

December 7, 2021

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Brent Dixon, Natalie Black, Joanne Denney, Gene Hicks, George Morrison, Arnold Cantu

**MEMBERS ABSENT:** Lindsey Romankiw, Margaret Wimborne

**ALSO PRESENT:** Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler, and planners Naysha Foster and interested citizens.

**CALL TO ORDER:** Brent Dixon called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:** Black moved to approve the Minutes from November 9, 2021 with a minor correction on Jennie Lee spelling, Denney seconded the motion and it passed unanimously.

**Public Hearing (s):**

**1. ANNEX 21-018: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of LC.**

Dixon opened the public hearing.

**Applicant: Barry Bane, Connect Engineering, 2295 N Yellowstone, Unit 6, Idaho Falls, Idaho.** Bane stated that this is 2.5 acres of property near Winco and everything surrounding it is zoned with multi-family to the south R3, LC to the East, and R1 to the north. Bane is requesting annexation and initial zoning of LC, as LC fits the Comprehensive Plan and the current zones in the area.

Beutler presented the staff report, a part of the record.

Dixon asked if the line of this property would leave most of a street going to Kelsey Ave. and is that a matter of right of way- or is there something left out with a street that would remain unannexed. Beutler stated that Easy Street is not a public road, but a public drive isle that services the shopping center. Beutler stated that when the shopping center was platted there was a 10' retaining wall that was around the length of the shopping center and wraps to the end of the property. Beutler stated that Kelsey Ave., doesn't connect to this property right of way. Beutler stated that will be a question when they get to the development phase as to what they want. Beutler stated that the wall was a condition of the shopping center. Dixon understands that the road doesn't go through but asked again about the right of way for the road, as it looks like the property line leaves out the width of the road. Dixon asked if that road was annexed previously. Beutler agreed that it is part of the existing LC to the east.

**No one appeared in Support/Opposition.**

Dixon closed the public hearing.

Black is ok with the LC zoning because it is next to commercial and is in support of this zoning.

Denney agreed this application is clear cut and agrees with the LC zoning and is happy to get some of the islands taken care of.

**Black moved to recommend to the Mayor and City Council approval of the Annexation of SW ¼ Section 16 T2N R 38 E, with initial zoning of LC Morrison seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

**2. PUD 21-005: PLANNED UNIT DEVELOPMENT. Planned Unit Development for Skyline Manor Division 2.**

Dixon opened the public hearing.

**Applicant: Barry Bane, Connect Engineering 2295 N. Yellowstone, Unit 6, Idaho Falls, Idaho.** Bane presented .65 acres and the PUD will have single family lots. Bane stated that each townhome will be subdivided to be sold individually. Bane stated that there will be some cross over from Division 1 and Division 2. Bane stated that all the storm water from Division 2 will go to Division 1 and that pond will still be used as an amenity. Bane stated that Division 2 Common lot next to Skyline and Pancheri could have been a storm pond, but they felt it was better used as flat common area for kids to play. Bane stated there will be a pathway that is 8' that will connect to Skyline. Bane stated that they are proposing a fence to go along the south property line and the west side of Skyline to help with security for the common space. Bane stated that there will also be a landscape buffer. Bane stated each car will have a 1 car garage as well as 2 spaces out in front for parking. The PUD is 10 units with a total of 30 parking spaces. Bane is asking for a variance in the setback to the north (which is the same variance they asked for in Division 1). Bane stated that the setback is smaller than the minimum and where they don't own the property in the middle, it complicates the road placement going out to Skyline, so the north setback is smaller.

Black asked if the reason for the PUD is the variance. Bane stated that the reason for the PUD is so they can have sellable lots. Residential lots need to have public street frontage, and these are private streets, so in order to have sellable lots they had to have a PUD. Bane indicated that the density for R3A could be 35 units to the acre, and they're less than half that.

Dixon asked what type of fence they plan to install. Bane stated that the drawing indicates 6' vinyl fence. Dixon confirmed that they will be enlarging the north end of the drainage. Bane agreed that it will be a teared system. Dixon asked if the middle property owner decides to sell, they can put in more units. Bane agreed.

Hicks asked what access points they have. Bane indicated they will have access to Pancheri from Division 1 and access to Skyline from Division 2.

Dixon asked what type of property is immediately to the north. Bane is unsure. Beutler indicated that it is a duplex. Foster indicated that it is multi-family. Beutler stated that the way the structures are oriented it has a driveway and 2 car garage that faces Skyline and then the front door to the units are on the north side. Beutler clarified that they do have back doors on the south side of the building so it would be back doors facing each other with this development.

