

Rigby Planning and Zoning Commission

Minutes of the Meeting

February 10, 2022

Chairman Stowell called the meeting to order at 7:04 p.m.

The chair asked for roll call:

Commissioner Stowell- Present

Commissioner Sutherland- Present

Commissioner Cowley- Present

Commissioner Post- Present

Commissioner Belk- Present

P&Z Administrator- Present

Attorney Dunn- Absent

The pledge of allegiance was led by Commissioner Stowell.

Commissioner Cowley: Motion to approve the minutes.

Commissioner Sutherland: Seconded the motion.

Motion Carries.

**Public Hearing:**

**Preliminary Plat/ Final Plat/ Fieldstone Meadows/ Henry Development, LLC, John L Henry, and Rosanne Henry/ Address 267 North 3900 East / 269 North 3900 East/ 271 North 3900 East and approx. 259 North 3900 East/ Proposing R-1 Single Family Dwelling.**

John Henry presented for Fieldstone Meadows. There is seventy-eight (78) acres of R-1 single family dwelling. There will be one hundred seventy-eight (178) lots of single-family dwelling. The average lot size is one-third (1/3) of an acer. We have a letter from the canal company and agreed about putting in a fence twenty feet (20'') from the canal bank. There is no park in this subdivision.

Commissioner Cowley: Does the city have a copy of that letter?

John Henry: Yes

Commissioner Stowell: Clarify where is the easement.

John Henry: It is twenty feet (20'') from the bank.

Commissioner Cowley: What the width of the road? It said fifth street was wider than the rest of the roads.

John Henry: Correct, fifth street must be wider where it a collector road. It not connected yet but will be in the future.

Commissioner Sutherland: What about a park?

John Henry: No, we did not include a park in there. Codon Park is just across the canal and the rodeo grounds South Park is close. We are putting in third acer lots with additional green spaces. The homeowner would prefer this additional green space then a park.

Commissioner Cowley: This is a very well-planned subdivision.

Commissioner Stowell: My concern was the easement on the canal and that was answered.

Commissioner Belk: This was already annexed into the city?

Commissioner Stowell: Correct.

Commissioner Sutherland: Mitch Bradley do you have any concerns?

Mitch Bradley (Public Works): On these plans no, but when we do the final plat. We will address placements of the fire hydrants and streetlights. What they brought to you today I like it.

Commissioner Cowley: Will this be done in phases?

John Henry: Yes, there will be eight phases.

Commissioner Cowley: Will you be developing the lots?

John Henry: No, we will be selling the lots.

**Anyone signed up to speak:**

**In favor: none**

**Neutral:**

Luke Hicks I'm here tonight to represent the canal company. The canal has sixty feet (60') set back. With the twenty-foot (20') setback and securing the easement with the fence as stated in the letter for the canal company. There has been talk about storm drain but nothing in stone yet. We are in complete agreement with Mr. Henry.

**Apposed: none**

**Closed hearing:**

Commissioner Sutherland: So, the lots will be sold.

Commissioner Belk: As far as city growth. This is what we are looking for the City of Rigby. Nice sizes lots.

Commissioner Sutherland: Made a motion to recommend approve for the Preliminary plat application as presented with the agreement with the canal company from The Henrey for Fieldstone Meadows.

Roll Call:

Commissioner Stowell- Yes

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Belk- Yes

Commissioner Post- Yes

Motion Carries.

**Preliminary Plat/ Final Plat/Conditional Use Permit/ Kartchner Homes/ Plan  
Unit development/ Address approx. 356 North 3800 East/ Proposing R-1  
Single Family/ R-3 Multifamily.**

Dan Larsen work for Kartchner Homes. This project came to you a while ago. As a developer, we have seen a few things that we feel need to be addressed that could benefit city. If you look at the prior plan you can look at the open space, retention area and would like to remove then and make an open space that is usable. We are going to do underground retention as we have done in other areas.

We have made that area into a central park with playground equipment, pickle ball court and outdoor basketball court. We have gathered the parking area around the park. The common area will be owned and maintained by everyone within the community not just the townhome association. There is one road stub to the south, and it did not line up very well with any road to the south. So, were working with staff and seeing which location of the road is best. Not part of this application we have also purchase the sixty area (60) to the north and have stub road in place. It is getting harder to afford a single-family home and larger lots. We have shrunk this lot into small lots, so they are more affordable. As you can see, we have added quite a few more unit. We are adding fourteen (14) more Multifamily unit and forty-eight (48) more homes. It as sizeable increases but it fit within the zoning. Any question for me?

Commissioner Sutherland: Will these roads connect with hwy. 48?

Dan Larsen: Mitch can better answer that question.

Mitch Bradley (Public Works): They will evenly.

Commissioner Cowley: You have switched the twin home to single family homes.

Dan Larsen: Correct.

Commissioner Stowell: Will you be building these homes?

Dan Larsen: We may sell a few, but our plan is to build the home our self.

Commissioner Belk: Can the city handle this much water and sewer?

