

October 7, 2014

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners George Swaney, Brent Dixon, George Morrison, Natalie Black, Donna Cosgrove, Margaret Wimborne.

MEMBERS ABSENT: Kurt Karst, James Wyatt.

ALSO PRESENT: Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler, Current Planner Brent McLane, 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 found some typographical changes to be made, as well as needed clarification to Blake Jolley's testimony. Morrison moved to approve the minutes with changes. Wimborne seconded the motion and it passed unanimously.

Public Hearings:

Planned Unit Development for Orthodontics Office Lot 1, Block 18, St. Clair Estates, Division No. 13.

McLane presented the staff report, a part of the record. Morrison asked why we would not consider having the applicant be amenable to cross access in future, as it will be same kind of facility that will be built next to this structure. McLane said that you can require that of the applicant and applicant can answer further as to cross access. McLane clarified for Cosgrove that the purpose of the action is to approve the site plan. He clarified for Wimborne that the curb cut on to Sunnyside and curb cut on Potomac will be removed and the only access to the property will be from Fountain Blue. Dixon asked if the site would have sufficient parking if an access to the west was included. McLane said the parking would not meet requirements.

Swaney opened Public Hearing.

Amy Jolley, Harper Leavitt Engineering, 985 N. Capital Ave., Idaho Falls, ID 83402. The site is very similar to adjacent properties and will blend well with surrounding developments to the East. The owner is aware of the requirement to remedy the curbs on Sunnyside and Potomac. A cross access agreement is not being pursued by applicant. McLane talked with Harper Leavitt's engineer on property. They looked at moving access to the west to share with the site to the west and it would not work. The neighbor to the west was approached about cross-access and they were not receptive. Dixon asked if the two county lots to the west were developed independently would there be a problem with access spacing onto Fountain Blue Lane. Staff will look into the requirements.

Swaney closed Public Hearing.

Dixon indicated that it appears the Plan is in order. His main concern was making sure there was no access to Sunnyside or Potomac and staff and applicant both indicated that existing curb cuts will be abandoned and

changed. The cross access to property to west does not appear to be necessary as both properties can share access if they come into this PUD at some point. Additionally, by providing cross access, there would be insufficient parking for the square footage. Landscaping and parking meets goal of PUD in the sense of providing more of landscaped view from main road which is Sunnyside where parking is in rear. **Cosgrove moved to recommend to Mayor and City Council approval of the planned unit development for Orthodontics Office, Lot 1, Block 18, St. Clair Estates Division No. 13. Wimborne seconded motion and it passed unanimously.**

Annexation with Initial Zoning of C-1 (Limited Retail Business) 17.811 Acres of the South ½ Section 24, T 2N, R 37E. Beutler presented staff report, a part of the record. Dixon asked why not trying to annex the portion of I-15 that will now be covered by City on both sides if annexation approved. South of the property, the canal was not annexed but the canal to east was. What is the approach of annexation of highways, canals, etc. it seems like we are not being consistent. Beutler indicated that they realized that Porter Canal was left out and there is a petition submitted to include Porter Canal and will be on agenda in upcoming meeting. The description for this annexation left out Pioneer Road, and staff requested that applicant include Pioneer Road, but it was beyond scheduling time frame to meet hearing notice requirements. The petition to include Pioneer Road will be on next month agenda and then both applications will be forwarded to City Council at the same time. Beutler clarified for Dixon that the portion of Pioneer where it bends east has been abandoned. Cramer stated the annexation should have extended west across I-15. Staff has missed a few of these and over next few months there will be a series of smaller annexation requests to resolve these issues. Wimborne asked about traffic patterns. Beutler said Snake River Parkway and Utah will be minor arterials and Pioneer will be designated as collector. Most traffic should flow to the signalized intersection at Pancheri and Utah.

Swaney opened the public hearing.

