the Zoning Office or the City, but has been at the discretion of the developer and the applicant as to how they would like to proceed. Beutler stated that the subject property is completely within the Area of Impact for the City and is shown on the Comprehensive Plan as low density residential. Beutler added there are existing utilities in the area, and the City would anticipate serving the property.

Morrison opened the public hearing.

Applicant:

Clint Boyle, 901 Pier View Drive, Idaho Falls, Idaho. Boyle agreed with Staff that the property is in compliance with the Comprehensive Plan. Boyle stated that the land use map shows this area as low use residential. Boyle stated that his client intends to develop a low density residential subdivision. Boyle stated that the property is in compliance with the BMPO Access Management Plan. Boyle stated that annexing the property all at the same time is an easier process, with fewer hearings. Boyle stated that once the entire parcel is annexed then the property can develop as the market dictates. Boyle stated that the property to the west has an issue with getting sewer access to it, and they have not been able to secure the easements through an adjoining property owner and there have been discussions to see if this subject development could help facilitate sewer access to their property.

No one appeared in support or opposition of the application.

Morrison closed the public hearing.

Josephson asked if the traffic will come in and exit off of Park Road. Josephson withdrew his question and will ask that question in the next hearing for the preliminary plat. Dixon stated that it appears that the Area of Impact cuts off the bottom 1/8th of this parcel. Beutler agreed with Dixon. Dixon asked what issues that will create if they propose an annexation outside the Area of Impact. Beutler stated that there will be no issues with the County. Beutler stated that the Area of Impact is just an agreement between the City and County that they will work together and try to have things develop in a certain way, but nothing that prohibits an applicant requesting annexation outside of that area.

Swaney moved to recommend to the Mayor and City Council approval of the Annexation as requested with Initial Zoning of R-1 for 79.266 acres NW ¼ section 12, T1N, R37E, Wimborne seconded the motion and it passed unanimously.

2. Preliminary Plat: Ivywood Subdivision. Beutler presented the staff report, a part of the record. Wimborne asked if the upgrades to the road will be made at the same time as the first phase of the development. Beutler deferred to the applicant. Morrison asked why a left turn lane is not warranted. Morrison asked what it means when roads are constructed to City Standards, does that include center lane and turn lane. Beutler stated that it doesn't warrant the construction of left turn lanes with this development, but with future development up and down York, there might be a need to expand the road, so they will be platting sufficient right of way for the City so that they can expand and accommodate the traffic as needed. Morrison asked if the small sections on the corners of the plat are bicycle/pedestrian access. Beutler deferred to the applicant. Black stated and Beutler agreed that West 65th South is York and there will be no access from York into the subdivision. Black asked if there will be access from East 73rd South. Beutler stated that 73rd does not go all the way through to the subdivision. Black asked what the nearest City or private park is to this area. Beutler stated Tautphaus or Community Park. Beutler stated that there are 3 storm ponds in the subdivision and the center storm pond is proposed to be kind of a park area. Dixon asked if the preliminary plat to the west is expired. Beutler stated that the preliminary plat has expired. Dixon asked if the roads from Ivywood Subdivision line up with the subdivision to the west. Beutler stated that they do not line up, and the preliminary plat has expired. Beutler spoke with the Staff and Public Works and the alignment that is proposed is a

better arrangement than what was proposed with the 2006 plat. Dixon stated that the property to the west does not appear to have any access from the north, so the access will be through this parcel or from 15th West. Dixon stated there is potential later that if the canal is abandoned on the south side that could turn into a right of way for a road, but would not tie in to this road network. Beutler stated that Public Works and the City Engineer had no concerns with the proposed layout. Beutler stated there were several discussions including the property to the west and how it should be dealt with. Dixon stated and Beutler agreed that the road width on the arterials will be wide enough to put in right and left turn lanes in the future if needed. Dixon asked if the canal will be in the common lot on the east side. Beutler stated that the common lot is the canal easement and then as you get further out that is the dedication of the right of way. The Canal easement runs immediately adjacent to the subdivision, but within that canal easement is included the 20' for the canal itself and then the access road and the buffer. Beutler stated that the common area along the western edge varies in its width, and the common lot along the western edge is where the canal will be. Josephson asked if the canal company has to cooperate with moving the canal, and what if they say no they don't want to relocate. Beutler stated that if the irrigation company did not want to participate then they would design the subdivision around the canal. Beutler stated that the discussions with the irrigation company have been had, and the irrigation company is ok with the moving of the canal. Black asked who is responsible to create the left and right hand turn lanes. Beutler stated that if it is shown to be necessary with the development, then it would come with the development, otherwise it will come when traffic counts necessitate that it be done. Black asked who is responsible if it is done at a later date. Beutler stated that the applicant participates in the dedication of the right of way and the construction of the road, and the City would come in and make the modifications to the right of way.

