

Rigby Planning and Zoning Commission

Minutes of the Meeting

July 8, 2021

Chairman Ellsworth called the meeting to order at 7:05 p.m.

The chair asked for roll call:

Commissioner Stowell- Present

Commissioner Sutherland- Present

Commissioner Cowley- Present

Commissioner Wilder- Absent

Commissioner Belk- Present

P&Z Administrator- Present

Attorney Dunn- Absent

The pledge of allegiance was led by Commissioner Stowell.

Commissioner Sutherland: Motion to approve the minutes for June 10, 2021. With corrections.

Commissioner Cowley: Seconded the motion.

Motion Carries.

Public Hearing:

Old Business:

Annexation & Zone Designation/ Application from BUKU Properties LLC/ Approx. Northwest corner of 400 North and 3950 East Annis Highway/ Proposing R-2 duplex and twin homes and R-3 duplex and twin homes, apartment building and condominiums.

Commissioner Belk: Requeued himself from the meeting.

Blake Jolley (Connect Engineering) present for BUKU properties. I do not want to go over a lot of stuff we have already discussed, or add additional information, just some clarification. The commissioners wanted a conceptual idea to look at, what could be developed on this land. Let call this chicken scratch, I know it not part of the application, but this is a rough drawing of what could be developed. Keep in mind this is chicken scratch (Exhibit A), I did find out tonight that the road could not be the R-2 buffer. So, there will need to be some twin homes R-2 in between the R-3. There was some concern about the road. I know they are county roads, if there need be some specification, that could be wrote in the development agreement. Has there been any update about the Annis Hwy?

Mitch Bradley Public Work: They will be working on Annis hwy. in 2022 but there will not be curbing and gutter. The road will be about six feet (6') wider. I cannot tell you when, but East 400 North will become a city road.

Blake Jolley: This part of the platting not zoning. The zoning needs to come first. The access road will line up with Eagle Rest and Sugarmill Estate access.

Commissioner Sutherland: Will this be a four (4) lane road?

Blake Jolley: I doubt it, but it should be a four (4) way stop. There are several areas that do not match up with the Comprehensive map and the county is only going to allow the two (2) accesses. If we do commercial on the corner it would not have a direct access. There is R-1 in the county, then R-2 and R-3 on the corner. This makes a good transition and it follow the intent of the Comp. Plan. The area is changing.

Commissioner Sutherland: Expand where the R-2 zone will be?

Blake Jolley: Explain using exhibit A.

Commissioner Cowley: To the south is Sugarmill R-1 zoning and to the East is Eagle Rest 55 years or older residence twin home R-2 zoning.

Planning and Zoning Ione Hansen; Yes, sorry that is real confusing with all the new change in City Code.

Blake Jolley: Is they any question?

Commissioner Sutherland: This is just for the annexation not for the plat?

Commissioner Cowley: Annexation with a Zone designation.

Commissioner Stowell: The two (2) accesses roads, will line up with the Eagles Rest Subdivision and Sugarmill Subdivision.

Ione Hansen Planning and Zoning: Yes

Anyone to speak.

In favor:

Jeramie Magera: I think Blake pretty much took care of it. I know there is a need for R-2 and R-3 zoning.

Neutral:

Apposed:

Closed hearing:

Commissioner Sutherland: Mitch said something earlier about this road. Is the updating of the road the responsible for the developer or the city?

Public Works Mitch Bradley: That extremely hard to answer, it depends on what the county wants to do. Who know, when or if we will take over maintenance on the road? To add something to the development agreement would be tough.

Commissioner Stowell: My concern are the roads and traffic. How are we going to accommodate all this new growth? Why are we not looking at wider roads?

Commissioner Cowley: It just does not make sense that we zone if first. What about the density? I think we need to address the road and traffic. Why are we impacting all these roads, should we be fixing the road first? We are just jam packing this hole area.

Commissioner Stowell: That why I brought this up. I look at the roads in Idaho fall, and the road are five (5) lanes. Why aren't we looking at larger road? So, when project comes in like this, the road can accommodate the extra traffic.

