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3 **PLANNING & ZONING**
4 **COMMISSION MEETING**

5 November 10th, 2016

6 7:00 p.m.

7 **Meeting Minutes**

8 **Call to order: Acting Chairman Warner**

9 **Roll call: Acting Chairman Warner**

10 Comm. Belk- Absent

Comm.- Moore- Present

11 Comm. Bennett- Present

Comm.- Treasure- Absent

12 Comm. Ellsworth- Present

Comm. Warner- Present

13 Comm. Chairman Finlayson- Absent

Comm. - Open

14
15 **Acting Chairman: Comm. Warner** will act as chairperson for this meeting. The
16 meeting was called to order at approximately 7:15 p.m.

17
18 **Determination of Quorum-** Following the roll call, **Chairman Warner** declared there
19 was a quorum present and there were no “ex parte” communication or conflicts with the
20 commission.

21
22 In addition to the commission members in attendance, **Councilmen Datwyler** and
23 **Weight** were in attendance. **Administrator Hathaway** also attended the meeting.

24
25 **Approval/amendment of the minutes from the October 13th, 2016 meeting.**

26 **Comm. Bennett** made a motion to approve the meeting minutes as written, seconded by
27 **Comm. Ellsworth** from the October 13th, 2016 meeting. Vote was unanimous in the
28 affirmative, to accept the minutes as written.

29
30 **Chairman Warner:** Reviewed the agenda items for discussion at this meeting.

31
32 **Comm. Warner:** **Adm. Hathaway** has a review of the Public Hearings from the City
33 Council meeting held on November 3rd, 2016. **Comm. Warner** asked **Adm. Hathaway**
34 to review the results of the public hearings.

35
36 **Adm. Hathaway** asked **Councilman Datwyler or Weight** to review the outcome of the
37 public hearings. The rezoning request for the Marler property was approved unanimously
38 by the City Council, but the rezone request for the Crank property was denied on a 4-2
39 vote, with **Councilmen Burke and Olsen** in dissent. (For the rezone request)

40 **Councilman Datwyler** joined the Commission for a report.

41
42 **Councilman Datwyler** reviewed the Crank rezone request. He stated that the council felt
43 that the request to rezone request was not supported by the neighbors, but that the council
44 reminded those in attendance that popularity or unpopularity would not be the basis used
45 to determine the outcome of the rezone request.

46 **Councilman Datwyler** continued that the general feeling of the council was that the
47 proposed development of the property for R2 residential housing would “sandwich” the
48 property into an R1 housing area. The feeling by the council was just that the change did
49 not fit the area. **Councilman Bennett** asked why go to the trouble of having Planning and
50 Zoning review, hold hearings, and make recommendations, if the council was not going
51 to support those findings. The findings by the commission were based on the current
52 Comprehensive Plan and Zoning ordinances, and should be reviewed by the council by
53 using the same criteria. **Councilman Datwyler** stated there were several people in
54 attendance at the meeting that had concerns and opposed the request, and that the council
55 felt the development would not benefit the city. **Adm. Hathaway** explained that the
56 property did qualify for R2 housing regarding the comprehensive plan, so it did fit the
57 requirements for rezoning to allow R2 construction. This property also fits the “in fill”
58 requirements of the comprehensive plan.

59
60 **Councilman Warner** and **Adm. Hathaway** also reviewed the code differences between
61 what the requirements were when the Caribou apartments were built, and the current code
62 requirements. Many of those in opposition were opposing because of the Caribou
63 development.

64
65 **Comm. Warner** asked, “if not there, where.” **Comm. Ellsworth** stated several locations
66 that were better than this property for R2 housing. **Comm. Bennett** stated that that may
67 be, but this property is available and fits the requirements, other than the unpopularity of
68 the request with some of the neighbors. General discussion between the commission and
69 the others in attendance regarding the questions with R2 developments went on for
70 several minutes.

71
72 **Adm. Hathaway** discussed that there may be misconceptions regarding R2 housing.
73 R2 or transitional housing is an important component of the development market in any
74 community. People in transitional housing are generally new to the community and
75 become established while living in transitional housing. They will purchase homes when
76 available and their circumstances allow that. That contributes to a healthy real estate
77 market, and grows the community. It is an important step in any growth that will occur in
78 the city. **Comm. Bennett** inquired if there would likely be an appeal of the council
79 decision. **Adm. Hathaway** stated there have been inquiries about the option to appeal.
80 **Comm. Moore** also mentioned the discouragement with the commission approving it
81 based on the comp plan and city code, and the council overturning the decision based on
82 intangibles. Additional discussion about a fifth north bridge being installed and solving
83 some of the issues with the apartments on Caribou, as well as the safety issues related to
84 this. **Adm. Hathaway** stated that the review process was good. It allows for review and
85 additional discussion. It needs to be done. **Comm. Bennett** also wanted to get the opinion
86 from the fire department regarding the safety concerns about the Caribou/N. 5th W.
87 bridge.

88
89 The Marler rezone request was also discussed. The request to rezone for this property,
90 was approved by the council, without discussion. No one showed up to discuss the
91 request. It was felt the property was suitable for the requested use. Mr. Marler had a

92 concern that the property subject to the request, had been shown as R2 zoning. **Adm.**
93 **Hathaway** has reviewed everything from several years prior to this, and has not yet
94 substantiated this concern.



95
96 Discussion and review of the newly proposed "Area of Impact" map took place. General
97 discussion was held about the importance of the areas. A change was proposed by
98 **Comm. Warner** to "square up" the northwest corner of the map. **Adm. Hathaway** will
99 make the modifications and meet with the County P&Z Administrator to get input and
100 potentially schedule a joint meeting of both commissions.

101
102 The proposed "area of impact" map is justifiable, due to the upcoming issues related to
103 water and other infrastructure that will become much more relevant in the coming years.
104 It is important to be ahead of the planning curve and be ready before additional
105 development options come to the area. **Comm. Warner** suggested that the full P&Z
106 commission members attend together. It was also requested to perhaps schedule a
107 meeting earlier in the day, possibly around 4 p.m. This is due to the holiday schedules
108 and numerous events in the evenings in December. **Comm. Moore** and the other
109 commission members requested not to hold a meeting for December, if possible, other
110 than an afternoon work meeting if we can pull it together. General discussion related to
111 these items, was held for several minutes, by the commission members.

112
113 **Comm. Bennett** also felt that some discussion about getting information out to the public
114 related to the differences between including an area in an impact zone, and annexation. It
115 would be helpful to have an additional work meeting with the county P&Z and then
116 determine the next steps to follow. The commission felt this would be better if done after
117 the first of the year.

118
119 The Commission has proposed to cancel the meeting to be held on **December 8th, 2016**,
120 due to scheduling conflicts. A work meeting may be scheduled if possible, to discuss the
121 proposed Area of Impact map, if the county P&Z are available.

122
123 Having no further business, a motion to dismiss was made by **Comm. Moore**, and
124 seconded by **Comm. Bennett**. The meeting concluded at about 8:25 p.m.

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126
127  - Comm. Chairman or Vice-Chairman
128
129  - Attest, Kevin Hathaway- P&Z Administrator

130
131 Dated- 1-12-17

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