Morrison opened the public hearing.

Applicant:

Clint Boyle, 901 Pier View Drive, Idaho Falls, Idaho. Boyle stated that they are proposing 208 Lots in this subdivision with a density of 2.7 units per acre which is below what is allowed in the R-1 Zone. The Average lot size is 10,000 sq. ft., which are significantly bigger than the minimums for the R-1 Zone. Boyle stated that they have met with City Staff regarding the access points in this project. Boyle stated there are three access points to Park Road. Boyle stated that on the City's Functional Classification maps or the Bonneville Metropolitan Planning Organization (BMPO), within that plan 65th South (York) is designated as a strategic arterial route. Boyle stated that the cross section is part of the preliminary plat. Boyle stated that in the preliminary plat there are lot dimensional sheets and another section that is related to the improvement features. Boyle stated that with the strategic arterial designation for 65th South, it shows a cross section that is a 7 lane section, and with that the access spacing is ½ mile spacing on 65th (York). Boyle stated that the preliminary plat for Park Place Subdivision has a road connection that comes down to 65th and they looked at aligning and tying in at that location, but engineering desired to not have access to 65th south because it will be designated as a strategic arterial designed to move traffic across town. Boyle stated they agreed and put no access on to 65th South. Boyle stated that the access management plan would allow access every 660' on 5th West (Park). Boyle stated they split the site into thirds so there is access evenly distributed along 5th West. Boyle stated that the traffic study shows traffic distributing out of the subdivision very

well. Boyle stated that the traffic study shows that 35% of traffic will go out the northern entry, 40% of traffic will exit on the main collector road and 25% on the southern entry. Boyle stated that the only other opportunity for access in this subdivision would be to 65th, and the developer would probably be willing to do that if the Commission felt that was necessary. Boyle stated that along 65th there will be a landscape buffer. Boyle stated that when the German Canal is rerouted there won't be a canal along 65th so that will just be a landscape buffer along the arterial. Boyle stated that along 5th West, it will have the street section 50' width, the canal section and one other section by the intersection to facilitate a wider street section at the intersection of 65th and 5th West. Boyle stated that in the north east corner there is a taper in the right of way which starts out at 60' wide and by the time it is to the 1st entrance it is down to 50' wide. Boyle stated that the street section that is dictated through the BMPO Access Management Plan is a 50' section, however staff requested that they go wider at the intersection to facilitate future signalization, turning lane and turning movements. Boyle stated that initially they did not have the residential collector running through the center, but the Staff requested that they facilitate a residential collector through the center of the subdivision. Boyle stated that there are traffic circles that are proposed within the project which will be located at key intersections along the residential collector where north/south streets meet the collector in 2 spots. Those traffic circles will calm traffic in the subdivision. Boyle stated that the subdivision to the west has been discussed with connectivity and Boyle understands that there are connections through to the north into the expired preliminary plat along with the connection out through this property on a residential collector road and the connections to the west. Boyle stated they are going to additional cost to put in the extra right of way width to accommodate a collector street to ensure good distribution of traffic. Boyle stated that the developer has a few challenges with this site. Boyle stated that with the improvements on this site for 65th, the developer has the option to build the arterial roads, or he can pay into the arterial road and bridge fee, which the City collects and then in the future that money is used in the future where there is the most need. Boyle stated they have not decided which way to go, but Boyle guesses that the money will go to the road and bridge fee. Boyle stated that on 5th West there is a requirement to extend the sewer trunk line down to the south boundary on the property (1/2 mile extension). Boyle stated that is a deep sewer and a long stretch. Staff has requested that sewer be in the right of way on 5th West and to do that they will have to tear up the road, so the developer will probably construct 5th West. Boyle stated that they have discussed with the Irrigation District and walked the site with them to talk about moving the German Canal. The Irrigation District is on board with the re-route of the canals. They discussed moving the German Canal adjacent to the Gustafson, but the canals are at different elevations. Boyle stated that the canal is all in the common area and the Irrigation District wants 20' clear from the top of their bank, so there is no problem with fences and property lines going up the canal banks. Boyle stated there will be a berm and buffer along the right of way to provide separation from the sidewalk to the facility. Boyle worked with Idaho Falls Power to locate power poles. Boyle worked with engineering and there will be a 15' wide landscape planter to the sidewalk and another 10' beyond the sidewalk to the canal with a berm. Boyle stated that the street section was highly scrutinized by everyone to get to this design. Boyle stated that the 3 common spaces/storm pond/park are strategically spaced. Boyle stated that the storm pond in the south will collect most of the water as it is the low spot on the property. Boyle stated that the storm pond/park lots will be greened up and have some amenities. Boyle stated that the developer had intended for those to be private neighborhood parks and are proposed to be maintained by the HOA. Boyle stated that the largest lots in the