Commissioner Sutherland: I know it not a city road, but the county and city need to look at larger road so we can accommodate for further growth. I would like to see larger set back along the road.

Public work Mitch Bradley: That would be great, but that not the city's road.

Commissioner Cowley: Is there any plan in for wider roads?

Public work Mitch Bradley: I can not say that. I just do not know at this time. We are doing a study now. I do not know what is going to happen with the roads.

Commissioner Stowell: This is for zoning right now.

Blake Jolley: First the zoning needs to be approved and then the plat application. At that time, we can do a traffic study. Both the county and city will need to approve.

Commissioner Cowley: I do not think a traffic study is very valuable. This is already a high-density area, and there is a lot of single-family residence.

Commissioner Sutherland: Motion to recommend approval of the Annexation & Zone Designation as R-2 and R-3. With R-2 zoning on the North and West and R-3 in the east and south corner of the property. With the road to line up with Eagle Rest and Sugarmill Estate access. Amending 10-3-9

10-3-9: ZONING UPON ANNEXATION:

Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the planning and zoning commission, or the planning commission and the zoning commission, on the proposed comprehensive plan and zoning ordinance changes for the unincorporated area. Each commission and the city council shall follow the notice and hearing procedures provided in chapter 10 of this title. Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the comprehensive plan and zoning ordinance. (Ord. 402, 5-5-1987)

Roll Call:

Commissioner Sutherland- Yes

Commissioner Cowley- Recommend to council not to approve the request.

Commissioner Stowell- Yes

Commissioner Belk- Requeued

Motion Carries.

Two to one.

Zone Change/ Cornerstone Properties, LLC/ Address 335 South 3 West/ The parcel is zone residential R-1 and multifamily R-3. They would like to rezone the residential R-1 to R-3 multifamily

Planning and Zoning Ione Hansen: This parcel has two zones. R-3 and R-1. There is a four plex on the parcel. They just want to clean up the zoning and zone the parcel R-3.

Jessie Jones: The different zone meets between apartment three (3) and four (4). We just want to clean the zone up. Where there is a four plex, it will need to be zone R-3. We would like to build another four plex, but we were told we do not have enough footage, so maybe a three plex.

Commissioner Cowley: Where would it be placed on the property?

Jessie Jones: They would move the garages to the side of the property, and the new building would be on the south side of the property.

Planning and Zoning Ione Hansen: We would have to have it surveyed to see what size of building would be allowed.

Jessie Jones: Sure.

Commissioner Cowley: We are not approving the plat today just the zone change.

Jessie Jones. Yes.

Commissioner Stowell: It zoned R-3 along South 3 West.

Jessie Jones: Yes

Commissioner Cowley: There nothing they could do with the R-1.

Jessie Jones: Any more question?

Commissioner Sutherland: You just want to make it one zone.

Jessie Jones: Yes, and where there is a four plex it will need to be R-3 zoning.

Anyone to speak.

In favor:

Neutral:

Apposed:

Closed hearing:

Commissioner Sutherland: It just cleaning up the zoning.

Commissioner Cowley: There is no reason to deny this application.

Commissioner Cowley: Motion to recommend approval of the Zone change.

Commissioner Belk: Second the motion.

Roll Call:

Commissioner Stowell- Yes

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Belk- Yes

Motion Carries.

Zone Change/ Morgan Peterson/ Approx. address 294 North Yellowstone hwy./ The parcel is zoned residential R-1 and proposing Commercial.

Blake Jolley (Connect Engineering) present for Morgan Peterson. This parcel is on hwy. 48 and the corner of Yellowstone Hwy. There is storage unit to the South and West, Industrial and Commercial across the road and single-family dwelling to the East. We would like to rezone it commercial. this is a small lot on a corner and a better use for commercial.

Anyone to speak.

In favor:

Neutral:

Justin Horan: I own the property to the east. My concern is the parking, setback form property and lighting. I have talked with Planning and Zoning; they have insured me that there is City Codes already in place to take care of these concerns.

