Wednesday, May 8, 2019
City Council Chambers, Municipal Building
911 N. Seventh Avenue
6:30 p.m.

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days’ advance notice by contacting Skyler Beebe at sbeebe@pocatello.us; 208.234.6248 or 5815 South 5th Avenue, Pocatello, ID.

PLANNING & ZONING COMMISSION (P&Z)

The Planning & Zoning Commission is a citizen advisory group to the City Council. They are charged with making recommendations concerning land use plans, planning processes and/or matters of plan implementation. All regular meetings of the P&Z Commission are recorded for record retention and transcription.

The following is the official agenda of the Planning & Zoning Commission. Discussion and Commission action will be limited to those items on the agenda. Any citizen who wishes to address the Commission shall first be recognized by the Chair, and shall give his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Commission, he/she shall first seek permission from the Chair. Oral testimony may be restricted to no more than 3 minutes per person.

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 there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

AGENDA ITEM 2: APPROVAL OF MINUTES

The Commission may wish to approve the minutes from the clarification and regular meetings on February 27, 2019 and the work session on April 10, 2019. (ACTION ITEM)

AGENDA ITEM 3: PUBLIC HEARING – ANNEXATION

This time has been set aside for the Commission to hear comments from the public regarding a request by McCormick Ranch, LLC, represented by RMES, to annex and zone 115.32 acres (more or less) of land located south of Neva Road and southwest of Gathe Drive. The requested zoning is Residential Low Density. The land is included in the Area of City Impact. (ACTION ITEM)

AGENDA ITEM 4: PRELIMINARY PLAT – WESTERN SKIES

Brandon Ratliff, represented by RMES, has submitted a preliminary plat to subdivide 16.84 acres (more or less) into 44 lots. The property is located east of Dolostone Drive and north of Eastpointe Drive. (ACTION ITEM)
Chair Ryan Satterfield called the clarification meeting to order at 6:00 PM.

AGENDA ITEM #1: ROLL CALL

Present: Jared Bernt, Jack Moore, Sara O’Connor, Dorothy Ricks, Julia Sanders, and Ryan Satterfield.  
Unexcused: Richard Larsen.  
Staff: Meanie Gygli, Matthew Lewis, and Aceline McCulla.

AGENDA ITEM #2: DISCUSSION TO CLARIFY ITEMS ON THE FEBRUARY 27, 2019,  
PLANNING AND ZONING COMMISSION MEETING AGENDA

The Commission and staff discussed the agenda items.

AGENDA ITEM #3: ADJOURN

With no further discussion, Chair Satterfield adjourned the clarification meeting at 6:30 P.M.

Submitted by _______________________________  Approved on __________________________

Aceline McCulla, Secretary
The meeting began at 6:30 PM.

**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.

Bernt had nothing to report. Moore had nothing to report. O’Connor had nothing to report. Ricks had nothing to report. Sanders had nothing to report. Satterfield had nothing to report.

**Present:** Jared Bernt, Jack Moore, Sara O’Connor, Dorothy Ricks, Julia Sanders, and Ryan Satterfield.  
**Unexcused:** Richard Larsen.  
**Staff:** Melanie Gygli, Matthew Lewis, and Aceline McCulla.  
**Guest:** Anne Nichols and Shawnie Satterfield-Ferrin.

**AGENDA ITEM #2: APPROVAL OF MINUTES**

The Commission may wish to approve the minutes from their clarification and regular meetings on February 13, 2019.

It was moved and seconded, (S. O’Connor, J. Sanders) to approve the minutes for the clarification and regular meeting on February 13, 2019. Those voting in favor were Bernt, Moore, O’Connor, Ricks, Sanders, and Satterfield. Those voting against were none. Motion passed unanimously.

**AGENDA ITEM #3: PUBLIC HEARING – WIRELESS COMMUNICATION FACILITIES**

This time has been set aside for the Commission to hear comments from the public regarding changes to Municipal Code 15.42, Wireless Communication Facilities.