subdivision are adjacent to the County project in an effort to respect the larger County lots. Boyle stated they strategically positioned the green space to the south by the County homes. Morrison asked if the corner common spaces will be used for bicycle paths. Boyle stated that those lots were originally put in for the sewer extension, as they anticipated bringing the sewer trunk line into the subdivision then running it down the subdivision and then back out again, using the corner lots. Boyle stated that they are still talking with Engineering to see if that is a possibility. Boyle stated that they will be green spaces with lawn. Boyle will ask the developer about extending a bike path through the neighborhood. Morrison asked if there will be fences bordering the street. Wimborne stated that if the biking paths are a priority on 5th West then it should be easy for people to get in and out of the neighborhood without dealing with the traffic at the intersections. Wimborne encouraged the developer to make that accessible. Black stated she is in favor of the corner common lots being used for bike paths. Black asked what their definition/vision of a park, especially the center park. Boyle stated that he has had some conversations with the developer and the developer would be better to answer what type of amenities he had in mind for the park. Boyle stated that the design would be grass and landscaping with trees. Boyle stated that there is open space for amenities, such as playgrounds and picnic tables, as the developer feels appropriate for the neighborhood. Morrison stated that the storm ponds at Fenway Park are a mud hole. Boyle stated that the ponds that he will be designing will not be mushy and marshy. Boyle stated that the bottom will have a grade so there is a true low spot in the pond with some cobble rock and a French drain so that the nuisance waters are gone and only in a major event does it really fill up. Boyle stated that the park will be greened up and be nice parks with some amenities that people can utilize and not be sloshing around in the mud. Dixon appreciated and complimented the wider lots. Dixon appreciated the green space next to the county property to the south. Dixon is concerned about access to the west. Dixon stated that in the ½ mile there are 3 accesses to the subdivision to provide the people access onto the arterial, but there is only one access provided to the people beyond the subdivision. Dixon stated they could tie into S 9th W, but on the south there is nothing to tie into. Dixon would like to see one more extension to the west near the bottom of the subdivision. Boyle noted Dixon's opinion on the access. Boyle stated that there are some grade challenges in the southern area that will affect the connection without disrupting the lot layout. Boyle stated that they do not have all the answers to how that property to the west will tie in when/if it develops. Boyle stated that in working with Staff the residential collector street is the solution for the area. Boyle stated that there is one access point on a collector street into the neighborhood, but once they are in the Ivywood Subdivision they can utilize any of the access points to get out to the main road. Dixon stated he could not appreciate the grade issues as there were no photos in that area. Black asked Boyle if they could take 4 additional lots (4, 6, 14, and 13) to add to the center pond/park. Boyle stated that since the developer picked up the property there have been some major costs that have come about that were not anticipated, including the new electric policy that goes into effect January 1, 2016, for new and existing construction they will charge an assessment to pull primary power which will add over \$200,000 in expense to that project. Boyle stated that it is hard to lose lots when you have those new fees coming in on the project. Boyle stated that another key issue is the sewer extension to the South. Boyle stated that if they can run the sewer extension into the project and through the subdivision that will be a significant cost savings versus having to run the sewer line down Park. Boyle stated he cannot subtract lots from the developer and because of the big cost items the developer is sensitive to dropping lots where he already has a very low density subdivision (2.7 per acre). Dixon asked if the northwest

corner storm pond could be turned into residential lots and instead have a larger park in the center of the development. Boyle stated they have done a rough calculation on the ponds to ensure they are in the ball park of sizing and the northern could have some excess capacity, but they could look at it.

No one appeared in support or opposition of the application.

Morrison closed the public hearing.

