

January 9, 2018

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners George Swaney, Joanne Denney, Brent Dixon, Darren Josephson, Margaret Wimborne, Gene Hicks, Arnold Cantu, Natalie Black, Lindsey Romankiw.

MEMBERS ABSENT: Julie Foster.

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

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

CHANGES TO AGENDA: None.

Minutes: Morrison moved to approve the minutes for December 5, 2017, Hicks seconded the motion and it passed.

Public Hearing:

1. PLAT 17-028: PRELIMINARY PLAT. Falling Water at Brookside Subdivision.

Stephens presented the staff report, a part of the record. Swaney asked why 90% of the subdivision is not annexed. Stephens indicated that is the common order to do the preliminary plat and then annex the division then do the final plat. Hicks asked if the access is onto Sunnyside. Stephens showed how the property is in between Sunnyside and 49th and has no access onto any of the primary roads. Morrison asked if there are plans for the future. Stephens stated that this is close to the medical area and there is a lot of activity. Dixon asked if the plat that is north of Gray Stone and Black Stone extend and connect across the canal. Stephens indicated that the plat does connect, and the connection was made in a previous preliminary plat. Dixon asked if the previously approved plat is still active. Stephens indicated that it has lapsed as it has been more than 18 months and that is why this came before the Commission tonight. Black asked why the pathway ends at some point. Stephens clarified that it doesn't end it comes from Sunnyside along the canal on one side and then at the bridge it will switch sides of the canal. Black asked if there is a section that didn't have the connecting the pathway requirement. Stephens indicated that Brookside was before the Dunes. Wimborne stated that the pathway is still available it just switches sides of the canal bank. Dixon stated that the Dunes that is developed has a private pathway.

Dixon opened the public hearing.

Applicant: Daryl Kofoed, Harper Leavitt, 101 Park Avenue, Idaho Falls, ID. Kofoed stated that this is what was proposed previously. Kofoed stated that the City put a water line through and in so doing they decided they wanted a 70' right of way. Kofoed stated that it is hard to tell the difference between the 70' and 60'. Kofoed stated that it is a smart planning move to have the road stub near the gravel pit so if in the future it turns into a park there will be a road to get to it. Black asked what size homes will be on the lots. Kofoed stated he doesn't have the exact square footage, but believes they will be approximately 2500 sq. ft.

No one appeared in support or opposition.

Dixon closed the public hearing.

Morrison stated that he is concerned about the two entrances to get in and out of the development. Dixon stated that it will have 3 if you don't count the park because the 3rd one goes across the canal. Dixon stated that it is not near an arterial street, so it will only have local traffic exiting.

Wimborne stated that the proposed preliminary plat is not very different from the one that was previously approved, and appreciates the cul-de-sac that was added to eliminate the long through street.

Wimborne moved to approve the Preliminary Plat for Falling Water at Brookside Subdivision as presented, Denney seconded the motion and it passed unanimously.

Wimborne moved to approve the Reasoned Statement of Relevant Criteria and Standards for Falling Water at Brookside, Morrison seconded the motion and it passed unanimously.

2. PLAT 17-029: PRELIMINARY PLAT. Carlyle-Erma Subdivision Revised Preliminary.

Stephens presented the staff report, a part of the record. Black asked if the City has plans for a light at Bentley and Woodruff. Stephens stated that a stop light has not been discussed. Black asked what the changes are on the plat. Stephens stated that they are going from 22 lots to 16 lots. Stephens stated that where the high-density housing was originally laid out they have reduced the number of lots. Dixon stated that the lot doesn't say anything about the structure. Stephens stated that the lot size can determine some about the structure. Dixon stated that the overall density is per-acre, not per lot so the maximum number of units that can be built hasn't changed, by changing the number of lots. Black asked if the pathway goes from Woodruff along Meppen Canal down to Hitt. Stephens stated that the pathway plan shows a completed pathway going through to Hitt, but they will seek only a small portion at this time. Dixon asked about the vertical height of the canal in the south-east corner. Stephens stated that the ditch has been dug down and there is a culvert that dumps the excess flood irrigation water and redirects it back to the canal. Dixon stated that the Meppen Canal is a good visual block from the existing residential and anything on the other side of the canal. Dixon stated that the high density could have multi-story structures and that would have a bigger impact on the people on the other side of the canal, if it is not as elevated. Stephens has not seen elevations and deferred to the applicant. Dixon asked how the drainage basin is being done. Dixon asked if it is part of the south edge of 3 lots, or is it separate from the lots. Stephens stated that the previous plat had the drainage pond in 4 lots and now it is inside of the lots and not its own separate lot. Dixon asked if the lot owners would be responsible for maintenance. Stephens stated that the development would share in the responsibility. Dixon asked if there is a filed preliminary plat north of the Kia Dealership. Stephens stated that it is a County development and the road will align with that. Dixon asked if the area is in the City Area of Impact, but not adjacent. Stephens confirmed that the property is in the area of impact. Dixon stated that the south west lot doesn't have access to Woodruff and, so it will access from the flagpole that is slightly offset from the road to the other side. Stephens deferred to applicant but assumes they will have a shared lot and parking situation. Black confirmed that Division 3 is annexed into the City, but the rest of the development has not yet annexed. Stephens indicated that they have filed the final plat for Division 4 and the annexation documents for Division 4. Black asked what would require a light to be installed at Woodruff and Bentley. Black is worried about the access onto Woodruff. Beutler stated that there is sufficient spacing between that intersection and the light to the north