Chair Satterfield opened up the public hearing at 6:34 PM.

Senior Planner Matthew Lewis of the City of Pocatello, discussed the amendments in Chapter 15.42 (Wireless Telecommunications Towers and Facilities) and stated that they are in conformance with the Comprehensive Plan and required based on the latest Federal Communication Commission.

Lewis noted that small cells are currently not allowed on City owned street poles in Pocatello. The Street Department Officials stated they would consider applications when submitted for review. This is an added amendment in the proposed changes.

No public comments were received for this application.

Staff finds the amendments are in conformance with the Comprehensive Plan.

With no public comments, Chair Satterfield closed the public hearing at 6:38 PM.

Commission members engaged in discussion.

It was moved and seconded, (J. Sanders, S. O’Connor) to recommend approval of the proposed amendments.
findings they are in conformance with the Comprehensive. Those voting in favor were Bernt, Moore, O’Connor, Ricks, Sanders, and Satterfield. Those voting against were none. Motion passed unanimously.

With no other business, Chair Satterfield closed the meeting at 6:40 P.M. and the Commission adjourned to the training session.

** ADJOURN TO A TRAINING SESSION **

The Commission commenced in a training session on the State’s open meeting laws and general land use/commission training.

Present: Jared Bernt, Jack Moore, Sara O’Connor, Dorothy Ricks, Julia Sanders, and Ryan Satterfield.

Unexcused: R. Larsen.

Staff: Melanie Gygli, Matthew Lewis and Aceline McCulla.

Guest: Anne Nichols and Shawnie Satterfield-Ferrin.

Anne Nichols, Administrative Services Manager with the City of Pocatello provided training and policy guidelines of quasi-judicial open-meeting laws. Nichols covered attendance policy, public notice postings for public meetings, and mentioned that if members’ text, call, or email (electronic means of communication) with another commission member about an agenda item, the conversation, text, or email would be records requestable. If mobile phone use occurs during a public meeting, it may be requestable. Nichols advised members not to use mobile phones during a public meeting.

Nichols discussed serial meetings. Nichols clearly identified that the commission members have been trained and notified about the serial meeting rules, and that members would be subject to the $1,500.00 fine for first offense and $2,500.00 if a second offense was committed within 12 months of the first offense. The members stated they all understood.

The public is not allowed to speak during public meetings. The public may speak after the chair opens up a hearing and asked for public comments.

All public relations are handled through the City’s Public Information Officer Logan McDougall, contact McDougall for assistance when approached to speak about commission business. If you participated in an on-the-spot interview, notify the Mayor’s office immediately and let Nichols know the topic of the discussion.

Lewis covered the legislative refresher, types of decisions and rules for quasi-judicial decisions, distinction between policies and codes, conduct of meetings and decision-making, and ways to improve, which are included in the Planning and Development Services Commissioners’ Training presentation packet, included in the agenda packet.

With no other items to discuss, Chair Satterfield closed the training at 7:30 PM.

Submitted by ___________________________ Approved on ___________________________

Aceline McCulla, Secretary
Chair Ryan Satterfield called the meeting to order at 6:00 PM.

AGENDA ITEM #1: ROLL CALL

Present: Jared Bernt, Jack Moore, Sara O’Connor, Dorothy Ricks, and Ryan Satterfield.
Excused: Julia Sanders.
Unexcused:
Staff: Matthew Lewis and Aceline McCulla.

**WORK SESSION**

Chair Satterfield introduced Mori Byington with the Bannock Transportation Planning Organization (BTPO). Byington presented and discussed the proposed Metropolitan Transportation Plan with the Commission.

With no further discussion, Chair Satterfield adjourned the work session at 6:52 P.M.

