

February 3, 2015

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners Brent Dixon, George Morrison, James Wyatt, Natalie Black, Donna Cosgrove, Darren Josephson.

MEMBERS ABSENT: Margaret Wimborne, George Swaney.

ALSO PRESENT: Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler and interested citizens.

CALL TO ORDER: Vice-Chairman Black called the meeting to order at 7:00 p.m. and reviewed the public hearing process.

Minutes: Morrison moved to approve the minutes of the January 6, 2015 meeting. Cosgrove seconded the Motion and it passed unanimously.

Public Hearings:

1. Comprehensive Plan Amendment from Medical Services Center to Commercial: Beutler presented the staff report, a part of the record. Dixon asked where this property is relative to any existing commercially zoned areas, as he recalled a pattern for the City of having a commercial node two miles down and one mile over from each other. Beutler pointed out commercial areas on a map, including the commercial area that is on the intersection of Township Road and St. Clair that is currently undeveloped and roughly 10 acres. Beutler continued to state that the shopping center commercial designation recommends 1-2 miles as a guideline for placement of the commercial nodes, and it recommends the size to be between 2 and 20 acres. Dixon asked how much of the medical services has developed in the last 6 years and how much is still available. Beutler pointed out parcels on the map that are still vacant, as well as parcels that are currently under construction or have approved site plans in place. Beutler said he has had conversations concerning most of the vacant parcels in this vicinity, except for the property north of Sunnyside. Dixon indicated that the development along Potomac has been in the last 2 years and that area developed even during a recession. Cosgrove asked if giving up 8 acres of medical services is too much for the envisioned medical services in the area. Beutler stated that the commercial designation on this parcel would still allow for medical offices to be built within that designation, however it allows for additional services that would serve the overall area. Cosgrove stated and Beutler agreed that none of the property being proposed tonight is adjacent to residential. Cramer stated for clarification that the Commission is to consider the entire corner (which includes KJ's convenient store, as part of the comprehensive plan change, not just the outlined proposed annexation portion (L shaped property). Dixon asked why this change to the comprehensive plan is only being considered for this area, and not the area further north (north east corner of Woodruff and Sunnyside). Cramer stated that part of the reason has to do with existing land use. When a future land use map is developed in an area like this, there will be a patch work of property that is developed and property that is not. On the northwest corner you have professional offices along that stretch of Woodruff. On the east side the only development request that has been brought forward in the last two years was a potential site for Walgreens, and Walgreens would fit in the medical services designation. Dixon indicated that Walgreens would fit because it has a pharmacy.

Dixon asked what else would be allowed in medical services zone that is of a general nature. Cramer stated that small retail shops such as a florist, small restaurants or coffee shops. There is some general commercial allowed but it is very limited. Cramer continued that one reason that this parcel (north east corner of Woodruff and Sunnyside) has stayed as medical services is because it is completely surrounded on the north and east by residential and medical services was felt to be a better buffer to the residential. Dixon asked if an Albertson's that includes a pharmacy be allowed. Cramer stated that in the MS zone there is a limit on the square footage of the entire building with a maximum of 15,000 square feet.

Black opened the public hearing.

Barry Whitson, Keller Associates, 356 W. Sunnyside, Idaho Falls, ID.: Applicant Whitson stated that they attempted to rezone this area 15 years ago and people had concerns regarding access and traffic, with Sunnyside being only 2 lanes. Since that time there have been improvements on Sunnyside. The reason that applicant would like to proceed with the rezoning at this time, is he believes that changing from medical services to commercial, gives the owner more leverage one way or the other with deciding what will develop on the parcel.

No one appeared in support of the application.

Opposition:

Del Roberts, 3232 Merlin, Idaho Falls, ID.: Roberts appeared in opposition to the application. Roberts indicated that he lives just north of the proposed rezoning area. Roberts stated the reason for his opposition to the rezoning is because the Sunnyside Corridor Plan was done way in advance of the changes that have taken place to the area. The Plan called for the area south of Sunnyside to be residential. The people in the area moved in under the assumption of that Plan taking effect and that area being residential. Roberts stated he understands there is a need for professional office space in close proximity to the hospital and due to that, the Plan was changed from purely residential on the south side of Sunnyside, to include medical and professional offices. Roberts stated that it was made clear to him at that time that there would be no more commercial and/or professional rezoning in the area and it would continue to be residential. Roberts stated that the rezoning change to the comprehensive plan basically defeats the buffer that the medical offices give to the residential areas, and it also will affect the traffic patterns in this area. It would be inexcusable to try to put any more traffic or access off of Sunnyside into that commercial parcel. Roberts feels that for the Commission to allow further changes to the zoning in the area is breaking a promise that was made to the people that built homes in the area as well as professional business owners who have built beautiful buildings.