for a light to be installed when it is warranted. Dixon asked when they will do a traffic study. Stephens stated that the BMPO will oversee that. Cramer stated that if it is a regional need or the City sees a need they will coordinate it through BMPO. Cramer stated that a development is required to provide its own traffic study when it generates more than 200 pm peak hour trips then the Access Management Plan requires a traffic study. Dixon stated that 1/3 of this development is designated for high density housing. Stephens stated that when they come in for the final plat and site plan staff can consider that. Dixon stated that the concern is the commercial lots will come in first and later the high-density housing will come in and the developer will not want to install a traffic light at that time.

Dixon opened the public hearing.

Applicant: Fred Walland, 253 1st Street, Idaho Falls, Idaho. Walland stated that the storm pond is intended to be part of the lots and a storm water easement over the top of it, so it would be the responsibility of the owner of the lot to maintain the pond. Walland stated that the property they are dealing with is north of the existing roadway along the top of the canal bank and, so it is not reasonable to dedicate property within this subdivision for a pathway. Walland stated that there is a big grade difference at Woodruff. Walland stated that the ditch along the east side is City of Idaho Falls property. Walland stated that Crow Creek used to run across diagonal and into the Crow Creek Pond. Walland stated that when the City built the Crow Creek Pond they rerouted Crow Creek to dump into the Meppen Canal. Dixon confirmed that it runs north south on the east edge of the plat. Walland stated that it dumps in 3' above the usual water level of the Meppen Canal. Walland stated that the reason for the change in the plat was the south west corner was purchased and they will do a final plat on the lot adjacent to Bentley as the same individual has bought both lots. Walland stated that the City Engineer indicated that it would be possible to have a driveway in the flag. Walland stated that Staff is now indicating that it might have to be centered on the street going north, and the owner understands there can be a shared access. Dixon confirmed that staff would handle this decision with the applicant and not something the Commission needs to deal with. Walland stated that the property to the north has no preliminary plat on file and they were trying to show a possible street configuration that was approved by the owner, so they could present a complete picture. Walland stated that his client would prefer to develop all commercial and not high density residential. Walland stated that per staff's recommendation and per the comprehensive plan they recommended that they show some high density residential along the east, but that is not the intention or the plan.

No one appeared in support or opposition

Dixon closed the public hearing.

Swaney stated that the plat is well thought out and the adjustment only makes the division more palatable to the property purchaser who has already purchased the two lots along Woodruff. Swaney stated that with the applicant's indication that they intend to have all commercial in the development and not high-density residential that would make it consistent with the area.

Swaney moved to approve the Revised Preliminary Plat for Carlyle-Erma Subdivision as presented, Hicks seconded the motion and it passed unanimously.

Wimborne moved to approve the Reasoned Statement of Relevant Criteria and Standards for the Preliminary Plat for Carlyle- Erma Subdivision, Morrison seconded the motion and it passed unanimously.

