

August 4, 2020

7:00 p.m.

Planning Department

Civic Auditorium

Notice: Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.

MEMBERS PRESENT: Commissioners Natalie Black, Gene Hicks, Brent Dixon, George Morrison, Margaret Wimborne, Joanne Denney, Lindsey Romankiw

MEMBERS ABSENT: Arnold Cantu

ALSO PRESENT: Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brent McLane; Naysha Foster and interested citizens.

CALL TO ORDER: Natalie Black called the meeting to order at 7:30 p.m. (late start due to technical difficulties).

CHANGES TO AGENDA: None.

MINUTES:

Hicks moved to approve the July 7, 2020 Minutes with the requested typo corrections, Dixon seconded the motion and it passed unanimously.

Dixon moved to approve the July 21, 2020 Minutes, Morrison seconded the motion and it passed unanimously.

Public Hearing(s):

1. RZON 20-008: REZONE. Rezone from R1 to R3A.

Black opened the public hearing.

Applicant: Kurt Roland, Eagle Rock Engineering, 1331 Fremont, Idaho Falls, Idaho. Roland is representing Comfort Construction and they are requesting a rezone from R1 to R3A. Roland stated that the property is located on 49th.

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

Support/Opposition to Application:

Kyle Searle. Searle's property borders the subject property. Searle is not objecting to the building. Searle's concern is the corner of 15th South and 49th. Searle stated that they are petitioning the County to get 4 way stop. Searle asked P&Z what their plan is moving forward if they are bringing in more buildings. Searle owns a Rodeo company that is run from this property and he houses bucking bulls and is concerned about the property bordering and he believes he and the developer can work something out regarding liability if someone from the new development got in with his bulls.

Jim Foster, 1680 E 49th South. Foster asked how much weight was put on R3A to approve residential areas. Foster is concerned about the corner of 15th and 49th. Foster believes something needs to be done about traffic. Foster assume the County is responsible for road maintenance.

_____, **1598 E 49th South.** He is concerned about the corner of 15th and 49th as there have been 3 or 4 accidents in the last 6 weeks and multiple deaths. He doesn't feel that the flashing stop sign is enough, and it needs to be a 4 way stop or a light. He stated that 49th is currently 50 mph and there are 3 subdivisions on each side and that 50-mph speed limit needs to be addressed. He stated that if they are going to widen the road, they will need a way to turn in and out of that development. He asked if they are going to widen that road what is the plan with the irrigation ditches.

Applicant: Kurt Roland, 1331 Fremont, Idaho Falls, Idaho. Roland stated they are asking for a rezone from R1 to R3A because they want to put multi-family on the property. Roland stated that the intersection is a County issue and he is unsure what their intentions are. Roland stated that they are dedicating 50' for future road widening and as more property develops, they would have to widen the road and include turn lanes.

Black stated that the irrigation question will be left to the developer.

McLane stated that this is a rezone request and a lot of these questions will correspond with the preliminary plat. McLane stated that before a development will occur, they will need to do a preliminary plat to address these issues. McLane stated that if the development has more than 100 units it will require a traffic study and McLane agreed that the intersection does have safety issues, but it is a County road, so the County will have to decide that. McLane stated that they should talk with the City Engineer to get input for their Petition to help the County feel like it is important. McLane stated that there is a plan for 49th South to become an arterial road and it is designated as such, so it will be widened as development occurs along the roadway. McLane stated that the R3A zone or a multi-family type development would have a requirement in the zoning ordinance that would require all multi-family developments to buffer from single unit developments and they would look at Searle's property to receive proper buffering and separation.

Black closed the public hearing.

Morrison agreed that this type of zoning is needed, and they are wanting to encourage companies to put commercial on that end of the City.

Dixon supports this use of R3A and the Comprehensive Plan shows this area as being a mix of high and low density and next to commercial so the non-residential uses of R3A will fit into the general idea of this being a commercial node with light commercial/office uses. Dixon hopes they can get something built that is higher density before lower density goes in around it.

Dixon, at the request of the chair restated his previous comments and reiterated that he supports the use of R3A at this location based on the Comp Plan which shows that this intersection should have a commercial node surrounded by higher density residential and the allowed uses of R3A fit that well.

Denney moved to Recommend to the Mayor and City Council approval of the Rezone from R1 to R3A for 13.3 acres SW corner of Section 33, Township 2N, Range 38 E, as presented,

Hicks seconded the motion. Black called for a vote by roll call: Dixon, yes; Wimborne, yes; Morrison, yes; Hicks, yes; Romankiw, yes; Denney, yes. The motion passed unanimously.

2. RZON 20-007: REZONE. Rezone from R1 to R3A.

Black opened the public hearing

Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho.

Jolley stated that the property is on the NE corner of the intersection of Belin and W 17th Street (Mill Road). Jolley stated that this parcel has been vacant for years and there are multiple things that are a struggle with development, including irrigation ditches, power lines on both sides.

Jolley stated that a difficult parcel like this would not be good for driveways backing out which makes it hard to develop with the R1 designation as single family. Jolley stated that the initial request was for a rezone to R3A and after discussing with staff and his client, they have agreed that the R2 designation is a better fit for the area to provide the same opportunities that R3A will provide, but be more consistent with the area.

Hicks asked if the current access points would remain the same. Jolley indicated that that the City has indicated that there wouldn't be allowed access off Bellin, but rather the access would come from 17th South. Jolley stated that Bellin and Mill Road would have to be brought up to City Standards regardless of what type of development.

Victor Southerland. Southerland indicated that his understanding is the access would be off of Bellin, not W 17th South.

Hicks indicated that Bellin has more traffic currently than 17th South.

Jolley indicated that they will verify the access with their discussions with the City, but they have been told they will only receive one access point.

Denney asked why they chose R3A and now changed to R2. Jolley stated that staff felt like it would fit better, but still accomplish the same result in developing the property.

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

Dixon wanted to add to the Staff's comments. Dixon has been on the Planning Commission since the Blue Ridge development was started. Dixon stated that this was always an odd lot. Dixon stated that it hemmed this property in and made it hard to access to the east. Dixon indicated that they wanted that to develop as part of Blue Ridge, but they wanted a gas station/C store. Dixon stated that the property was walled off and had no access to Blue Ridge and it became an orphan because of the cost of curb, gutter, sidewalk on both sides.

Letters Read:

Bridget Hall, 2895 Newman Circle, Idaho Falls. Hall stated that it seems every prospering neighborhood in Idaho Falls is ruined by zoning and this applicant wants to do this to the Westside neighborhood now. Hall stated that she was drawn to the Westside neighborhood because it was the only one in their price range that wasn't surrounded by apartments, group homes and commercial buildings. Hall stated that the lot in question is surrounded by homes

that are well maintained and changing the zoning will open the door for a building that completely goes against the character of the neighborhood.

Bridget Hall, 2895 Newman Circle, Idaho Falls. Hall pointed out that the public notice was on the less traveled street, blocked by shrubbery is too far away from the intersection to be noticeable. Hall feels this makes it deliberate in favor of rezoning. Hall wants the signs visible to the majority of residents in the future.

Madgy Tawfiks Family, 1595 Patriot Circle, Idaho Falls, Idaho. Tawfiks have more fence bordering the property and are impacted the most, and they are protesting in strongest terms to the rezone. Tawfik's have been in Idaho Falls for 42 years, and their home was built in 1992. Tawfiks built their home with the intent to live in it for the rest of their lives. Tawfiks stated that the R1 homeowners love their homes and take care of their property in a manner that maintains home values. Tawfiks believe that the rezone to R3A it would negatively impact the lives of many people in the community and the rezone would be irreversible. Tawfiks stated that the benefits are a financial benefit to the property owner and the City tax revenue. Tawfiks understand the desire to expand City of Idaho Falls considering some social issues. Tawfiks stated that the risks to the community include but are not limited to: Reduction of home values; noise pollution; security problems, traffic safety, parking. Tawfiks indicated that the owner could resale the property after zoned R3A. Tawfiks believe the risk outweighs the benefit.

Deanna Andrus. Andrus is concerned that the rezone would allow a commercial business and that would make everyone in the neighborhood unhappy, and commercial should be built with commercial. Andrus is not opposed to twin homes, but a big apartment complex would not be good.

Appeared in Person:

Doug ___, 1560 Melrose, Idaho Falls, Idaho. Doug has a petition from 83 local property owners that protest the rezone. Doug stated that the 83 property owners' concerns are as follows:

1. Rezoning this property to R3A is not in accordance with the Idaho Falls Land use Plan, which designates this property to be R1, low density.
2. Rezoning this property to R3A will create a small island of high density
3. Rezoning will cause a decrease in the value of the nearby properties.
4. No assurance that the rezone to R3A will not be developed to the maximum density allowed
5. R3A can have 35 house per acre, within minimal building set back.
6. No traffic reports to ensure access is appropriate.
7. The corner of Bellin and 17th South is across the Firehouse, and this property could create a safety hazard.
8. There are no nearby places of employment near this property and this will cause increased traffic flow
9. There are no safe zones near the property for children to catch a school bus.
10. There is no public transportation.
11. The property will have minimal space for parking.
12. A building that is 30' high can be built on this property which would cause nearby residents to lose their privacy.

Doug stated that not one resident showed any favor for the rezone.

Wade _____, 1656 Melrose Drive, Idaho Falls, Idaho. Wade asked what the difference is between R3A and R2. Wade asked the people at the Fire station and they didn't know about the attempt to rezone. Wade stated that he was concerned about parking. Wade is concerned about traffic flow.