Jeff Freiberg, 946 Oxbow Lane, Idaho Falls, Idaho. On this development, Snake River Parkway will intersect with Pioneer and Utah at separate, three-way intersections.

Swaney closed the hearing.

Wimborne indicated she feels the project is a good proposal, follows nicely with recent annexations. Some issues that have been raised will be addressed in upcoming meetings. **Wimborne moved to recommend to the Mayor and City Council approval of Annexation with initial zoning of C-1 (Limited Retail Business), 17.811 acres of South ½ of Section 24, T2N, R 37E. Morrison seconded the motion and it passed unanimously.**

Annexation with Initial Zoning of I&M-1 (Industrial and Manufacturing) 1.744 Acres Sections 8&9. Cramer presented the staff report, a part of the record. Cosgrove asked if this application met the contiguity requirement. Cramer confirmed it does and has been reviewed with the Legal Department. Dixon asked about choice of zoning and if it would be a better use zoned something else that could be a gas station or something else where it is on a major intersection with a traffic light. Cramer indicated that those types of uses are allowed in I&M-1 zone. One of the implementation programs of the comprehensive plan was to adjust the I&M zone to have landscape standards similar to commercial zones so it be more appropriate for sites such as this. That proposed change will be considered at the next meeting. Dixon and Cosgrove asked if the zoning change is approved prior to this site developing if this site would be under new requirements. Cramer indicated site plans and plats are reviewed against the requirements in place at the time of application. A development agreement will still be required at the time of platting that could address those concerns.

Swaney opened public hearing. No applicant was present.

Linda Martin, Grow Idaho Falls, 151 N. Ridge, Idaho Falls, ID 83402. Martin has been in contact with the owner and she requested the I&M Zoning. It is a catch-all and gives her more latitude to sell to some prospective buyer and hopefully a commercial user. This is a piece that would help to gain access to additional properties for strategic planning for I&M properties within the City. The owner has been very good and amenable to work with and volunteering to do this. Martin recommends that the parcel be annexed.

Swaney closed public hearing.

Dixon indicated that staff alleviated his concerns about the zoning. The zoning provides a lot of flexibility that could tie into some of the existing uses nearby that will not fit into a more restrictive zone. **Dixon moved to recommend to Mayor and City Council approval of annexation with initial zoning of I&M-1 for metes and bounds 1.744 Acres of Sections 8&9, T2 N, R 38 E as presented. Black seconded the motion and it passed unanimously.**

Zoning Ordinance Text Amendment to Section 4-26-A to Amend Requirements and Standards for Planned Unit Developments (PUDS) and Remove PUD Standards Specific to Mobile Home Parks and Zoning Ordinance Text Amendment to Article VIII to Add Standards Specific to Mobile Home Courts be PUD. Beutler presented the amendment as part of the record. Cosgrove asked about minimum size reduced from 2½ acres to 2 acres. Beutler indicated that 2 acres is a common requirement in other jurisdictions and is the minimum to make the new requirements work. Cosgrove asked requirements for PUDs such as Fenway Park that are not completed and a new owner asks to change the character of the development later on. Beutler indicated that there are phasing requirements and an approved PUD will expire after a specific time frame. There is also a new section related to major and minor changes to approved plans. Major changes must go back through the approval process. Cosgrove clarified that after 18 months if no effort is made to complete a PUD, it expires and must go back through the process for approval. Beutler confirmed. Cosgrove thinks this should be more clearly defined in the ordinance. Wimborne commended staff on their efforts.