Submitted by ___________________________ Approved on ___________________________
Aceline McCulla, Secretary
The Balanced Growth Scenario combined the 2040 MTP Preferred Scenario with new employment and mixed-used development near the Northgate Interchange. The balanced growth scenario continues to emphasize transportation options that promote healthy lifestyles by promoting three centers of development. The University and Downtown Center has robust residential and employment growth a heavy emphasis on in-fill, mixed-use, and redevelopment. The Chubbuck Center identifies more mixed-use and residential development in the heart of Chubbuck's existing City limits, with residential growth and mixed-use/neighborhood commercial nodes in northwest Chubbuck. The Northgate Center provide strong commercial developed near the Northgate Interchange which transitions to mixed-use and residential development.
CommunityViz Forecast Residential Growth

- One Dot = 10 New Dwelling Units
- Pocatello City Limits
- Chubbuck City Limits
- City Parks
- Public Lands
- Major Roads
POCATELLO PLANNING & ZONING COMMISSION
MEETING MAY 8, 2019
STAFF REPORT

PROJECT: McCormick Ranch, LLC Annexation
APPLICANT: McCormick Ranch, LLC – Brian Ball (Manager)
REPRESENTATIVE: Rocky Mountain Engineering Surveying – J. Mitchell Greer, P.E., P.L.S.
LOCATION: South of Neva Road; West and Southwest of Gathe Drive
(R3853020701, R3853027902, R3853027800)
LEGAL DESCRIPTION: Long Legal (Reviewed and verified by City Surveyor)
STAFF: Carl Anderson, Senior Planner

SUMMARY & CONDITIONS:
The corporate boundary of the city may be expanded whenever the council deems it to be for the public convenience or necessity or for the general welfare. Annexations shall be conducted in accordance with Idaho State Code Title 50, Chapter 2. As land is annexed it shall be given a Comprehensive Plan and zoning district designation based on the provision of section 17.01.130, in the plan designation-zoning district conversion chart, and the review criteria listed in subsection 17.02.180.E. A full analysis of the standards for annexation are detailed within the staff report in pages 2-5.

In consideration of the application and proposed development, assuming adoption of staff’s recommended conditions, staff concludes that the annexation request and concurrent Zoning Map and Comprehensive Plan Land Use Map designation are compliant with Pocatello Municipal Code Section 17.02.110 Annexations. Should the Commission recommend approval of the subject application, staff recommends the following conditions:

1. The subject property shall be annexed into the corporate boundaries of the City of Pocatello excluding therefrom the land area located west of the draw which bisects the proposed annexation area;
2. An updated legal description of the parcels of land to be annexed, prepared by a licensed surveyor, shall be submitted by the applicant prior to the adoption of the annexation ordinance;
3. That, upon annexation, the subject property shall be zoned Residential Low Density (RL);
4. That, upon annexation, the subject property shall be given a comprehensive plan designation of Residential (R);
5. Any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to;
6. Any activity requiring a separate development or building permit shall comply with applicable regulations; and
7. All comments and conditions contained in the Public Works Memorandum, dated May 1, 2019, shall be adhered to.

GENERAL BACKGROUND:
REQUEST: Brian Ball of McCormick Ranch, LLC, represented by Rocky Mountain Engineering & Surveying, has submitted an application to annex and zone 115.32 acres (more or less) of land located south of Neva Road and west of Gathe Drive. The proposed zoning for the property is Residential Low Density (RL) and a concurrent Comprehensive Plan Land Use Map designation of Residential (R).

Notification: All property owners within a 300-foot radius of the land to be rezoned have been provided notice of the public hearing in order that they may provide comment on the proposed zoning and concurrent comp plan map designation. Notice was also published in the Idaho State Journal and a sign was posted on the subject property. As of the
completion of the staff report, no written public comment has been received, but one phone call has been received by staff.