3. PLAT 17-030: PRELIMINARY PLAT. Park Place Revised Preliminary Plat. Beutler presented the staff report, a part of the record. Beutler clarified that there are only 75 buildable lots with 84 total lots. Black confirmed that the two streets in the far-right hand corner where the two cul-de-sacs are will not go out Zachary and will go across the canal and to 65th. Beutler stated that they can go out Zachary if they needed to. Beutler stated that the connection from Zachary to 65th is no longer there, but they will connect to Zachary on the north end. Beutler stated that Maggie Drive and a connection through Bingham Drive down and out to Park will take the residential traffic out. Hicks asked if there is any access onto 65th. Beutler indicated that Maggie Drive will have access to 65th. Dixon asked why they are making Maggie the connection instead of the temporary connection that would follow the guidelines of the Access Management Plan spacing. Beutler stated that Zachary is not a 70' right of way and originally in 2005 the residential collector was intended to be Maggie. Hicks asked how many units are in the division. Beutler indicated 75 residential units, but they will not all have to go to Maggie to get access to the street network, they can use Bingham. Hicks asked about the hill on 65th and the road that is planned to dump into 65th in that general area. Beutler stated that they will have to design that access with 65th to address sight distance issues. Hicks stated that they need to think of a better way to come out of the subdivision. Hicks asked if there would be another hearing before this becomes final. Beutler stated that the final plat doesn't have a public hearing. Beutler stated that the final plat would have the engineering and street design. Hicks asked if they can recommend that something other than the norm can be suggested. Beutler stated that the engineer's office is reviewing this for safety. Beutler stated that 65th is still a County road section and as that road is annexed into the City and as is warranted, it will be developed as an arterial street with two travel lanes in each direction. Dixon asked if it will be 3 travel lanes. Beutler stated that is possible. Beutler stated that it will be part of the strategic belt loop around the City. Cramer stated that the Commission does have the ability to condition its approval not to the extent that it might be contrary to what engineering standards are. Dixon asked what the right of way is for York. Beutler indicated that it is 110 or 114. Beutler indicated that Chris Canfield from Public Works is in attendance. Black asked if the City is planning any parks in the area. Beutler indicated that he is not aware of any plans for a community park. Beutler stated that the largest green spaces in the plat are two storm ponds and the City's well spot. Dixon asked if the hill breaks at the east edge of the Fox Run lots. Beutler agreed with Dixon. Dixon asked if Fox Run meets York at the top or the bottom or of the hill. Beutler stated that as you get to the end of Fox Run and approach 65th there is a ramp up, but you end up at the bottom of the hill on 65th. Dixon suggested having public works talk about if that access is far enough east for safety. Wimborne stated that Zachary is farther away from the hill and maybe could be used. Dixon asked about the length of the farthest east cul-de-sac. Beutler stated that it is not less than 400' and the limit on the length of a cul-de-sac is 600'. Dixon stated that the previous preliminary showed development to the north and this one doesn't. Dixon stated that there isn't a way to get east from the northern part of the subdivision. Dixon stated that he is concerned that Fox Run will end up like Crestwood with a County road section on one end and City Road section on the other and traffic that funnels down to the County road to get to the arterial. Dixon stated that the flip side is Stone Run Lane that would have the same problem as Stone Brook with long lanes and speeding. Dixon suggested instead of a T intersection on the west end of Fox Run have it be

an elbow, so it can't go north, and everybody would naturally come down Maggie with no reason to go to Fox Run, but that would put more traffic on the one single drive and makes more of a Stone Brook situation. Beutler stated that the previous plat showed agricultural land and then north of the ag land was Carriagegate. Beutler stated that the most recent development with Carriagegate was two access points into the middle agricultural ground. Beutler stated that the previous plat would have shown multiple access points going into the agricultural ground to the north. Wimborne stated that the previous plat had no outlet going east back to 5th. Beutler stated that there is a lot of land between Park Place and Carriagegate and if that land is going to be developed there must be some sort of road network that would go east to Park Place or potentially to the west. Beutler stated that one issue with having only one access to the north if this one is eliminated then you would only have 30 lots before you need a secondary access, and that creates an issue for emergency response. Beutler stated that there is a storm pond that will create a bend in the road, Maggie Drive will go up another block and make a bend, so you don't end up with a long street network. Dixon asked if the County has weighed in on the connection of Fox Run on the north end. Beutler stated that he has not heard anything from the County this time, but previous meetings and preliminary plats in 2003 and 2005, the County stated that Fox Run drive was a dead end and was meant to continue and connect. Dixon asked if there is a length limit where they need to connect eventually for emergency access. Beutler stated that they have discussed with the County that their standards are the same as City and Fox Run is a long street with no turn around which would violate City standards.

Chris Canfield, Public Works. Dixon asked about the safety of the access given the potential future development of the width of the main arterial; and whether it would make sense to have a light. Canfield stated that regarding the location the City Engineer did a field review with a proposed access location and it made the most sense at the location of where they are showing Maggie Drive for the connection to be made. Canfield stated that the right in and right out concept that Hicks suggested, is something that had been discussed by the City Engineer, and as the road comes into the City it would be strongly evaluated for right in and right outs on various driveways where necessary for safety concerns. Dixon asked if that would cause people to go down Fox Run to turn left. Canfield stated that likely Maggie would be named as the residential collector and Maggie would be maintained as the full access and Fox Run would be turned into a right in and right out. Dixon asked if that would require a light at the collector. Canfield stated that lights would be evaluated when necessary. Canfield stated that the vicinity of 5th West to Maggie compliments a potential signal location. Wimborne asked why Maggie is a better choice than Zachary. Canfield stated that Maggie can be built to be a 70' right of way where Zachary is only a 60' right of way as well as the balance between the location of Maggie and 5th West and your major cross streets that are coming into York.

Dixon opened the public hearing.