Lance Cole, 1605 Patriot Circle, Idaho Falls, Idaho. Cole's backyard backs up to this property. Cole stated that in 1989 when they were developing this they tried to get a commercial designation for where the Fire Station is, and that is why there is resistance now. Cole doesn't feel that it makes sense to rezone R3A as it is too small of a parcel, and not in the character of the neighborhood. Cole stated there is no R3A anywhere in the area. Cole stated that they would like to see something that would support the neighborhood, such as a senior-living housing as this location is conducive to that type of development with surrounding supportive things, including medical support, and walking paths. Cole would like to have an idea of what the developer is trying to do. Cole stated that Bellin and Mill are extremely busy roads.

Mike Groberg, 540 Castlerock, Idaho Falls, Idaho. Groberg is concerned because the Petition and all discussion prior to the hearing was R3A and now at the meeting R2 is being suggested. Groberg feels that they need to redo the public hearing, so they have time to learn about R2.

Dave VanHaften, 1581 Patriot Circle, Idaho Falls, Idaho. VanHaften strongly objects to the R3A to a well established R1 neighborhood, and the proposed rezone will alter the character of the neighborhood. VanHaften stated that the description of the rezone indicates that the final zoning would be an undefined combination of R1 and R3A. VanHaften stated that he is told that is a typo, but it has confused people and they don't know what is intended. VanHaften stated that the existing neighborhood has in the past resisted the encroachment of commercial enterprise. VanHaften stated that R3A would encourage creeping commercialization. VanHaften stated that R3A would allow for 1-acre island of high density surrounded by large single-family lots. R3A doesn't have a restriction on structure height and the only limitation on population is parking. VanHaften stated that continued vacancy is unfortunate, but a suitable building matched to the existing community could turn it into an asset. VanHaften stated that R3A does not match and will not improve the neighborhood.

Cramer stated that he has asked City legal Counsel whether or not when a zone is proposed and advertised, whether or not the Commission can consider a different zone. Cramer stated that the practice of this Commission is that if someone requests something that is more intense than what is advertised then the Commission would require a new public hearing for that request, however at this time if someone asks or recommends a less intense zone, that doesn't require a new hearing. Cramer indicated that legal agreed. Cramer stated that tonight's hearing is only a recommendation to City Council and there will be another hearing where City Council could approve the hearing. Cramer explained if they have to re-notice for a hearing for R2 it would take place in September, and if they move forward and allow this Commission to make a recommendation, then it would be reset for a hearing in September with City Council. Cramer confirmed that there will be a new hearing no matter what zone is recommended by the Planning Commission. Cramer reiterated that City Legal Counsel feels it is ok to move forward with a recommendation tonight because the request is less intense. Cramer indicated that in the R2

Zone it allows for single unit detached, single unit attached, and multi-unit dwelling up to a 4-plex, with an allowed height of 3 stories with a maximum density of 17 units per acre. Cramer indicated that the maximum height in an R1 is 2 stories with a density of 6 units per acre.

Hicks stated that if this had been advertised as R2 they likely wouldn't have the same comments.

Cramer stated that you are within the law to consider a different zone and it would be advertised for the City Council hearing.

Wimborne stated that they could make a recommendation for R1 and the City Council can make the decision and could change it to R2. Wimborne clarified that City Council will make the final decision of what the zone is. Cramer agreed.

Denney stated that if they put in townhomes, the setback would increase for the height and then there is also parking requirements so that would limit density. Cramer agreed and stated that any zone that allows multi-unit residential that is up against single unit residential requires anything more than 2 stories tall for every 1' of building height the building has to be 2' additional feet setback (+ the regular 20' setback). Cramer added that parking is a limitation as every unit will require 2 parking stalls (except 1-bedroom units).

Blake Jolley, CE, 1150 Hollipark, Idaho Falls, Idaho. Jolley stated that the R2 is a more restrictive zone compared to the R3A and the R2 would address a lot of the comments that have been made by the public. Jolley stated that the concern about height in R3A and stated that the dimensions of this property would be very restrictive if they do anything over 2 stories. Jolley stated that in an R1 zone a 2-story building is allowed and with the height restrictions it would make it similar to what is seen in the surrounding areas. Jolley stated that parking will be the restriction of what can be done with the property. Jolley gave an example of a townhome or 4 plex would require 2 parking spaces, so if there is a 4 plex on this property they would need 8 parking spaces, and parking will quickly restrict property density. Jolley stated that the landowner is the person responsible to build the streets to the City standards and the City doesn't participate. Jolley stated that the Comprehensive Plan doesn't have a medium density and R2 is a medium density, so where does it belong. Jolley stated that the fire station to the south and the rezone is circulated between the City departments including Fire and the Fire Marshall or one of their representatives would have knowledge and make comments regarding the rezone. Jolley stated that with development there comes traffic, and on arterials is where you want to see these types of development. Jolley stated that the Commission is a recommending body, and this will go to City Council for another hearing.

Dixon asked about a PUD on the property because it is hard for the public to envision what needs to be done and how much land will actually be left and how much is developable after setbacks. Dixon stated that at some point showing what would be proposed would be the easiest path forward.

Victor Southerland, applicant/owner, Silver Meadows Drive, Idaho Falls. Southerland stated that there are townhomes just down the road, and he knows that they will be limited to what they can build. Southerland is happy to give more details.

Dixon reiterated what Southerland stated because he was very broken up. Dixon stated that there is a property that is R2 that is directly across from Blue Ridge intersects with W 17th and is

roughly similar in size, and that would give people an idea of what could be done on this lot if it was zoned R2. Southerland agreed with Dixon's interpretation.

McLane stated that a PUD option would be available, but the PUD isn't in the zoning designation so it isn't something that can be recommended as a zoning designation. McLane stated that the PUD would be brought at a different time. Dixon stated that they have in the past done motions to recommend a zone with a PUD Overlay. McLane stated that Planned Unit Development is a use listed in the Use Table and there are specific regulations that go along with the PUD. McLane stated that the recommendation for the PUD would have to come along with an application that meets those requirements of a PUD.

Wimborne agreed it is hard to visualize what can happen on a piece of property, but the R2 zone already has limits in place and a PUD is not necessary.

Black closed the public hearing.

Black suggested polling each Commissioner and ask for comments.

Black stated that the County has told the City they need to develop the vacant in town lots and developers are trying to do that infill and applauds the developers for trying to do that and Idaho Falls needs more housing. Black stated that getting housing in some of these infill lots is difficult. Black wants to be respectful of time and wants to recommend tonight and then there will be more time for research before it goes to City Council.

Dixon stated that he agrees that there will be time between now and City Council meeting for everyone to research a more restrictive zone. Dixon would like this corner developed as it is odd. Dixon does not support R3A because of the potential for commercial development, but since it has been indicated that R2 is acceptable, that would be supported as a recommendation.

Wimborne agreed with Black and shares the frustration that they haven't had the time to research R2, but the testimony and history of the property has influenced her to see that R2 make more sense for the site. Wimborne would agree with R2 and recommend R2 to City Council, and they can have more public testimony.

Morrison agreed with the previous comments and believes R2 is good for this property and is willing to make a motion.

Hicks does not recommend forwarding it to City Council as he has not been allowed to see it as an R2.

Romankiw agrees with the comments and would second Morrison's motion.

Denney thinks it is great when the community gets involved and thinks that the R2 zone is more compatible with the surrounding neighborhood due to the limitations that can be blended much better than a commercial/residential zone. Denney would recommend the R2.

Morrison moved to recommend to the Mayor and City Council approval of the Rezone from R1 to R2 for 1.19 acres SW corner of the SW ¼ of the SW ¼ Section 23, Township 2N, Range 37 E, Romankiw seconded the motion. Black called for roll call vote: Dixon, yes; Wimborne, yes; Morrison, yes; Hicks, no; Romankiw, yes; Denney, yes. The motion passed 5-1.

3. PUD20-003: PLANNED UNIT DEVELOPMENT. Fenway Park PUD Amendment.

Black opened the public hearing.

Applicant: Steve Heath, HLE, 101 South Park Ave, Idaho Falls, Idaho. HLE stated that the property is located on 1st Street just west of Woodruff. HLE stated that the property is 7.25 acres and has 25 4-unit townhomes for a total of 100 units. HLE stated that the property is zoned R3A with a PUD overlay. HLE stated that the property was annexed and platted in 2004. HLE showed how the PUD was originally designed, and the part that they are looking at is the middle zone that has 25 units. HLE stated that the PUD has a 20% landscape requirement and the site meets the requirement for parking with 2 stalls per dwelling unit. They are required to have 200 and 201 are provided. HLE stated that there is concern about the lack of extra parking. HLE stated that they are proposing adding additional parking throughout the site, but it would require the 20% landscape requirement to be reduced to 18.5% (5,000 sq. ft of landscaping). HLE stated that to offset the loss in landscaping they are trying to make the landscaping and amenities more useable. HLE stated that there is not currently an amenity, although there was one as part of the original PUD, it was not put in. HLE is proposing putting in a playground in a 70 sq. ft landscape area that it would go on; and a picnic area as you enter the south part of the development; and put in a French drain in the storm water retention pond. HLE stated that the pond is marshy and doesn't drain well and they would like to put in a French drain and drain that area and make it useable to the residents.

Dixon stated that in the approved PUD for this site, there was going to be a club house amenity and that has not been installed, and the land that it was to be placed on has been sold. Dixon asked why P&Z is being asked to do a variance from the Code and approve other things when the PUD has not received the amenity that was promised at the outset of the project.

HLE stated that the City Council meeting minutes proposed a day care or an office building, but as it stands the place where the club house was supposed to be was sold and that property is high density residential. HLE stated they are trying to make a bad situation better and help the parking for the area and existing landscaping better and provide a playground/picnic area.

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

Hicks asked what kind of actions by the City need to be taken to stop PUD's from not putting in the amenities as required. Hicks asked what will stop this PUD from doing the same thing again and not putting in the amenities.