IDAHO STATE CODE TITLE 50, CHAPTER 222 - Annexation by Cities

Staff Analysis: The annexation request is in statutory 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. As proposed, the subject property is within the adopted Area of City Impact, and lies contiguous to the City of Pocatello limits at the east most property line. The applicant, McCormick Ranch, LLC, is the property owner of the subject 115.32 acres. Pursuant to Idaho State Code Chapter 50-222 (4.a) consent to annexation has been given by owner’s authorized agent and has been recorded in the Bannock County Recorder’s office.

POCATELLO MUNICIPAL CODE SECTION 17.01.130 Plan Designation & Zoning District Conversion Chart:

Staff Analysis: Per Pocatello Municipal Code 17.02.110, as land is annexed it shall be given a comprehensive plan and zoning district designation based on the provisions of section 17.01.130, in the plan designation-zoning district conversion chart, of this title and the review criteria listed in subsection 17.02.180.E. Per the Plan Designation & District Conversion Chart, the subject property shall be designated Residential, consistent with the Residential Low Density zoning designation.

POCATELLO MUNICIPAL CODE SECTION 17.02.180.E CRITERIA FOR REVIEW:

Applicant’s Description of Request: “Brian Ball, the manager of McCormick Ranch, LLC, has applied for a Minor Land Division (MLD) with the County to develop three (3) parcels of land at the end of Neva Road. Being that parcel R3853027902 has a common boundary with the City of Pocatello, the County has requested (per their ordinances) that we request annexation of this land into the City of Pocatello before commencing with the MLD. Mr. Ball (McCormick Ranch, LLC) is currently developing Trail Creek Estates – Division 2 which is southerly of this proposed annexation request. Future divisions of this subdivision project will be developed and tied into the existing City of Pocatello utility services. This area includes a substantial geographic feature, shown as the ‘draw’ on the display map, which bisects this area. This draw would make extending city water and sewer services impractical to the area westerly of it. In addition to water and sewer services, if this area were to be included in the annexation, any lots at the end of Neva Road would also need other services like garbage collection and snow removal performed by the City.”

1. **How the requested zoning at the location in question would be in the community's best interest:**

Applicant’s Response: “The area along Neva Road, and the subject site, is currently zoned as County-Residential Suburban. The area along Gathe Drive is zoned City of Pocatello – Residential/Commercial/Professional (RCP). This area was originally going to be a church/school facility, but the only thing that was constructed is Gathe Road. The proposed zoning request of Residential Low-Density (RL) matches that of the current zoning for the existing Trail Creek Estates Subdivision projects and will allow for new lots to be developed which will be large enough (7,500 sq. ft. minimum) to be build-able over the gently rolling terrain. This land ties the Trail Creek projects together forming a “new neighborhood” for the City.”

Staff Analysis: The requested zoning would facilitate new single-family development which will provide an increase in housing stock and options for the community. The subject land area located east of the draw will have access through the existing connection of Gathe Drive and potentially connect to the Trail Creek Subdivisions, Division 1 & 2, located south of the proposed annexation.
2. How the list of uses permitted by the zoning ordinance would blend with surrounding land uses;

**Applicant’s Response:** “The proposed zone request of RL should blend nicely with the surrounding residential areas and with that of the RCP area along Gathe Drive.”

**Staff Analysis:** The RL zoning district is designed to accommodate single-family dwellings and a mix of other housing types such as accessory dwellings, townhomes, and two-family dwellings. Neighborhood park and recreation areas are encouraged. Some civic and institutional uses are conditionally permitted. The proposed zoning of RL is consistent with the Trail Creek Subdivision to the south and the resulting residential development is typical of land uses within the surrounding area. The property is located on the west bench of the Portneuf Valley and the RL zoning district will facilitate development that will blend with surrounding residential development.

The existing land uses adjacent to the subject property are developed with residential uses or are currently vacant. The properties to the northwest are within the county and part of the Facer Mountain Subdivision, platted in 1973. The properties immediately to the south, east, and west are vacant and undeveloped. The aforementioned properties are located outside of the City of Pocatello and zoned Residential Suburban in Bannock County. The property adjacent to the northeast, accessed from Gathe Drive, is zoned for Residential Commercial Professional (RCP) and is currently undeveloped. Developments within the RCP zoning district may be used to serve as a buffer between residential areas and commercial and/or industrial areas.