Bane stated that the smaller setback is consistent with what is in the area with smaller setbacks. Beutler stated that a typical side yard setback would be 6' so that is what the code allows now, and they are proposing just under 8' in the narrowest part and widens out to 11.5', and Division 1 had the smallest area being 10'. Bane stated that good engineering practices require the road to

meet up with Skyline at 90 degrees, so rather than coming in at an angle they came in at 90 degrees, but it lessens the setback.

Dixon stated that they could move the buildings to the south. Bane stated that they can't move the road north. Dixon stated that if they did a slight angle, it wouldn't make the last 3 so pinched, but he is not sure how much difference it would make. Bane stated that it is hard to get the S curve to come back in at a 90 degree. Dixon asked about the 3<sup>rd</sup> unit in on the north side how much of a setback does it have. Bane stated that it has 9.18' so the difference is less than 2 feet.

Foster presented the staff report, a part of the record.

Dixon asked if the 1 amenity that is required is the total. Foster stated that the amenity is already in Division 1, so the 2 Divisions combined only need one amenity. Bane confirmed that they do have 2 amenities. Foster indicated that they consider connectivity to Pancheri an amenity too.

**No one appeared in support of opposition.**

Dixon closed the public hearing.

Morrison expressed his appreciation to the engineer in being a leader for the pathways on applications that are put in voluntarily. Morrison feels it will be a good addition to the community.

**Morrison moved to recommend to the Mayor and City Council approval of the Planned Unit Development for Skyline Manor Townhomes Division 2, as presented, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes. The motion passed unanimously.**

### **Miscellaneous.**

Beutler wanted to go over some properties that have come before this Commission and how they developed, going over what was good, what was bad, etc.

Beutler chose 3 sites to go over.

Beutler indicated that in the summer they could do some onsite tours of properties.

Beutler encouraged the Commissioners to go and visit these properties as they are not active applications.

**Pony Express Car Wash:** Beutler stated that this site used to be a mobile home park as well as a gas station. Beutler stated that the proposal was to bring in a car wash and showed the approved site plan. Beutler stated that one of changes that was made in 2018 with the LC Zone was that it would allow for a reduced front setback if you made a pedestrian connection and the thinking was that the LC zone would have more pedestrian oriented and not just for vehicles, and they would use HC for car-oriented zone. Beutler stated that if the project was connected to the public sidewalk, they could move the building closer to the street. Beutler showed that on the site plan the setback is 16' whereas the required setback is usually 20'.

Dixon stated that connectivity for pedestrians to a car wash is interesting. Beutler agreed that they have to treat everyone the same.

Hicks spent time watching how traffic moves in and out and observed that it moved smoothly, and he didn't see anything close to a wreck and his assumptions were wrong.

Dixon observed that the first set of photos in the packet and it shows a very smooth driveway and that is something that he asked for in the past so there is no need for slowing too much before entering. Dixon feels that is something they need to look at and decide when this style of drive should be required as opposed to a curb cut.

Morrison feels it was a nice addition to the area and they did a good job. The property is clean and neat. Morrison is surprised that they do so well there, as it seems like a funny location.

Dixon asked what they have for enforcement of maintaining landscaping. Beutler stated that the ordinance is structured that anything over 10" tall code enforcement will send a letter and give them time to fix the problem and if they don't mow the property Parks and Recreation will mow the property for them and bill them hourly cost. Dixon asked if they should call the City to report problems, like the island where 1<sup>st</sup> Street Lomax split had weeds chest high.

Black voted against this project, because she didn't like it next to residential, and asked if there have been any complaints from the residential. Beutler stated that he is not aware of any complaints. Beutler showed pictures from the residential side of the wall and indicated that the retaining wall was a requirement of the CUP, and the car wash was very busy, but it wasn't overly loud, and the wall is doing the job it should do and the traffic is a more constant noise than the car wash. Black asked if they have vacuums on that side of the building. Beutler stated that they do have vacuums on that side. Black agreed that it was a good redevelopment of an ugly piece of property and the landscaping is attractive even with the setback being very close to the road. Black compared Maverick across the street that is just concrete yuck versus the nice landscaping at the carwash. Black stated that the apartments that were built on 1<sup>st</sup> Street with the setback so close to the street only has a fence, and its an ugly fence, but this is an attractive development. Black stated that the property on 1<sup>st</sup> Street has weeds growing a foot high and it is an impediment to sidewalk users and the code enforcement needs to look into that property.

