

August 2, 2022

7:00 p.m.

Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Joanne Denney, Glen Ogden, Margaret Wimborne, George Morrison, Arnold Cantu.

MEMBERS ABSENT: Brent Dixon, Kristi Brower, Lindsey Romankiw.

ALSO PRESENT: Assistant Planning Director Kerry Beutler; planner Caitlin Long, Naysha Foster, Brian Stevens, Assistant City Attorney Michael Kirkham, Esq. and interested citizens.

CALL TO ORDER: Joanne Denney called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: Ogden moved to accept the minutes of July 5, 2022, Morrison seconded the motion and the motion passed unanimously.

Public Hearing(s):

1. ANNEX 22-011: ANNEXATION/INITIAL ZONING. Annexation of 89 acres with an initial zoning of R3, and LC.

Denney opened the public hearing.

Applicant: Kurt Rolland, 1331 Fremont, Idaho Falls, Idaho. Rolland is asking to annex 89 acres on the southwest corner of 15th East and 49th South. Rolland asked for the initial zoning of 59.14 acres of LC and 35.50 acres of R3. Rolland stated that the Comprehensive Plan suggests that R3 and LC would go in this area for general urban and mixed-use centers.

Stevens presented the staff report a part of the record.

Wimborne asked about the 55 and older development and asked about the nature of the housing. Stevens stated that it is a PUD, and he does not have the numbers for the housing. Stevens indicated there are duplex, row homes, club house. Wimborne asked about the development on Palm Springs Drive and Sandpiper Way. Stevens indicated that the development is single family detached.

Ogden asked about the right of way on and the development of 49th and 15th to be developed to City Standards. Stevens stated that they would have to look at the BMPO. Stevens stated that S 15th E will be improved on the side of the development with likely a turn bay, travel lane, curb and gutter and sidewalk and or a separated path, and 49th will have the same with a separated path. Ogden asked if the property to the north doesn't develop at the same time, then how will it develop. Ogden asked at what time does the City require the road improvements. Stevens stated that the City requires the developer to improve their side of the road at the time of development, or sometimes they pay in lieu, and they will develop both sides of the road when the other side develops.

Beutler stated that generally minor arterial right of ways are 100' so there would be dedication of additional right of way and the specifics with design would be worked out during the planning stage and this property would need a preliminary plat and final plat. Ogden asked how quickly the development on the roads occurs and that is his concern as 49th is already busy as an

alternative to Sunnyside. Beutler stated that an annexation request is should it be in the City boundaries, and is the zoning appropriate for the area, and decisions for right of way and improvements are planning decisions and they will be discussed at the subdivision phase.

Support/Opposition

Matt Trainer, 5203 S 11th E, Idaho Falls, Idaho. Trainer lives on 11th East which is a street adjacent to the area proposed for annexation. Trainer stated that annexation will happen, and he has remarks regarding the zoning. Trainer stated that the zoning is not congruent with the Comprehensive Plan. Trainer stated that the impact on the traffic as 49th is already busy on the intersections and there have been fatalities on the intersections and there are plans for a new high school in the area, and that will increase the traffic significantly. Trainer feels that commercial and higher density housing will increase the traffic load in that area. Trainer stated the minor arterials are different between St. Clair and 49th so they both have the 100' right of way, but the minor arterial for 15th has 2 lanes in each direction with a central turning lane, and 49th would have a bicycle pedestrian minor arterial which is different, and it would have one lane in each direction and a turn lane in between. Trainer stated that adding that much commercial on Township will create problematic increases of the traffic on 49th in addition to what is already anticipated with the school and the growth in the area. Trainer stated that the Comprehensive Plan states that no neighborhood should experience sudden radical change, and the staff report states that the development kiddie corner has a pattern of LC, R3 and R3A that is slightly more intense, but similar to what is proposed in this initial zoning. Trainer did a craft project showing the proposal and the surrounding zones. Trainer feels that the proposal is dramatically more intense than the surrounding development and does not represent a transition which is discussed in the Comprehensive Plan. Trainer offered a suggestion of instead of having all the LC and R3, he proposed a transition with LC on the corner which is consistent with the Comprehensive Plan and then R3 behind the LC which would have access off 15th which has 5 lanes, rather than having the greater impact on 49th and then having a transition of R1/R2 in the area that was shown as R3. (Trainer's craft project was submitted as part of the record.)