3. If the subject site is physically suitable for the type and intensity of land uses permitted under the proposed zoning district;

**Applicant’s Response:** “These west bench areas have been slowly developing with the Hyland Park subdivision projects starting in 1948, the Hillside Subdivision project in 1976 and, more recently Trail Creek Estates – Division 1 in 2008. With the need for housing in Pocatello reaching peak demand, new areas are necessary for development. The current Trail Creek projects developed a large amount of water infrastructure making this area suitable for new development under this proposed zoning designation.”

**Staff Analysis:** The subject property is currently vacant and the topography is characterized by a slope ranging from 2% to 8% beginning in the southwest toward the northeast. The land area is bisected by a significant draw with slopes exceeding 20%. The site would be physically suitable for the single-family residential development under the proposed RL zoning district. See written comment received from the Idaho Department of Fish and Game regarding residential development and the potential for wildlife to damage landscaping and urban plantings.

4. If the uses permitted in the proposed zoning district would be adequately served by public facilities and services such as thoroughfares, police and fire protection, drainage, refuse disposal, water, sewer, and schools, to ensure the public health, safety and general welfare;

**Applicant’s Response:** “Except as noted in the opening description of request, this area should be adequately served by the public facilities outlined above. The Catholic Church made substantial improvements, which include water and sewer services, along Gathe Road that support future development.”

**Staff Analysis:** The uses permitted in the RL zoning district would be adequately served by public facilities. Culinary water and fire flow will be served from Trail Creek Reservoir. Sewer service is available from Gathe Drive. Further discussion of public utilities capacity may be found in Public Works Memorandum (Attachment A). It will be the developer’s responsibility to make appropriate contacts and provisions for extension of private utilities including...
but not limited to Intermountain Gas, Idaho Power, and Cable One. City services such as fire, police, and sanitation services are available to serve the subject property via Gathe Drive and a future extension to the south.

The City Council implemented a water payment option through Resolution 2006-02. Typically there would either be a water source (such as water rights) associated with the proposed annexed property or if not, cash payment would be calculated based on the formula under the above Resolution. Water may be extended to serve the property from the Trail Creek Reservoir, provided that all necessary infrastructure is extended. Staff recommends that water assessment be paid no later than the applicants final plat approval and must be received prior to recordation of the same. It should be noted that the calculations for the water assessments are based on the present date. Further discussion of water connection and water right payment collection may be found in Public Works Memorandum (Attachment A).

As described by the applicant, and outlined on page 2 of the Public Works Memorandum (Attachment A), the draw bisecting the property creates a natural barrier limiting the provision of public facilities and services. Due to the limitations outlined, staff recommends that the northwesterly portion of the proposed annexation, estimated at 40 acres (more or less), be excepted from the proposed annexation.

5. If the uses permitted in the zoning district would be compatible in terms of their scale, mass, coverage, density, and intensity with adjacent land uses;

Applicant’s Response: “The area that will be developed has between 2%-8% grade with the draws around 20%-30% grade. The requested zoning designation of RL should allow for the development of buildable lots.”

Staff Analysis: The uses permitted in the requested RL zoning district would be compatible in terms of the scale, mass, coverage, density, and intensity with adjacent land uses. As previously stated, the existing land uses adjacent to the subject property are developed with residential uses or are currently vacant. The proposed residential density is compatible with the adjacent residential uses to the north and south. The RL zoning district requires a minimum lot size of 7,500 sq. ft. per single-family home. The total land area proposed for annexation is 115.32 acres (more or less), which would permit a total maximum of 669 single-family dwellings, based on the total acreage and proposed zoning district. (See the attached application materials which includes a layout of potential development.) Slope development standards shall apply for all future development on land with slopes greater than 15%, which may reduce the permitted density and site disturbance. The total number of projected single-family homes will decrease should the Commission wish to recommend that the land area west of the draw bisecting the annexation land be excluded from the land area to be annexed, estimated at 40 acres (more or less).

