

MINUTES
RIGBY PLANNING AND ZONING COMMISSION
July 8, 2004
7:00 PM

Members present: Acting Chairman Wayne Clark, Bill Millet, Karen Durst, Kelly McKamey, Stan Borowski, Ron Hedelius and Lawrence Blackburn. Also present were City Attorney Steve Clark, Planning and Zoning Secretary Linda Radford, Willard Price, Kevin Thompson and Bryce & April Boyce. The meeting was called to order at 7:14 P.M.

1. Acting Chairman Wayne Clark dismissed item #1 on the agenda due to a full schedule.

2. The hearing for a plat amendment for Rigby Town Square, Division 1, opened at 7:14 P.M. Stan Borowski stated that he would be voting no on anything that had to do with Rigby Town Square due to the fact that there were still no streetlights operating on Stockham and parts of Rigby Lake Road. Willard Price explained some of the problems that were causing a delay. Lawrence Blackburn concurred that there may be extenuating circumstances but feels the Planning and Zoning Commission could not, in good conscience, approve anything until the lights are up and operational.

Mr. Price stated that the contractor is waiting for Digline to locate other lines in the area before he can lay his lines.

Wayne Clark recommended that all action stop until the requirements placed by the commission beforehand are met.

Kelly McKamey moved that no further action be taken and no certificates of occupancy be issued on any building permits until the lights are operational. Stan Borowski seconded the motion, all voted aye, and the motion passed. The hearing closed at 7:22

3. The hearing for the preliminary plat for Division Two of Virgin Commercial Park opened at 7:24. Kevin Thompson presented a preliminary plat for the property recently annexed that is located behind the conservation building on Highway 48. Dennis Virgin wants to build a commercial park in the area. It was zoned as commercial when it was annexed. A map showing a temporary turnaround was submitted (Exhibit 1). The east side of the road is owned by Dennis Ashbocker and it is asphalted to the end of his apartments but it has no curb or gutter. Dennis Virgin states that he will asphalt the road to the turnaround at the end of Block 3. Mr. Ashbocker and Mr. Virgin each have a 30 foot easement on the road. The agreement between the two was that they each take care of their side of the road. Wayne Clark feels the entire road should be paved with curb and gutter on both sides of the road. The agreement between the two owners is verbal. He made the suggestion that curb, gutter, utilities, and street lights be put in according to city code.

The floor was opened for public comment but no one came forward. The hearing closed at 7:44.

Bill Millet said the road issue is a concern and that approval be contingent that both sides of the road, utilities and street lights being up to city code. There was discussion of what would be required of Mr. Virgin when he came before the board with a final plat.

Kelly McKamey moved to approve the preliminary plat with the condition that both sides of the road be paved with curb and gutter and that a written agreement concerning the road between Dennis Virgin and Dennis Ashbocker be provided to P&Z . Stan Borowski seconded the motion. All voted aye and the motion passed.

4. The hearing for a zone change for property owned by Bryce and April Boyce of 388 North 4400 East, Rigby, opened at 7:50. Mr. & Mrs. Boyce had come before P&Z earlier this year for a variance to put a sign on this same property, located at 380 East 2nd North, that was zoned residential and it was approved. They stated that the state highway department had contacted them and said the sign was illegal because the property was zoned R-1. The state highway requires that any signs placed along the highway or a business loop be in commercial zones. Farnsworth Way is Highway 20B so the state restrictions apply. The state is also requiring them to have a small office building on the site. The surrounding area is already zoned commercial. They do plan to operate their business from this property eventually. The floor was opened for public comment and no one stepped forward.

Stan Borowski moved to change the zoning from residential to commercial. Karen Durst seconded and all voted aye. The motion carried.

5. The commission discussed the boundary lines of the Yellowstone Log Home annexation.

6. Item #6 on the agenda, Discussion by Willard Price concerning Rigby Town Square, Division 4, was tabled because Mr. Price was not present.

7. Kevin Thompson wanted to discuss extending the impact area and the possible extension of city water lines to Kendall Shippen's property by the Jefferson Hills golf course. The cost of the line would be borne by Mr. Shippen. The board discussed subdivisions in and near the impact area in general. Kelly McKamey moved to recommend to city council that the impact area be expanded north to the North Rigby canal but that the council handle the water line issues. Karen Durst seconded the motion. The board discussed the motion. Karen Durst felt that ANY large subdivision close to the city should be included in the impact area.

8. The June 10, 2004 minutes were read and approved.

Lawrence Blackburn moved to adjourn and Stan Borowski seconded. All voted aye and the motion carried. Meeting adjourned at 9:10 PM.