Black stated that the residents in the City want outdoor spaces. Black would like to see a park where the residents can stay and play in their subdivision without driving. Dixon stated that there are unique additional costs associated with this development, including the electrical and sewer problems. Dixon stated that if he was a resident, he might not care if the center park was twice as big versus having additional parks north and south of the center park. Dixon asked if there was a similar fund to the arterial and bridge fund, that could be used for parks, where they can build a park themselves, or pay into the development of some park later somewhere in the vicinity. Swaney stated that he supports Dixon's comment about the sewer and that we need to encourage the City along with the approval of the Preliminary Plat to look at the benefits that could be provided to the City and the developer to allow them to run the sewer line within the development. Swaney stated that the preliminary plat in general is well thought out. Swaney asked Staff to have a few more drawings, especially with street sections and the traffic circles, etc., for the packets. Swaney stated that there is a preliminary plat that has expired to the west and that is a large area and there will be traffic design and problems and it would be to their benefit to work with this developer. Swaney stated that the preliminary plat as presented is sufficient for this development and it should not be the expectation of the Planning Commission for them to resolve unidentified problems with the traffic for a subdivision that has essentially not been platted to the west. Swaney commended the developer and the designer in meeting all the basic requirements for the Ivywood Subdivision. Dixon stated that he had a discussion with a colleague about developing in the County versus the City. Dixon stated that if we keep throwing costs onto a developer, they will develop in the County. Dixon stated he is wanting the property to the west to not be landlocked. Black stated that she highly recommends to the developer that they make a nice subdivision for the residents that has a nice park, and not just a storm pond.

Swaney moved to approve the Preliminary Plat for Ivywood Subdivision as presented, Denney seconded the motion and it passed unanimously.

Wimborne moved to accept the Reasoned Statement of Relevant Criteria and Standards for the Preliminary Plat for Ivywood Subdivision Located in the Southwest corner of the intersection of York and Park Roads, Josephson seconded the motion.

Black wanted to add something to the Reasoned Statement of Relevant Criteria and Standards. Morrison stated that the Reasoned Statement had to match the motion. Dixon stated that he believed that the motion could be amended, depending on what it was she wanted to add. Dixon stated that he would like to add a comment that the developer has accommodated existing properties in the County by providing larger lots or landscaping lots next to them. Morrison asked Beutler for clarification. Beutler stated that it does need to match the approval for the preliminary plat, but there can be modifications or changes made that directly relate to the discussion that the Commission had. Wimborne clarified that it has to match, and they can't

recommend that there is additional common space. Swaney stated that if Black wanted to propose an amendment to the Reasoned Statement of Relevant Criteria to amplify something that is already provided in what has been approved or to make a statement of clarification that is something that can be considered. Black proposed that the Commission require that the Center storm pond be a park with amenities, not just a storm pond. Beutler stated that the motion on the plat was to approve the plat as presented and it was presented without those identified specifically, so that would conflict. Dixon disagreed with Beutler, and stated that when the discussion was occurring the presenter for the developer was saying that they could put trees there and make it park like, and that is all that they are talking about. Beutler stated that his concern is the comment “with amenities”. Beutler stated that if you want it to state as described by the developer, that would work, but leaving it open to include amenities would be a conflict.

Black moved to amend the motion on the Reasoned Statement of Relevant Criteria and Standards, to include that the center storm pond will be a park with amenities as described by the developer’s representative, Dixon seconded the motion and it passed 6-1. Wimborne opposed the amendment because she did not like handling the matter in the Reasoned Statement of Relevant Criteria and Standards and would feel more comfortable having it be part of the motion on the preliminary plat. Wimborne added that she feels neighborhoods need parks, but it is not fair to have the developer carry that burden on their own.

Dixon moved for a second amendment to the motion on the Reasoned Statement of Relevant Criteria and Standards, to include acknowledgement that the developer provided larger lots or green space adjacent to existing County developments to lessen the impact of City density on existing County development, Black seconded the motion and it passed unanimously.

Morrison called for a vote on the amended motion to approve the Reasoned Statement of Relevant Criteria and Standards as amended, and it passed unanimously.

3. Rezone from RSC-1 to R-3A:W 80’ Lots 18 and 19, Block 1 Lorin C. Anderson 2nd Amended and W 173.10’ Lot 11, Block 1, Lorin C. Anderson 1st Amended. Beutler presented the staff report, a part of the record. Morrison asked if the property overlaps to the parking lot. Beutler stated that it could be a discrepancy with the aerial view and will defer to applicant. Dixon stated that one of the items that is allowed in both zones is professional office buildings. Dixon stated that the land on the opposite side of Woodruff is professional office buildings and the land south is professional office building. Dixon asked if there is any difference between the two zones relative to developing a professional office. Beutler stated that the RSC-1 requires additional site plan review. Beutler stated there are some differences in landscaping. Dixon stated that the rezone would make the same zone for the property with the same owner and it removes a lot of the residential shopping zone options while adding a residential option such as apartment buildings. Dixon stated that the area that is up against the existing residential is already zoned R-3A, and this subject property is not against anything.

