

Rigby Planning and Zoning Commission

Minutes of the Meeting

May 25, 2021

Chairman Ellsworth called the meeting to order at 7:03 p.m.

The chair asked for roll call:

Commissioner Stowell- Present

Commissioner Sutherland- Present

Commissioner Cowley- Present

Commissioner Wilder- Present

P&Z Administrator- Present

Attorney Dunn- Present

The pledge of allegiance was led by Commissioner Stowell.

Special Meeting:

Annexation & Zone Designation/ Application from S & H Properties LLC. / Approx. address 356 North 3800 East/ Proposing Residential, R-1 and R-2 Multifamily zoning.

Kurt Roland with Eagle Rock Engineering representing for S & H Properties. What we are proposing is annexation into the City of Rigby. There approx. 60 acres at 3800 East. We are asking for annexation in R-1 single family and R-2 multifamily zoning. The R-2 Multifamily is approx. six (6) acres with three (3) acres of green space. The remaining fifty-four (54) acers will be R-1 single family dwellings. There will be single family home, twin home and multi family. There will be sixty-four (64) townhomes, forty-two (42) twin home and ninety-two (92) singe family dwellings. At the last meeting you requested a traffic study and input for Jefferson County School District. There a letter from Jefferson County Road and Bridge stating they we can do turn lane or a traffic study. S & H Property has chosen to do turn lanes. At the City Council meeting we had a representative for the Jefferson Conyt School district. The school is aware of the growth. The growth is coming, and the school know they will need more school.

Mitch Bradley Public Works: They meet all The City Codes and then some. They have been great to work with and done everything we have asked. There is six (6) acers of R-2 multi family dwelling, and three (3) of it is green space. I do not like all this development but is going to happen. If you do not accept it then the county will. This will just choke off another piece of the city. The city has higher standers of building code, wider road, curb, and gutter.

Robin Dunn Legal Council: There a different between Planning and Zoning. This meets all City code but might not meet The Comprehensive Plan.

Commissioner Wilder: I am concerned about the placement of this application. The Comprehensive Plan state that this area be R-1 single family dwelling. I agree they have done a wonderful job on this plan, but the impact on the road is a big concern.

Commissioner Cowley: We have no jurisdiction on the road, but I agree this is a busy area with the school.

Mitch Bradley Public Works: If you do not approve it, the county will.

Commissioner Wilder: The county cannot approve it as it looks right now.

Robin Dunn Legal Council: The issue is not the county versus the city. It needs to be in the city, with city services and build up to city code, wider road, curb, and gutter.

Kurt Roland: There will be one hundred ninety-eight (198) hookup fees.

Commissioner Wilder: There is just so much going on with the density, roads, already approved subdivision, and the growth in the school. I am for growth, but we just need to be careful. The R-2 multifamily usually fill up faster than the R-1 single family dwelling.

Kurt Roland: I think the city likes to see diversity in their development.

Commissioner Wilder: There are so many new homes already.

Kurt Roland: Yes, and they are already full.

Commissioner Cowley: This is a lot of density. This has a huge impact on our road.

Kurt Roland: This is less density than if we put in all single-family dwellings. The R-2 Multifamily is usually starter homes, less people and cars.

Commissioner Cowley: Where we are Planning and Zoning and where it is zoned R-1 on the Comp map, we need to consider that.

Kurt Roland: The Comprehensive plan is not set in stone. So, what if we just do single family homes on the South and North side of the property lines, instead of twin homes?

Commissioner Cowley: That would make me happy.

Commissioner Wilder: I would like to see that.

Kurt Roland: It would not change anything on the plat, so it is right there.

Commissioner Wilder: I would like to hear from the community.

Kurt Roland: It would not change the number of homes, the only thing that will change is that they do not share a common wall.

Commissioner Wilder: I might not change the number of doors, but right now, it is R-1 Single family.

Commissioner Cowley: If the north and south side are R-1 Single family (not attached home). That solves one of the issues. It does not solve the density issue.

Commissioner Wilder: Does this fall under new code?

Planning and Zoning: This applies to old code. The new code has not been adopted yet.

Commissioner Wilder: So, we would not approve the Plat?

Planning and Zoning lone Hansen: Actually, you could approve the plat. You would just change the wording on the North and South side to say home not twin home. The lot size meet code.

Heather Thompson: This plat met both the current code and the incoming new code.

Commissioner Cowley: So if your proposing R-1 Single family dwelling on the outside of the property.

Commissioner Wilder: It does not fit the Comprehensive Plan. The Comprehensive Plan said it all to be R-1 single family dwellings.