Commissioner Belk: What is the setback of the back of the property?

Planning and Zoning lone Hansen: Ten feet (10') form R-1 zoning and there will need to be six feet (6') privacy fence next to the R-1 zoning.

Commissioner Cowley: There is already protection in place.

Justin Horan: This is just some of my concern. I am not against it.

Apposed:

Closes the Public Hearing:

Commissioner Cowley: This is a small parcel on a corner of a busy road. This just make sense.

Commissioner Sutherland: I agree.

Commissioner Belk: Motion to recommend approval of the zone change.

Commissioner Cowley: Second the motion.

Roll Call:

Commissioner Stowell- Yes.

Commissioner Sutherland- Yes.

Commissioner Cowley- Yes.

Commissioner Belk- Yes.

Motion Carries.

The Annexation and Zone Designation/ Exclusive Properties/ Address East 244 North Yellowstone Hwy./ Proposing Commercial. Annexation and Zone Designation/ State of Idaho (Idaho Transportation Department)/ Address 206 North Yellowstone Hwy./ Proposing Commercial. Annexation and Zone Designation /Lemhi Enterprises/ Address 198 N Yellowstone Hwy. /Proposing Commercial, R-3 and R-2.

Planning and Zoning Ione Hansen: There has been something brought to my attention. That will need to be taken care of before the Planning and Zoning meeting.

Commissioner Cowley: Motion to table the Annexation and Zone Designation/ Exclusive Properties/ Address East 244 North Yellowstone Hwy./ Proposing Commercial. Annexation and Zone Designation/ State of Idaho (Idaho Transportation Department)/ Address 206 North Yellowstone Hwy./ Proposing Commercial. Annexation and Zone Designation /Lemhi Enterprises/ Address 198 N Yellowstone Hwy. /Proposing Commercial, R-3 and R-2. *These items will be tabled and heard at the next Planning and Zoning meeting August 12, 2021.*

Commissioner Sutherland: Second the motion.

Roll Call:

Commissioner Stowell- Yes

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Belk- Yes

Motion Carries.

Annexation and Zone Designation/ Fox Investing/ Approx. address 3855 East 300 North/Proposing Commercial zoning.

Commissioner Stowell: Requeued himself from the meeting.

Bo Porter: This property is in the county and zoned commercial. We would like to annex into the city and hook up to city services. The plan is to build storage unit with a small office and bathroom. This property is along hwy. 48. We have talk with Idaho Transportation Department and we are allowed on access.

Public works Mitch Bradley: Where this property is located sewer would be very costly for just one bathroom, water is questionable. This is for a small office and is only asking for one bathroom. I am in favor of annexing because it in the impact area, but as far as hooking up to utilities is questionable.

Commissioner Sutherland: Is this going to be a mobile office?

Bo Porter: No, it will be built with the storage units. We are going to have a temporized storage unit and it will be part of the unit. We would like to place are building on the property line.

Planning and Zoning lone Hansen: You will have to build to City code. Ten feet (10') for the R-1 zone and a privacy fence.

Commissioner Sutherland: Storage Units?

Bo Porter: Yes.

Anyone to speak.

In favor:

Neutral:

Bryan Decker: Speaking on behalf of myself and wife. I was not aware it was already zone commercial. We percussed the home when the surround land was zoned R-1. The commercial zone is to create and maintain a dominant shopping and financial center of the City and surrounding region with business and shopping activities ca be carried on with maximum convenience. This is not in the center of town and on a very busy road. I would have a concern of what kind of commercial that would be allowed on this piece of property. Question for Mitch Bradley Public Works was you defending Fox Investing?

Public Works Mitch Bradley: Absolutely not. I was just giving information.

Brian Decker: Our main concern is, we want to preserve the legacy of the land and our home. The tree on the property have been there for every, it a landmark. We have work very hard to maintain the property.

Jenny Decker: My concerns are the road, lighting on the storage units and the security. Does the city really want an industrial zone along the highway? Those are just some of my concerns.