Morrison opened the public hearing.

Applicant:

Blake Jolley, 985 N. Capital Ave., Idaho Falls, Idaho. Jolley stated that the property is now under the same ownership with different lot lines, and they are trying to make the parcels consistent so they have options for the entire property under one zone. Jolley stated that the property has been surveyed and the parking lot is not inside the property line, and the appearance of such is just due to the aerial photo.

No one appeared in support.

Opposition:

Rolanda Bjornson, 2015 St. Clair, Idaho Falls, Idaho. Ms. Bjornson owns the single family home that is near the property. Ms. Bjornson is not opposed to development in the area. Ms. Bjornson is interested in protecting privacy, security and property value. Ms. Bjornson stated that when it was originally proposed it was for professional office buildings and a retirement center. Ms. Bjornson is opposed to really high density apartments. Ms. Bjornson stated that professional business would maintain a quieter neighborhood and traffic for St. Clair. Ms. Bjornson stated she has been told they are looking to develop single story townhomes and would like that to happen and not high density apartments.

Morrison closed the public hearing.

Dixon stated that he is familiar with the area and the residential shopping, if it was developed into shopping, as opposed to professional office buildings would only make sense along Woodruff, because the existing Hallpark Shopping Center is the back side, with the exception on the east end where Papa Toms is on the side. Dixon stated there is no tie to the existing residential shopping center and so this change would not have any impact. Dixon stated that Ms. Bjornson's concern was voiced well. Dixon stated that the property adjacent to Bjornson is already zoned R-3A and could be developed into an apartment complex, but if the rest of the property under the same ownership was made into a zone for residential, then it would open up more opportunities for larger residential apartment development. Wimborne asked if they could get clarification from the applicant about what the vision is for the property.

Blake Jolley 985 N. Capital Ave., Idaho Falls, Idaho. Jolley stated that the vision for the property after the rezone is to potentially put single story multi-family housing. Jolley stated that any property you want to maximize what you can do. Dixon asked where they would access the property. Jolley stated they are looking to access the property onto St. Clair and they have multiple discussions and studies being done on what needs to be done to make sure St. Clair is capable of handling the possible density. Jolley stated that there is a cross access easement that goes to the back side of the parcel and that might be utilized, but Jolley does not think it will be at this point. Dixon clarified and Jolley agreed, they are discussing going west and putting bridges across the canal. Swaney reminded the Commission that they are approving a rezone, and anything in that zone can be done and the first time anyone will know for sure what is being planned is when the preliminary plat comes across for review and approval.

Swaney stated that the annexation and final plat meets all the requirements.

Wimborne moved to recommend to the Mayor and City Council approval of the rezone from RSC-1 to R-3A for the W 80' lots 18 and 19, Block 1, Lorin C. Anderson, 2nd Amended and W 173.10' Lot 11, Block 1, Lorin C. Anderson, 1st Amended, Josephson

seconded the motion and it passed 6-1. Dixon opposed the motion because the Comprehensive Plan shows this as medical service center which would be consistent with developing this as professional offices, but not as residential and the rezone makes it more likely that it would develop as residential whereas the existing zone presents no barriers to developing it as professional offices.

4. Rezone from HC-1 to I&M-1: 4.469 Acres (Rumble Diesel, Mercury Plastics, etc.)

McLane presented the staff report, a part of the record. Black asked if the property is going to have new construction on it, or if it is reuse for the existing buildings. McLane deferred to the applicant. Black clarified and McLane agreed that landscaping requirements would only be required if there is new construction. Wimborne stated that this property is right across the street from the hospitality lane adjacent to the Greenbelt, and having a super gas station is different than a place than can manufacture fertilizer. McLane stated that currently the uses are industrial in nature and the land use map shows a buffer of the HC-1 between the I&M-1 zone and the hospitality type facilities which are located in an HC-1 zone. McLane stated that the half block of buffer between the existing industrial will provide adequate buffer. Dixon asked if the property redeveloped would that require development of the streets. McLane stated that any redevelopment would initiate a redevelopment of the streets and require improvements of the streets. Dixon asked if Quigley Street ends at the western edge of the property. McLane stated that it is not platted. Dixon stated he is cognizant of utilizing rail access when it is available. McLane stated that there is a spur line that comes through the back of the subject property.

