

PLANNING & ZONING COMMISSION (PZC)
Minutes for February 22, 2017, at 6:30 p.m.
City Council Chambers, Municipal Building
911 North Seventh Avenue, Pocatello, ID 83201

The meeting began at 6:30 PM.

Present: Jack Brennan, Bill Hancock, Kathleen Lewis, and Steve Long.

Excused: Ryan Loveland and Ryan Satterfield

Staff: Matthew Lewis and Aceline McCulla.

AGENDA ITEM #1: ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST, EX-PARTE COMMUNICATION, AND SITE VISIT.

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit, and what was seen.

Brennan did a site visit and had nothing else to report. **Hancock** had nothing to report. **Lewis** had nothing to report. **Long** did a site visit and had nothing else to report.

AGENDA ITEM #2: APPROVAL OF MINUTES

The Commission may wish to approve the minutes from their regular meetings held on January 11, 2017.

It was Motioned, Seconded, and Carried (MSC) (**Long, Hancock**) to approve the January 11 minutes as written. Those voting in favor were Brennan, Hancock, Chair Lewis, and Long.

AGENDA ITEM #3: PUBLIC HEARING – ANNEXATION

This time has been set aside for the Commission to hear comments from the public regarding a request from Pocatello Creek Development Company (PCDC), Ted S. Crandall, Janice M. Crandall, David Lowry, Michele Russell, and Michael J. Thomson of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter Day Saints, represented by Rocky Mountain Engineering and Surveying, to annex and zone approximately 74.69 acres of land extending the City corporate boundary east of Butte and Clearwater Streets, east of Satterfield Drive and east of Legacy Drive. The proposal calls for the area to be zoned Residential Low Density (RL).

Mitchell Greer with Rocky Mountain Engineering and Surveying (RMES), 600 East Oak Street, Pocatello, stated he was representing four separate applicants with this application. The request is for approximately 75 acres. There are two small parcels owned by existing residents within the area, which are being included to prevent gaps around the city property, the LDS Church has a future development parcel, located east of the existing church off of Butte Drive, and the remaining property belongs to Satterfield Realty and Development, (a.k.a. Pocatello Creek Development Company).

This area has been planned for residential development for many years. With previous development of the bench, most of the utilities, infrastructure, (roads, water, sewer, and storm) have been planned for and are capable of supporting the development. An extensive water system upgrade was developed over the last several projects. RMES and Satterfield Realty and Development (SRD) planned for growth through the water system and storm water drainage, with a storm water facility on the north end of the project, as well as the sewer and road capacities. This project is consistent with the Comprehensive Plan, with the City anticipating growth in in this area. Greer did not believe there was any new development currently slated to happen. This is more a preparation for future development.

Long asked how the 75 acres was selected. **Greer** stated it represented what could be serviced from the existing water infrastructure. Anything beyond that would require another water infrastructure upgrade.

Hancock asked Greer if that was part of the comprehensive analysis. **Greer** replied yes, and stated that planning for this area began in 2011. Greer stated quite a bit of modeling was done on residential development throughout that

area. This, along with the first four phases of Greenfield and the Crestview project done last year are all within the same water pressure zone and that same modeling effort was used, and RMES and SRD had worked with the City. This development has been planned, expanded, and is ready to be accepted. **Hancock** asked Greer if he represented all the property owners of these 75 acres, and if all the property owners have consented to be annexed within the City. **Greer** replied yes.

Brennan asked where the water tank that services this project was located. **Greer** stated the water tanks are above the Sunrise area to the south and east. The lower tank services mostly the lower residents, from an earlier development done in the 1990s. The upper tank, known as the high country tank is a million gallon tank and put in for future development, such as this project. The tank is up high on the hill, higher than this project so pressures will have to be reduced to accommodate what is being proposed. **Brennan** asked who owned the property to the east. **Greer** stated that the property to the east is owned by SRD.

Matthew Lewis, planning manager with the City of Pocatello, stated the request was to annex and zone approximately 74.69 acre (+/-) areas. The owner of the property is predominately Pocatello Creek Development Company with the exception of LDS Church, which owns about 10 acres as noted, and small pieces that are owned in part by Ted and Janice Crandall at 2130 Satterfield Drive, and David Lowry and Michelle Russell at 3140 Satterfield Drive. All four parties are part of this annexation.

Lewis noted the annexation request is in compliance with Idaho State Code Section 50-222.3(a)(i). as a category "A" annexation, which allows annexation to take place wherein all private landowners have consented to annexation. In this case all the applicants as noted in the application are included. The property is within the City and County adopted Area of City Impact, it lies contiguous to the existing City limits, and is within the City's Urban Service Boundary, with a designation of Residential as outlined in the Comprehensive Plan. Lewis stated the infrastructure would be extended as development occurs. Lewis noted that this was strictly a request for annexation of the 74.69 acres and not a request for subdivision at this time.

Notification of the public hearing was sent to property owners within a 300-foot radius of the land to be annexed and zoned, public notice was published in the Idaho State Journal, and signs were posted at the end of Butte and Clearwater Streets.

Staff recommends that:

1. The subject property shall be annexed into the corporate boundaries of the City of Pocatello;
2. That upon annexation, the subject property shall be zoned Residential-Low Density (RL). This designation is consistent with adjacent residential properties currently within City of Pocatello corporate boundaries.
3. EXHIBIT 1 shall be made part of the Council's Decision.