Mitch Bradley (Public Works): Yes, we can. Mitch explained about upsizing the lift station. Karthner home has been great to work with and has done everything we have asked.

**Anyone signed up to speak**

**In favor: none**

**Neutral: none**

**Opposed:**

Sandra Zundel: My only concern is the ditch that run down the south side of the property and down 3800. I'm very concerned what they are going to do with the ditch. That waters my forty (40) acers, so I can take care of my animals.

**Rebuttal:**

Dan Larsen: We can leave it open, pipe it, or cover it. What would you like?

Sandra Zundel: I would like it open.

Dan Larsen: Then we will leave it open.

Sandra Larsen: Thank you for answering my questions.

**Closed the hearing:**

Commissioner Sutherland: This is going to take some time to build. I would like the builder to access off 3800 and not through the subdivision.

Commissioner Cowley: Is there enough space on 3800 to widen the road if needed? Minimum lot size is eight thousand (8,000) square feet. Some of the lots are under the square footage.

Mitch Bradley (Public Works): Yes, they have left space for the expansion if or when needed.

Planning and Zoning: That because the lot size within the R-2 zone and minimum lot size is 7000 square feet.

Commissioner Cowley: The smaller lot are in the R-2 zone. The R-2 is on the east and west side of the property.

Ione Hansen (Planning and Zoning): Correct.

Commissioner Cowley: I know that we rezoned and approved this in the old code. What does this do with a new application?

Ione Hansen (Planning and Zoning): Robin Dunn states, any change in a plat need to meet new code and zoning. When this plat was approved there was R-1 and R-2 and met code. As Robin stated if there is change, they will need to meet new code and zoning. The south and north side does not meet code.

Commissioner Stowell: That would be the reason for the Conditional Use Permit.

Ione Hansen (Planning and Zoning): The conditional use would be for the Plan Unit Development.

Commissioner Cowley: The reason it is out of code is because its R-1 next to R-3.

Ione Hansen (Planning and Zoning): Correct.

Commissioner Stowell: Because there is no R-2 buffer.

Commissioner Cowley: The smaller lot are next to the town homes.

Commissioner Sutherland: Mitch what do you think of the overall view.

Mitch Bradley (Public Works): Kartchner have been great to work with. They have done everything we have asked. I like the design.

Commissioner Sutherland: What about 3800?

Mitch Bradley (Public Works): They have left a large setback for the future so when the road needs wider their room. Like I said they have been great to work with.

Commissioner Cowley: The street in between the town homes, is thirty feet (30') and then driveways.

Dan Larsen: There is asphalt then it goes right into the garage.

Commissioned Cowley: There is no driveway.

Dan Larsen: Correct.

Commissioner Cowley: That bring up a concern for me. We have talk about the garage when there's no driveway because the garages became a storage. The two-car garage is used for one car generally. If there is a driveway it reliable for parking. Then there more people parking on the street. I would like to see driveways

Commissioner Stowell: Where they are opening the park area for the whole development. They need more parking.

Mitch Bradley (Public Works): This park will be maintained by the Homeowner Association (HOA). They have gone above and beyond on the green space. Truly, I like it.

Commissioner Cowley: Is there plan for trees.

Dan Larsen: Not on this plan, but there will be tree.

Commissioner Cowley: I think this need to be in the development agreement.

Commissioner Sutherland: We are opening this meeting for your comments and any other concern.

Dan Larsen: As far as tree it won't be a twig. The trees with be an inch and a half (1 1/2). We plan on being involved with this project a long time we have are own development company and will be here a long term.

Mitch Bradley (Public Works) I will say it again Kartchner home has been great to work with. If you have any idea or suggestions, they are willing to try.

Commissioner Cowley: Infront of the town homes, just private drive?

Dan Larsen: Correct.

Commissioner Stowell: Anyone else wanting to speak.

Commissioner Stowell: There was no changes in the PUD.

Ione Hansen (Planning and Zoning): More homes.

Commissioner Cowley: I would like to see the border home around the PUD larger lots.

Commissioner Belk: 3800 is a county road?

Mitch Bradley (Public Works): Yes, Kartchner has made the right of way larger and Jefferson count public work has signed off on the access.

Commissioner Cowley: How many more doors.

Ione Hansen (Planning and Zoning): I counted 96 R-3 and 148 R-1. The original plat was 128 R-1, 64 R-2.

Commissioner Stowell: The townhome section has really increased.

Commissioner Sutherland: Talk about the alley and where there could be addition parking.

Dan Larsen: Talk about moving building to make more parking. Without eliminating the number of townhomes.

Commissioner Post: You are expecting two vehicles to park in the garage.

Dan Larsen: Yes

Mitch Bradley (Public Works): Were talk about wider streets and making on street parking.

Ione Hansen (Planning and Zoning): Karthners need to make sure they are staying within the zones.

Commissioner Sutherland: I'm concerned with parking. Maybe we need to eliminate some of the building and make room for more parking.