Morrison opened the public hearing.

Applicant:

Steven Frei, 4071 North 5th West, Idaho Falls, Idaho. Mr. Frei is speaking on behalf of two of the property owners on the subject property (Mercury Plastics and David Drews). Frei stated that the primary reason for the requested rezone is the buildings have changed from the primary use when they were constructed and to continue using them as warehousing and light manufacturing, it is not compatible in the HC-1 Zone and the property owners have not been able to monetize their buildings. Frei stated that the old Road Moving Storage building is empty and they have had to turn away various tenants as they do not fit in the HC-1 Zone, but would fit in the I&M zone. Frei responded to Wimborne's question about the fertilizer. Frei stated that fertilizer manufacturing is specifically excluded in the I&M-1 Zone. Frei stated that it will be for both current buildings and new construction on the property. Frei stated that Mercury Plastics would like to build a building on the newly acquired lots. Dixon asked when the HC-1 Zone was put on the property. McLane stated that the buildings were constructed prior to the current zoning ordinance and they were given that zoning at the time of the zoning ordinance. Dixon clarified that the buildings and their uses pre-dated the zone. Morrison asked if this property was part of the urban renewal. McLane stated that this property is part of the urban renewal district.

No one appeared in support.

Opposition:

Renee Magee, 150 N. Morningside Drive, Idaho Falls, Idaho. Magee clarified that this is her personal opinion and does not reflect any position that she has or any work she does in the

Redevelopment Agency. Magee asked the Commission to consider the long term consequences of the proposed rezone. Magee asked the Commission to look at policies in the Comprehensive Plan. Magee stated that in 1989 there was a lot of discussion at that time about the entry ways to the City. Magee stated that the area had Bonneville County Road and Bridge, metal buildings on Broadway, the off ramp onto Broadway came to a stop light and across the street was a tin building with outdoor equipment storage all around, there was a large vacant area north of Broadway that was described by a Council Member as a “summer home for the homeless”. Magee stated that the area has gone through substantial change since 1989. Magee stated that in the Staff report that discussed the 32 properties redeveloping was referring to this particular area that has moved from an area of open storage and industrial and manufacturing, to an area of tourist related facilities and reinvestment. Magee stated that Page 17 of the Comprehensive Plan has a policy that encourages the development of niches along the Snake River and the central portion of Idaho Falls. Magee stated that the Comprehensive Plan talks about having niches and it states that the west side of the river should have the hotel/motel row and tourist attractions. Magee stated that the zoning patterns in the area in the last 15 years has rezoned to HC-1. Magee stated that she does not want the properties to not be leased and invested in. Magee stated that buildings that are used for manufacturing, warehousing and distribution are grandfathered. Magee asked the Commission to not reverse a pattern that has taken 20 years of work to turn it into an attractive entrance way that promotes tourist related facilities.

Morrison closed the public hearing.

Dixon stated that his preference would be that all of the I&M was north of Highway 20, but there has been development within the I&M area. Dixon stated that hotel row could go all the way to I-15, or it could stop and there could be industrial along the railroad track. Dixon stated that further south on Lindsay there are hotels and restaurants on both sides of the road. Dixon stated that with the exception of Jaker’s, nothing has changed on the west side of Lindsay. Dixon stated that if the rezone is approved then they are making the HC-1 depth along the west side of Lindsay adequate for a gas station or restaurant, but not adequate for a hotel. Dixon also stated that there is a railroad track with a spur right up against the subject properties. Morrison reminded the Commission that once it is rezoned anything allowed in that zone is a possibility. Black stated that she is conflicted as the area is not attractive currently with a lot of vacant land, garbage and very industrial. Black stated that the new zone would allow sexually oriented businesses, daycare and educational facilities in the same zoning. Black stated that she would like to see the Greenbelt and hotel row developed, but there has not been a lot of development on the west side of Lindsay and the railroad is there, so it does fit in with what the applicant is asking for. Black added that they do need to be careful with the zoning changes because the City is trying hard to clean up the area. Foster stated that she would hate to see the City lose ground on 20 years’ worth of beautifying the area. Dixon stated that if some development occurs on the lots and that triggers a conversion from dirt to actual pavement, curb and gutter, then that could have the potential to encourage redevelopment of the HC-1 area because it would then be more attractive behind it and there would have to be appropriate landscaping. Dixon stated that currently the area was developed prior to any zoning and what you see in the area reflects that. Dixon stated there is no surface infrastructure, no landscaping, not streets, just gravel. Dixon stated that the rezone could help make the development along Lindsay occur, or by shortening the depth of the HC-1 would cause harm to the area. Josephson stated that he travels this route