Beutler stated that they changed the code 5 years ago. Beutler stated that PUD was previously used to add density to a property and the City made significant changes to require a PUD to meet a higher standard than what you would receive with regular development, so the open space requirements were increased and the requirements for amenities and when they were constructed were set out and then the amendment process was laid out. Beutler stated that the current PUD Ordinance is much stronger than in 2004 when this development was approved, and they would require the changes be made before they could remove the parking lot. Beutler clarified that if the amendment were to be approved by the City Council then the next step would be a formalized site plan review process to be reviewed by all departments in the City; then do the construction with inspections by necessary departments before they would sign off on the improvements.

Wimborne asked if the staff believes that what is being proposed by giving up common space, is going to make this development better. Beutler indicated that staff believes it will make it better and staff did have several conversations with the applicant, and they are aware of the frustrations of this PUD. Beutler stated that the current PUD Ordinance would only require a single amenity and they are proposing 3 separate amenities with the current proposal.

Letters:

Mark Stenberg. Stenberg owns 2 buildings in Fenway Park PUD (166 & 160 Clubhouse). Stenberg stated that he checked in with Chandler Dodd to understand the direction from the Board Meeting call and that direction was to see if the City would approve the parking proposal, then get cost information for the HOA to consider for approval. Stenberg asked the Board at the last meeting about the business need for the additional parking, as it has been his experience that it has not hindered their ability to rent the units. Stenberg doesn't feel the expansion of parking is necessary as the parking is limited but has not hindered their ability to rent the units. Stenberg stated that other owners and managers are having different experiences and are concerned about future rentability. Stenberg stated that with recent increase in property tax assessment they are trying to keep rents reasonable and avoid raising on long term tenants, but the cost of improvements would have to be passed on to the tenants.

Steve Elfering. Elfering is in support of the project and feels the project will enhance the neighborhood and increase amenities and quality of life as well as attract better tenants.

Support/Opposition:

Jacob MacDonald, 121 Clubhouse Circle, Idaho Falls, Idaho. MacDonald has been a tenant for 2+ years and stated that the parking is an issue. MacDonald stated that he knows people who have broken their leases because of the parking. MacDonald has spent of \$1700 in towing fees because he cannot have guest. MacDonald agrees the playground is a good idea and the kids in the area need stimulation. MacDonald stated that the kids have gone stir crazy and are using the empty unit across from him to play in. MacDonald feels that a centralized community playground would be great.

Steve Elfering. Elfering is on the Board of the Fenway Park HOA and owns 4 buildings. Elfering stated that he has lots of problems with parking, parking fees for towing, etc. Elfering stated that some of the tenants are not having issues with their parking is his father in law with the property to the north west corner across the street, and their tenants and other tenants from this property are parking in the property across the street, and he had to institute a towing policy and parking permit issue. Elfering has multiple pictures and videos of people walking from Fenway Apartments and parking on the St. Clair townhomes that his father-in-law owns. Elfering stated that he would really like to see this proposal done, and he believes that they should put the amenities in first and have those approved and then go with the parking accordingly. Elfering understands the frustration of the Commission. Elfering stated that the HOA has tried to lease property from the commercial property to the east and west. Elfering stated that they have tried to mitigate this in other ways before coming to the Commission for the approval of the PUD amendment. Elfering would like the Commission to approve the PUD.

Royce Tyler, 600 Gatehouse, Idaho Falls. Tyler owns one of the buildings directly north of where they would put the playground. Tyler agrees the parking is an ongoing issue. Tyler stated

that there is no parking for visitors, and they are in a constant state of people parking other places to have a visitor. Tyler is in favor of the PUD.

Applicant: Steve Heath, HLE. HLE stated that as he has been driving through to access the property, he saw kids on bikes and playing on the asphalt. HLE believes the amenities and the parking would be a great deal for the project.

Dori Johnstone, Rooftop Real Estate, 3456 E 17th Street, Suite 210. Idaho Falls, Idaho. Dori stated that one of the biggest complaints from tenants and visitors is the parking. Dori stated that the complex as a whole would benefit from the play area. Dori stated that the flood pond causes foul order and is not appealing for people walking by or driving through. Dori stated that what should have happened with the original PUD was prior to them managing the complex, so they didn't have any control over that, but they would really like to improve the community as a whole and help the tenants have guests and a place for the kids to go that is constructive. Dori stated that as the HOA management company they are in favor of the improvements.

Black closed the public hearing.

Dixon was disconnected and missed some discussion. Dixon feels he made his point about the original plan. Dixon recognizes that the current owner had nothing to do with the original plan and they are trying to make the situation better, and he does support the changes that they are proposing, including the French drain, and the play amenities and providing more parking. Dixon noted that if the original club house had been built it would have provided the parking. Dixon hopes that this situation doesn't happen again in the future. Dixon is in support of the current proposal.

Wimborne is supportive of this proposal and thinks this property is maddening on all kinds of levels, but these improvements will make it better and is willing to make a motion.

Morrison stated that this has been a pain in the neck for everyone for the last 16 years. Morrison stated that putting the French drain in is something the HOA should do automatically and asked what they have been waiting for all these years as the area has been a slop ever since it was built. Morrison stated that they are trying to use the French drain and the playground that they should have done earlier as a carrot to get more parking, and they built the place with one extra spot and that wasn't good planning. Morrison has no sympathy for the owner, and only for the renters. Morrison doesn't think there is enough open space currently and it shouldn't be decreased by another 3%. Morrison stated that 20 % is not much space for 100 houses. Morrison is not in support of the proposal and he feels the HOA should do the amenities regardless of the parking.

Hicks hopes that there are things in place to have the amenities built as part of the start of the project but does support this proposal.

Romankiw appreciates the comments from the people that live at the property and it sounds like the parking is needed and will be a great benefit to the people. Romankiw is in support of the proposal.

Denney likes the amenities and the additional parking, so she is in support of the proposal.

Black stated that this has been an issue for the Commission for years and parking has been an issue in a lot of places and developers say its more expensive, but you need to consider it when you look at a development. Black loves the landscaping requirement, but the picture and the

proposal, the current trees are nice, but the proposed playground is much more useful than just a piece of grass. Black stated that the drainage will make a bad situation better.

Wimborne moved to recommend to the Mayor and City Council approval of the Planed Unit Development Amendment for Fenway Park, Hicks seconded the motion. Black called for roll call vote: Dixon, yes; Wimborne, yes; Morison, abstain; Hicks, yes; Romankiw, yes; Denney, yes. The motion passed.

Wimborne stated that this project has been a major disappointment and the Commission has faith that they will make it better.

4. PUD 20-004: PLANNED UNIT DEVELOPMENT. Taylorview Townhomes Division No. 1.PUD.

Black opened the public hearing.

Applicant: Blake Jolley, CE, 1150 Hollipark, Idaho Falls, Idaho. Jolley gave history on the project from April where it was requested to be zoned TN that was recommended for approval, after that recommendation to City Council it was confirmed that to fully meet the requirements of State Statute there was a public hearing required for the zoning. Jolley stated that an additional public hearing was requested and during that time the owner compromised with the surrounding landowners and requested looking at an R1 zone instead of a TN Zone. Jolley stated that the owner compromised and felt that he met and exceeded the request of surrounding landowners. Jolley stated that tonight they are proposing a project that consists of multi-family units which are allowed in the R-1 Zone. Jolley stated that they have had numerous discussions with staff and this parcel is long and narrow and difficult to develop in a standard way. Jolley presented the project for 28 luxury townhomes. R-1 zone allows for 8 units per acre with a PUD as part of the gross density. Jolley stated that the project tonight they are asking for a recommendation this property has a gross density of 6, so they are 2 units per acre under what is allowed as part of the PUD. Jolley stated that there is 38% landscaping that is provided and 25% of that will be a common space. Jolley stated that the amenities provided are a large $\frac{3}{4}$ acre green space that can be utilized by tenants and public, and there is a public pathway that will give connection to the school property to the north. Jolley stated that part of the property will be a storm pond, but it will be designed that an amenity can be at the bottom too. Jolley stated that this PUD is not asking for any variance as part of the PUD and it is very straight forward. Jolley stated that the street in this development will connect adjacent developments such as Manchester Estates to help connect traffic for organized traffic flow. Jolley stated that as part of this PUD there has been discussions about what will take place with the existing ditch on the south west. Jolley stated that the ditch on the north side will be covered and buried, and the water users will maintain their water rights.

Jolley reiterated for Wimborne that the ditch that runs east west will be piped the entire length but will allow all users to maintain their water rights.

Black asked how this PUD can give assurance that it won't have similar problems to the Fenway Park PUD.

Jolley stated that each townhome has a 2 car garage and 2 spaces outside of the garage, so it will exceed the minimum requirement for parking with each single family residence has 4 spaces, as

well as the public street will provide for on street parking. Jolley stated that the PUD will develop in 2 phases with 12 units on the first phase and the amenities will be built with phase 1.

Black asked if there will be any additional parking. Jolley reiterated that each dwelling will have 4 spaces and then parking on the street for guests, but there will be no designated guest parking areas.

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

Dixon asked if 4 attached units are allowed in R1. Foster indicated that the Commission has recommended approval of an Ordinance change last month that would allow four units on individual lots. Foster stated that the Ordinance change will go before City Council on August 13th. Dixon clarified that if City Council denies the recommendation that the development could not go forward. Foster agreed with Dixon and added that if they approve the PUD, they should approve it with a contingency of the City Council's approval of the Ordinance change. Dixon stated that the elevation drawings show the front in color with some variations, but the back is plain and cannot tell from the drawings what kind of character the back has and he is worried about what the back will look like and how deep the back yards will be.

Jolley stated that they will take the back visual effects into consideration as they develop a plan for the units. Jolley stated that the back yards meet or exceed 25' rear yard and most of them are over 30'. Jolley stated that as part of the application they reached out to 15 different landowners to discuss with them and get some public feed back concerning the development and they tried to take the questions and concerns into consideration with their plan.