James Kennert 4977 S. 11th E, Idaho Falls, Idaho. Kennert showed where his home and stated that there are 14 homes in the 80 acres adjacent to the proposed project. Kennert stated that the properties are between 5 and 15 acres per home. Kennert stated that those 14 homes to have multi-family housing and commercial in their backyard is terrible, and not according to the master plan and is not a gradual change. Kennert stated that a gradual change would be something like Sunterra on the west of Holmes with large homes and Belmont on east of Holmes has smaller homes, and that is a gradual change. Kennert stated that instant multi-family housing in the backyard of people with homes that are tax accessed between \$0.5 million and \$1 million is criminal and should not be considered and not allowed. Kennert stated that commercial in that area would be tragic.

Robert Hill, 5106 S. 11th E, Idaho Falls, Idaho. Hill feels the critical part is whether the proposal is compatible with surrounding zones and land use. Hill feels that the proposal is not compatible with the large acreages surrounding it. Hill stated that no neighborhood can be exempt from change, but no neighborhood should experience sudden radical change. Hill built 26 years ago, and they expected the City to come to meet them, and it has done that and that is reasonable, but the sudden change from large acreages to possibly up to 35 units per acre in the high-density housing.

Michael Denner, 5428 S. 11th E, Idaho Falls, Idaho. Denner echoed his neighbors about the difficulty with the proposal. Denner pointed out that the wall of vegetation that exists between the large lots and the proposed development are almost all deciduous trees so in December there would be no wall of vegetation. Denner would like the developer to put up a privacy wall between the development and the current subdivision. Denner asked what the implications for his subdivision of the high-density development in terms of the use of individual septic systems as each of the homes on S. 11th East have septic systems and he is worried about regulations endangering those uses. Denner stated that the neighbors in his development are not desirous of annexation.

Ann Trainer, 5203 S. 11th E, Idaho Falls, Idaho. Trainer emphasized that there are street issues. Trainer stated that she has been told that 49th is designed to be a more minor road than 65th and Sunnyside. Trainer stated that this development really makes that a difficult proposition with a high school and multiple commercial developments and multi-family units all going out to a road that is designated to be less of a major artery, then you are going against the planning and that will be a major headache for people involved in the high school, plus the neighborhood residents. Trainer stated that the proposal because of the large commercial and dense housing indications would make it a traffic impossibility. Trainer suggested annexing the property with a less dense zone and avoid/lessen the issues and allow for the higher density and commercial development to go further down on 65th which is designated to be a more major road. Trainer stated that if they allow this to go on 49th, it will delay the proposals on 65th and she feels that they should stick to the plan and allow development on 65th and stick to the plan on 49th. Trainer stated that 11th Street and 9th Street do not have people inclined to parcel up their land and sell it so it will become more like Belmont Estates, and it will stay as an Estate type street, and it makes it not logical to put dense housing next to it. Trainer stated that the Comprehensive Plan allows for a transition.

Marissa Bentley, 5529 S. 11th E, Idaho Falls, Idaho. Bentley stated that her house has no tree barriers. Bentley stated that she has a lot of issues that the traffic that will be coming, and part of the planning was to avoid traffic. Bentley stated that there have been fatalities on 49th and 15th. Bentley asked if there is going to be a traffic light. Bentley echoed her neighbors' feelings of an abrupt change versus a gradual change. Bentley is for development. Bentley stated that they have an opportunity to showcase what Idaho Falls has to offer and consider some of the beautifications of what makes Idaho Falls special and not cram so many buildings.