regularly. Josephson stated he would worry about rezoning the north piece as the ownership could change hands in the next 10 years. Josephson stated that rezoning the property south of Quigley would make sense as there are multiple owners along the front of Lindsay and will probably not be purchased as one big property. Josephson stated that the property is currently a mess and he would be in favor of rezoning the south property, but hesitant on the north piece. Morrison stated that the rezone cannot be split. Foster stated that the Commission needs to remain focused on the goal for the area and keep in mind that if the rezone is approved that the City will lose ground on what has been done to beautify the area.

Foster moved to recommend to the Mayor and City Council denial of the Rezone from HC-1 to I&M-1 for 4.469 Acres of the SE ¼ of Section 13, T2N, R 37 E. There was no second and the motion died for lack of second.

Black asked Renee Magee if the property owners build something new, put in landscaping and cleanup the area, for that small of an area is it worthwhile to change the zoning, or is the risk to great.

Renee Magee, 150 N. Morningside Drive, Idaho Falls, Idaho. Magee stated that I&M-1 has no landscaping requirements. Black clarified that I&M-1 has a landscape strip at least 15' in width with lawn or other ground cover, shrubbery and trees at 40' centers. Magee stated that the real issue goes back to the fact that there is not a proposal for somebody to come in and build a building or bring in a new business. Magee stated that the Commission is looking at a rezone. Magee stated that it might be different if a building was going to be built right now, or expand.

Swaney stated that the consideration needs to be in regard to what the Comprehensive Plan envisioned for the area, which is included in the existing zone of HC-1 as opposed to the plan by the owners of the property in the area who are requesting the rezone, who intend to lease property on I&M-1 zone. Swaney stated that many of the Commissioners have spoken to this issue. Swaney stated that the goal of the Commission and development organization of the City is to encourage implementation of the Comprehensive Plan, not to get vacant properties rented. Swaney stated that the goal is to encourage the vision of the community as a whole and the vision of the development organization as it has grown over the years. Swaney stated that after talking more, he would second Commissioner Foster's motion to deny.

Wimborne moved to recommend to the Mayor and City Council denial of the Rezone from HC-1 to I&M-1 for 4.469 Acres of the SE ¼ of Section 13, T2N, R 37 E, Foster seconded the motion and it passed 5-2. Dixon opposed the motion because he sees the property as being on a boundary on the Comprehensive Plan Map between industrial employment center and commercial and typically where they are at the boundary it could go either way; and it has frontage along the entire length for an active railroad spur, which suggests industrial. Dixon added that a rezone can trigger an improvement in the street sections. Dixon added that he wanted the Commission to have a split decision because he believes this application is important enough for elected officials to make the decision, not the Commission. Josephson opposed the motion because he believes that the property is a sandwiched property and more contiguous with the properties to the west and he does not see it developing any time soon.

Black stated that she agrees with Commissioner Swaney that the Commission needs to look at the Comprehensive Plan, but if there is an area that is underdeveloped, then one of the tools the Commission has is to rezone, which is another reason why she was conflicted with this application. Wimborne applauded the applicant for looking at this piece of land, as it is in a strange spot and isn't benefiting the area. Wimborne stated that her hope is that the applicant can go back and look at the ordinances and find something that will suit the applicant's needs and the needs of the area.

5. Amendment to Section 10-3-5-W.5 of the City of Idaho Falls Zoning Ordinance to Reduce the Required Number of Parking Stalls for Residential uses in the Downtown Area from 2 stalls to 1 stall per unit.

