

Planning and Zoning
Commission Meeting
April 12, 2018
7:00 PM
Meeting Minutes

Call to Order: Chairman Warner at 7:00 PM

Chairman Warner conducted roll call and it was determined that a quorum was present to conduct the business of the commission.

Roll Call: Chairman Warner

Commissioner Bennett- Absent

Commissioner Stowell- Present

Commissioner Ellsworth- Present (7:10)

Commissioner Sutherland- Present

Commissioner Warner- Present

Commissioner Wilder- Present

Commissioner- (Open)

Commissioner- (Open)

Chairman Warner Determined if there were any conflicts or "Ex Parte" communication related to the agenda items. There were no conflicts or "Ex Parte" communication.

Chairman Warner directed the commission to review the minutes from the March 8, 2018 Planning and Zoning Commission Meeting. After reviewing the minutes, Commissioner Stowell made a motion to approve the meeting minutes as written. Commissioner Sutherland seconded the motion. The vote was unanimous in the affirmative to adopt the minutes from the March 8, 2018 Planning and Zoning Commission Meeting.

Chairman Warner continued with the agenda, asking if Kevin Thompson of Thompson Engineering was present and ready to present the Application for Preliminary Plat for Burgess Point located at the general location of 220 S 5th W, Rigby Idaho. It was determined that Mr. Thompson was not present, and Chairman Warner moved to the next agenda item; a presentation by Kurt Roland of Eagle Rock Engineering of a preliminary design for Sweetwater Townhomes on the property located near the intersection of N 3rd W and W 3rd N, Rigby, Idaho.

Mr. Roland started by introducing himself as Kurt Roland of Eagle Rock Engineering, 1331 Fremont Avenue, Idaho Falls, representing the developers of Sweetwater Townhomes. Mr. Roland asked the commissioners if they were familiar with the location of the proposed development. Chairman Warner asked if it was the former Kee Crank property, and it was determined that it was in fact the same property. Mr. Roland stated that they are proposing an 80-door townhouse development, and that parking and landscape requirements have been met. Mr. Roland stated that there is a proposed park at the west end of the development. Mr. Roland showed an aerial photo of the lot, pictures of what the proposed homes will look like, and stated that the homes would be similar to developments in Rexburg. Mr. Roland stated that all units will be 3-bedroom units with two car garages. Mr. Roland stated that the units will face the green space, and the garages will face the driveways, thus hiding the cars.

Chairman Warner asked what the parking requirement is for the development. Mr. Roland replied that the requirement for a 3-bedroom unit is 3; two for the unit and one visitor stall. Chairman Warner asked if exactly three spaces were provided. Mr. Roland replied in the affirmative.

Commissioner Sutherland asked what the trash collection plan is going to be, and if it will consist of dumpsters or individual pickup. Mr. Roland stated that trash pickup will be individual. Commissioner Sutherland asked if any provisions are made for storing the trash carts, referring

to the problem in the Caribou neighborhood of trash bins not being stored and getting knocked over in the wind, which leads to garbage blowing in the streets. Mr. Roland stated that residents could store the trash bins in the garage. Commissioner Sutherland stated his concern with assuming residents will store their bins inside the garage. Mr. Roland stated that these issues could be controlled through the HOA.

Commissioner Sutherland asked what will be done with the old barn and home on the property. Mr. Roland stated that the developer wants to keep the house and the barn intact. Greg Nelson of Sweetwater Development stated that they would like to keep their options open, and nothing has been fully planned. Commissioner Sutherland expressed concern about the age of the barn, and that it will attract children to play in it, which could be an unsafe environment. Commissioner Sutherland stated it could be a nesting ground for rodents and pigeons and presumed the building could not meet building codes.

Chairman Warner directed Mr. Nelson to introduce himself for the purposes of the recording. Mr. Nelson stated he is Greg Nelson of Sweetwater Development, and a resident of Menan. Mr. Nelson stated that they had not fully decided what the plan will be for the barn and stated that possibilities include a clubhouse or park. Commissioner Sutherland also stated his concern with the house on the property, citing the age and possible deteriorated state of the house.

Mr. Nelson stated he had not walked through the house and said it would depend on the condition of the house if they could use it as a rental unit or not. Chairman Warner asked if the house and barn were on the same property and verified that Mr. Nelson had not decided on what to do with the house and barn. Mr. Nelson stated that he wanted to get the input of the Commission and do what was necessary to make this development something that the City of Rigby would like to see.

Commissioner Ellsworth stated that the proposal is an improvement on previous proposals, saying that previous proposals included apartments and that townhomes was an improvement. Commissioner Ellsworth asked about the vacant lot for sale adjacent to the northwest corner of the property, and if the developers were going to purchase the property to create another outlet. Mr. Nelson stated they have no plans of purchasing that adjacent property.

