

City of Rigby
Planning & Zoning Commission
January 10, 2018

Board Member Connie Moore called the meeting to order at 7:10pm Wednesday, January 10, 2018.

The Chair asked the clerk to call the roll:

Commissioner Ellsworth	Present
Commissioner Moore	Present
Commissioner Stowell	Present
Commissioner Wilder	Present
Commissioner Warner	Absent
Commissioner Sutherland	Absent
Commissioner Bennett	Absent

Also present: Attorney Dunn

Approval of Minutes:

The minutes of October 12, 2017 were reviewed. Commissioner Stowell moved to approve the minutes of October 12, 2017. Motion seconded by Commissioner Ellsworth.

The chair called for a voice poll to approve: All in favor none opposed.

Public Hearing:

The chair opened the public hearing regarding the application from Bo Porter, Kris Stowell, and Jake Shumway to amend a plat containing four individual lots into a single lot; vacate a proposed cul-de-sac with the property being deeded to the applicants and approval of the concept of a planned unit development located off of Pleasant Country Lane in the Rigby Town Square Development.

Ex Parte Communications:

The chair asked if any of the members present had had any communications with the applicants or had discussed the project among themselves or with other individuals. All indicated they had not.

Staff Report:

The city clerk, acting as interim planning and zoning administrator, came forward and presented the staff report. The staff report contains information on the history of the site, comments on how public notice was dispersed, items in the comprehensive plan that may or may not enter into the decision, applicable city code considerations highlighting the key provisions under Planned Unit Development #10-11; City code on amending plats; and state code on vacating roads within city.

The clerk noted three individuals have come into the office to discuss specific aspects of the project. And that one individual had sent email questions which the clerk has given each of the commissioners. No other inquiries have been made. Since the mailing of the commissioner's packets, the clerk had received a revised preliminary site plan

He also noted the attorney had drafted bullet point paper containing items the attorney thought should be considered by the commission.

He concluded his remarks stating the city complied with the requirements as specified in the code for public hearings.

Prior to the applicant's presentation, the attorney asked when the revised preliminary plan was presented to the city. Mr. Porter indicated that he brought in the revised plan and gave it to the city clerk on Monday January 8, 2018. The attorney asked if the person questioning the preliminary plan had had an opportunity to review new plan. Mr. Porter said that he knows that he came in today and got a copy.

The attorney asked Mr. Porter if they had met and completed the checklist for a planned unit development. Mr. Porter responded that yes they had in various meetings with the mayor and the city clerk.

Applicant's Presentation:

Bo Porter representing Fox Investments came forward and presented a power point presentation for the commission. He explained what the goal and vision was for the development and why he and his partners felt the project would be beneficial to the residents and to the city as whole. His presentation covered why an amended plat was needed to avoid the conflict of having setbacks on individual borders of the applicable individual lots. With the four lots being combined into one single lot, a single lot would allow clustering of units.

Vacating cul-de-sac: Mr. Porter explained why the vacation of the cul-de-sac is needed, why it's good for the city and how the vacation would help with the development. He noted the cul-de-sac has not be constructed and if it is not vacated the city would have to foot the bill to construct it being the prior developer failed to get the road constructed.

Erasing of Lot Lines: Mr. Porter's presentation showed the original lots owned by Fox Investments. With the addition of the lot being acquired north of their holdings he showed how the arrangements of the buildings could be accommodated on the 4.67 acres.

Planned Unit Development: Mr. Porter presented a video he took of a similar project in Utah. He noted that on the interior buildings the front of each building would face inward and be looking at a park like area. As opposed to having the units face the street side view. The buildings facing Pleasant Country Lane and Courthouse Way, the front would face the street to offer an attractive drive by appearance. Once you enter the project the other unit's front would face each other separated with the park. The backside of each building would allow for double car garages facing each other. The outer boundary of the project is separated by a roadway going around the perimeter of the property. There is a single entrance/exit from the property on Pleasant Country Lane separated by a median for egress and ingress. There are two egress/ingress on Courthouse Way.

His final slide was a picture of the development site plan and with four residents who appeared at the last public hearing in opposition to that development. He has contacted the four and they indicated they are in support of the project. Mrs. Carter who is most affected was concerned with a second story building looking into her back yard. He eased her concern with having the road run alongside the property line and also only building the single bedroom single story units on the units bordering the R-1 zone.

Addressing the preliminary site plan he noted that South Fork Design assisted with the plan along with engineer Jeff Freiberg of Idaho Falls. If the project is approved they will be working with them to develop the final plat and site plans.

He concluded his presentation requesting approval of the preliminary planned unit development, vacation of the cul-de-sac and amended plat.