Brett Mooso, 1580 Elk Creek Dr., Idaho Falls, ID. Mooso stated he does not stand in opposition or support of the application, but would just like clarification on the access to the parcel. Mooso is concerned how the area can be accessed and does not want a commercial building such as a strip mall being built, as he did spend a lot of money on his building and would like to maintain his property value. Mooso states that coming off of Sunnyside or through Bucks (KJ's convenient store) would be impossible. Coming off of St. Clair would be difficult, which would leave Elk Creek Drive for access to the property. Cosgrove clarified for Mooso that there are two public hearings on the same property tonight and the discussion regarding the access will be in the next hearing on the request for annexation and the final plat. Cosgrove asked Mooso if he felt that the addition of some commercial would benefit his clients/patients and businesses surrounding his office, or will it be a detraction. Mooso stated that on the broad scope, commercial would not hurt him and might even benefit him a little bit. Mooso stated that traffic will be a bother with access on Elk Creek and the light at St. Clair and Sunnyside will be well used. Dixon asked Mooso how many pad sites have filled in around his office, since Mooso built his building.

Mooso stated that in the last 3 years there have only been two more developments. Dixon clarified that there are three pad sites still open and undeveloped.

Barry Whitson, Keller Associates 356 W Sunnyside, Idaho Falls, ID: Applicant Whitson indicated he understood the concern of the public. He stated that traffic is going to be an issue, but traffic should not stop something from being built. Traffic will be dealt with in some way (i.e. turn lane, etc.). Whitson indicated that he does not know where the idea of a strip mall came from, but the parcel is the ideal spot for coffee shop and restaurant, or something similar to service the surrounding areas. The residential is buffered by the professional businesses. The area is a prime corner that needs to be utilized.

Black closed the public hearing.

Black stated that by opening it up to more commercial development you could get a strip mall, however, her vision for the parcel would be a bakery, a deli, a coffee shop or thing that might be in walking or bike riding distance for the staff at the surrounding businesses and the people that live in the area. This parcel becoming commercial could create a business that would be beneficial for the residential and professional area. Cosgrove stated that this is an appropriate location for commercial rezoning. The area has built out differently than what was originally envisioned 15 years ago, but a lot of that was driven by the hospital and the need for medical services. Dixon asked if Sunnyside was a major arterial, and for major arterials is access limited so that they can provide the function of moving traffic across town, and not servicing local traffic. Beutler stated that the main access for this property will be on Elkcreek Drive. Access onto St. Clair and Sunnyside would not meet the access management plan and would not be allowed. Dixon further asked about the status of the road coming off of Merlin and through the businesses and dead ending on the east side of this parcel. Beutler indicated that the driveway off of Merlin is a dedicated public access easement and would be available for access to that property. Dixon stated that the corner (KJ's convenient store) was grandfathered because it existed before all of this planning, but now there is an L shaped parcel around that corner that would not have access off either of the arterials as it does not meet the access management plan. Beutler stated that if we were developing that corner now, they would be looking for shared access between the convenient store and this piece of property onto both St. Clair and Sunnyside. Dixon stated that the area designated for medical services has been developing very actively even during a recession and Dixon wonders why would you take land that is designated for medical services and do something else with it. Morrison stated that there is a lot of medical development and there is a lot of area available for medical to continue to develop. Morrison stated that to remove this section of land from the medical services designation, does not seem to make a huge impact on the area left for medical buildings to build out on. Cosgrove does not think that what the area has seen in the last five years is truly representative of what the area might see under more normal economic conditions. Dixon commented that it seems that what the Commission does on this parcel will strongly influence what will go into the north east corner of the intersection. Cosgrove stated that because of that potential influence on the north east corner, it does make this (subject property) a more attractive place as a commercial node. The south corner is more appropriate than the north corner for commercial because there is already a buffer for the residential. It would be tough to put any commercial into the north east corner and adequately buffer the R-1. Cosgrove stated in a way it states that the City has established where the commercial should be and medical services designation is still appropriate to the north as a buffer for the residential.