Commissioner Cowley: This is being approved under the current code, not the new code.

Robin Dunn Legal Council: There incompliance.

Heather Thompson: We feel like we are incompliance and from a developer point we have done everything you have ask. Unless you would like use to develop in the county, and we have reach out to the county.

Commissioner Wilder: The Comprehensive Plan map said R-1 single family dwelling.

Commissioner Cowley: You are asking to be annexed into the city with exception.

Heather Thompson: We are still meeting code but asking for exception on the annexation.

Commissioner Cowley: Yes, just not the Comprehensive Plan code and this is a great plan.

Heather Thompson: I guess we just need to know your decision. We did look into smaller lots, and it would be the same amount of density. Well actually could fit more home. Looking at the surrounded neighborhood, we felt like this would be a good plan. We wanted to be able to offer all levels of housing. We felt like this would be an upgrade with extra parking, two car garages, extra greenspace, and larger lots.

Commissioner Wilder: I agree with you.

Heather Thompson: I guess we just need to know your decision. I am not trying to go around or above anyone that is why we are here. I just need to know your decision so we can plan our next move.

Kurt Roland: So, what is the smallest lot you can do?

Planning and Zoning lone Hansen: Fifty-five hundred square feet (5500').

Kurt Roland: So, we could do triple the homes.

Anyone to speak.

In favor:

Jennie Campbell: I am for this. There were some good points made, that if you zone it all R-1 single family dwelling, you could pack in more homes. So, we were talking about each home will bring in ruffly two (2), to two and half (2 1/2) cars. If we do this all R-1, more kids, more traffic, and more families. Were in a complex you see less impact people with one vehicle single, young couples with no kids. This will less of an impact. It going to be approved either by county or city. Let bring the money to the city. Growth is coming regardless. If you think about home instead of duplexes. They have done everything

we have ask and then some. I would say approve it. The county knows it coming so does the schools. Let make some money for the city.

Kelly Chapple: I have a few questions; I live just west of this development. What about my water table?

Mitch Bradley Public Works: If it connected to the city services it will not affect your water table. If they punch about of well, then yes it will affect your services. This need to be on city services and built to city standers.

Kelly Chapple: What about crim rate?

Mitch Bradley Public Works: It is coming were its county or city. I hate to bring up the twin home but look who live in the twin home. They are clean environment usually. The four (4) plexuses are a stop and go, short term housing.

Kelly Chapple: Is it going to affect my property taxes?

Commissioner Cowley: You are not within the area of impact, as of now, so, no.

Damon Nickels: Ive been a resident her for twenty years. The growth is coming, however if there is a way to slow it down, we should. There is a different between planning and zoning and we have not planned for this. The school do not have room the classes are full. Where do we draw the line! where do we slow it down! It going to come, but I would like to see it a little more controlled. As of right now we are overcrowded, and we keep approving and approving new development. I agree it need to be in the city limits but if there is a way to slow down growth, I am all for it.

Commissioner Cowley: I think we all agree.

Commissioner Wilder: We do not have more control of the land then the landowner.

Damon Nickels: It a great looking plan. I think a traffic study need done regardless.

Tory Nickels: He right no one care about are kids. There to many kids to each class

Mitch Bradley Public Works: As far as a traffic study they are based on fatality.

Commissioner Wilder: This is a good plan, but there is planning. I would like to see it in a different location.

Commissioner Stowell: If I remember a few month ago. We had a developer in here wanting to do the hole sixty (60) acers R-2 multifamily and pack it with four (4) plexuses. We said, "absolutely not." When I see this plan, this is a good plan. Yes, they could go to the county, but at some time this will be annexed into the city and it be better to have it annexed now and be built to city code. We have no control of the road and the growth is here. This is a nice plan with larger green space, extra parking, and bigger lots. There is nothing more we could ask for they have done a great job. Yes, this is an explosion and maybe we should look at this as a containment. They have contained the R-2 multifamily in the center of the project. It built to city code. There is less home then allowed, there larger lot, larger green space and only a small area of multifamily. Thei is very well planned.

Commissioner Sutherland: I have like this plan since the moment I seen it. It had some refinements. With the change of the single family detach along the south and north.

Commissioner Wilder: I would like to see that.

Commissioner Cowley: The lots met code. They will just be changing the wording on the plat on the south and north property lines and lot twelve (12) to seven thousand square feet (7000').

Commissioner Wilder: I would like the lot sizes to meet the new code.