Dixon asked if there is any guest parking and is concerned about street parking because one side will all be driveways. Black stated that the applicant did answer that question previously, and there is not additional parking and the parking is the same as single family homes with the driveway, garages, and street parking.

Letters:

Todd Harris. Harris is opposed to the development. Harris states that the roads in the surrounding area are the most dangerous in the City and there are deaths every year at Township and St. Clair and Township and Holmes. Harris stated that the only high-density housing south of Sunnyside should have to wait until Township and Holmes have been improved to handle all the new house. Harris asked that the developer be required to decrease the density as there is nothing like this south of Sunnyside and west of St. Clair. Harris stated that this is a unique part of the City with large lots and open space. This proposal is out of sync with the surroundings.

Leanne and Craig Hill. (2 letters) Hills have signed a Petition in opposition to the Taylorview Home PUD and request the PUD be denied. Hill stated that they would like the developer to change lot size, density, and scale to be consistent with the surrounding development and property.

Ms. O'Connell. O'Connell requests the Commission to reject the project as the developer needs to change the lot size, net density, and scale to be more consistent with the surrounding development and property.

Kris and Curtis Smith. Smith has signed a Petition in opposition to the PUD and request the City deny the PUD. Smith is not against the building of the property, but ask that the developer change the lot size, net density, and scale to be consistent with the surrounding property.

Mike and Jamie Ellison. Ellison requests that the City deny the PUD and ask the developer to change the lot size, net density, and scale to be consistent with the surrounding development and property. Ellison built their home with the belief that the surrounding area would be low density and they are firmly opposed to the development.

Jessica Glass. Glass signed the Petition in opposition and request that the City deny the PUD and request the developer to change lot size, net density, and scale to be consistent with the surrounding property.

Marina Harris. Harris signed the Petition in opposition and believes this is too many homes on this size of property.

Michelle Robison. Robison does not agree with placing multi-family unit's area next to Taylorview Junior High and this project is outside the scope of nearby real estate use and would negatively impact nearby homeowners.

Christian and Deborah Browning. Browning lives close to the PUD. Browning signed the Petition in opposition and request that the City deny the PUD and request the developer to change lot size, net density, and scale to be consistent with the surrounding property.

Mark and Penny Peterson. Peterson opposes the new neighborhood as it is too crowded, too much traffic, and asked them to put planning into Planning & Zoning.

Gail Jensen. Jensen is not in favor of the high-density housing.

Jan Strobel. Strobel signed the Petition in opposition and request that the City deny the PUD and request the developer to change lot size, net density, and scale to be consistent with the surrounding property.

Todd and Heather Matheson. Matheson signed the Petition in opposition and request that the City deny the PUD and request the developer to change lot size, net density, and scale to be consistent with the surrounding property.

Nicole Woodland. Woodland is opposed to the units based on the traffic congestion and the wrecks on 49th and Holmes and the school zone traffic.

Christina Cook (?). Requests they denial of the PUD as the schools are overcrowded and do not need more students packed into small lot sizes and asks that the City deny the PUD and request the developer to change lot size, net density and scale to be consistent with the surrounding property.

Corey Cook. Cook is opposed to the Townhomes due to the increase in traffic along Holmes and the added strain on the schools in the area.

Walter Trudo, 343 Sunterra Drive, Idaho Falls. Trudo stated that Phase 3, connecting a road directly south to 49th and add an additional 18 lots that are 1/6 acre each. This density is inconsistent with the surrounding area. Trudo signed the Petition in opposition and request that the City deny the PUD and request the developer to change lot size, net density, and scale to be

consistent with the surrounding property. Trudo asked how this development will affect overcrowding at schools.

Cliff and Marilyn White, 337 Sunterra Drive, Idaho Falls. White has lived in Sunterra for 6 years and paid ever increasing property taxes that are justified by the accessor's office and the property value and quality of the neighborhood we enjoy. White is alarmed by the City allowing a high density, low quality development to grossly impact the area in a negative way both environmentally and economically and other neighborhoods will be destroyed by the financial gains of a few. White requests the developer to change lot size, net density, and scale to be consistent with the surrounding property. White has signed a Petition in opposition. White stated that these are not homes as the notice indicated, but 4-plex properties. With 29 units on a 5-acre lot.

Foster received a Petition that is 12 pages long and the text of the Petition, ask that it be handed out to the Commissioners, but not read aloud. Foster stated that after talking to Legal they asked the Petitioner to either read the Petition into the record or it wouldn't be read at the hearing.

Support/Opposition:

Lisa Baker, 705 Castlerock, Idaho Falls. Baker read the Petition:

The purpose of this petition, signed by many members of our community, is to show the strong opposition to the PUD application for Taylorview Homes. We respectfully request that the Planning and Zoning Commission deny the PUD application.

The PUD plat shows nine (7) 4-plex buildings with a total number of 28 dwelling units. It is in violation of the current R1 zoning ordinance which does not allow 4-plex buildings. At this moment the R1 zone only allows single detached homes, or duplexes. City Planning and zoning has confirmed this. This hearing should not be happening. Not only that, but the Zoning and Annexing of this property should be redone. The zoning hearing was not in compliance with city procedure.

HOW WE GOT TO THIS POINT: a brief history:

- 1. On April 21, 2020, the Planning and Zoning Commission recommended approval of the annexation and initial zoning of TN, Traditional Neighborhood*
- 2. The city then recognized that they had failed to notice the public about the proposal to zone this land TN, and withdrew the approval and zoning.*
- 3. Proper notice was given by the city, and the TN zone was requested.*
- 4. On June 2, the commission heard this application for the TN zone a second time. How-ever, in the middle of the virtual hearing, and with no advance notice given to the public, the developer changed his request to R1. The hearing should have been immediately postponed to give proper notice of the new R1 zone request. Instead the commission chose to unanimously deny the TN zone, and accept the R1 zone. Public discussion was not held about whether the R1 zone was appropriate for this property.*
- 5. At the time of that hearing most residents mistakenly thought their own properties were still zoned R1. Most were unaware that several years ago the city redefined the R1 zone including adding a MAXIMUM lot size of 13,500 sq ft. Previously, there was no maximum lot size in R1. That change put most surrounding properties out of compliance with the zoning ordinance. This meant that at the zoning hearing for this property, residents assumed an R1*

designation brought this parcel into the same zone as their own properties. This was incorrect. All surrounding properties are now zoned RP, RE or Large 1 acre + county lots.

6. The R1 zone at the time of the property zoning as well as today, does not allow for 3-plexes or 4-plexes.. When notice of the new plat was given showing 4-plexes, residents were confused, and brought to the attention of the city that the zone did not allow 4-plexes. The City agreed that R1 language ONLY allowed single family detached homes and duplexes. The plat was withdrawn.

7. On July 21, The commission agreed to submit language to the City Council to change the definition of the R1 zone to allow up to 4-plexes. That language change is being presented at the upcoming City Council meeting on August 13. The public should first have the opportunity to voice opinions on whether a redefined R1 Zone is appropriate. To-night's hearing should be postponed until after the council rules on zone language changes.

8. NOTE: IF this new zone language is accepted by the City Council, the public will never have had the opportunity to discuss if the changed R1 zone definition is appropriate for this particular piece of property.

9. WE want to be clear that we think the FIRST step going forward is to repeat the initial zoning.

WHY THIS PUD PLAT SHOULD BE DENIED.

A PUD is an exception to the R-1 zone. That implies that it should be held to a more rigorous level of scrutiny, judgement and planning. This PUD application does not meet this level of thoughtful planning and does not meet the conditions for allowing a PUD for the following rea-sons:

1. Traditionally, PUDs are condominium complexes with privately maintained roads and utilities. The city allows for more density because they won't have the burden to maintain the development. In this case, the road will still be publicly maintained. Again, this should raise the bar of scrutiny.

2. The comprehensive plan suggest developers "Develop a program to involve neighbors in the community development process early" This has not been done. Every neighbor's concerns revolve around density.

3. The comprehensive plan also reads "To reduce land use conflicts, existing land uses are recognized as starting points for future development patterns" The comprehensive plan also indicates the area as "low density and estate"

4. It also states: "Low density residential is development at densities of seven (7) dwelling units or less per NET Acre." NET, not gross. This is important! (pg. 66 comprehensive plan policies- also see page 4 of the Staff report on Taylorview PUD). This PUD pushes that NET to 10 units per acre . This is three more than what the comprehensive plan allows in R1.

5. Other PUD's in the area are White Pines and Sun Circle. Sun Circle is adjacent to Business Park Zoning and White Pines is adjacent to Sun Circle. This is responsible planning. Sun Circle has 4 units per gross acre. White Pines has 3 units per gross acre. The Taylorview Homes PUD has approximately 7 units per gross acre. This PUD is nearly twice as dense as the two nearest examples. And yet it is being proposed in the middle of undeveloped farm ground, and surrounded on all sides by less dense zones than either of those other PUD's .

6. The city ordinances suggest a PUD may be appropriate if the following conditions are met:

A. "Compatibility with the contiguous neighborhood". Considering all surrounding neighborhoods are either large county parcels or are zoned RP and RE, this re-quest is not compatible.

B. "Promote redevelopment and reuse of previously developed property". The pro-posed PUD is not in a previously developed area.

C. "Provide for master planned development ... (that include) attractive streetscapes that are not dominated by parked vehicles or garage entrances". The entire streetscape of the proposed development is dominated by a row of 28 garages.

D. "A PUD shall be compatible with the surrounding neighborhood bulk, scale, structural mass, and character demonstrated by similar building types, construction, separations, and heights." Considering there are no other 4 plexes in the immediate area, or in the R1 zone anywhere in the city. The bulk and scale is not compatible.