Commissioner Cowley: I don't mind switching from twin homes to single family dwelling. You are coming in with a PUD and wanting to add a whole bunch more. I understand for your perception.

Commissioner Belk: We need to figure out the parking situation.

Commissioner Cowley: Driveway would solve the problem. I would be more comfortable if they went back to the original plan.

Commissioner Post: Some can't afford a single-family dwelling and that where the townhome come in. It still a lot of townhomes and houses.

Commissioner Belk: Could they move the townhome in to the green space and add more parking? Maybe eliminate some of the town homes.



Dan Larsen: I'm not the owner and can't answer that.

Commissioner Cowley: Where's the garbage pickup?

Mitch Bradley (Public Works): It will be down the center of the street.

Dan Larsen: I can place the dumpers on the side.

Mitch Bradley (Public Works): That is something we will need to work out with Eagle Rock.

Mitch Bradley (Public Works): Now would be the time to eliminate some of the buildings and add more parking.

Commissioner Sutherland: Now is the time to discuss. My concerns are the parking arrangement in the PUD and the tightness of the townhomes. I realize this is a costly expense for the development.

Dan Larsen: I will work with you and make recommendation to city council.

Ione Hansen (Planning and Zoning): I don't believe we can recommend this to city council until some of the issues are resolved.

Commissioner Stowell: Have you expanded the R-3.

Dan Larsen: The road was included in the R-3, but not now.

Commissioner Sutherland: As shown on the plat. Where could we move some buildings or leave the buildings and find area for more parking?

Commissioner Stowell: There still concerns about the parking and alley way garages.

Commissioner Cowley: I don't count the garage as a 2-car garage. I would like to see a driveway in front of the garages. This does not meet code.

Dan Larsen: Where does it not meet code. Council is who decides if it make zoning.

Commissioner Cowley: It not your turn, we are Planning and Zoning. There is R-3 next to R-1 so its does not meet current code or zoning. I like everything else, but I want driveways or more parking.

Mitch Bradley (Public Works): Where are they on green space?

Commissioner Cowley: There is plenty of green space.

Ione Hansen (Planning and Zoning): 52.37% of green space.

Mitch Bradley (Public Works): Mitch asked questions about shifting some buildings to get more parking.

Commissioner Cowley: As long as they have 30 % green space.

Mitch Bradley (Public Works): What do you think Dan Larsen?

Dan Larsen: We like the open park. We can cut 40 feet out of the park area and add driveway. We will need to find other area to add parking.

Commissioner Post: What about reducing the townhomes?

Commissioner Stowell: Ask the commissioner to please read the letter from Robin Dunn.

Commissioner Cowley: We need to follow the code and zoning that is currently on place.

Commissioner Stowell: If they are changing the plat.

Commissioner Cowley: Which they are.

Commissioner Belk: Which is the R-1 next to the R-3.

Commissioner Cowley: This is something we could approve where they are asking for a Conditional Use Permit.

Commissioner Belk: After reading the code. I think we can ask then to remove 8 townhomes and add more parking.

Commissioner Stowell: S and H never recorded the plat. They still would have the opportunity to record the S and H plat.

Commissioner Belk: That was less to begin with, so getting rid of eight (8) townhomes is a good compromise.

Commissioner Cowley: I would like to see the reduction of the eight (8) townhomes and add driveways, so, the parking is really parking spaces.

Commissioner Cowley: We can't approve this plat with this many changes.

Commissioner Post: It's still not up to code.

Commissioner Cowley: We could approve it as an exception.

Commissioner Stowell: We like everything here including the future area, except the PUD area.

Commissioner Belk: Ask to put driveway in front of the garages. Reduce some townhomes to comply with the parking.

Commissioner Sutherland: I would like to see that change.

Commissioner Stowell: I don't like the alley way pulling into the garage.

Commissioner Cowley made a motion to deny the plat as draw. With the recommendation redrawing to provide driveways in front of the town homes and more parking space to meet code. To provide parking spaces that will be used.

Commissioner Stowell: Accepts commit form Dan Larsen.

Dan Larsen: Would like to clarify in his motion the purpose for the driveways.

Commissioner Cowley: To provide parking spaces that will be used.

Commissioner Sutherland: Second the motion.

Commissioner Stowell- Yes

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Belk- Yes

Commissioner Post- Yes

Motion Carries.

Commissioner Sutherland: Motion to adjourn.

Commissioner Belk: Second the motion.

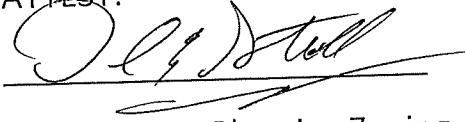
All in favor: Motion Carries.

Meeting adjourned at 9:00 p.m.

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Dan Stowell, Chair

ATTEST:

A handwritten signature in cursive script, appearing to read "Lone Hansen", written over a horizontal line.

Lone Hansen, Planning Zoning

A handwritten signature in cursive script, appearing to read "Lone Hansen", written below the typed name.