Applicant: Laeth Sheets, Horrocks Engineers, 901 Pier View Drive, Suite 205, Idaho Falls, Idaho. Sheets clarified that they chose Maggie and not Zachary for 5th West and the separation from major intersections. Sheets stated that the steep hill is not compliant for a big enough road for vertical curve, so it would be flattened out and the vertical curve would have to be addressed at the point that it is widened. Sheets stated that they came into the City and they only wanted to do Division 4 and build from Brigham Drive. Sheets stated that they added the two entrances, so they didn't have a problem with how far they could develop. Sheets stated that they proposed emergency access and followed suit with the original preliminary plat. Sheets stated that the

trend they are doing with new development is lower density, as the original preliminary plat had 93 lots, so it was reduced by approximately 24%. Sheets stated that the geography will create a kink in Maggie, and Fox Run would go up, hook left and then go north. Sheets stated that there is a main trunk sewer line that runs through Brigham and continues through the right of way that runs over to the regional lift station. Sheets stated that they will build the storm pond to City standards and they can work through who owns and maintains it. Sheets stated that there is a regional transition line for power line that runs through the development and they are providing sufficient easements for Idaho Falls Power to accommodate the lines. Sheets stated that there is an existing irrigation ditch and the home owner that is concerned about the ditch will continue to receive his water per State Statute, and if there is anything above and beyond what he has been doing will have to be maintained by the HOA. Sheets stated that the order of the divisions being built is to ensure that they will always have the secondary access.

Morrison asked how many meetings they have had with the surrounding areas. Sheets stated that they have not had any meetings and they have had neighbors come in and discuss questions with them about the irrigation ditch. Sheets stated that they have read through the notes and the main concern with the neighbors appears to be Fox Run connection and trying to avoid that. Sheets stated that they will do whatever the City requires of them. Hicks asked when they will start building. Sheets stated that they are working on the design for Division 4 right now and the anticipated design would start building in the spring. Sheets stated that the development will give better access to the main utilities for the City. Hicks asked how they will flow with the phases. Sheets stated that they will do Division 4 immediately and in the future, it is unsure how they will move forward. Hicks asked if they anticipate having the subdivision done before 65th becomes a main artery, and if so, then he is still concerned about the safety of the access onto 65th. Sheets stated that residential peaks are not as high from a traffic standpoint, and he will follow direction from City staff for the connection. Sheets stated that he understands Hicks concern and they are doing things such as slowdown lanes. Sheets stated that they are dedicating more right of way than the current road has and that will allow space to do stuff to help people merge.

Black indicated that they always recommend that the developers meet with the neighbors to attempt to avoid any problems. Black asked about the square footage of the homes. Sheets stated that the developer he is working with is not building houses, they are building lots to sell. Sheets stated that the lot accommodates a home with a 3-car garage and larger footprint. Black recommended that they look for additional green space in the northern section to make a park.

Dixon stated that when they are putting development up against large County lots they attempt to not have a lot of little broken up lots next to it, and it appears that they have added one lot on Division 4 on the section that borders the County lots. Sheets stated that they will follow the recommendations of the commission and reduce things if needed. Dixon stated that on the east side they have gone from 2 buildable lots to one storm pond. Sheets stated that evaluating the regional storm area and it was necessary to reduce the lots.

Support of Application: None.

Opposed to Application:

Larry Hobbs, 6199 Fox Run Drive, Idaho Falls, Idaho. Hobbs built in 1997. Hobbs enjoys the quiet and good neighbors. Hobbs stated that the original design was supposed to be large

acreage, and the comprehensive plan designed this area as low density in conjunction with connecting Fox Run, and the intent was to only support the low-density traffic. Hobbs stated that the current design of Fox Run is not in compliance with the City's fire code as it is only 28' wide and should not be an access road. Hobbs stated that the residents of Fox Run Drive are not opposed to development but want Fox Run to only be emergency access with restraints to stop through traffic. Hobbs stated that Maggie will be a safer connection to York Road than Fox Run. Hobbs reiterated that the residents on Fox Run are in unanimous agreement that Maggie Drive be the designated access road and that the connection between Fox Run Drive and Brigham Drive be an emergency access with appropriate traffic stops and not used for through traffic. Hobbs read a letter from the residents of Fox Run that indicated that they would like to have Fox Run not be a through street and for emergency access only. Hobbs stated that humans take the path of least interference and he believes that people coming from the north will not go to Maggie Drive if they have access to Fox Run. Hobbs stated that he has been coming east on York and making a left-hand turn and had people pass on the left-hand side going up the hill; and have people coming west turning right and as they slow to turn you about get rear ended by people from Park Road intersection. Hobbs stated that the speed limit is just a recommendation and people go faster than 50. Hobbs stated that their concern is the problem accessing and egressing 65th South and they are adamant about not putting more traffic through Fox Run than necessary.

Jim Bradley, 6111 Fox Run Drive, Idaho Falls, Idaho. Bradley stated that his property is the north most property on Fox Run next to the 6 lots. Bradley stated that there is no green space and no buffer for the larger lots against the subdivision and he would like to see more buffer.