Commissioner Sutherland stated he would like to know the suggestions of the fire department and how the development could accommodate emergency vehicles. Commissioner also agreed with Commissioner Ellsworth that townhomes are an improvement over the four-plex style buildings, and that the land should be developed if done in a proper manner.

Jesse Byram introduced himself at the podium. Mr. Byram stated that the ordinance already plans for emergency vehicles to operate. Mr. Byram stated that townhomes were recommended when the previously designed plans were presented. Commissioner Wilder asked if the townhomes were similar to homes built in Rexburg. Mr. Nelson replied that they would be similar, but the outside colors could possibly change.

Commissioner Ellsworth asked if plans for the development included traffic plans on 3rd W and expressed concerns about traffic buildup. Paul Snarr of Eagle Rock Engineering stated that an impact study is not warranted in this situation due to the flow rates of the traffic. Commissioner Sutherland stated that there could be at least 160 vehicles present in the development based on the 80-unit plan and 2 car garages for each unit.

Chairman Warner asked about storm water retention and if the engineers had any drawings of how it would look. Mr. Roland stated that he did not have any drawings, but by his calculations the retention areas would be approximately 3.5 feet deep. Mr. Roland stated that most of the water will be piped to the park on the west side of the property.

Chairman Warner asked Administrator Schwartz if there are any storm water provisions for the property. Administrator Schwartz stated that he did not know of any and did not know of any in the specific zoning code. Mr. Roland stated that he will provide all the calculations.

Commissioner Sutherland asked what the plan for snow removal is. Mr. Roland stated that the HOA is going to be in charge of snow removal.

Commissioner Wilder asked if the development will have phases. Mr. Nelson stated that he was not sure, and they had not planned any phases. Commissioner Wilder asked if the walking path around the development was concrete or asphalt. Mr. Roland stated that it will be asphalt.

Chairman Warner asked what kind of subterranean storm drains were considered in the entry-way, perhaps perforated pipe like in a parking lot. Mr. Roland stated that it had been considered, and that it is expensive. Mr. Roland stated that engineered drawings would be provided in the future.

Commissioner Sutherland asked why the land where the house and barn sit were not originally used as an expansion of space to decrease concentration of units and increase parking. Mr. Nelson stated that it is a possibility. Commissioner Sutherland asked for the dimensions of the garages. Mr. Roland stated the garages are 20 feet wide on the interior with a 16-foot-wide garage door, and 21.5 feet deep.

Mr. Roland stated that he did not know what to do with the house and barn since the developer had not made a decision yet. Commissioner Sutherland stated that there could be community pushback against the removal of the house and barn, but that he is looking at old structures that could be removed in order to increase the overall space without increasing the number of units. Commissioner Sutherland expressed his concerns about the high concentration of units and expanding the open space could be beneficial. Chairman Warner stated that the space in question could provide a space for children to recreate. Mr. Nelson stated that the original intention was to restore the barn, but now he is unsure of whether it will be feasible or not.

Mr. Roland asked if it would be feasible to take the barn down and add two more units.

Commissioner Wilder stated that he wondered what the community reaction would be, and that he would prefer the old buildings to be removed and the area kept as green space. Commissioner Sutherland agreed, adding that renovative work would need to be done in order to utilize the home on the property. Mr. Nelson stated the old barn might be a dangerous attraction to children.

Commissioner Wilder asked Jesse Byram what the public reaction to the old buildings was on previous occasions. Mr. Byram stated that the reaction was not to save the buildings, but to stop the development. Mr. Byram asked Chairman Warner if the role of the commission was to see if codes were being met, and Chairman Warner replied that it is. Mr. Byram asked if the role of the commission was to govern by public opinion. Chairman Warner stated it is not. Chairman Warner stated that the City Council to some degree listens to public opinion, adding that the previous plan brought before the commission was approved. Mr. Byram asked if the city councilmen present at the meeting would give their opinion. Councilman Datwyler stated that he remembered the property owners being denied a zone change. Mr. Byram replied that a zoning change is not requested. Councilman Datwyler asked if multi-family units could be on R-1 zoned ground. Mr. Byram responded that these units were townhomes. Councilman Datwyler said he could not find reference to townhomes in the R-1 Code. Administrator Schwartz stated that the townhomes are single-family units, but the issue would be how the units are going to be placed on one lot. Administrator Schwartz stated that the lot could be platted out and asked if the units were to be individually owned with a joint ownership of common space. Councilman Datwyler asked if it still counted as single family if they shared walls. Mr. Roland stated that, similar to

twin homes, these have been considered single-family units. Chairman Warner referred audience members to the Autumnwood development and how it is developed as twin homes.

Councilman Datwyler expressed concern that buyers would purchase units and rent them out to other people. Mr. Nelson stated that other developments they have worked on there are regulations with the HOA on renting them out. It is not prohibited, but a stricter process.

