

**Rigby Planning & Zoning
November 10, 2005**

Members present: Tamara Rochette, Gerd Zimmermann, and Travis Poole. Lawrence Blackburn was absent. Also present was P&Z Secretary Linda Radford.

Acting Chairman Tamara Rochette opened the meeting at 7:45 P.M. and called for a vote to elect a chairman. Travis Poole moved to elect Tamara Rochette, Gerd Zimmermann seconded. All voted aye and the motion passed.

Chairman Tamara Rochette opened the hearing for a special use permit to build a day care facility in an R-1, single family zone at 7:46 P.M.

Jaramie Magera, of 332 North 4440 East, Rigby, would like to build a day care facility on his property at 475 North 3rd West, which is in a single family zone where such enterprises are not presently allowed. He expects to handle approximately 40-50 children during the day. The State of Idaho requires that there be 35 square feet of available space per child. It will have an attached garage with two parking stalls inside, two handicapped stalls beside the building, two in front of the garage and two in the circular driveway in front of the building. The operating hours are expected to be from 6 A.M. to 6 P.M. He does not foresee a significant impact on traffic as the intended users are parents in the Pioneer Park Estates subdivision. He has built assisted living facilities in the past and is familiar with the Federal ADA requirements.

The floor was opened for those in favor of the permit to speak.

Jim Archibald of 525 Ninth Street in Idaho Falls, is an attorney in Idaho Falls and was asked by Mr. Magera to investigate for him how the use fits with current zoning in the area. He stated that privacy fences will be built and the structure will blend in with the current single family structures already in place. The facility will be made to look like a single family home as much as is possible.

Lori Girton of 3990 East 600 North, Rigby, will be the person actually running the facility. She states she has provided day care at her home for many years and finds there is a demand for more day care in the area.

The floor was closed to those in favor and opened for those who were neutral and wished to speak.

Kyle Babbitt, of 445 North 3rd West, Rigby, had concerns about the amount of parking spaces but her concern was addressed by the proponent. She felt that the number of children would make the facility more like a pre-school or kindergarten than simply day care. She also wondered if the facility would have a water meter since it would be expected to use more water than a residence.

The floor was opened for those against to speak but no one came forward.

The floor was closed to public comment and the commission discussed the application. When asked about parking, Mr. Magera said that there was definitely enough room for parking on one side and cars to pass on the other. He is also willing to be metered if the ordinances call for it. He was asked about the fencing and stated that a fence runs from the front of the building to the back of the lot and the dumpster area was also to be fenced. Travis Poole was concerned that, if 100 children were being cared for at some

point, the eight parking slots would not be sufficient and he wondered if the number of children allowed should be limited. The sign involved was discussed and it was agreed that a sign on the building itself would blend in with the neighborhood and that a free standing sign would not be allowed.

Travis Poole moved to approve the application and recommended City Council investigate full capacity and how it impacts parking. Gerd Zimmermann seconded. All voted aye and the motion passed.

Travis Poole moved to adjourn, Tamara Rochette seconded and all voted aye. Meeting adjourned at 8:53 P.M.