Dixon asked about statements in the General Objectives and Characteristics providing for development that demonstrates a high quality design and architecture. This is subjective and may not be enforceable. He also questioned appropriate phases of development outlined in Section 29. He also asked about the list of allowed commercial uses and suggested excluding RV Sales specifically. Dixon asked for clarification about Section 4 regarding traffic requirements. The ordinance seems to limit the size of PUDs by not permitting traffic in excess of the adjacent street design. He asked what the difference were between PUD requirements and an underlying zone and what drives the need or desire for a PUD. He commented that landscaping requirements on private streets may be too restrictive. Dixon also asked about the amenities section and what was the intent of requiring 100 square feet of private space for developments less than 2 acres. Beutler clarified the 100 square feet of space is private space, not common space. It is intended to be used for smaller sites with limited available space for amenities. He said the General Objectives, are intended to be broad and general, providing a scope and then with standards of the PUD attempt to accomplish the objectives. For traffic if a developer makes improvements to the street network and increases the capacity of the street, the PUD could still be approved.

Swaney closed public hearing.

Dixon indicated that the items have been addressed and what remains are minor wording changes and reasons for requesting a PUD. Swaney polled commissioners for their support in moving forward: Black, yes; Wimborne, yes, Morrison, yes; Cosgrove, yes. Cosgrove asked if under limited commercial uses, while drinking places including alcoholic beverages are excluded, if a restaurant that serves beer and wine would be permitted. Beutler stated it could be allowed.

Wimborne moved to recommend approval of the PUD Ordinance to Mayor and City Council with the modifications that have been discussed. Cosgrove seconded motion and it passed unanimously.

Miscellaneous:

Bonneville County Planning Commission Report. Swaney reported that Bonneville County had their meeting last Wednesday, though they experienced one request for a preliminary plat where it was interesting that there was a similar situation at the Bonneville County meeting that we had at our own meeting in September where there was a controversial change in the way the property was going to be platted. The County rejected the plat. They are still planning on meeting for a joint meeting on October 29, 2014. The major item of consideration will be the hand out of the comparison between County and City ordinance information.

Business:

Creation of Eagle Ridge Urban Renewal District. Renee Magee, 150 North Morningside Drive, Idaho Falls, ID. This is a preview of the Eagle Ridge Urban Renewal Plan, which will be on the agenda on election night November 4, 2014. Eagle Ridge Urban Renewal District was originally envisioned to 53 acres. In Urban Renewal District under State Statute, agricultural land owners have to give written consent to be included within a district. Two such property owners decide to stay outside of the District. The area of approximately 50 acres lies between two existing Urban Renewal Districts. Snake River Urban Renewal District and to South is River Commons (Snake River Landing). It has been considered eligible to be a district since 1999 and no developer has stepped up to want to develop it until this year. In order to be a district, there are certain characteristics that the area has to have. City Council determined that this acreage qualified, as it was deteriorating and it has a defective street layout, existing streets do not conform to City standards, no landscaping, unsafe conditions, disposal of construction waste, old foundations, exposed underground pipes in area, abandoned building, trash sites, no utility infrastructure. Proposals in the plan include reconstructing South Utah Ave, constructing Snake River Parkway north of Porter Canal and reconstructing Pioneer Road. It also includes bringing water, fire protection, and sewer and storm drainage to this area, to create amenities such as landscaping and then toward end of District to improve the intersection of Pancheri and South Utah. The draft urban renewal plan is for a 20 yr. period and the cost estimates for the infrastructure total \$6.4 million. Anticipated revenues over life of District are \$8.5 million. Magee explained how tax increment financing works to the Commission. Dixon asked what happens at the end of the 20 year Plan. Magee stated at the end of the 20 years the Plan is terminated and any monies that have been generated go back to the existing tax entities. Dixon asked if there is any option for extending the life of a District. Magee stated not at this point unless the State statute are changed. Dixon asked if there are other Districts due to expire any time soon. Magee indicated that the Snake River District is the oldest District it was created in 1988 and will expire on December 31, 2018. Magee showed the history of Urban Renewal Districts and discussed changes that happened in other Districts and how it improved Idaho Falls.

Morrison indicated that the next meeting should be moved to Wednesday, November 5, 2014, due to election night on November 4, 2014.

Swaney adjourned meeting at 9:15 p.m.

Respectfully Submitted

Beckie Thompson, Recording Secretary