Doug Metcalf, 6439 Fox Run Drive, Idaho Falls, Idaho. Metcalf stated that his house is the first one on the corner of the east side of Fox Run and York Road. Metcalf stated that he is a first responder and is concerned with all the extra traffic. Metcalf showed where the bus stop is on 9th West and Fox Run and there are numerous times that people are not paying attention approaching that bus stop. Metcalf stated that the extra traffic and the straight County road would be dangerous. Metcalf stated that at peak am and peak pm hours there will be a lot of extra traffic going through Fox Run Drive and the speed will be greater than 25mph. Metcalf stated that he agrees as a first responder that you must have access to subdivision, and there are areas all over the City that has emergency access points with gates and bollards and emergency personnel have a key to open the gate and get in to help the public. Metcalf stated that there will be 3 access points onto 65th South with Fox Run, 9th West and Maggie all in a small area. Metcalf indicated that if they block off Fox Run it will lessen the impact on 65th West. Metcalf stated that he looked up the Fire Code and the Fire Code stated that they can have gates and make it only emergency access. Metcalf stated that he is opposed to having Fox Run be an access point and prefers it only be for emergency access.

Joseph Giebel, 864 West 65th South, Idaho Falls, Idaho. Giebel stated that he did speak with Horrocks Engineering as he has a water right that he was concerned about. Giebel showed where his head gate is. Giebel stated that he wants to make sure his water right is ensured pursuant to the State Statute. Giebel stated that there should be a better solution to Maggie Drive such as a one-way access. Giebel stated that as he pulls out of the driveway your view is obstructed each direction by transmission high lines and the hill. Giebel strongly suggested that they consider some form of recommendation for future development that has a one-way access point that gives access to the subdivision but takes into consideration the obstruction of view.

Black asked if a traffic light would alleviate Giebel's concerns. Giebel stated that it would alleviate his concern as you would have to decelerate. Wimborne noted that planning staff did forward Giebel's letter outlining his concerns on the irrigation.

Allen Beck 6157 Fox Run Drive, Idaho Falls, Idaho. Beck stated that coming up Fox Run has a steep grade and, so you are coming up Fox Run Drive at a grade and when you look to the east you cannot see a car coming and the snow in the winter is hard to get traction. Beck stated that what Hobbs stated is true and the cars drive about 65mph. Beck asked if there was a meeting with the developer and the neighborhood. Black stated that she asked if the builder had met with the neighborhood and he hadn't, but had met individually with some neighbors. Black indicated that they recommend to the developers that when they are developing large areas that they meet with the neighbors.

Larry Hobbs 6199 Fox Run Drive, Idaho Falls, Idaho. Hobbs stated that he is confused about the pond as the drainage is to the south, and wants to know how the water gets to the drainage pond.

Applicant: Laeth Sheets, Horrocks Engineering, 901 Pier View Drive, Idaho Falls, Idaho. Sheets stated that it is flat up on the top and the way you get away with the ponds where you don't think they can is with pipes under-ground. The pond will be 6+feet deep. Sheets stated that the whole area does drain to the area with the pipes and goes under the big rise. Sheets stated that the pipes stay deep enough to get to the pond. Sheets stated that the questions regarding safety is where they will follow the City's recommendations of what to do on 65th. Sheets stated that they cannot change the County road.

Black asked if the final plat will contain the Connecting Our Pathways. Sheets stated that per staff requirement they will have to provide access roads on both sides and they will provide an access path easement so that it can be built at some point and that will be on both sides of the canal.

Dixon asked why the middle division will be the last one as it is the collector for all the other divisions. Dixon suggested they review that order. Dixon stated that the wider road is going to attract the traffic and a safer intersection to York will make people go to the safer intersection to exit as it is above the hill and a more engineered development consistent with the road. Sheets stated Brigham Drive is a residential collector and that will give them two options. People who live on 5th will head east. Dixon stated that the people that want to go south they go west to get that way. Sheets stated that when a signal is warranted for the intersection it will be another incentive for people to stay off Fox Run Drive because the lighted intersection will be the safer and easier option to exit the subdivision.

Dixon closed the public hearing.

Wimborne stated that she is struggling. Wimborne stated that she understands the City is always changing and the Commissioners must balance the future needs of the City as developments expand and new development occurs. Wimborne stated that she is concerned about the connection with Fox Run. Wimborne stated that although it makes sense on paper, the way the neighborhood is designed the people who will feel the burden of the expansion are the people that live in Fox Run neighborhood. Wimborne stated that the construction starting with phase 4 the shortest distance to get to 65th is going to be through Fox Run. Wimborne stated that there is

no idea what the development to the north will look like. Wimborne stated that if the Fox Run connection is established likely ½ of the 90 lots will be going through Fox Run because its easier than going up and over onto Brigham and Maggie. Wimborne stated that Maggie wont' be developed until the end of the division and some habits of exiting off Fox Run will be entrenched, and people won't break the habit and use Maggie. Wimborne stated that as Park Place has been developed they have had plans for access in different places. Wimborne stated that as part of the conversations there should be some discussion about an access north that exited out onto 5th. Wimborne stated that for the foreseeable future Fox Run will be the easiest access. Wimborne added that Fox run is not designed for that type of traffic.

