

JULY 27, 1950

Minutes of a Special Meeting of the City Council of the City of Idaho Falls, held July 27, 1950, pursuant to the following call:

"CITY OF IDAHO FALLS, IDAHO
NOTICE OF SPECIAL MEETING

STATE OF IDAHO)
)ss.
COUNTY OF BONNEVILLE)

To Russell Freeman, Vernon S. Johnson, Ross Corbett, and John Rogers, Councilmen of said City:

Please take notice that I have called a Special Meeting of the City Council of said City to be held in the Council Chambers of the City Building on the 27th day of July, 1950, at 3:00 P.M. for the purpose of reconsidering the request of Davis Grocery to a move grocery store to Lot 4 and N½ of Lot 5, Block 35, Original Town, said location facing on Water Avenue.

Idaho Falls, Idaho, July 27th, 1950.

s/Thomas L. Sutton, Mayor

We, the undersigned, hereby acknowledge service of the within and foregoing Notice of Special Meeting of the City Council of the City of Idaho Falls, Idaho, this 27th day of July, 1950.

R. A. Freeman)
John B. Rogers) Councilmen."
Vernon Johnson)

There were present at said Meeting: Mayor Thomas L. Sutton; Councilmen Freeman, Rogers, and Johnson. Absent: Corbett.

John Homer was present at the Meeting and also Mr. Davis and Mr. & Mrs. Lurus. Mr. Homer asked that the Mayor and Council reconsider the matter and stated that Mr. Davis had tried to rent or lease another location for his store, but had been unable to find a new place; that he felt he was entitled to remain in business. Mr. Freeman then read the following letter:

July 26, 1950

Mayor Thomas L. Sutton
City Building
Idaho Falls, Idaho

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Dear Mayor Sutton:

Following is the action taken by the Official Board of Trinity Methodist Church at a Special Meeting held in connection with the first quarterly Conference, Tuesday evening, July 25:

We reiterate the action taken by the Official Board of Trinity Methodist Church at its July meeting protesting the possibility of zoning regulations being altered in order to permit a grocery store to be moved to a location across Water Avenue east from the property of Trinity Methodist Church. To this end we offer the following statements:

1. We emphasize the fact that we are objecting to the moving of any grocery into this residential block, not that we are aiming at the moving of a particular store belonging to particular individuals. We too, regret that certain financial and legal difficulties confront the owners of the store involved, and we urge those responsible to do their part in the alleviation of those difficulties.

2. We believe that the Zoning Ordinance is a good one. We certainly do not want to see the City set a precedent in allowing a store to be moved into a position between two residences in a residential zone. No doubt such a precedent would be quoted again and again by others who seek to have an exception made. In the revision of the plans for our new building we discovered that there would be a violation of the Zoning Ordinance. Rather than attempt to appeal and ask for a special privilege we had the architect re-draft the plans, even though it meant the sacrifice of valuable space.

3. In making of plans for the new additions to the Methodist Church we deliberately set out to move the principal entrance of the building from commercialized Elm Street, an arterial street, on to Water Avenue, a residential street, feeling that this would be better for all concerned. To allow a grocery store to be placed opposite the new building of the Church now would defeat the very objective for which we were striving, that of moving our main flow of children's traffic away from the commercial street onto the residential street. This objective becomes even more pointed in the light of the fact that the Public School Board has requested use of five rooms in the new building to be used by primary public school grades.

4. We regret that it was pointed out at a recent Meeting of the City Council that the taxpayers in the neighborhood approved the move, that the Church, which paid no taxes, was the only property holder objecting; and because the Church paid no taxes, it had no right to protest. Surely the Council realizes that Trinity Methodist Church, which has occupied its property with Church buildings continually since 1895, is made up of several hundred taxpayers who are vitally interested in the total problem.

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We continue to state that we are opposed to the commercialization of Water Avenue, specifically by the Zoning Ordinance being amended to allow the moving of a grocery store into a position between two residences in the north 200 block of that Avenue.

Sincerely yours,
s/ Shirley H. McCracken, Sec.
The Official Board of Trinity
Methodist Church

Mr. Freeman brought out the point that it would be against the Zoning Ordinance to allow this store to be moved to Water Avenue and that if the Council amended the Ordinance for Mr. Lurus, they would be required to do the same for others who might wish to build in a restricted area. Mr. Johnson stated that the matter should have come before the Planning Commission and suggested that they take the case to the Appeal Board or take it into court and make a test case of it.

It was moved by Freeman and seconded by Rogers that the Meeting adjourn. Roll call voting Aye, Rogers, Johnson, and Freeman. Absent, Corbett. Voting Nay, None.

Read and approved August 7, 1950.

ATTEST:
s/ Charles H. Williams
CITY CLERK

s/ Thomas L. Sutton
MAYOR