Apposed:

Closes the Public Hearing:

Commissioner Cowley: The business is zoned commercial but does require a Conditional Use Permit. There is commercial across the road.

Brian Decker: My understanding is the storage unit are industrial.

Planning and Zoning Ione Hansen: With the new City Code it is a commercial zone with a Condition Use Permit.

Commissioner Cowley: This is just a recommendation to Council.

Commissioner Sutherland: Fox Investing did get an access?

Public Works Mitch Bradley: Yes.

Commissioner Cowley: The reason you want to annex int to the city.

Bo Porter: We are force to deal with the city because of the impact agreement. We could build in the county, but we would not be able have water and sewer.

Commissioner Cowley: City services will be tuff.

Public Works Mitch Bradley: Yes.

Commissioner Belk: I do not understand why he wants to annex into the city.

Public Works Mitch Bradley: The Impact agreement states if they're within three hundred feet (300) of city services they will need to annex in the city and hook up to city services.

Commissioner Belk: I see no reason not to approve the annexation.

Commissioner Beck: Motion to recommend approval of the Annexation & Zone Designation as commercial.

Commissioner Sutherland: Second the motion.

Roll Call:

Commissioner Stowell-

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Belk- Yes

Motion Carries.

Conditional Use Permit/ Fox Investing/ Approx. address 3855 East 300 North/ Proposing Mini Storage Units.

Commissioner Stowell: I think you have already address everything.

Bo Porter: I just think this is an ideal location for storage unit.

Commissioner Sutherland: What you plan to make this lease invasive for the property owner in this area?

Bo Porter: I have talk with Brian before and he did mention the light. We want to be accommodating to the property owner.

Commissioner Cowley: This is a loss for the community. It is a beautiful, maintained piece of property. I also think that highway 48 should be commercial.

Bo Porter: The Conditional Use Permit ask for a concept. The final plan will be more detail, it will need to be signed off by Central Fire, Public Work, Planning and Zoning before it will be about to get a building permit.

Commissioner Cowley: Is there certain hours of operation?

Bo Porter: No. We plan on a (6) foot privacy fence and are very concentrate on the surrounding property.

Anyone to speak.

In favor:

Neutral:

Brian Decker: Bo and Chris have been very proactive. I think it a good area for a storage unit. We just want to make sure are need are met. Six-foot (6') privacy fence maybe an eight foot (8'), lighting and security. They do a good job and I appreciate it.

Apposed:

Closes the Public Hearing.

Commissioner Cowley: What kind of lighting?

Bo Porter: Hooded light so it only points down.

Commissioner Cowley: What about motion lighting?

Planning and Zoning Ione Hansen: A motion light is hard because if there is a cat or bird it flickers on and off.

Commissioner Cowley: Eight-foot (8') opaque privacy fence along the R-1 zoning. I like the idea of the store front.

Commissioner Sutherland: Land scaping along highway 48.

Commissioner Cowley: Motion to approve the Conditional Use Permit. With ten feet (10') setback for the R-1 zoning, hooded light, land scaping along the front of the property, eight feet (8') opaque privacy fence along the north and east side, six feet (6') opaque privacy fence on the south and west of the property. With the fencing be stage at the beginning of the development.

Commissioner Belk: Second the motion.

Roll Call:

Commissioner Stowell- Yes

Commissioner Sutherland- Yes

Commissioner Cowley- Yes

Commissioner Belk- Yes

Motion Carries.

Commissioner Sutherland: Motion to adjourn.

Commissioner Belk: Second the motion.

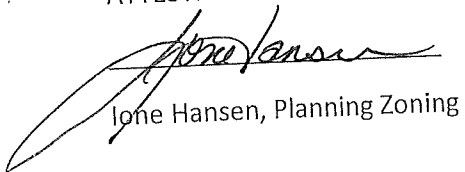
All in favor: Motion Carries.

Meeting adjourned at 9:40 p.m.



Mike Wilder, Chair, *vice*

ATTEST:



Lone Hansen, Planning Zoning