Morrison moved to recommend to the Mayor and City Council approval of an amendment to the Comprehensive Plan Future Land Use Map from Medical Service Center to Commercial. Cosgrove seconded the motion. The Motion passed 3-2. Dixon was opposed to the Motion as he does not see the need to change the zoning for the economic benefit of the land owner, as the current comprehensive plan is developing well in the area and consistency is an important ingredient in

planning, as well as the property will not have the type of access that a commercial property needs. Josephson stated he abstained from voting due to his business interest with the owner of the property. It was clarified that Josephson should have recused himself at the beginning of the public hearing for this reason, however, Commissioner Josephson arrived to the meeting once the public hearing had already begun and he did not speak out or comment on any items during the public hearing or discussions of the Commissioners.

2. Annexation of 8.329 Acres with Initial Zoning of RSC-1 and Final Plat: Commissioner Josephson recused himself from this agenda item, due to his business interest with the property owner. Beutler presented the staff report, a part of the record. Black asked if the landscaping would be continued along Sunnyside. Beutler stated that the property would have landscape requirements along the frontage of St. Clair, Sunnyside and Elkcreek Drive. Cosgrove asked why the applicant went straight to a final plat and did not present a preliminary plat. Beutler indicated that in this property all of the right of way has been developed. Typically with the preliminary plat they are looking at transportation networks, densities and how it all flows and works together. In this specific situation all of the right of way in the area has already been developed and this property is being developed as one commercial piece, so density and transportation patterns were not a question. Cosgrove asked if a cross access agreement would be mandated in the annexation. Beutler stated in this case it would be unnecessary because it is platted as one lot. If there would be cross access, it would be with the property to the east and that is already a dedicated public access easement. Dixon asked if the gas station has any cross access agreement as part of that plat. Beutler indicated he was unaware if there was anything in place. Beutler noted that the gas station is currently zoned RSC-1. That zoning was put in place at the time the gas station expanded. City staff, at the time, requested the RSC-1 Zone because it provides for additional performance standards from the other commercial zones.

Black opened the public hearing.

Barry Whitson, Keller Associates, 356 W. Sunnyside, Idaho Falls, ID: Applicant Whitson stated the RSC-1 Zone provides regulations that gives the City the chance to make sure that everyone follows the building and landscaping styles for the area. He indicated that the special provisions in the RSC-1 will preclude any “obnoxious” development. Whitson stated that there is a cross access agreement with KJ’s. He indicated that the access approaches will follow the criteria that is required in the RSC-1 and that will all be addressed when a site plan is prepared.

No one appeared in support of the application.

Opposition:

Del Roberts, 3232 Merlin, Idaho Falls, ID: Roberts stated that his main concern is that the intersection of St. Clair and Sunnyside is heavily used and the traffic can often back up clear past Merlin on Sunnyside in the afternoon. Roberts stated the traffic issue needs to be looked at more thoroughly. Depending on what is developed on the subject property, it will change the traffic patterns, and number of people going in and out of that area. Roberts stated that the City has spent a lot of money on the bike path and Roberts does not want to see curb cuts made into the path. Roberts indicated that the convenient store is very busy and he would not anticipate that KJ’s will allow access for the traffic to the new developed area through the service station as it would cause a public safety issue. Roberts stated that if the traffic increases they will have to put a light on Merlin to get people in and out of that area for public safety purposes.

Brett Mooso, 1580 Elkcreek Drive, Idaho Falls, ID: Mooso indicated he is not for or against the annexation. Mooso indicated that the access going through the commercial area on the east side should

only be allowed to be an entrance and not an exit, to limit the traffic that is trying to get onto Sunnyside from Merlin. Mooso believes that Elkcreek and St. Clair will be congested with the new addition of a development, especially a high density commercial development. Mooso stated that if he had the money he would turn that area into a park.

Barry Whitson, Keller Associates, 356 W. Sunnyside, Idaho Falls, ID: Whitson stated they will try to work with the engineering and planning department to try to find a solution to traffic problems. He stated that currently they are just asking for a rezone, annexation and final plat. Black asked Whitson why he is requesting a rezone when there is no developer or plans in place. Whitson indicated that the rezone on the property will make the property more appealing for sale. Wyatt asked if the parking requirements for a medical facility are similar to those that would be required for a commercial property. Whitson indicated he did not know, but that would be his assumption.