Kurt Roland: We can make the lot size to meet the new code and still have the same number of homes. This is a large development, it going to take a few years to build out.

Closed Hearing:

Commissioner Cowley: I feel like we should work with the current code.

Commissioner Wilder: I do not comply with the Comprehensive Plan.

Commissioner Sutherland: I would like are city to grow as planned and have these new development build to city code. Then in the future have annexation and be far mor expensive to bring the sewer, water, and road up to code.

Commissioner Wilder: My big concern is being contagious.

Commissioner Sutherland: I agree. With the R-2 in the center of the property it helps stop spread of the R-2 and changing the north and south property to single family detached.

Commissioner Cowley: I would be comfortable with that.

Commissioner Wilder: Still a lot of density.

Commissioner Stowell: They have contained the R-2 in the center of the property, larger lots, extra parking and are willing to change the twin home on the north and south side of the property to single family detached home. They have done everything we have ask. It a good development.

Motion:

Commissioner Sutherland: Motion to recommend approval for the Annexation and Zone Designation from S & H Properties LLC. approx. address 356 North 3800 East, with fifty-six (56) acers of R-1, and six (6) acers R-2 Multifamily zoning. With single detached home on the north and south side of the property.

Commissioner Cowley: Second the motion.

Roll Call:

Commissioner Sutherland- Yes

Commissioner Stowell- Yes

Commissioner Wilder- No

Commissioner Cowley- Yes

Motion Carries- Three to one.

Commissioner Sutherland, Commissioner Stowell and Commissioner Cowley in favor.

Commissioner Wilder apposed.

**Preliminary Plat/ Application from S&H Properties LLC. / Approx. address 356 North 3800 East/
Proposing Residential, R-1/ Residential, R-1 twin homes / R-2 Multifamily.**

Kurt Roland with Eagle Rock Engineering: I think we have covered most of the information already. Any question.

Commissioner Crowley: I appreciate you go to the school district.

Commissioner Wilder: We appreciate what you have done.

Heather Thompson: I want to have a great relationship with the city and the school.

Commissioner Wilder: Kurt you have been wonderful to work with.

Anyone to speak.

In favor:

Neutral:

Closed Hearing:

Commissioner Crowley: I like the larger lot sizes with the two (2) car garages, larger green space.

Commissioner Sutherland: With extra parking.

Commissioner Wilder: Could we make block 11 lot 12 lot be over seven thousand square feet (7000')?

Commissioner Cowley: Motion to recommend approval for the Preliminary Plat application from S&H Properties LLC. approx. address 356 North 3800 East, for Residential, R-1/ Residential, R-1 twin homes / R-2 Multifamily. With single family detached homes on the south and north property line and block 11 lot 12 lot be over seven thousand square feet (7000').

Commissioner Wilder: Second the motion.

Roll Call:

Commissioner Sutherland- Yes

Commissioner Stowell- Yes

Commissioner Wilder- Yes

Commissioner Cowley- Yes

Motion Carries-

**Special Use Permit/ Application from S&H Properties LLC/ Address 356 North 3800 East/ (PUD)
Plan**

Unit Development.

Kurt Roland with Eagle Rock Engineering: The Plan Unit Development is six (6) acres in the center of the property. There will be sixty-four (64) doors and fifty two percent (52%) greens space, two (2) car garages, three (3) extra parking spaces per unit not counting the driveway and a homeowner association.

Commissioner Sutherland: I like all the green space.

Kurt Roland: With the garages are on the front it allows more green space.

Commissioner Cowley: What about their extra parking.

Kurt Roland: There are one hundred ninety-six (196) parking spaces required. Not counting the driveway and we have two hundred and two (202).

Commissioner Wilder: How long are the driveways.

Kurt Roland: The driveways are twenty-two feet (22'). The garage is large enough for a truck. It will be tight, but they will fit.

Anyone to speak.

In favor:

Neutral:

Closed Hearing:

Deduction:

Commissioner Wilder: Motion to recommend approval Special Use Permit for the Plan Unit Development from S&H Properties LLC. approx. address 356 North 3800 East. As platted with twenty-one feet (21') garages, twenty-five feet (25') parking spaces, and tree.

Commissioner Sutherland: Second the motion

Roll Call:

Commissioner Stowell- Yes

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Wilder- Yes

Motion Carries.

Commissioner Wilder: Motion to adjourn.

Commissioner Crowley: Second the motion.

All in favor: Motion Carries.

Meeting adjourned at 9:28 P.M.



Dan Stowell, Chair

ATTEST:



Ione Hansen, Planning and Zoning