Black read from the previous Minutes for the Preliminary Plat and agreed with the statement that "Staff was concerned that Fox Run Drive was not constructed to be a residential collector to serve 329 homes ..."

Dixon stated that he was on the Planning Commission at that time and it dates back to some City/County interaction including Moana Loa Lane (east) where the residents didn't want to connect to the City connection, and since that time the County has come back and asked the City to complete the road at City cost. Dixon stated that in some circumstances the County has come back and wanted the connection as it wasn't a cul-de-sac, it was a dead end intended to continue on. Dixon wanted to know what the County officials position was on this item.

Swaney stated that he appreciates there were people from Fox Run that came to voice their concern. Swaney stated that the developer needs to consider Fox Run as well as the development to the east, because even if things work out the best, you will be funneling traffic to the east to 5th West and the people in that neighborhood will be just as concerned about the traffic in their areas. Swaney stated that the City highly recommends that the developer do public outreach with the surrounding communities that will be impacted. Swaney stated that the testimony from the first responder (Metcalf) he had sited the code that allowed for innovative approaches to the management of roadways to still allow for emergency response to be effective. Swaney stated that the developer has stated that whatever the City comes up with they are willing to do, either block it off, connect the road, or do an innovative approach that satisfies both needs. Swaney stated that if they approve the application, that one of the recommendations needs to be that the developer work with the City Engineer and public works to come up with a method to satisfy both the needs of the City and consult with the County.

Morrison stated that with the first division being the northern most piece construction traffic will go through Fox Run. Morrison stated that if they close off Fox Run to only emergency vehicles then the traffic will go through the neighborhood, which is also a problem.

Dixon stated that the in the north-west area if they did a required jog to the east before you hit the second north road, then people coming south would either go east or west to get to York and if the way to the east is a wider road, and potentially a light they will funnel that direction. Dixon stated that you could go further by making the road be on a diagonal sloping to the southeast rather than a north south road, so as they come into the intersection they are already facing east. Dixon stated that they need to figure out a way to not make the natural flow of traffic to go down Fox Run.

Black asked Dixon if the Commission would then deny this preliminary plat and have them re-route the road system versus approving it with the access taken away on Fox Run. Dixon stated that motions can be contingent upon conditions.

Josephson moved to approve the Revised Preliminary Plat for Park Place Subdivision with a recommendation that the Fox Run Drive be limited to an emergency access easement only, Cantu seconded the motion.

Hicks stated that their charter is to approve or deny or approve with recommendations. Hicks stated that approval of the action is fine, but as part of the approval he suggests that the City and County over a given period do a complete evaluation of the existing roadways and connecting roadways to the facility to assure in the interim period between the time that it goes into operation and 65th becomes a main arterial that the safest means of access and egress from the subdivision to 65th is completed. Hicks thinks the City and County can work together to find a solution. Dixon asked if Hicks comment was a condition to the motion or a different action. Hicks stated that he wants a condition to the Motion that the City and County come up with a plan recognizing that this is going into place that improves the access/egress of this area. Black stated that they cannot hold up development waiting on the County and the City to work together.

Swaney stated that the Commission is dealing with the preliminary plat and that deals with existing circumstances of York (65th S) and as Black suggested the City and County do not always work well together, and they need to deal with the preliminary plat that is in front of them and make this recommendation and this preliminary plat functioning.

Wimborne noted that while they should encourage City and County to work together, the trust must be placed in the Community Services Department as well as Public Works to make sure that every development that gets approved has the safest egress/access. Wimborne stated that it is unnecessary to make a stipulation on the City to work with the County to make a safe access/egress, as that is always the obligation no matter how many people turn out for a public hearing.

Black stated that the motion is to approve the preliminary plat with the access to Fox Run as emergency use only. Black stated that she would like to see them going north and looking east to re-work some of the access and look at the roads to see how to send traffic other areas, besides Brigham Drive.

Morrison called the question.

The Motion passed 7- 2. Denney and Hicks Opposed the motion.

Denney opposed the motion. Denney stated that the current design of Fox Run Drive is not compliant with the Fire Code and needs a second connection to become compliant. Denney stated that the road was not a cul-de-sac it was meant to continue through. Denney stated that as the City becomes more contiguous with Fox Run they will likely be annexed and this is part of the City's progression. Denney hopes that the light will go in eventually, however the property to the north will be developed and they need access points, as many as possible to disburse the traffic throughout the neighborhoods.

Hicks opposed the motion. Hicks stated that his concern is the access/egress to the area and he recognized that the actions by the City Agency's will take place, and he believes that they are putting a lot of people in a dangerous situation, and he feels the City and County need to put more effort into coming together to fix the problem.