6. Whether the proposed zoning designation is consistent with the comprehensive plan land use map designation.

Applicant’s Response: “This area was generally designated as “Residential” on the 2010 Comprehensive Plan Map.”

Staff Analysis: The property is located within the City of Pocatello Area of City impact. The subject property does not currently have a land use designation on the Comprehensive Plan Land Use Map. The adjacent property to the east is designated as mixed use within the City Comprehensive Plan Land Use Map, and zoned RCP. The residential low density zoning designation is consistent with the residential land use designation of the Comprehensive Plan Land Use Map, therefore, should the annexation application be approved then the property shall be designated as residential pursuant to City Code 17.02.110.

The following Land Use Goals, Objectives, and Policies of the Comprehensive Plan support annexation and the proposed zoning designation:
Land Use Chapter 5, Goal 1: Implement zoning designations and development regulations that accommodate existing and future needs of the City's population and that serve to facilitate orderly development within the City and region.

Objective 1.2: Use Urban Service Boundary (USB)/Area of City Impact (ACI) to support development when adequate public facilities and infrastructure are available or are planned to be installed concurrent with development.

Objective 1.4: Guide Annexation within the USB/ACI to encourage orderly growth.

Policy a: Annexation may be sought for new developments within the USB/ACI when essential urban services can be delivered to the subject property in a timely and cost effective manner consistent with the City’s plans for extension of said services.

Housing Chapter 12, Goal 1: Encourage development of a wide variety of high-quality housing opportunities that are safe, sanitary, attractive and affordable.

Objective 1.1: Encourage development of housing affordable for households of all income levels throughout the community.

OPTIONAL MOTIONS:

1. **Recommend Approval of the Application:** “Motion to recommend approval of the application from McCormick Ranch, LLC to annex the property in question, located south of Neva Road and west of Gathe Drive, exempting therefrom the land located at northwesterly corner of the land to be annexed estimated at 40 acres (more or less), to be zoned Residential Low Density and a Comprehensive Plan Land Use Map designation of Residential (R) as requested, finding the application does meet the standards for approval under Chapter 17.02.110 of Pocatello Municipal Code, if the following conditions are met: [insert conditions of approval here]

2. **Recommend Denial of the Application:** “Motion to recommend denial of the application from McCormick Ranch, LLC to annex the property in question located south of Neva Road and west of Gathe Drive, and the requested zone designation of Residential Low Density and the concurrent Comprehensive Plan Land Use Map designation of Residential (R) finding the application does not meet the standards for approval under Chapter 17.02.110 of Pocatello Municipal Code, for the following reasons: [cite findings for denial].”

ATTACHMENTS:

A. Public Works Memorandum, dated May 1, 2019
B. Idaho Department of Fish and Game comment
C. Application & Materials Received
D. Pocatello Area of City Impact Boundary Map
E. Aerial View
ATTACHMENT A
Memorandum

To: Carl Anderson, Senior Planner
From: Merrill Quayle PE, Public Works Development Engineer
Date: May 1, 2019

Background Information:

Applicants: McCormick Ranch LLC
547 Partridge Lane
Rexburg, Idaho 83440

Representative: RMES
600 E Oak Street
Pocatello, Idaho 83201

Location: West of Gate Drive and south of Neva Road

Utilities: Culinary water and fire flow will be served from the Trail Creek Reservoir. Infrastructure will need to be extended to the annexed area. A water model will be required at the time of final plat approval. Sanitary sewer is available and can be served from Gate Drive. Stormwater will need to be detained/retained on site in accordance with the Portneuf Valley Stormwater Design Manual.