E. "Structures should be oriented towards common areas ... and have a range of building positions" : - All 28 structures in the proposed PUD have the exact same setback, the exact same space between buildings. None are oriented to the com-mon space. Not a single building faces or backs on the common area, with only a gravel path at the rear of each lot connecting them to the common area. Is this really meeting the intent of this requirement? ALL 28 units face the exact same direction - towards one long 1300 ft long road. Imagine if this same configuration is completed on the other side of the street. There could be more than 56 homes facing this same single long street.

F. "The landscape strip contiguous to perimeter public streets shall be no less than twenty feet (20') in width" The proposed PUD does not meet this requirement.

G. "Common spaces shall not include areas within any road, driveway, parking area, sidewalk contiguous to a public or private street" The proposed PUD's common area does not meet this requirement.

H. The proposed height of the buildings is shown at 26'. This is higher than the 24' being listed as allowed by the city on the application.

In short, this is not a "PLANNED" unit development. It is simply a work around allowing the developer to have the maximum number of units. The commission already decided the TN zone proposal for this same development was poor planning because of density and many other concerns listed above. This current PUD proposal is nothing more than a repackaging of that same

denied proposal. Nothing has fundamentally changed about the design other than the removal of a couple buildings for a supposedly well "planned" commons area.

There is nothing exceptional about this PUD. Please deny the application.

The Petition was signed by:

Curtis Smith 4417 S Holmes	Dick Groberg 620 Castlerock Lane	Jessica Zaug 590 Castlerock Lane
Kristine Smith 4417 S Holmes	Ronda Groberg 620 Castlerock Lane	John Chambers 710 Castlerock Lane
Dave Higham 4349 S Holmes	Heather Matheson 3804 Kinsman Lane	Allison Chambers 710 Castlerock Lane
Jacque Higham 4349 S Holmes	Todd Matheson 3804 Kinsman Lane	Jan Strobel 615 Castlerock Lane
Rees Nave 4658 S Holmes	Dan Herway 3809 Kinsman Lane	Mike Elison 655 Castlerock Lane
Joseph Elison 4475 S Holmes	Lara Herway 3809 Kinsman Lane	Jamie Elison 655 Castlerock Lane
Jeannie Elison 4475 S Holmes	Madalyn Smith 3811 Kinsman Lane	Lisa Baker 715 Castlerock Lane
Justin Hall 4053 S Holmes	Chandler Smith 3811 Kinsman Lane	TJ Baker 715 Castlerock Lane
Nicole Hall 4053 S Holmes	Drew Facer 3931 Kinsman Lane	Marvin Smith 585 Castlerock Lane
Chris Browning 4529 S Holmes	Sonja Facer 3931 Kinsman Lane	Janet Smith 585 Castlerock Lane
Debra Browning 4529 S Holmes	Bart Morrison 3804 Kinsman Lane	Mardell Burton 650 Castlerock Lane
Russell Robison 4717 S Holmes	Nicole Morrison 3804 Kinsman Lane	Brady Burton 650 Castlerock Lane
Michelle Robison 4717 S Holmes	Kathy Jones 840 E Kinswood St.	Jeff Ybarguen 795 Castlerock Lane
Dale Jensen 4881 S Holmes	David Kuhn 1176 E Kinswood St.	Candice Ybarguen 795 Castlerock Lane
Linda Jensen 4881 S Holmes	Monica Kuhn 1176 E Kinswood St.	Mike Groberg 540 Castlerock Lane
Jim Humphrey 4585 S Holmes	Wayne Peterson 362 Cranbrook Lane	Natalie Groberg 540 Castlerock Lane
Aloha Humphrey 4585 S Holmes	Marlene Peterson 362 Cranbrook Lane	Natalie Beck 670 Paris Ct

Payton Smith 5226 Thatcher Ave.	Mark Peterson 365 Sheffield Dr.	Natalie Adams 135 Ronglyn Ave.
Leslie Smith 5226 Thatcher Ave.	Penny Peterson 365 Sheffield Dr.	Gator Zaug 590 Castlerock Lane
Don Neville 4791 S Holmes	Ruth Lords 311 E 49th S	Leann Hill 120 E Woodhaven
Mozelle Neville 4791 S Holmes	Timothy Hopkins 188 E 49th S	Steve Bird 427 SunTerra Dr
April Everett 3742 S 5th W	Anne Hopkins 188 E 49th S	Steve Ball 336 SunTerra Dr
Bryndon Everett 3742 S 5th W	Brett O'Connell 447 E 49th S	Christine Ball 336 SunTerra Dr
Brock Higham 665 Paris Ct	Cheryl O'Connell 447 E 49th S	Cliff Whyte 337 SunTerra Dr
John Treasure 702 Paris Ct	Deanne Casperson 5300 Mauna Lani Lane	Marilyn Whyte 337 SunTerra Dr
Molly Treasure 702 Paris Ct	Craig Lords 5300 Mauna Lani Lane	Brian Wilcken 389 SunTerra Dr
Jason Crofts 670 Paris Ct	Marina Harris 5133 Solstice Way	Liz Wilcken 389 SunTerra Dr
Emily Crofts 670 Paris Ct	Todd Harris 5133 Solstice Way	Walter Trudo 343 SunTerra Dr
Eric Beck 670 Paris Ct	Craig Hill 120 E Woodhaven	Michelle Trudo 343 SunTerra Dr

Mike Groberg, 540 Castlerock, Idaho Falls. Groberg stated that the last two applications were by Connect Engineering and both had the same strategy of requesting the higher density zone and saying they are ok with a lower density zone. Groberg is concerned by that. Groberg stated that developers always request something higher than what they want and then at the same hearing they request a lower density and the neighbors don't have time to research that. Groberg stated that there were zero conversations between the applicant and the public. Groberg stated that the property east of this is not zoned R1, but rather RP. Groberg clarified that when Jolley mentioned that this type of development is allowed in R1 that is not allowed in the R1 right now. Groberg stated that the sides of the street where the townhomes are located it will be impossible to park in the spaces between the Townhomes. Groberg had a presentation on power point. Groberg doesn't feel that the public has been heard. Groberg feels that the whole process has been a two-step process and by being heard by Planning and Zoning and then City Council. Groberg stated that he's heard that he shouldn't worry if he wasn't heard tonight because it's just a recommendation, and you'll get another chance. Groberg wants to have two separate chances to be heard. Groberg added that whatever happens, as long as the process is fair, he will be happy to support the outcome. Groberg stated that there are 6 PUD in the City of Idaho Falls in the R1 zone. Groberg wanted to show what makes this PUD different. Groberg to Parkway Circle PUD and is surrounded by R3 R3A and Commercial and this is great planning for transition with out any drastic changes. Groberg went to another PUD Torey Pines that is surrounded by R2 and R3 and then progressed to the PUD. Groberg feels that this is a role model of what a PUD should look like. Groberg showed another PUD Sun Circle and White Pines that is surrounded by professional business and R1 Groberg stated that the density is appropriate for the area. Groberg indicated that the PUDs he is showing look similar to the surrounding neighborhoods. Groberg stated that the subject property has RP and larger county properties. Groberg stated that the entire area is low density for the Comprehensive Plan. Groberg stated that this PUD is 10 units per net acre. Groberg showed the original plat and the new revised plat and they are identical with the exception of a missing building. Groberg was told that they need affordable housing and stated that these townhomes will be over \$300,000 and that is not affordable housing. Groberg stated that the arterials that this PUD is near are a mile apart. Groberg stated that he has heard that this is hard parcel to develop. Groberg doesn't believe it is a hard parcel to develop. Groberg gave examples of other areas that had hard to develop parcels. Groberg feels that this is getting preferential treatment. Groberg clarified that it is hard to maximize profit, not hard to develop. Groberg wants a fair resolution. Groberg asked the Commission to deny the application, and thanked staff for their responsiveness.

Black called for a brief recess and they attempted to work through some microphone issues.

Curtis Smith 4417 South Holmes, Idaho Falls, Idaho. Smith stated that Dixon had a good point that R1 doesn't allow for 4 plexes. Smith stated that at the last hearing when the developer proposed that he would allow an R1, many of the neighbors thought (and they were) R1 zone. Curtis stated that at that point R1 meant exactly what they have, larger acreage that are either County or estate sized lots. Smith stated that he is not surprised that staff said that there is R1 next door. Smith stated that at the night of the hearing, when the developer agreed to R1, they thought great, that is what we have been asking, and that will fit the character and nature of the neighborhood, it does what zoning should do, and for the ones who knew what R1 meant, and for the others who didn't get a chance to prepare for R1, that was a problem. Smith stated that the neighbors then point out the language problem and you cannot have 4-plexes. Smith stated that staff was told they were misinterpreting R1 as you cannot approve R1 with this plat. Smith stated that somehow on the inside with the developer, or engineer, that is liked well enough that the next opportunity to change the language, just for them, to meet this plat. Smith stated that the language change is now going to City Council, and they didn't get notice of the last City Council meeting. Smith stated that they have felt like they got a switch and bait and they feel disenfranchised. Smith stated that the notice issue, is that if it is done right, community people will generally sit down and shut up when something is passed, as long as due process was followed. Smith is a lawyer by profession, and he disagrees with the City Attorneys on the notice provision. Smith has talked to other City attorneys and when there is a change in the request that notice was sent out on, they close the meeting, a new notice has to be issued, and that notice provision is due process of law. Smith stated that there are 4 or 5 other attorneys on the list, and they all disagree with the City attorney. Smith stated that just because its always been the procedure or process, that doesn't make it legal, or the analysis right. Smith stated that the notice was not proper, and they were not given notice. Dixon stated that they brought the issue to the City that the change to R1 still won't allow the plat, and now they are changing the ordinance for R1. Smith stated that at every turn, no matter what is pointed out, there will be some change and manipulation to approve the bad plan. Smith knows Falkenraths well and this is uncomfortable for him. Smith stated that Falkenrath came to see him for the 1st time on Thursday night. Smith stated that the plan was done and handed to them, and they felt that they had fixed the problems. Smith stated that the plan was as dense and now they want a PUD which will allow more units. Smith told Falkenrath that they have failed to address the issue of density. Smith stated that the backend of the buildings looks like a wall, and there is no unique feature to it, and it will be one long wall. Smith stated that Falkenrath told him they were going to paint each unit a different color. Smith will now have a long wall with 50 different colors on it and that doesn't look any better. Smith stated that the buildings do not fit anything in the neighborhood and the Commission will be approving a PUD that doesn't look like the other 6 PUD's in the town. Smith feels the other PUD's fit the nature and character of the area, and this PUD does not fit, and it will not meet the criteria and does not fit in the neighborhood. Smith stated that each neighbor has different reasons why they don't want this development, and somethings are an eye roll. Smith stated that he does want the land developed, and it needs to be done responsibly, and this is not a good plan. Smith stated that if you look at this plan you cannot feel that this is a good plan. Smith stated that the Fenway Park PUD had limited parking and the story about a parking ticket was appalling. Smith stated that there won't be enough parking here, and there isn't enough visitor parking. Smith stated that at any given day he might have 10 cars at his house. Smith stated that there isn't enough parking. Smith stated that Falkenrath said to him that the Commission was concerned with having lower income housing available, and this housing