Annette Jones, 654 E 49th S, Idaho Falls, Idaho. Jones just purchased her home 4 months ago. Jones is concerned that as smaller properties move closer and annexation for larger properties would make sense and it makes it unaffordable to own that much land in the City if the City annexes their property. Jones has a neighbor on 49th across from Taylorview and the properties that were built back there was annexed and the City was not able to provide utilities for one of the homes in that annexation, so that home pays City taxes, but does have City utilities. Jones stated that the idea of smaller homes encroaching on County properties is a concern as it would be very expensive to pay taxes on her land in the City. Jones would like a gradual transition with larger properties to protect their property.

Applicant: Kurt Rolland, 1331 Fremont, Idaho Falls, Idaho. Rolland stated that his firm did Providence point that is the 55 and older complex and they have done a traffic study for that intersection and there is a signal light planned eventually in the near future. Rolland stated that

the property is in the area of impact for the City. Rolland stated that the intersections of major arterials is the best place for planning for LC and that is what they are proposing. Rolland stated that the City cannot force annex County residents into the City.

Wimborne asked if Rolland had a more specific timeline on the “near future” of the stop light. Rolland does not, but stated that it is when development warrants it, and with this proposed development and with Providence Point and a school coming it would be soon. Wimborne asked staff if they had any clarification. Beutler stated that streetlights will be installed when warranted and there are specific milestones that have to be met for safety and design issues. Beutler stated that part of the challenge is you have a mixed jurisdiction right of way with portions in the County and portions in the City. Beutler stated that Providence Point did, as part of their traffic study and development agreement, they participated in a future light which will be a similar situation for this parcel and this parcel will be required to do studies as they develop and that would help to determine when the light would occur, but there is not a fixed time frame. Wimborne asked if with the most recent traffic study are they getting closer to the milestones that need to be met. Beutler stated that each development will bring you closer, and a lot will depend on what develops in this proposed property, and it is a question for the development time.

Denney closed the public hearing.

Ogden asked about the options tonight, being approve or deny the proposal as submitted, and if it is denied, is there an opportunity to give recommendations to the property owner, or is it only approve and deny. Kirkham stated that the question before the commission is 2-fold, with the first being is this area appropriate to be governed by the City and annexed into the City (annexation); and the second question is what is the appropriate zone for the property to be applied under the City’s Zoning Ordinance. Kirkham stated that they should remember this is a recommendation to the City Council so if you recommend tonight to no to either question, or you recommend a different zone than what is proposed and requested, you need to explain why you that is your recommendation. Kirkham stated that the zone question should be guided by the adopted Comprehensive Plan that the City has developed with the public’s input. Kirkham stated that the Commission is required by the Local Land Use Planning Act to take that into consideration as your primary guiding light on the appropriate zoning for the property.

Ogden stated that as he was reviewing the packet and looking at the parcels, he felt that this would stick out like a sore thumb to have high density in this area compared to what is currently in the area. Ogden stated that the yellow portion to the west isn’t what would be considered R1 and so he feels that the proposal as presented would not fit the area and would need to be reconsidered for some additional gradual development up to the commercial. Ogden is in agreement with the annexation and the commercial and higher density, but it needs more of a gradual transition.

Morrison thanked the public for coming out to speak. Morrison stated that there is a need for more commercial and mixed housing on the south part of town. Morrison stated that roads are always 20 years behind and that is a moot point. Morrison stated that he agrees that the transition is needed. Morrison thinks this parcel could be broken into more defined areas of commercial and R3, so it is more obvious to the people how large the commercial zone would be. Morrison asked staff about the septic system question that was asked by public. Kirkham stated that whether or not you can have a septic system is governed by the Idaho Department of Environment Quality and if there is a sewer system that is developed nearby that a property

owner can reasonably connect to, they will be required to connect if they ever choose to redevelop their property, but it doesn't require a person to change from septic to sewer immediately. Kirkham stated that homes annexed into the City can maintain their own septic, unless they decide to tear down their home and build something else. Beutler stated that the health department requires someone to have a replacement drain field on their own property, so if they have issues, they should already have an established replacement area. Morrison stated that his inclination is to vote against this proposal, and he'd like to see some more definitive break down on the property as far as each zone goes.