Dixon reiterated that the motion passed 7-2, and the Motion was to approve the preliminary plat as it was presented, with the exception that the connection to Fox Run be for emergency access only.

Dixon stated that the Reasoned Statement of Relevant Criteria and Standards, Item No. 6 needs to be modified to reflect the emergency access. Wimborne added that the number of buildable lots needs to be corrected from 84 lots to 75 lots.

Morrison moved to approve the Reasoned Statement of Relevant Criteria and Standards with the changes to Item No.4 to change the number of buildable lots from 84 to 75; and Item No. 6 to reflect the emergency access for Fox Run only, Wimborne seconded the motion and it passed unanimously.

Dixon called for a 5-minute recess.

Business.

1. PLAT 17-031: FINAL PLAT. Jackson Hole Junction Subdivision. Beutler presented the staff report, a part of the record. Dixon asked if Side Hill canal has an easement for access. Beutler stated that they are not asking for any type of pathway easement along the canal. Beutler stated that it was discussed and determined that there is pathway farther east along Pioneer on the east side of the canal. Beutler stated that they feel it is safer to encourage the pathway traffic to proceed south down Pioneer and connect with the pathway along Sunnyside. Dixon asked why Lot 12 on the southwest end is covering a portion of Pioneer Road. Beutler stated that the roadway is owned by ITD and there is no intent for the road to be through the lot. Beutler stated that this area is part of the State ownership, but the road and pavement right of way is outside of the platted boundaries. Beutler stated that when you see it labeled as Pioneer it is just the expanded lot or right of way that ITD has possession of. Beutler stated that the City is working with ITD to have the property deeded to the City. Beutler stated that the road right of way will not change much and the alignment will stay the same. Dixon asked if all the residences will be gone. Beutler agreed that most of the residences are already moved. Dixon asked about Lot 11, that is north of 12. Beutler stated that lot will be part of a future detention pond and the detention facility will take in the triangular lot (11) as well as a portion of the Pioneer Road Right of way that will be deeded to the City. Dixon asked if the access to the lots on the west and the north will be via Pioneer. Beutler stated that Pioneer will be a right in and right out at Sunnyside. Dixon asked if Pioneer will be developed to City standards. Beutler agreed that for portions of the development both sides of Pioneer will be developed to City Standards. Black asked Beutler to point out where all the sidewalks will be. Beutler indicated that the main one will be along the platted road and along Sunnyside, and Pioneer drive will also have sidewalk. Beutler added that as each lot develops with commercial site plan review they will see whether they need interconnective sidewalks through each of the lots. Black clarified and Beutler agreed that the sidewalks will only be along Gateway Drive. Beutler stated that on a final plat you will only see the public improvements and most of the improvements will come with individual lots as you see lot development through the site plan review.

Applicant: Laeth Sheets, Horrocks Engineers, 901 Pier View Drive, Suite 205, Idaho Falls, Idaho. Sheets stated that Pioneer used to come through and hug tight where the actual overpass road went separate from it, and now the road lands out farther. Sheets stated that they are working to get that transferred to the City, so they can use it for a pond for joint storage for development and Pioneer Road. Sheets indicated that they are doing larger sidewalks that are like Snake River Parkway. Sheets stated that Pioneer will have sidewalks as well for interconnectivity. Sheets stated that the site plan will be on a case by case basis for connectivity.

Dixon asked if each lot will have a separate detached building or are they larger buildings that cross over lots. Sheets stated that in this stage they are doing bigger lots with one use (possibly multiple buildings) and they are providing access per the City requirements and utility connections (power/sewer). Sheets stated that they will have the access drive that will be developed first. Sheets stated that the HC-1 Zone gives them flexibility to do a variety of things.

Swaney moved to recommend to the Mayor and City Council approval of the Final Plat for Jackson Hole Junction as presented, Black seconded the motion and it passed unanimously.

2. PLAT 17-032: FINAL PLAT. Spring Creek Addition Division No. 3. First Amended.

Beutler presented the staff report, a part of the record. Dixon confirmed and Beutler agreed that there is the necessary buffering with the existing residential.

Applicant: Declined.

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for Spring Creek Addition Division No. 3, First Amended, Hicks seconded the motion and it passed unanimously.

3. Election of Officers. Swaney stated that the nominating committee has been deficient in its efforts and proposed to present at the next meeting a slate of proposed officers. Swaney will be calling people to ensure they will accept a nomination between now and the next meeting.

Miscellaneous.