Public Comment:

The chair noted there were no residents in attendance this evening for comments on the project. Being no public comments, she closed the public hearing portion of the hearing at 7:50pm.

Commission Discussion:

The attorney began the discussion and asked if he was looking at the correct plan wherein the access onto the Annis Road is not in the current plan. Mr. Porter said that was correct and referred to the plan with the one on Pleasant Country Lane and the two on the Courthouse Way.

The attorney asked if the 4.67 acres was enough for the PUD. Mr. Porter said yes. The code specifies 3 acres for residential and 5 acres for mixed residential and commercial. Being this is strictly residential units only 3 acres would be needed and they have 4.67 acres.

The attorney asked about the setbacks along the cul-de-sac: Porter said there would be divided between lanes but otherwise the outside boundary would be the same.

There would be 50 units constructed in stages consisting of 3, 2 and 1 bedroom units with the square footages ranging from 1,450 sq. feet for a 3-bedroom unit to 850 sq. feet for a single bedroom unit. Of the 50 units there will be garages housing 95 vehicles. The code requires 46 parking spaces; the project will have 49 actual parking spaces in addition to the garages.

Commissioner Ellsworth asked how changing the lot lines would assist in the development. Mr. Porter referred to the prohibition of building on or over existing lot lines and the set-back requirements. They tried to configure the buildings to fit within the existing lots but were not able to do so. With the single lot the frontage and side yards can be clustered and overall will provide greater use of green space.

Commissioner Stowell asked about the lot north of the cul-de-sac if the road was abandoned or vacated would that land locks that lot. Mr. Porter said no he could still access it from Pleasant Country Lane. However, the unit that is built on the north side of the lot cannot be duplicated because of the size of the lot remaining. It would have to be smaller unit. Mr. Porter indicated to Mr. Ellsworth on the map what he was referring to.

General Comments:

Commissioner Stowell stated he liked the concept and how it was laid out and thought it would be attractive.

Commissioner Moore also commented that she thought it would be better than previous built complexes.

Commissioner Wilder noted that they had covered all of their bases, addressed concerns of adjacent landowners as indicated this evening with no one coming in opposition, and felt it was a project that could be recommended to the city council to approve.

Councilman Stowell moved that the vacating of the cul-de-sac be approved with a "recommendation to approve" be submitted to the city council. Motion seconded by Commissioner Wilder.

The chair asked the clerk to poll the commission:

Commissioner Ellsworth	Yes
Commissioner Moore	Yes
Commissioner Stowell	Yes
Commissioner Wilder	Yes

Commissioner Wilder moved that a recommendation of “to approve” be submitted to the city council on amending the plat from four lots to a single lot. Motion seconded by Commissioner Ellsworth.

The chair asked the clerk to poll the commission:

Commissioner Ellsworth	Yes
Commissioner Moore	Yes
Commissioner Stowell	Yes
Commissioner Wilder	Yes

Commissioner Ellsworth moved that the preliminary planned unit development (PUD) project be approved and forwarded to the city council with a recommendation of “to approve” based on the of factual finding as to access, sufficient lot size for the development, access to arterial roads, emergency vehicles appears sufficient, no issues conflicting with R-1 zone, sufficient green spaces and parking spaces pending final plat and subdivision plan. Motion seconded by Commissioner Stowell.

The chair asked the clerk to poll the commission:

Commissioner Ellsworth	Yes
Commissioner Moore	Yes
Commissioner Stowell	Yes
Commissioner Wilder	Yes

Other Business:

Joint City/County Meeting:

Commissioner Ellsworth inquired about the scheduled joint meeting set for January 17. The clerk indicated the new administrator would not be available until January 22, 2018. That is was perhaps best to cancel the meeting to allow him time to get up to speed with the impact zone being discussed. Consensus among the commissioners was to cancel the meeting. The clerk will follow up and cancel the meeting.

Reorganize the board:

The board is usually recognized each year but best wait until we had a full complement of the board be in attendance. Try for the next meeting.

Set Date of next Meeting:

The next regular scheduled commission meeting date is Feb 8, 2018. Will try to get an agenda going and reorganize the board at that time.

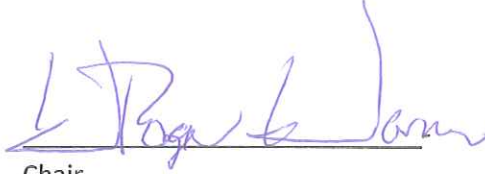
Adjournment:

Commissioner Moore moved to adjourn seconded by Commissioner Wilder.

The chair called for a voice poll to approve: All in favor none opposed.

Meeting adjourned: 8:00pm

Rigby Planning & Zoning



Chair

ATTEST:



~~David Swager, City Clerk~~

Tyson Schwartz, P&Z administrator