Wimborne agrees that it makes sense to annex the property into the City. Wimborne is concerned about the transition and feels that a part of the zoning make sense in the area, but she is concerned about the amount of property that is being proposed as LC. Wimborne would be more comfortable with something similar to what is kiddie corner to the development that was recently approved. Wimborne feels that it allows for mixed use development and allows for some commercial development. Wimborne stated that the comprehensive plan has always provided for commercial nodes on major intersections and 49th and 15th is a major intersection. Wimborne stated that she feels that 2/3 or 3/4 of the property is LC and that is too much and there is not enough transition. Wimborne feels the spirit is congruent with the Comprehensive Plan, but she wants to provide for the transition and the development kiddie corner does that transition.

There was discussion about how to state the motion with the approval of annexation and denial of the proposed zoning. Ogden stated that Trainer has done a good job of creating a proposal and as that is entered into the public record, can that be used as a guideline for the motion.

Ogden moved to recommend to the Mayor and City Council approval of the annexation of 89 Acres for part of Sec 5, T 1N, R38 E as proposed, with initial zoning approximate to what was introduced into the record by Mathew Trainer with R2 along the western side, LC in the northeast corner and R3 along S 15th E, Wimborne seconded the motion. Denney called for roll call vote: Morrison, no; Wimborne, yes; Ogden, yes; Cantu, yes. The motion passed 3-1.

Morrison voted against the motion because he doesn't feel it is defined good enough in the motion and he wants the developer to address what he has in mind. Morrison agrees with the comments by Wimborne of being a large chunk of LC.

2. PLAT 22-019: PRELIMINARY PLAT. The Reserve at Snake River Landing.

Denney opened the public hearing.

Applicant: Kurt Rolland 1331 Fremont, Idaho Falls, Idaho. Rolland stated that they are asking for a preliminary plat for 41 acres. Rolland stated that they have worked with the City planners on different plans and this one will be the best for the developer and the City. Rolland stated that in the center of the plat there is a City dedicated road that goes through the center of the property. Rolland showed another City dedicated road that borders the developer's property and Ball Ventures property. Rolland stated that they will straddle the road on the property line between Ball Ventures and J Development for the property. Rolland stated that the road will tie into the Event Center Road. Rolland stated that the property has 3 canals; Battle Creek Canal that they will pipe (north); middle canal will be abandoned; south canal will be open. Rolland stated that Pioneer Road will be widened up to the frontage of their property with curb, gutter,

sidewalk. Rolland stated that they will put a water line through the property that will loop and bring water and sewer into Pioneer Road. Rolland stated that they will do the project in 2 phases with the north end of the property being apartments and the south end will be townhomes.

Ogden confirmed that the abandoned canal is not the Porter Canal, but the Porter Canal is to the south and will be left open. Rolland agreed with Ogden and stated that the Battle Creek Canal is being platted and surveyed for right of way with the canal company.

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

No one appeared in Support/Opposition.

Denney closed the public hearing.

Wimborne moved to approve the Preliminary Plat for the Reserve at Snake River Landing as presented, Morrison seconded the motion. Denney called for roll call vote: Morrison, yes; Wimborne, yes; Ogden, yes; Cantu, yes. The motion passed unanimously.

Morrison moved to accept the Reasoned Statement of Relevant Criteria and Standards, Wimborne seconded the motion. The motion passed unanimously.

3. RZON 22-008: REZONE. Rezone from R1 to R3 for 34 Acres.

Denney opened the public hearing.

Applicant: Kurt Rolland, 1331 Fremont, Idaho Falls, Idaho. Rolland stated that this property is 34.87 acres and is located on East River Road (N 5th W). Rolland is requesting a rezone on the property that is currently zoned R1 and they are asking for R3. Rolland stated that the R3 would be a good zone for this property as the property to the south of the Church is zoned R3 and there are 61 acres to east of the parcel that might not have been zoned, but is coming to be zoned soon, and the west side of the road is R3A. Rolland stated that this property is surrounded by R3, and this is a good transition for this property.