Mr. Roland stated that in Idaho Falls and Rexburg, the townhomes are considered a single-family unit.

Administrator Schwartz stated that the developers of the Autumnwood area had originally applied for a variance in order to build the homes on the lot lines. Commissioner Wilder stated that he is curious to know the restrictions on how many homes per measurement of area.

Administrator Schwartz stated that his interpretation of the R-1 code was that the minimum square footage per lot is 5,500 square feet, and that there is to be one home per lot unless special permission was granted. Administrator Schwartz also stated that the code allows for condominium projects by special permit of the City Council subsequent to recommendation by the Planning and Zoning Commission.

Chairman Warner explained that the commission is bound by the code to make any recommendations. Chairman Warner recognized efforts by the developers to improve upon the previous designs, and that the commission has a positive approach to growth in the community. Chairman Warner asked about the distance from the units on the north side to the homes that abut the north side and if there are any provisions in the code. Administrator Schwartz stated that there are provisions for R-2 zones. These include; single story housing is required when abutting an R-1 zone or a 50-foot setback is required. Administrator Schwartz stated that there are no such requirements in R-1 zones.

The commissioners and Mr. Byram discussed the setback distances pertaining to R-1 zoning and how it affects neighboring properties. It was determined that a 12-foot setback is planned between the front of the units on the north side and the north property line. Chairman Warner suggested engineering alleviations such as tree lines to help with any privacy issues. Mr. Roland stated the backyard lengths of the abutting properties are approximately 120 feet.

Commissioner Sutherland proposed the idea of a wall to act as a barrier between the properties. Mr. Roland suggested perhaps a 3-foot berm with a 6-foot fence.

Commissioner Sutherland asked who would be enforcing the rules of the HOA. Mr. Nelson stated that the developers enforce the rules. Mr. Nelson stated that they have three projects currently with HOA's. Two of them are managed by a professional company, and the third is governed by the development company through an in-house management team.

Chairman Warner asked if there was any further discussion on the project and if the developer were seeking any approval. Administrator Schwartz stated that the original intention of this presentation was to give the developer a chance to present the preliminary design, get feedback from the commission, and then continue to work with the planning and zoning department to find the best solution moving forward.

Commissioner Ellsworth asked if this is to be forwarded to the City Council. Commissioner Sutherland stated he would like to see further refinement to the plan before sending it forward, adding especially the plan for garbage collection should be refined in order to avoid trash blowing in the streets.

Chairman Warner asked the developers for the address of the previously mentioned development in Rexburg. Mr. Nelson replied it was 656 Pioneer Road. Commissioner Stowell stated that he did not know of any code requirement that stipulates individual enclosures for individual trach

receptacles. Mr. Roland asked the commission of the design could be sent to City Council and added that the feedback from the commission could be added and decisions could be made on what will be done with the old house and barn on the property. Chairman Warner stated he would entertain any motion. Commissioner Stowell stated that the developers had done their research on code requirements and that some of the concerns brought up were personal opinions as if they were neighbors. Mr. Roland stated that the goal is to create a project that the city is proud of.

Chairman Warner expressed concern on the entryway to the development, and that it is an unresolved issue. Mr. Nelson stated that adjustments could be made prior to any meeting with City Council. Commissioner Ellsworth asked if the setbacks on the north and south lines were in line with the code. Administrator Schwartz stated that interior lot line setback is 5 feet.

Mr. Roland stated that there is 12 feet between the buildings and the lot line.

Commissioner Ellsworth asked if the roadways in the development will be private or public. Mr. Roland stated they are private. Commissioner Sutherland stated that he would like to see further planning on the areas that do not have current plans such as the house and barn. Mr. Roland stated the design of the entryway would decrease traffic speed into the development.

Commissioner Ellsworth stated his desire to know more about the traffic flow on 3rd West.

Councilman Burke stated that the last traffic study showed an approximate value of around 30 cars per hour. Commissioner Ellsworth stated that this could be a part of planning the impact area and planning for future growth.

Chairman Warner asked again if there were any motions. Commissioner Sutherland stated he wanted to see more detailed plans.

Mr. Snarr stated it would be preferable to the developers be able to move forward. Chairman Warner stated he would entertain a motion to table the design so that they would return with better plans. Mr. Roland asked if a special meeting could be held. Chairman Warner asked Administrator Schwartz if that would be possible. Administrator Schwartz stated that it is up to the commissioners. Chairman Warner stated that the developers should continue to work with Administrator Schwartz. The developers and associated individuals left the meeting.

The commission called upon Kevin Thompson of Thompson Engineering to present the Application for Preliminary Plat for Burgess Point located at the general location of 220 S 5th W. Mr. Thompson started by giving information about the general location of the proposed development. Administrator Schwartz brought a larger map of the project from his office for the commission.