development is not lower income housing, it will not help people who need lower income housing. Smith was told that these were \$300+ homes. Smith doesn't know anyone who will pay \$300,000 for these homes. Smith stated that he thinks that if you look at the standpoint of what you can do here, you can have a nice development, and the developer can make money. Smith stated that not one neighbor is opposed to making money, but the density here it is terrible. Smith stated that if the Commission approves this, he would be the first to tell Mr. Groberg to develop his parcel and put 92 houses on the lot next door. Smith stated that anyone would hate that idea, but it would make good profit. Smith stated that this PUD will set a precedent if it is approved. Smith stated that the Commission gets to decide what they will recommend to City Council. Smith stated that they will go and battle with City Council when it gets there. Smith stated that due process is important.

Stewart Curtis, 150 Westwood Haven Lane, Idaho Falls, Idaho. Curtis is adjacent property owner to the west. Curtis doesn't see anything wrong with affordable housing next to a school. Curtis stated that there is housing next to many schools. Curtis stated that there aren't any houses next to this area. Curtis stated that the dangerous traffic problem is because people are driving to the schools. Curtis stated that there have been some character assassination. Curtis stated that he talked to Falkenrath about going from TN to R1. Curtis stated that he feels there are rhetorical questions being asked and it is out of line.

Mark Evans, 4850 N 5th West, Idaho Falls, Idaho. Evans is a real estate agent in Idaho Falls. Evans stated that the price of the buildings have been said to be \$300+, however he has discussed them being under \$300,000. This development will add diversity to the area.

Chuck Johnson, 164 Stonerun Lane, Idaho Falls, Idaho. Johnson stated that not everyone is opposed to the development and it could be a great opportunity for people to live in this area and it is a beautiful part of town, with lots amenities. Johnson stated that not everyone can afford an \$800,000 home, so it is nice to have a home that is a place that his mother or mother in law would want to move to with a lot they can maintain and walking distance of a neighborhood like Stonebrook and interact with those neighbors. Johnson stated that there will be bumps finding the right design and layout, but it will be an asset to the community to have it come in.

Paul Hamilton 2079 Kearney, Idaho Falls, Idaho. Hamilton stated that he has been following the City Council meetings on this development. Hamilton stated that the developer has been afforded some concessions and he has made a large effort to present something that is both acceptable and makes sense. Hamilton stated that these are luxury townhomes, not something that would be out of character for the area. Hamilton stated that the additional green space and walkways will make it a nice area near the soccer fields.

Jordan McLaughlan, 725 E 17th Street, Idaho Falls. McLaughlan stated that people are misconstruing this development for low income, and these will be nice houses. McLaughlan stated that there isn't a nice low-income area, and the average income of Idaho Falls is \$58,000 and this would fall in that income range to get some new families in the area. McLaughlan stated that the PUD isn't to make sure what color the back of the house is, but rather to make sure that the developer is following the code. McLaughlan stated that the developer is following all code and pending the change to the R1 zoning ordinance.

Joseph Sacco (Charlie and Marsha Kiester), 275 E 49th South, Idaho Falls, Idaho. Sacco wants to know if this is low income housing or no. Sacco stated that this is a high-density

subdivision in a low-density area, and it doesn't fit the aesthetic. Sacco stated that there are no sidewalks to get the kids to school. Sacco wants to know if they are low income or not.

Travis Gardner, 5240 Villa Mirage Court, Idaho Falls, Idaho. Gardner is in favor of the project. Gardner is not directly adjacent to the property. Gardner stated that the main concerns that have been addressed tonight are not the developers largest concern, including the traffic on Holmes, and that traffic is not going to slow down with the development going on from Holmes to Shelley and the area will continue to grow. Gardner stated that they need to bring those issues to the table about widening Holmes and get sidewalks on Holmes, and he doesn't feel the neighbors will want that, as they will want to keep the area the way it is currently. Gardner stated that the area is going to grow and change. Gardner stated that it is a different style then they are used to, but that is how things are going. Gardner feels it will bring a different demographic to the area with young families and the schools can be addressed, as that issue was there before this development arrived. Gardner stated that this developer didn't create the school crowding.

Kelly Sheridan. Sheridan is a teacher in D91 school District and is in support of this development. Sheridan stated they need affordable options for teachers and young professionals in the area. Sheridan likes to see new development that fit the area and the goals of the area. Sheridan stated that she would be interested in living in the development.

Ray Falkenrath 3516 Nathan Circle, Idaho Falls. Falkenrath's son is the developer. Falkenrath stated that Idaho Falls needs to consider that there is a huge demand for housing, and if you are going to have large lots, and estate type properties, that will meet the needs of certain people, but there has to have some diversity in your housing and density for some of the younger families, and younger professionals that are moving in to take jobs, and they require some different arrangements for housing. Falkenrath stated that this development has a different character from the large estate lots, but it really is not an ugly development. Falkenrath stated that this is set up to support a young family. Falkenrath stated that this development on the west side of Holmes gives access to Taylorview and Sunnyside Elementary in walking distance, so you don't have kids crossing Holmes to get to school.

Applicant: Blake Jolley, CE, 1150 Hollipark, Idaho Falls, Idaho. Jolley commended the public for participating in due process. Jolley stated that as times change you have to accommodate the changes and do it in an organized manner. Jolley stated that a PUD is a planned unit development. Jolley stated that the development plan for PUD has to go before the public and scrutinized instead of being able to do the development by right with the zone. Jolley stated that some additional things are required, including increased landscaping (38% for this development). Jolley stated that a PUD has to provide an amenity and in single family detached homes, parks are not required. Jolley stated this PUD is providing $\frac{3}{4}$ of an acre park for people to utilize. Jolley stated that the R1 zone is one of the only zones that allows increased density above the allowable by zone from 6 to 8, so that is one of the gives and takes. Jolley stated that this are is designated as low density residential in the Comprehensive Plan and R1 is part of that designation and that is what the property is zoned is R1. Jolley stated that this is a single family proposed development and each lot can be sold as any other lot in the area, which is compatible with the surrounding areas. Jolley stated that the total square footage of the structure is similar in size of some of the homes, even though it is 4 homes in one, the structure is similar in size to the homes in the surrounding area. Jolley stated that the street will be a standard City street, with

landscaping, and all things that will have to be met in any other single-family development. Jolley clarified that Holmes is designated to be a major arterial or collector and Holmes will expand south of Sunnyside with 5 lanes some day and 49th is considered to be an arterial and is assuming that based on discussions with engineering, that it will be at least a 3 lane road. Jolley stated that the long range plan of the City is to provide larger roads to move traffic through the area at a better rate, and those roads are not going to typically be built by the City, those roads will be built as development takes place. Jolley stated that as part of this application, they are required to build a half street or a pay in lieu of. Jolley stated that the requirement for the height of the building is being met with the 24' maximum height that is part of R1 because the height is measured to the tallest wall. Jolley stated that sometimes there are changes to plans after discussions with staff, and staff's recommendations to change zoning and occasionally the applicant is ok with switching to what the staff is recommending. Jolley stated that the original application for the rezone was TN which was approved by Planning and Zoning, and then there was a misunderstanding regarding the process and since the original application was TN the applicant left that application as TN, and when it was readvertised they had already told staff they could go with R1, but the original application as TN, so they needed to move forward with TN to move the project forward. Jolley stated that there is a lot of work done in the background that needs to be understood so that people don't feel that there is something slipped under the table. Jolley indicated that he had said 4-plexes were allowed in R1, and he said that because he is talking to the same body that recommended approval for City Council and that is why he used the verbiage he did in his presentation. Jolley stated that there is $\frac{3}{4}$ acre park in the middle, and each building has enough space between it for on street parking. Jolley stated that the entire north side is not always available for parking, but not all single-family detached subdivision have space to park. Jolley indicated that they don't know the history of the other PUDs in R1 and why a PUD was requested, and each one is unique in shape. Jolley stated that unique parcels and difficult parcels can be similar. Jolley stated that unique is one of the reasons they are asking for PUD and in looking at the other PUDs each one of those have private streets and no on street parking. Jolley stated that each twin home has to park inside the garage. Jolley asked if those developments have parking issues. Jolley stated that the slide that showed how the area could develop is different in size and they have potential to do roads and other things, and so the property isn't similar in aspect of a request, and the City would look at that differently as well. Jolley stated that if you take the road out which is how you would get the net density, it comes out to be 8.97, not 10 units per acre. Jolley clarified that just because someone doesn't feel something is right, doesn't mean its not right, and the City attorney is giving staff direction on how to proceed. Jolley stated that the elevation of the back wall was discussed, and the school is to the north of the buildings and no homes face that back wall. Jolley stated that as part of the PUD or any development, there is no requirement to tell the what the development will be sold for, but the developer has been open with the people he has visited with and he feels the price point will be around \$300,000. Jolley stated that he is not in the market to consider if that is affordable or not. Jolley is grateful for staff's time in reviewing this project, and they wouldn't be at the hearing tonight if staff didn't feel it met the criteria of the PUD and the R1 zone. Jolley stated that this development will be unique.