Morrison thanked Rolland for the notes on the neighborhood meeting.

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

Denney asked how this airport overlay will affect the R3. Long stated that all the uses that are permitted in R3 are permitted in this overlay zone.

Support/Opposition:

Joanne Parkinson, 3898 Tradition Court, Idaho Falls, Idaho. Parkinson lives next to the road, and airplanes come over her house constantly at low levels. Parkinson is in the landing zone, and they circle over the top. Parkinson stated that if she is in the yard she can hear them, and her house is built better than the houses back farther and, in the house, she can't hear the planes well. Parkinson stated that US 15 and 20 connectors has not decided on 3 different areas that they are going to come, and one is north of them, the other impacts the church and goes through the garbage dump and possibly through part of this land and that has not been finalized. Parkinson stated that more houses under the flight path, and possibly in the way of the highway, would not be good, and they should leave it alone.

Brayden Wide, 392 W 33rd North, Idaho Falls, Idaho. Wide stated that the issues that they are having with this rezone are the same issues that were eloquently addressed by the testimony of ANNEX 22-011 previously, that was voted down on R3. Wide stated that they have let the R3 burglar in the door and now they can't get him out. Wide stated that there is way too much R3 already and the developments around them that are going to be R3, including the proposed 34 acres will have the potential of 4,325 units within ¼ mile – ½ mile of his house. Wide stated that the ordinance states that no neighborhood should experience sudden drastic change, and without some sort of mitigation of R3, the existing residents are going to be in for a sudden drastic change on steroids. Wide stated that there are several issues, and the streets will be overwhelmed by traffic. Wide stated that traffic over the years has increased, but if they put 4,000 units in the area it will be a big problem. Wide stated that in Boise where his daughter lives in the last 5 years all the small parcels have been built R3 and in 5 years the traffic in Boise on the large 5 lane roads has gotten horrific. Wide stated that the residents that are in the room tonight are going to experience problems and it will be a drastic change. Wide asked the Commission to keep R1.

Jennine Wide, 392 W 33rd N, Idaho Falls, Idaho. Wide stated that when they found out that the property across the road from their house was sold and was zoned R3 it killed something in her and then she got the letter saying that the property around their house was going to be rezoned R3. Wide stated that they wanted the Johnsons to sell land to them and it is all sold and being petitioned to be R3. Wide stated that this is no gradual change. Wide stated that when they bought the house 26 years ago, they understood that they were in the area of impact it was frightening and now her worst dreams are coming true with people wanting to build apartment buildings all around her. Wide stated that the traffic will be a nightmare and there is no way around that. Wide stated that the changes that are coming with the change of traffic flow for Highway 20 and I15 will not be pleasant for anyone in this area. Wide appreciated the balance they heard in the discussion. Wide is curious about what Morrison stated about the roads being 20 years behind building. Wide stated that if they know the changes are coming, then before the changes are implemented and allowed the infrastructure of the roads and the sewers and the water treatment plants need to be in place before the apartments can proceed. Wide would like the roads to be considered. Wide feels this is a huge change. Wide has sunk her heart and sole into her farmland. Wide feels that the noise will be bad, and she is worried what she will be looking at from her house in either direction. Wide is asking the infrastructure to be considered and she doesn't think R3 is reasonable for all the land around her. Wide stated that all the way to Lewisville Highway has been sold and being annexed into the City and now it is zoned R3. Wide stated that if there is LC on the corner of 33rd and 5th West it will be a nightmare. Wide stated that they can ride bikes to the City and get to Walmart without a store on the corner. Wide stated that there was a comment made previously about the better use of the land and the infrastructure, and that cannot be R3. Wide stated that the City can grow, but it doesn't need to all grow to R3. Wide is begging the Commission to not let it be zoned R3 behind her house.