Beutler stated that the plain wall requirements makes it attractive because they had to have an increase in landscaping. Black asked if blank wall can be used on Townhomes. Beutler stated that Blank wall only applies to commercial users, but it is something to think through. Dixon agreed that multi-family units need something that says you can't just do the same thing over and over for more than x-number of units to give them character.

There was discussion about the row houses on Fremont don't look great, and Beutler agreed that the 3 story homes would have looked better.

**Woodruff Townhomes.** Beutler stated that this is an infill development, and the properties were zoned R3A so they could be professional office or residential. There are townhomes built on the property (12 units). Beutler stated that he was unsure where to park because each unit has 2 spaces and there is no guest parking.

Black lives close to this and was disappointed that they have parking in the front, but feels they turned out ok. Black asked how come there is not guest parking. Beutler indicted that it is not a PUD, and they didn't have to get approval, and they met the parking standards with 2 spaces per unit.

Hicks believes this is a great infill property. Beutler asked if they would always like to see parking in the rear, or does it make a difference as to where the property is. Morrison stated that these apartments are something they should never do again. Morrison feels they are cold, and he feels the parking should be in the back and the backs of the apartments facing Woodruff. Morrison feels that they should have put in less units and shaped them in differently, so it doesn't look like a continuation of a parking lot. Dixon asked if they had parking in the rear would they have the patios facing Woodruff. Morrison feels they should have flipped the reference maybe east and west and that would have made it look different. Dixon asked if it wasn't an arterial would he feel differently about the appearance. Morrison feels that perhaps he would feel different but right on the highway he feels it is better than an empty lot but doesn't add to the community. Dixon stated that for new development along arterials there is reverse frontage in R1, and it might work to have reverse frontage here. Morrison suggested that the apartments should face each other instead of the street. Morrison agreed that the apartments are clean and nice looking and seem to be all full. Dixon thinks the trees growing up will give it a set off from the street in the future. Dixon stated that he doesn't like the parking arrangement because if you back in with a pickup it blocks the entire sidewalk. Black feels that some parking in the front does add some interest to the street and once the landscaping grows in it will be more attractive. Beutler stated that like with the carwash where they provided an incentive, maybe the developer made a pedestrian connection they might be able to reduce the front set back to put the parking the back. Black feels the carwash has character with their landscaping, and this only has grass, and they could have added a couple guest parking spots. Black agrees that some incentive to add character to the landscaping would be helpful.

Foster asked how they would like the buildings if they were turned not facing the street and you were seeing the side view. Black feels that is boring and would be like a butt sticking out. Dixon stated that with some of the ones with interior courtyard there is a choice to let it look nice for the residents or nice for the people driving by. Black stated that if they can be creative with the landscaping that would make a difference. Foster stated that with a PUD they would allow that, but when they can develop out right it changes the rules a bit. Dixon feels it depends on what street it is up against. Morrison stated that the ordinances would have to be so specific. Dixon stated that the idea for R1 with reverse frontage along arterials, so if that was just extended to multi-family with the designation that if its an arterial as opposed to a regular street.

Dixon asked if you were to connect with the sidewalk where would you put it and why does connecting to the sidewalk give you an amenity. Beutler stated it's not an amenity, but it is just a way to encourage people to connect with a reduction of a front setback from 20' to 10' and you get 10' more developable ground and that would be something that would interest a developer. Beutler stated that by having the building closer to the street, it makes the street more pedestrian feel to it, rather than being set way back and having more of a street as the primary structure. Dixon asked if having the sidewalk go through a parking lot still qualify as a sidewalk. Beutler stated that this developer could have extended the sidewalk at the end along one of the property lines and brought it to the public sidewalk or they could stripe the parking lot to extend it to connect the public sidewalk and that creates a designated pedestrian connection.

Beutler stated that this is a multi-family project that is backed up to single family residential development and there is 25' for a rear setback and the buffer required is a 10' landscape strip or if you do a 6' fence you can reduce the setback to 7'. Beutler stated this property has a much wider landscape buffer. Beutler asked if that is an adequate buffer between the two types.

Dixon asked if they could extend the little fences all the way to the back fence and give each unit a back yard. Beutler agreed they could, but they probably did this for ease of maintenance on the back. Beutler added that the R1 zoning requires a setback of 25' and this has a setback of 25' so there is really about 50' of corridor between the structures. Black asked what other options are available. Beutler stated that the other options are more landscaping, more trees, taller fences. Beutler stated that a fence makes a good neighbor, so maybe an 8' fence and don't worry about how much landscaping.