Black closed the public hearing.

Dixon stated that this is the difficulty with infill as this is an odd shaped parcel. Dixon stated that the parcel is so narrow that to have a City street, they can only build on one side of the

street, so they have to put double the density to be able to afford to pay for the full street. Dixon stated that normally you could build on both sides and get twice as many units per foot of street, and streets are not cheap. Dixon understands why they want the higher density. Dixon stated that the PUD lets them have a higher density than R1 and he feels they need more parking to go along with it. Dixon feels the piece in the middle should have some parking in it or move the buildings farther apart and have room for parking between buildings. Dixon feels it is like Henryanna with the long stretches of double driveways with no ability to park in between.

Wimborne asked staff that with the PUD as proposed the density is 8 units per gross acre and asked what the density is in regular R1. Foster stated that the density in an R1 zone is 6 units per net acre, and with the PUD it would increase to 8 units per gross acre. Foster directed Wimborne to page 32 of the zoning ordinance. Wimborne asked Foster to explain net and gross density. Foster stated that the net density is when you take out roads and right of way, then you calculate the density based on the acreage that is left. Foster stated that with gross density you can include the entire parcel, including roads, easements, right of ways. Wimborne asked without the PUD what would the density be on this parcel, and how many units could they build. Foster stated that they would have 3 net acres, so $3 \times 6 = 18$ units. Wimborne clarified that with the PUD they get 10 more units for the entire parcel, and in exchange for that, they have to provide common spaces and the path and amenities. Wimborne stated that this is a strange parcel of land and this project has been stretched on through the summer and has come back a lot. Wimborne commended the developer for bringing new different housing options to Idaho Falls, and its not always about affordable housing. Wimborne stated that with infill it is hard when there have been established properties to develop the parcels around. Wimborne stated that as the developments have come up there have been conversations about density and lot size and how it compares to what is currently built, and within R1 there is a lot of variety. Wimborne stated that she understands the frustration with the project coming in different things, and there have been separate things happening that needed updated, like the new ordinance. Wimborne stated that when she was reviewing the ordinance change for R1 it had nothing to do with this project. Wimborne wonders whether R1 with a PUD is fair or makes sense.

Morrison stated that he is in favor of the project and as far as parking goes, the houses have 2 car garages and 2 car driveway and that is not any different than 90% of the housing in R1 in Idaho Falls. Morrison doesn't feel parking is a problem at all. Morrison stated that there can be parking problems anywhere, and he is in favor of the project.

Hicks feels there needs to be more emphasis on parking based on the conditions where he lives, but he is in favor of the project.

Romankiw stated that she agrees with a lot of what Wimborne said, and she feels there is a need for more variety in the types of housing in town, instead of a bunch of huge lots, with giant single family homes on them, and this type of housing is needed. Romankiw feels it meets the PUD requirements. Romankiw stated that she hopes the neighbors will find that the density of the development is not as bad as they think it will be. Romankiw stated that she does have some concerns about the process and agrees with some of what Curtis Smith said and agrees with Wimborne that the update to the R1 ordinance had nothing to do with this development, but she understands how people will feel like it is a bait and switch. Romankiw is torn on her decision.

Denney stated that she can see both sides of the argument. Denney stated that the back elevation is not one long wall, and will be broken up with windows, different textures, sliding glass doors,

and some color harmony happening with the siding. Denney stated that they do need some middle level housing. Denney stated that when she first moved to Idaho Falls and was looking for an apartment there was nothing that you would want your child to live in available, and now as she is getting older and ready to downsize from her house, she would love to live in a nice location and not worry about yard work and have a nice place to live. Denney stated that they are not looking necessarily for low income, but rather a variety of different housing possibilities. Denney stated that without the PUD the amenities and common area would be gone. Denney stated that they would still be able to do the 4-plex townhomes if City Council approves the amendment to the Ordinance change for R1. Foster stated that they are proposing 6 units per gross acre and the R1 allows a maximum of 6 units per net acre and it would make a difference of 10 units and no common area would be required or any amenities. Foster stated that the PUD has an increased landscaping requirement that would not have to be met if the PUD is not approved.

Black stated that she is familiar with the two PUD developments that Groberg brought up and neither one of them is affordable for the market that they are looking at here. Black stated that neither of those PUDs have a lot of parking. Black stated that she doesn't personally like PUDs and thinks the developers use it as a way to get higher density, but the map shows housing across Holmes, but other than that it is next to vacant land and a middle school, so you cannot say that it doesn't fit in the area because right in the surrounding area, with the exception of across Holmes, there is no housing. Black stated that it is a good spot to fill in some of the missing middle that the Commission has been discussing. Black stated that she is usually very disappointed with the developers with some of their lack of imagination, and she is hoping that this is showing some imagination they hope to get in the City to bring in other kinds of housing. Black stated that not everyone can have large homes on large lots, and the demographics of our City are changing and what people are looking for in housing is changing.

Morrison moved to recommend to the Mayor and City Council approval of the PUD for Taylorview Townhomes as presented with the contingency that City Council pass the Ordinance Amendment in R1 zone, Denney seconded the motion. Black called for roll call vote: Dixon, no; Wimborne, No; Morrison, yes; Hicks, no; Romankiw, yes; Denney, yes; Black, yes. The motion passed 4-3.

5. PLAT 20-013: PRELIMINARY PLAT. Taylorview Homes Division No. 1.

Black opened the public hearing.

Applicant: Blake Jolley, CE, 1150 Hollipark Dr., Idaho Falls, Idaho. Jolley stated that this is a follow up step for the development. Jolley stated that the preliminary plat has interconnecting streets, and the project previously discussed (PUD) is on the north with a north south City street with the potential for a westerly connection to Manchester Estates Stonehedge Court. Jolley stated that this shows a bigger view of the R1 properties. Jolley stated that as you look at the preliminary plat you will see the calculation fits the net density of 6 units per acre for an R1, and the second part of this preliminary plat will bring the overall density to what is allowed in R1.

Hicks asked if the access is from 49th Street. Jolley stated that there is a street running east/west off of Holmes that has T intersection on the westerly end, and that will provide two points of access for the development and when Division 2 is developed there will be a connection to 49th Street along with Holmes. Jolley stated that the end of Division 1 (PUD) they are required to

have a hammerhead turn around for emergency vehicles, and when Division 2 is built the hammerhead will turn to a road and the second access will be completed.

Foster presented the staff report a part of the record.

Wimborne asked for clarification on the density in Division 2 being the 6 units per net acre, but the density in the PUD would still be 8 units per gross acre. Naysha stated that they are allowed to have 8, but they are proposing 6 per gross acre. Wimborne clarified that there will be two different densities on the two different blocks, and the density of the whole unit doesn't come to 6 units per acre, Foster agreed.

Dixon asked if the lots in the PUD are developable as a maximum of 3 attached units or are, they are only developable as 4 attached units given the lot widths. Foster stated they could develop as 3 single unit attached. Dixon stated that they are looking at a lot size that is less than ½ of the minimum for R1, but as a PUD there is no minimum. Dixon stated that at this point in time, the zoning ordinance says that you can have no more than 3 units attached in R1, and the Commission is being asked to approve the preliminary plat tonight based on what is currently the zoning ordinance, not based on what City Council may do in the near future. Dixon asked if the lot configuration would still be amenable to the zoning ordinance as it stands. Foster stated that for 3 single family attached, they could manipulate the plat to accommodate that. Foster stated that they can do 3 single family attached with a lot in between. Dixon asked if based on the ordinance as it stands today, does the arrangement of the lots in the proposed PUD section allow for development as a maximum of 3 attached units. Foster stated no.

Letters:

Joseph Ellison. Ellison is opposed to the proposed housing project and is submitting the opposition via the email and the neighborhood spokesperson. Ellison stated that they built their homes south of Idaho Falls so they had space and not surrounded by high density housing. Ellison would like the neighborhood to continue with the same or similar density as it is now. Ellison stated that Castlerock Estates has developed a nice housing project with estate sized lots and it fits nicely with the surrounding neighborhoods, and the proposed development lot is very narrow and doesn't lend its self to a domicile and is not in keeping with the surrounding neighborhoods. Ellison thinks the development will create traffic problems next to a busy school zone. Ellison thinks the builder should be fair and considerate to the neighbors.

Jamie Ellison. Ellison is opposed to the proposed housing project. Ellison stated that 35 years ago they built the home on South Holmes because the housing density was low. Ellison would like any development in the area to be similar to and in keeping with the neighborhood. Ellison stated that it would add a lot of traffic to an already busy road next to a junior high school. Ellison suggested building 3 or 4 nice homes.

Support/Opposition:

Mike Groberg, 540 Castlerock Lane, Idaho Falls, Idaho. Groberg asked if the applicant intends to build the 60' right of way and develop the 18 lots as shown on the plat.

Lisa Baker, 715 Castlerock Lane, Idaho Falls, Idaho. Baker asked staff if they are requiring any road stubs except for the one at the very top of the development. Baker feels they are creating two very long skinny roads without any roads in between them.

Mike Groberg, 540 Castlerock Lane, Idaho Falls, Idaho. Groberg stated that the reason he asked the previous question is because the developer, in private conversation with neighbors has said that they have no intention of ever building the road, and they are just going to use the private utility easement and place the sewer through it and let the preliminary plat expire and just have it be one 5 acre lot.