Tony Larosa, 330 W Collins, Idaho Falls, Idaho. Larosa supports his neighbors. Larosa stated that there are 4000 family dwellings and that could bring 8000 cars. Larosa stated that is a lot of traffic. Larosa stated that if the State puts the connector of I-15 to Highway 20 across the hatch pit they will be putting off ramps onto East River Road. Larosa knows there is growth, and it has to be planned, but they need to look at the impact to the roads, schools, and stores, and suggest keeping this property R1 to minimize the impact. Larosa stated that R1 allows open land for

people and less dense population for growing children in a country type atmosphere, rather than a dense city atmosphere. Larosa stated that kids can learn a lot in the country having animals.

Mike Marshall, 3734 N 5th West, Idaho Falls, Idaho. Marshall stated that the person that bought this property paid more money for the ground than they can afford to just build R1 on. Marshall stated that when they talked to them at the meeting, they have the sense that the City will just approve R3 and the City needs the heavy population. Marshall feels that it is inconsistent, and someone is not planning ahead on how to take care of the traffic. Marshall stated that City Engineers do review that, but if you live there, you realize that if they are going to develop 51 acres in one parcel, 37 acres in another parcel, 60 acres in another parcel, 34 acres in this parcel, there is no way to handle the traffic. Marshall stated that in order to widen N 5th West you will have to move City Power poles to the east and Utah Power to the west and purchase all the land. Marshall wants to know what they are creating walkable to. Marshall stated that going down 5th West is taking your life in your own hands to walk on it. Marshall feels it is not good to approve that much population. Marshall owns property north Energy Drive and deals with the apartments. Marshall stated that the land he farms is full of all the junk that the multiple housing people somehow let fly across the fence, and it ends up bailed in hay and the cows have to sort through it. Marshall is worried that he lives to the north of this proposed development and the same junk will happen to his property when the south wind blows. Marshall stated that his only choice is the developer offered him the same they paid for this, and his only option would be to move. Marshall doesn't agree with that heavy of housing and he doesn't have a problem with R1 or R2. Marshall feels R3 will be too dense and make a mess.

Keith Banner, 3774 Cove Fort, Idaho Falls, Idaho. Banner understands they hear traffic problems at every meeting. Banner stated that there has not been a lot of faith built that the problem will work out, even though they repeatedly are told it will work out. Banner stated that when Cove Fort got put in, before the phase started, they were supposed to put in 2 turn lanes and the developer put in a right-hand turn lane, but not a left-hand turn lane, and no one stopped the development. Banner stated that halfway through Cove Fort being developed they brought it to someone's attention and so they put in a "suicide alley" that is super narrow, and in the winter, everyone drives right through it. Banner stated that it is not happening the way they have been told it should, and so they don't trust. Banner stated that the map that shows this is walkable area, shows that there is supposed to be an innovation district in this area, and the innovation district has been cut in half by the airport zone, and they are carving up the rest of what could be innovation zoned. Banner stated that INL has built 3 new buildings in the last 3 years and there is room for 4 more, and pretty soon they will need more room for that building to go, and the innovation district is gone.

Applicant: Kurt Rolland 1331 Fremont, Idaho Falls, Idaho. Rolland stated that the property all won't be developed all at once, it will likely take 5 years to fill this property up in phases. Rolland stated that the R3 zone is contiguous all around to this parcel. Rolland stated that R3 is scary to people because 35 units per acre is allowed, but there is no way you can fit 35 units per acre on R3 and the most that they have done is 14 units per acre. Rolland stated that with the parking and landscaping that is required they cannot fit 35 units. Rolland stated that they are in the process of doing a traffic study for the area to tell them what kind of turn lanes need to be put in or traffic lights or whatever is needed.

Morrison asked Rolland to point out how the roads are developed by the developer. Rolland stated that they haven't done a master plan on the project and will not know where the roads will go. Morrison stated that the developer either upgrades the road or puts money into an account with the City for developing roads. Rolland agrees that the City has impact fees and the impact fees will go to develop the roads that will need to be widened.

Denney closed the public hearing.