Dixon agreed with Morrison on the reverse frontage and feels that if it was along a residential street he might feel differently

**John Adams Parkway Townhomes.** Beutler stated that this was an in-fill piece that was originally zoned PB and they asked for R3A to allow for multi-family to be built. Beutler stated that there was opposition from the neighbors. Beutler stated that it was zoned R3A so there was no approval from the Board needed to build and it is kind of an awkward shaped site. Beutler stated this is a mixed use with office up front and multi-family with single family behind it. They did put in a pavilion and play structure. Beutler clarified that the cantilever doesn't count in the 25' setback. Beutler stated that some have front porches and a minimum separation between buildings. Black feels this one should be reverse frontage and have a courtyard in the center instead and have them all facing the other way. Black feels its an odd spot. Beutler stated that when he reviewed the site plan there were units that he wasn't sure how they would look, and now he is not sure how much he loves them as the front porch is right into the parking lot. Beutler asked if this is better than the prior version with the cars out front. Morrison feels it looks better as there is green out front. Dixon feels the backyard look that is right up against the parking lot has zero privacy. Dixon feels that it is a hard trade off as it seems people are living there even with landscape not complete. Dixon feels that they are cramming so much in, that he starts to feel sorry for the people that are living in these apartments because of the conditions they have to live in. Hicks feels they are too crowded and no privacy. Beutler stated that this is walkable to grocery and services if you wanted to walk. Beutler stated that you will see more developments where they take parking lots and turn them into multi-family, so they need to figure out how that works. Black stated that they shouldn't do this, as it looks awful. Dixon asked how they should change requirements. Black stated just don't do this. How can a front door come right out to a back of an office building or another multifamily project? Black feels they need more landscaping and a higher fence. Dixon questioned whether they could maintain a lot of landscaping and keep it looking nice in this climate. Dixon asked how they would change the requirements to not let this happen. Dixon asked if they could require a minimum amount between the front door and the street and the parking lot. Black is unsure but know this is awful. Beutler asked if trees along the front of the units would make it better, or shrubbery. Morrison feels that they have a lot of concrete and pavement. Black stated that there is a bit of a backyard, but nothing in the front. Dixon feels requiring some sort of a front yard might help the look. Black feels some trees and decorative rock would help. Beutler stated the landscape ordinance currently requires street trees, but once you get internal there is not a lot of standards for internal landscape requirements, so they could look at doing that. Dixon feels that they need a front yard. Foster stated that the PUD standards that require trees on drive isles might help. Dixon feels that some sort of landscaping in the front yard, either a tree, or shrubbery, or something. Foster stated that they need to put something there. Dixon feels that rocks shouldn't be landscaping and that should be removed. Beutler stated that there is a lot of discussion about better use of water,

and not putting sod everywhere. Black stated that they can't put rocks everywhere, they could get rid of some greenery if there were trees or something. Black feels that what they did on first street is no different than gravel, it is not decorative rock, but if they had some trees in there it would make it better. Beutler stated that downtown they are limited to 50% green and then they can do 50% rock, so they could look at a standard like that. Black stated that the rock around Pony Express looks nice, as it has a mix. Beutler stated that Pony Express was done by a landscape architect. Dixon feels that a curb full of rocks isn't landscaping and they need to have something within, and if it is small, it can be a tree, but if its very big there should be shrubbery.

Morrison stated that the apartments on Fenway Park had an exception so they could put in more parking spaces if they'd fill in the mud hole, but they never have done that, and he feels City compliance should go and take care of that. Beutler agreed to look into that.

Black asked if they could put the big storage containers in your yard. Beutler stated that you can park those in your yard if you can meet the setback requirements. Black stated that someone in her neighborhood cut down a tree and put a storage container in the yard. Black is giving Beutler the address for code enforcement. Beutler suggested she go to the City website and there is a link for code enforcement request.

Beutler announced that this meeting is Natalie Black and Gene Hicks last meeting with the Commission and presented them a plaque for their service.

Hicks thanked the Commission and stated that he has learned a lot.

Black thanked the Commission and feels she has learned a lot.

Beutler stated that there will be 2 openings to fill Hicks and Black spots, and there is also an opening for someone that lives in Bonneville County within the Area of Impact. They have several applicants, and they have interview scheduled.

**Next Meeting January 4, 2022.**

Dixon adjourned the meeting at approximately 8:30 p.m.

**Respectfully Submitted**

**Beckie Thompson, Recorder**