Black closed the public hearing.

Black asked staff if they have been getting a lot of complaints about traffic. Beutler indicated that he does not get complaints about traffic, but they might be complaining to the Public Works and the City Engineer. Black asked if there is more traffic with commercial versus medical/professional development. Beutler stated that is hard to quantify. The parking requirements are very similar, but the square footage is different, and with commercial there is the potential for a larger foot print, so that could bring more people. Cosgrove asked if any site plan for the development will require a traffic analysis. Beutler indicated that if they are wanting access onto Sunnyside it will require a traffic study. Otherwise it will depend on the user and the amount of traffic they might generate as to whether or not a traffic study is required. Cosgrove stated and Beutler agreed, that right now, because of the access management plan, the developer would not be allowed a cut through the bike path onto Sunnyside. Dixon asked and Cramer agreed that the Commissioners are to vote on the annexation and final plat with the assumption that the City Council approves the previous motion for the rezoning of the area. Black asked with the amount of growth in the area, does staff anticipate a stoplight at Merlin or at Potomac. Cramer stated that neither intersection will have a stoplight. Pursuant to the access management plan the stop light spacing on major arterials is ½ mile, and there is already a stop light at Channing which is the ½ mile mark from Woodruff. Another stop light anywhere between Woodruff and Channing would begin to delay the overall flow of traffic.

Cosgrove moved to recommend to the Mayor and City Council annexation of Part of the NW ¼ of Section 33 T2N, R38 E, Approximately 8.329 acres, with initial zoning of RSC-1, and approval of the final plat for the Grey Ridge Subdivision, Division 1., subject to the approval by the City Council to change the comprehensive plan to rezone the described area from medical to commercial. Morrison seconded the motion and it passed unanimously.

Business:

1. Final Plat: Eagle Ridge Division No. 3: Beutler presented the staff report, a part of the record. Dixon asked why the strip of land on the eastside of block 7, lot 2 is being left out. Beutler deferred the question to the applicant. Black asked what would be facing I-15. Beutler stated that one of the conditions was the building orientation and the backs of the building were not to be facing I-15, so a side or front of a building would be facing I-15. Black asked if they could put a fence up without landscaping or if it had to be landscaped. Beutler stated they are required to landscape, and the fence was specifically for the residential properties to the west.

Jeff Freiberg, 946 Oxbow, Idaho Falls, ID: Applicant Freiberg addressed Commissioner Dixon's question about the strip of land. Freiberg stated that there was some property trading that went on between

Freiberg's client and the Walker's. Dixon asked and Freiberg agreed that the strip of property that was traded is annexed into the City on both sides. Freiberg stated they had been working with the Idaho Falls Urban Renewal Agency for the last year, and that is why the plat has been delayed. Dixon asked and Freiberg agreed when they get to the second division, the weird strip on the north side of Utah will be all under common ownership and will disappear. Freiberg stated that the front or occasionally the side of a building will be facing the interstate. Whatever commercial building goes in cannot face their loading docks toward the interstate. There are landscaping requirements along Pioneer Road with trees every 40 feet along the side of the interstate. Snake River Parkway will continue with the current landscaping style. Pioneer road will be landscaped following a new set of landscape requirements with trees on 40 foot centers. Crane (Utah) will have a median island and be landscaped similar to Snake River Parkway. Dixon asked if there will be any driveways off of Pioneer Road. Freiberg stated there is no access to Pioneer. Black asked why there isn't access on Pioneer Road. Cramer stated that the access management plan does not allow it, as Pioneer will be a minor arterial. Snake River Parkway is also a minor arterial so moving traffic quickly is their job.

Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for Eagle Ridge Division No. 3 as presented. Josephson seconded the motion and it passed unanimously.

2. Election of Officers:

The nominations for officers were slated as follows:

Chairman: George Morrison
Vice-Chairman: James Wyatt
Treasurer: Natalie Black

Cosgrove moved to approve the slate of officers as read to appoint Commissioner George Morrison, Chairman; Commissioner James Wyatt, Vice-Chairman; Commission Natalie Black, Treasurer. Dixon seconded the motion and it passed unanimously.

Miscellaneous:

1. Bonneville County Planning Commission Report. There was no information to report.

Black adjourned meeting at 9:00 p.m.

Respectfully Submitted,

Beckie Thompson, Recorder