Denney stated that even though it is zoned R3 there will likely not be 4000 units due to landscape, parking requirements and that will trim the number down.

Morrison stated that they have rarely ever seen the maximum allowed in any acreage. Morrison stated that it will be built gradually. Morrison stated that the gradual build will remove the sudden and drastic change idea that has been presented and mitigates it. Morrison stated that the building of roads is a City budgeting problem/activity. Morrison stated that the fees are collected, and the developer is helping with the project.

Ogden was curious as to what other parcels in the area have LC. Ogden had staff show different zones in the area to get a better understanding of the zones in the area. Ogden stated that if they are considering a walkable center to the LC there is access over the County property. Ogden stated that the idea in the Comprehensive Plan is to create walkable center to and from LC, but because of County buffer, there isn't access across. Long stated that the walkable center in the Comprehensive Plan is identified at the intersection, and that doesn't necessarily mean LC zoning.

Ogden stated that there are unknowns of what will happen with the interchange with I-15 and Highway 20, and he is concerned with the R3 development that will continue and what happens when that gets finalized and he is not anxious to make more changes until there is more insight. Ogden feels the impact on 5th West will be a lot, and the development along the golf course only has access to 5th West and it is pretty severe. Ogden stated that with R3 on the west, south they shouldn't add more R3 to the area right now and is opposed to the application.

Wimborne feels that the proposals are difficult when there is established homes and you have vision of what your future in your home will look like and the City grows up around you. Wimborne sympathizes with them. Wimborne stated that the City has grown in unexpected ways in the last 10 years. Wimborne stated that they have tried to anticipate and adjust and make available different kinds of housing for different kinds of families to accommodate that growth that the City is seeing. Wimborne stated that this property is different than the first annexation hearing this evening, because it is contiguous to R3 properties, and the uses are similar. Wimborne feels that R3 would create some buffer and it is inline with how the area is already evolving and growing. Wimborne feels it is inline with the Comprehensive Plan. Wimborne understands the concerns with traffic and shares them. Wimborne hopes that the new impact fees will make it possible to make improvements quicker than in the past and hold developers accountable and make sure they are taking care of the current residents in the area. Wimborne wants to make sure they are doing traffic studies and holding developers accountable to the improvements that are needed.

Morrison moved to Recommend to the Mayor and City Council approval of the rezone from R1 to R3, as presented, Wimborne seconded the motion. Denney called for roll call vote: Morrison, yes; Wimborne, yes; Ogden, no, Cantu, no, Denney, yes. The motion passed 3-2 (Chairman Denney voted as a tie breaker).

Cantu opposed the motion as it is a lot of property for R3, it was zoned R1 for a reason, and there is not a good reason to change it from R1.

Ogden opposed the motion because of concerns of safety and traffic.

Business:

4. PLAT 22-024: FINAL PLAT. Final Plat for Falcon Crest Estates.

Applicant: Clint Jolley, HLE, 101 Park Ave., Idaho Falls, Idaho. Jolley stated that Falcon Crest Estates was brought to P&Z for a PUD that was approved. Jolley stated that it is zoned R3 that allows 35 units per acre, and they are at 14 units per acre. Jolley stated that they are working with City staff to continue Condor Lane as a public right of way and have Slider Lane connect to Teton Butte Estates. Jolley stated that going west they will have private roadways with the PUD concept.

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

Jolley added that if they get the fire access through Teton Butte Estates like they are hoping for, they would like to develop in one phase, but until they get the secondary fire access, they are restricted to 30 units.

Wimborne clarified that the second access is farther east or will there be an access into the neighborhood on the other side. Jolley stated that Slider goes north to Teton Butte Estates which goes out to Lewisville Highway.

Morrison stated that it looks like it is going on as they initially presented.

Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Falcon Crest Estates, as presented, Ogden seconded the motion. Denney called for roll call vote: Morrison, yes; Wimborne, yes; Ogden, yes; Cantu, yes. The motion passed unanimously.

Next Meeting September 6, 2022.

Respectfully Submitted

Beckie Thompson, Recorder