Beutler stated that he needed to make one amendment to the Agenda to read "...Reduce the Required Number of Parking Stalls for Residential uses in the Downtown Area within the CC-1 Zone District . . .". Beutler presented the staff report, a part of the record. Swaney clarified and Beutler agreed that this change would only establish a new minimum standard of 1 parking stall for residential unit, but if a developer decided to provide additional parking stalls that would be acceptable. Wimborne stated and Beutler agreed that this change only applies to residential units. Black asked how it would work with a multi-use building with commercial on the bottom and residential on top and what is the likelihood of underground parking. Beutler stated that underground parking is not prohibited. Dixon stated that a lot of the arguments in the Housing Study related to what is done in bigger urban areas. Dixon stated that he has yet to be in an urban area that had the feeling of "too much parking". Dixon stated that he does not agree with the studies that state it is ok to not have enough parking. Beutler stated that the numbers and uses are a perception issue, that if you cannot park within half a block of a downtown store, then you cannot park, and that is simply not the case. Beutler stated that those that choose to live in a downtown studio apartment are expecting to walk to get services. Dixon stated that he looked at some property in McCall, Idaho that was downtown within walking distance to services, but the draw back was there was only one parking spot for each residential 3 bedroom unit. Wimborne stated that the change will only address residential units and there is additional parking throughout the downtown area that is not being used if you happen to have two cars, one could be parked farther away.

Morrison opened the public hearing.

Applicant:

Renee Magee, Executive Director, Idaho Falls Redevelopment Agency, P.O. Box 50220, Idaho Falls, Idaho. Magee stated that one of the things the Housing Study found was you could have the potential of 500 units downtown. Magee stated that the Agency is asking for approximately 20 units. Magee stated that they need one parking space per residential unit, in order to see if they can make it work for downtown housing. Magee stated there is currently downtown housing right now and the tenants are relying on one parking space in a public parking lot because they can get a residential parking sticker. Magee stated that the kind of units they are looking for are for empty nesters, young professionals and/or downtown workers. Magee stated that in looking at the aerial, Walmart is close and a walkable distance. Magee stated that in the core of downtown Boise, there is no parking requirements for residential and as you work out from the core, it goes up to 1 space per residential unit. Magee stated that when Phase II is done on the Savings Center property, they will have a better idea if underground

parking would be feasible. Magee stated there are currently 4 or 5 downtown underground parking garages.

Dixon suggested changing the parking requirement in relation to the size of the unit. Dixon stated that if it is one bedroom or studio then one parking space would make sense, but if it is 2-4 bedroom unit then one parking space would not make sense. Magee stated that the City of Boise does have that provision, but it is throughout the City. Magee stated that in the Housing Market Analysis it talks about that in order to make it affordable downtown, the units will be small. Magee stated that people will be trading the size of their unit to be in the downtown area, to be next to the Greenbelt. Dixon stated that it is not clear if the Redevelopment Agency is the proposer or the City. Magee stated that the Agency is the applicant. Dixon asked Magee if the needs would be met by dropping it from 2 spaces to 1 space per unit for units that are 1 bedroom or less. Magee stated that would work if it could be 2 bedrooms or less would have one parking spot, and then 3 bedrooms is two parking spaces. Magee stated that a lot of empty nesters like to have the two bedrooms. Dixon stated that if you can afford the extra square footage, then you can afford the extra parking spot. Magee stated that the proposal that was desired on Memorial and Broadway was not financially feasible without public assistance. Magee stated that it needs to be a public/private partnership to do the kind of building that Black was describing. Magee stated that the type of building that Black described is close to the RFP that the Agency is putting out requesting a multiple story building, with some retail on the first floor, some office use, and then residential. Magee stated that in order to make that financially feasible, there needs to be public assistance. Magee stated that the Agency cannot do what it has done throughout the City in putting in sewer, water, streets, etc., on A and Memorial as the Streets are already there. Magee stated that in order to get the development that is needed in downtown, it will need to be a public/private partnership, and so in talking about being able to afford it, the Agency is trying to make it work financially to bring to the downtown what the property owners downtown have told the Agency they want to see. Magee stated that she likes Dixon's idea, but is asking that they have one space per two bedroom unit and then two spaces for three bedrooms. Swaney asked if it would be best to withdraw the request and get it restructured and bring it back to the commission with two bedrooms or less for one stall and three bedrooms or more two stalls and then the Commission could consider that. Magee stated that she does have enough time to do that, as they want to go out for RFP's in January, and it will take two months to get through this process. Dixon asked if they could just do a motion along the lines recommending the conditions of 2 bedroom or less has one space. Swaney stated that as long as the applicant is amenable to that. Magee stated that would be amenable to her.

Morrison closed the public hearing.

Dixon moved to recommend to the Mayor and City Council approval of the modification of Section 10-3-5-W.5A to reduce the required parking stalls for dwelling units in the CC-1 Zone from two stalls per unit to one stall per unit for dwelling units with two or fewer bedrooms, Black seconded the motion and it passed unanimously.

Business: None.

Miscellaneous: None.

Morrison adjourned the meeting.

Respectfully Submitted
Beckie Thompson, Recorder