Lewis stated Merrill Quayle, Development and Public Works Engineer with the City of Pocatello, would answer questions on infrastructure.

Merril Quayle, Development and Public Works Engineer with the City of Pocatello answered questions from Commission members concerning storm drainage in the area, water pressure, and general infrastructure in the area.

Chair Lewis opened the public hearing at 6:52 PM.

Public comments in opposition:

Becky Pierce, 2288 Andrew Street, Pocatello, submitted photos to the Commission related to runoff damage from the February 6-8 storm. The Pierces want the City and the developer to think about what they are doing when developing areas to prevent drainage issues and help resolve the current issues. The Pierces had to take a week off work in February to deal with the water runoff into their property.

Kevin Sorensen, 2438 Skyler Place, Pocatello, stated that once development of Andrew Street began, his home was

flooded out five times. Sorensen stated that SRD, the engineers, and the road builders caused the problem because they did not comply with the City's erosion control. Sorensen asked the City to make developers responsible and to do things right.

Joshua Howard, 3060 Trevor Street, Pocatello, stated she was concerned that engineers, developers, and builders did not go into the field to see how frozen land would absorb water drainage. Measures need to be taken to provide proper water runoff to protect the landowners' homes in the area.

Tamara Parker, 3071 Trevor Street, Pocatello, stated she has lived in her home for 2.5 years. For the past two winters, water has entered their home because their home sits lower than the yard and retaining wall. The water drains into their home. Parker is concerned with water runoff and pressure and asks the City to resolve the current issues prior to approving this annexation request. Parker recommended the City help educate property owners on how to keep runoff water on their own property and to enforce the ones that do not, as some homeowners follow this rule and others do not.

Julie Sorensen, 2438 Skyler Place, Pocatello, stated she was concerned with water pressure. Her sprinkler system does not work any longer because the water pressure is so low, and it will cost thousands of dollars to replace the sprinkler system.

Katy Harris, 2999 Clearwater Street, Pocatello, pointed out that for the past two years there have been flooding issues with the spring and fall rain storms that hit this area and that has flooded homes in this area, and the ground was not frozen. There are issues with water runoff with all seasons. The new subdivision development will affect her property and she wanted to see and know there was a plan to prevent the water runoff and pressure issues before this is approved and development begins.

Patty Wheatley, 2320 Andrew Street, Pocatello, stated she was concerned with flooding and water pressure. She wanted to know where the drainage ponds are to catch all this water besides the Pierce's property.

Matthew Cutler, 3000 Richard Street, Pocatello, stated he is an engineer and that he had sound reasons to question the integrity of the surveys that have been performed. As an engineer, he completely understands the process of managing drain water and he did not understand what the study was. He questioned the validity of the numbers, the tests, and the survey analysis of water pressure. His home was built in the 1990s and he installed a new sprinkler system, which cannot water the lawn due to low water pressure. This past spring the Cutlers experienced massive flooding in their basement and there is only one empty lot next door. There is surface water runoff from the dense clay soil, which does not absorb and raises the ground water level so high that it flooded their basement, with a total loss of their basement flooring. Whatever work has been done, Cutler felt the minimum standards were too low, that decisions were being based on old data, a 10 year storms verse a 100-year storm for rain water collection. He was in opposition to further annexation and development for these two reasons, as well as not seeing a master plan being developed for the area. It is something he has seen growing up within Idaho. Idahoans are short sighted, because there is not a massive growth at once, slowly using bits of land. In areas like Salt Lake Valley, they project growth for the next 50-100 years. They know where the highways will be in 50 years and they plan for that, they do not wait until there is overcrowding, there is flooding, and problems and complaints to then go back through and have to condemn homes and property too, to put in the infrastructure. Right now Cutler did not see the roads that would support the continued growth that would go up the hill, and speed limits. He would like to see a full plan that would go into the next 50 years, and the ground water and the water pressure needs to be managed and fixed before further development. Once these issues are resolved, he would be in support of the future development.

Nathan George, 2287 Andrews Street, Pocatello, ID, stated that he does not have issues, but has seen the neighborhood flooding issues, and the previous house he rented had low water pressure issues in the same neighborhood. He was concerned with future development and more issues with low water pressure and increased water runoff and flooding.

Larry Pierce 2240 Andrews Street, Pocatello, stated he was not opposed to growth and development, and his home has not flooded, but six of the 10 homes built in his area have flooded. He was concerned with the water issues and wanted to see long term plans for water flow. He wanted to see management of the water pressure before building

more homes.

The Commission discussed annexation requirements, master plan development, and infrastructure.

With no other public comments, Chair Lewis closed the public hearing at 7:30 PM.

Discussion ensued with Commission members.

It was **MSC (Hancock, Brennan)** to recommend approval to the City Council to annex approximately 74.69 acres of land extending the City corporate boundary east of Butte and Clearwater Streets, east of Satterfield Drive, and east of Legacy Drive with the three (3) staff recommendations/conditions listed in the staff report, and authorize Chair Lewis to sign the findings of fact and decision. Those voting in favor were Brennan, Hancock, Chair Lewis, and Long.

With no other business, Chair Lewis closed the meeting at 7:40 PM.

Submitted by *Aceline McCulla* Approved on *March 8, 2017*
Aceline McCulla, Secretary