Mr. Thompson stated that the land had been rezoned to an R-2 zone. Commissioner Ellsworth asked if the land was previously owned by Richard Marler, which was affirmed by Mr. Thompson. Mr. Thompson described the general layout of the lot and the characteristics of the property. Mr. Thompson explained that the developers are proposing a loop through the property. Chairman Warner asked if the ditch was still on the property. Mr. Thompson stated that the ditch will be relocated. Mr. Thompson agreed, and stated his plan to relocate the ditch along the property line, which has been agreed upon by both property owners.

Mr. Thompson stated that the land has been a dumping ground.

Mr. Thompson described the parking design, with garages and concrete pad in front. Mr. Thompson stated that the development could possibly flow into Cordon Park, but the commission stated that Cordon Park is a private park and owned by the LDS Church. Mr. Thompson continued to describe the parking design, and Chairman Warner expressed general concerns about parking in multi-family developments and asked what will be done with the

1 common areas. Mr. Thompson stated that the common areas will be held in an HOA, and that the
2 development would be similar to projects done in Idaho Falls.

3 Chairman Warner asked if the units will be townhomes, and Mr. Thompson stated that they are
4 townhomes. Commissioner Sutherland asked if each unit had 2 stories so that neighbors were not
5 living above the first floor. Mr. Thompson stated that each unit has 2 stories.

6 Administrator Schwartz stated that per R-2 code, a concrete pad in front of the garage does not
7 count as a second parking space. Chairman Warner stated it appeared that the driveway apron
8 appears to allow an offset parking space. Mr. Thompson described the general location of the
9 similar development in Idaho Falls. Mr. Thompson stated that the intent is to show the size, as
0 the truck in the drawing is the size of a crew cab truck. Mr. Thompson stated his belief that
1 people park a car in the garage and have a car in the driveway.

2 Chairman Warner stated that the city has not properly addressed the issue of trash containers in
3 high density neighborhoods, and that it needs to be addressed.

4 Administrator Schwartz read the code requirements for dumpster enclosures. Chairman Warner
5 stated that the developers should not plan on any access to Cordon Park and discussed the
6 difficulties of getting access to the private park.

7 Mr. Thompson described the greenspace requirements and that the development meets the code
8 for open space.

9 Chairman Warner asked if the proper setback has been used for buildings along Burgess Canal.

0 Mr. Thompson stated that he is aware of the 30-foot setback requirement, and that Idaho Code in
1 relation to canals was followed. Commissioner Sutherland stated that the spacing looks optimum,
2 and the design looks well-planned.

3 Chairman Warner stated that the duplex on the west end needs to be moved to conform with the
4 setbacks.

5 Mr. Thompson stated that their desire is not to squeeze in extra units, but to utilize the green
6 space to the maximum.

7 Chairman Warner stated that he feels that the commission could approve the application but
8 expressed further concern about the plan for trash collection.

9 Commissioner Stowell asked how long the driveways are, and Mr. Thompson replied that they
0 are 20 feet long. Discussion continued on the length of the driveways and how they can
1 accommodate vehicles.

2 Chairman Warner recommended the west duplex be moved east. Commissioner Ellsworth asked
3 for clarification on the sidewalks in the development.

4 Chairman Warner reaffirmed his concern about gaining access to Cordon Park from the proposed
5 development. Chairman Warner asked what measures to approve the preliminary plat application
6 could be taken. Administrator Schwartz stated that the commission can move to approve the
7 application and may attach conditions for improvements.

8 Commissioner Ellsworth made a motion to approve the Preliminary Plat Application conditional
9 to a sidewalk being placed in the northwest corner along 5th West, and the duplex along 5th West
0 is moved further east. Further discussion on garbage receptacles took place while Commissioner
1 Ellsworth was making his motion. Commissioner Stowell seconded the motion. Voting was
2 unanimous in the affirmative. Motion carries.

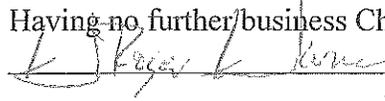
3 Chairman Warner thanked Mr. Thompson for his presentation, and Mr. Thompson left the
4 meeting.

5 Chairman Warner stated that the commission would agree to a special meeting if necessary for
6 the Sweetwater Townhomes development.

7 Chairman Warner told Administrator Schwartz that the commission does not want to see
8 incomplete applications. Administrator Schwartz stated that the preliminary design presentation
9 was intended for feedback purposes only and was not meant for approval. Discussion continued
0 about the Sweetwater Townhome development.

1 The next Planning and Zoning Commission Meeting will be held on Thursday, May 10th at 7:00
2 PM.

3 ~~Having no further business~~ Chairman Warner adjourned the meeting at approximately 9:00 PM.

4  - Chairman Warner

5 _____ - Attest, Tyson Schwartz, P&Z Administrator

6 Dated 5/10/2018