Resolution 2006-02 requires a developer requesting annexation or zoning application to provide:
- A documented source of water, deliverable to the city, sufficient for the water needs of Developer and the development Or
- Cash as necessary to obtain the water utilizing a formula determined by the City and based upon the following:
  - Current market value $/acre foot) Multiplied by
  - Average water use acre-feet) Plus
  - 20% for administrative/legal costs

Collection of water right payments:
- Payment will be due at the time of final plat application approval and must be received prior to the recording of the same. If final plat approval is beyond one (1) year from the time of Council’s Decision of annexation approval, or if the number or type of lots to be platted diverge from what was previously approved, then the water assessment calculation will be reviewed and may be amended to utilize up-to-date values and figures.

Calculations for water right requirments will be done at preliminary plat application.

The application for annexation is for 115 acres more or less. The way the sections and parcels are defined county rules dictate that the full extents of the parcels be brought before the City for
annexation consideration. After a site visit it was determined that this annexation is unique in that there is a major ravine splitting the property. About 1/3 (40 acres) of the proposed annexation is located on the northwesterly side of a ravine.

- Current access to the northwesterly property from city limits is to travel county roadway 1.4 miles to the end of Neva Road.

- The northwesterly portion of the proposed annexation is located in close proximity to BLM property (1,316 feet west of the proposed annexation boundary).

- Approximately 80 acres of privately held, undeveloped property lies northwest of the ravine and east of the BLM property boundary, including 40 acres within the proposed annexation and an adjacent 40 acres that could potentially be developed. Development standards concerning slope would limit the development potential of the property(ies) northwest of the ravine.

- Per staff conversations with the developer, the economics to place fill and construct roadway access and utilities across the ravine are unlikely to support development of the northwesterly portion of said land at the allowable development density. This property could potentially develop at lower density within the county with private utilities and access from county roads to the north.

- The preliminary review by staff raises concerns regarding the viability of water and wastewater system construction, and maintenance of a potential ravine crossing for the northwestern portion of the proposed annexation property.

Staff would recommend for consideration that a new description be written excluding the northwesterly portion of the proposed annexation and allow said property to remain under county jurisdiction based on the above reasons.
Hi Terri,

Our staff has reviewed the proposal for annexation and subdivision of land south of Neva Rd and southwest of Gathe Dr. submitted to the City of Pocatello, April 15, 2019. Based on this review, we do not have substantial concerns regarding impacts to fisheries or wildlife populations resulting from this project. Please note, however, property owners should be aware of the potential for wildlife to damage landscaping and urban plantings. People owning property and living in wildlife habitat need to be aware that big game depredation on landscaping is likely to occur and these problems are the responsibility of the property owners. The Department recommends deer resistant landscaping be used as a preventative measure in residential developments to reduce depredation. The Department further encourages property owners to protect their vegetation by using fencing, netting, repellents, etc. to avoid wildlife conflicts. A list of deer and elk-resistant plants can be found in the Home Builders and Owners Guide to Living with Wildlife, available here: http://idahodocs.contentdm.oclc.org/cdm/compoundobject/collection/p16293coll7/id/2733/rec/1.

Thank you for the opportunity to review and provide comment on this project.

Becky

Becky Abel
Environmental Staff Biologist
Idaho Department of Fish and Game
1345 Barton Road
Pocatello, ID 83204
Office: 208.236.1258
Mobile: 208.251.2588

From: Neu, Terri [mailto:tneu@pocatello.us]
Sent: Monday, April 15, 2019 10:40 AM
To: cherrog@gmail.com; royallen2@cableone.net; Adams, Levi; Allen, Skyler; Anderson, Carl; Armstrong, Justin; Banks, John; Abel,Becky; Beebe, Skyler; Colborn, Phillip; Diehl, Rich; Garren, Dan; Henderson, Andrea; Holly Batten (holly.batten@intgas.com); Jagiowski, Mike; Kirkman, Tom; Lewis, Matthew; Manska, Jeremy; Mori Byington (Mori@BPlan.org); Murphy, James (JAMES.MURPHY@intgas.com); Powell, Glen; Quayle, Merrill; Sanger, Hannah; Transtrum, Lynn; Wellard, Brian
Subject: Request for review for annexation