Joseph Sacco (Marsha and Charlie Keister), 275 E 49th South, Idaho Falls, Idaho. Sacco stated that he does have a letter to that he wanted presented to staff for the record and wanted to make sure that is in the record.

Wimborne indicated that the letter was part of the PUD packet because it had to do with the irrigation. Sacco stated that there was additional information on the letter not just irrigation. Black stated that the letter was in the packet that was provided to the Commissioners and read. Sacco confirmed that it was entered into the record. Black stated that it is part of the record when it is provided to the Commissioners.

Foster confirmed that the letter was provided to the Commissioners prior to today and so the public and applicant have time to review it before the hearing. Foster stated that the rest of the letters read in were received today.

Sacco stated that pursuant to the Division 2, the 18 lots adversely impact the Keister property because every backyard backs up to their property. Sacco stated that the only signage posted for this hearing was on Holmes, and nothing posted on 49th. Sacco stated that there is a ditch currently so the kids could not walk to Taylorview. Sacco stated that there is also two lots without a walking path so there is no way to get to Taylorview from the subdivision. Sacco stated that the first plat that was sent for approval had 8 lots and that has now been further subdivide which will increase the traffic on 49th and there is no way that those two roads can take 46 more families of traffic, and the roads will need to be expanded. Sacco stated that they don't like putting in townhomes and duplexes in an area that is single family homes and estates. Sacco stated that they hear that the developer want access to Stonehedge Court or to Manchester Estates, and currently they have no easement, so they are not sure where the optimism for the future comes from. Sacco stated that the Keister property is zoned for agriculture, and if this property is approved for the 18 homes there needs to be some sort of privacy fence for the backyard.

Stewart Curtis, 150 Woodhaven Lane, Idaho Falls, Idaho. Curtis owns the adjacent property to the West. Curtis is excited to have the opportunity to have more affordable housing in the area, and he wants to leave his option open when trying to decide what or when to build. Curtis stated that Groberg never talked to Curtis.

Applicant: Blake Jolley, CE, 1150 Hollipark, Idaho Falls, Idaho. Jolley stated that the road going south is shown on the preliminary plat and as such the intent has been stated as part of the preliminary plat. Jolley stated that there are two land owners that are a part of this development and so two partners are available to be a part of that at such time that the street is needed or desired to be developed and they will build the street at that time. Jolley stated that the preliminary plat shows the plat with the intent to go through. Jolley stated that the preliminary plat meets the requirements of the subdivision, which means that the length is no greater than the maximum and the street connection to the west is being provided on the north end side. Jolley stated that they have not been given a requirement to provide an additional sub street to the west

and the reason why the one to the north is there is so they can in the future connect to Manchester and provide connectivity for the entire area. Jolley stated that the 18 lots are on property that are zoned R1 and the plat meets an R1 requirement with the minimum lot size and as such they will be required to have a 25' rear yard set back and since it is residential to residential, there would not be a required fence. Jolley stated that as part of the development, they will be required at the time that each division is developed that the area will be discussed with the City to be developed out or do a pay in lieu of building out the street.

Black asked about the connection to Taylorview Junior High. Jolley stated that yes there is a connection to Taylorview. Jolley showed where they will have pedestrian connectivity and there is a pathway connection to the south end of the school as part of the original previous hearing.

Foster stated that if the preliminary plat is denied, the PUD doesn't work. Foster stated that there will be a development agreement that can have stipulations as far as how long they have to build the road in Division 2.

Black closed the public hearing.

Dixon stated that the configuration along the north is not feasible given the current definition of the R1 ordinance, so R1 says you can have no more than 3 attached units and the way the lots are arranged it is not feasible.

Wimborne stated that the final plat as proposed makes sense, but because she didn't approve of the PUD its hard for her to support a final plat that includes the PUD. Wimborne stated that in general there isn't any issues.

Morrison had no comments and is in favor of approving the plat.

Hicks agreed with Wimborne for the same reasons.

Romankiw has no comments.

Denney has no comments.

Foster stated that the preliminary plat can be approved with the condition or contingency of City Council approving the ordinance change and the PUD getting approved. Cramer and Foster discussed the delay that would be imposed on the developer if the preliminary plat is denied.

Morrison moved to approve the Preliminary Plat for Taylorview Townhomes, as presented, Romankiw seconded the motion. Black called for roll call vote: Dixon, no; Wimborne, no; Morrison, yes; Hicks, no; Romankiw, yes; Denney, yes; Black, yes. The motion passed 4-3.

Dixon stated that item 4 of the RSRCs needs to be modified because it says all of the proposed lots meet the requirement of the R1 zone with the PUD and they don't as the R1 zone currently stands. Dixon asked for staff's recommendation on a modification. Cramer suggested modifying 4 to add a sentence that says, "All of the proposed lots meet the requirements of the R1 Zone with the PUD contingent upon City Council approval of the proposed Code Change."

Dixon moved to approve the Reasoned Statement of Relevant Criteria and Standards as presented, except for the following change, that the last sentence of 4. Read "All the proposed lots meet the requirements of the R1 Zone with a PUD, contingent upon approval

of Zoning and Ordinance modification that the Commission has previously proposed to the City Council, concerning 4-unit attached homes.” Denney seconded the motion. Black called for roll call vote: Dixon, yes; Wimborne, no; Morrison, yes; Hicks, no; Romankiw, yes; Denney, yes. The motion passed 4-2.

Business:

6. PLAT 20-025: FINAL PLAT. Taylorview Homes Division No. 1.

Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho. Jolley stated that this is Division 1 that has been discussed for the last 3 hours. Jolley stated that Division 1 will be built out and everything that was mentioned in the PUD previously. Jolley stated that Division 1 will have all of the street improvements and the required turnaround to the west will be built as part of Division 1.

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

Dixon has the same feeling on this area and doesn't feel it meets the current zoning requirement.

Wimborne had no comment.

Morrison is in favor.

Hicks feels the same and is against the plat.

Romankiw had no comment.

Denney had no comment.

Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Taylorview Homes Division No. 1., Denney seconded the motion. Black called for roll call vote: Dixon, no; Wimborne, no; Morrison, yes; Hicks, no; Romankiw, yes; Denney, yes; Black, yes. The motion passed 4-3.

7. PLAT 20-026: FINAL PLAT. Kinsmen Country Estates Div. No. 1 Third Amended.

Applicant: Blake Jolley, Ce 1150 Hollipark, Idaho Falls, Idaho. Jolley stated that this was recently requested annexation and the next step is to plat the property. Jolley stated that they have discussed with Public Works and other staff in the City and they are planning on moving forward and the purpose of the plat is provide public utilities from the City to the lots so that they can be developed further.

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

Dixon asked if the rural road cross section that exits can stay or if the road has to be developed further. Foster stated that Public Works has reviewed this plat and they are ok with the rural county road. Dixon asked if there is some minimum lot size where the requirement that corner lots be 10% larger than the average lot is waived, because this is a large lot on the corner at .67 acres. Foster agreed that there is a 10% larger requirement. Dixon asked what is the way out of the requirement because the corner lot is smaller, not larger. Foster stated that technically it is not a corner lot because there is a sliver of a lot just south of the property line that is being proposed.

Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for Kinsmen Country Estates Div. No. 1., Third Amended, as presented, Wimborne seconded the motion and it passed unanimously.

8. PLAT 20-027: FINAL PLAT. Thatcher Grove Division No. 1.

Applicant: No applicant was present.

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

Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for Thatcher Grove Division No. 1, as presented, Morrison seconded the motion and it passed unanimously.

9. PLAT 20-029: FINAL PLAT. Rising Sun Townhomes Division No. 1.

Applicant: Blake Jolley, CE, 1150 Hollipark Drive, Idaho Falls, Idaho. Jolley stated that this is the second portion they need to move forward on this property. Jolley stated that they received recommendation on this as a PUD and this is the next step on this process. Jolley stated that this is similar to the property to the east (Linden Trails) set up by the same developer and similar to what it will look like. The individual lots can be sold.

Dixon asked how many guest parking spaces the development has. Jolley stated that he believes there are +/- 30 guest spaces as part of the project.

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

Morrison moved to recommend to the Mayor and City Council approval of the Final Plat for Rising Sun Townhomes Division No.1, as presented, Dixon seconded the motion and it passed unanimously.

10. PLAT 20-030: FINAL PLAT. Fairway Estates Division 27.

Applicant: Kevin Alcott, 101 Park Ave., Idaho Falls, Idaho. Alcott stated this is a simple extension and another division in Fairway Estates that follows the preliminary plat. Alcott stated that they have followed all the rules.

Wimborne asked where they are at with the additional access and building a bridge over the canal. Dixon stated that the staff notes indicate that this division will get them down to 36 remaining lots prior to the bridge being required.

Alcott reminded the Commission that it is lots built, not approved. Alcott mentioned that there was no discussion on the last hearing about fire code access.

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

Denney moved to recommend to the Mayor and City Council approval of the Final Plat for Fairway Estates Division 27, as presented, Morrison seconded the motion and it passed unanimously.

11. PLAT 20-032: FINAL PLAT. Providence Point Division No. 1.

Applicant: Kurt Roland, Eagle Rock Engineering, 1331 Fremont Ave., Idaho Falls, Idaho. Roland represents Comfort Construction. Rolland stated that there are 47 lots and 43 are

buildable. Roland stated that the other 4 lots are landscape lots. Roland stated that there is 15.78 acres of property and everything is been approved through Engineering and staff.

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

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for Providence Point Division No. 1, as presented, Hicks seconded the motion and it passed unanimously.

Black adjourned the meeting at approximately 1:30 a.m. (August 5, 2020)

Respectfully Submitted

Beckie Thompson, Recorder