Work Session: Revised Zoning Ordinance and Zoning Map Discussion. Cramer stated that they haven't talked about the areas in the City that have to be rezoned due to the new Zoning Ordinance. Cramer showed maps showing how the rezone will affect the City. Cramer stated that they have scheduled 3 public outreach meetings. Cramer stated that they will be ready to bring the Code and rezone to the Commission in March. Cramer stated that they are removing a lot of zones and any property that has a zone that is being removed must be rezoned. Cramer stated that the staff did land use studies with spacial analysis to ensure that they don't create a lot of non-conforming lots. Cramer showed a map with the current zoning ordinance, a map that shows the zones that are being removed, and a map that shows what staff is recommending as additional rezones and then a final product.

Dixon asked about areas that have lots that will fall into both zones like R-1 and RP. Dixon asked what the reason is for the minimum lot size. Cramer stated that R-1 has a minimum of 6,000 with no maximum and it has become the catch-all. Cramer stated that if they have a minimum lot size in the RP that is less than the R-1 then the RP will migrate to the catchall. Cramer stated that they are trying to provide distinction between the zones. Cramer stated that the park section they are grappling with. Cramer stated that private parks don't have the zone

and they will remain R-1. Cramer stated that the park zone is a City zone for its properties for parks and open space. Cramer stated that he talked to the Parks director and will discuss it with Dixon after the meeting. Cramer stated that R-1 has become the catchall and a lot of the other zones do not get used. Cramer stated that the 1st map shows parcels that must be rezoned if the code is passed as written. Cramer stated that it is a lot of C-1 that is changing to LC. Cramer stated that nothing will change for the property owner. Cramer stated that the GC Zone and RPA is going away. Cramer stated that there is big support for the parks zone and the zoning includes storm ponds that are City owned. Cramer stated that he is discussing with parks and rec writing better standards for the storm ponds because they must be provided, so they might as well be a functional amenity. Cramer stated that the brown is the traditional neighborhood and they have done some comprehensive land use studies and surveys because they wanted to defend the traditional neighborhood zone that allows residential and commercial. Cramer stated that visually you can see a difference in the final neighborhood and you can see a difference between parks and a difference between the two commercial zones instead of the list of 5 that was previously used. Cramer stated that they took the professional business zone and the medical service zone and married them. Black asked where employment centers are at. Cramer stated that it is not a zone and it would be a mix of PB and C-1 or CC. Cramer stated that the CC zone that is downtown they are trying to move into other areas. Dixon asked if with these changes they can move pawn shops other places in the City. Cramer stated that unless they change the zoning ordinance that is correct, so if they don't want pawn shops in other places of the City they need to change the code. Cramer asked if anything is concerning any of the Commissioners. Romankiw stated that the legend in the new proposed map seems to have more zones rather than less. Cramer explained that some are not new zones and they are just being identified because they are removing the PUD and it is highlighted differently on the map. Cramer also explained that the proposed legend shows both old and new zones. Black stated that she really likes it and it tells a better story of the City. Dixon asked about R & D and R&D-1 and stated that the university is the same thing as R&D and so that is education. Cramer stated that might be a naming issue. Cramer stated that when R&D was originally written it specified that universities would be in that zone. Cramer stated that specifically for University Place and CEI that are zoned R-1, if they want to do anything they have to get a CUP because of the R-1 Zoning. Cramer stated that the City wants to support the universities and make it easier for them to expand and build and give them a zone that lets them be an allowed use instead of a conditional use. Wimborne asked what the process is if the zone that you live in is going to change. Cramer stated that when you are dealing with this many parcels you don't have to follow the same standards for notification. Cramer stated that they are debating what they will do, but all they are required to do is buy some block ads in the newspaper and post the site, but they are struggling with how to do that. Cramer stated they are debating still what to do. Wimborne asked why the area around IF Highschool is considered a traditional neighborhood but Tendoy isn't. Cramer stated that they are not because the lack of grid and lack of alleys. Dixon asked if it limits their ability to sell the property or redevelop or are they a grandfathered use within the new zone. Cramer stated that they'd be allowed in the new zone. Black asked how the form based code is working downtown. Cramer stated that they don't know yet. Cramer stated that it is approved, but it's a proposed rezone because it must be rezoned to the form based. Cramer complimented the Commission on their discussions and the professionalism they maintain during meetings, and thanked them for all their work. Dixon asked, and Cramer agreed that public outreach is the next step. Dixon asked what the next step is on area of impact. Cramer stated that they need to train

the new council and meet with the County and get it done. Cramer stated that they do have to have a public hearing. Wimborne suggested that depending on the March Agenda doing a second meeting because once it gets to 9 or 9:30 people are less productive. Cramer asked if the general preference is to have a separate meeting for the Zoning Amendment. Wimborne stated that its hard to say how many hearings is too many because you don't know how much discussion will surround an item. Dixon stated that he thinks this item needs its own meeting. Wimborne stated that its easier for her to process something this big in a separate meeting. Cramer stated that Spring Break is the 3rd week in March and that would rule out a few people including Cramer. Cramer indicated that he would send out dates for possible second meeting.

Dixon Adjourned the meeting.

Respectfully Submitted

Beckie Thompson, Recorder