Good morning. Attached is a request for review for an annexation that is south of Neva Road and southwest of Gathe Drive.
REQUEST FOR ANNEXATION AND ZONING APPLICATION

Submittal Received: 4.19.19 4:44pm Called for payment 4.16.19 8:30am
Application #: 19-870
Receipt Date: 4.16.19
Date Approved: __________

Dates for a public hearing or Council consideration will not be scheduled until plan design review approval has been received.

Filing Fee $1,066 (+13 addresses x $3 = $39) + Survey Accuracy Review $200 = Total Due $1305

Owner/Applicant: Brian Ball (Manager) McCormick Ranch, LLC
Name: 
Address: 547 Partridge Lane
City, State, Zip: Rexburg, ID 83440-3579
Phone: (208)351-1266
Email: Brian@WorldGymIdaho.com

Representative (if applicable):
Name: J. Mitchell Greer, P.E., P.L.S.
Address: 600 E. Oak St.
City, State, Zip: Pocatello, ID 83201
Phone: (208)234-0110
Email: Mitch@RMes.biz

Do you own the subject property or have the owner’s consent to annexation? Yes ☐ No ☐

Site Location: South of Neva Road; West and Southwesterly of Gathe Drive. Parcel Nos: R3853020701, R3853027902 and R3853027800

Legal Description: SW1/4 of SE 1/4, Sec 21 Excepting Therefrom the East 300’; NE 1/4 of NW 1/4, Sec 28; NW 1/4 of NE 1/4, Sec 28; North 521.75 feet of the West 416.14 feet of the SE 1/4 of Sec. 28 All Being in Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho

Is the property within, or part of, an approved subdivision? No. (The property may need to be platted prior to issuance of a building permit. See subdivision review process.)

Requested Zoning: Residential Low-Density (RL)

In addition to the above, the following information must accompany this application:

1. Attach Consent to Annexation completed and recorded with Bannock County Recorder.

2. Two sets of typed, gummed mailing labels with all of the names and addresses of the property owners within a 300 foot radius of the subject property. In addition, a fee of $1.50 per address per required notice is required (two notices per address will be required). Failure to provide a complete list of names may nullify this application.

3. Survey map with topography noted of the area to be annexed. This is to be done by a private certified surveyor and submitted to the City for review (applicant must bear all costs).
4. Applicant(s) must provide a written justification for the requested zoning, addressing the variables described in Municipal Code Section 17.02.180(E).

5. A site map (11" X 17" drawn to scale) of the area to be annexed.

6. A title report, property deed, or other legal documentation of ownership of the site in question whether freehold, option or lease, must be submitted.

7. A complete legal description of the parcel to be annexed, signed off and verified by the city Surveyor prior to the filing of this petition. This description must match the site map required in item #4. Legal descriptions should be prepared by a licensed surveyor to avoid possible delays in the petition process.

8. A signed Affidavit of Mailing List.

9. A statement or conceptual drawing (to scale) showing the proposed use and/or number of lots for development on the property. If no development plan exists, the City will calculate maximum number of lots or coverage based upon the proposed zoning.

10. A documented source of water, deliverable to the City, sufficient for the water needs of Developer and the development (described above), or cash as necessary to obtain the water utilizing a formula determined by the City and based upon the following:

   \[
   \text{Current market value of water per acre foot} \times \text{Multiplier by}
   \]

   \[
   \text{Average water use as represented in acre feet} \quad \text{Equals}
   \]

   \[
   \text{Subtotal water value} \quad \text{Add}
   \]

   \[
   20\% \text{ Administrative/Legal costs} \quad \text{Equals}
   \]

   \[
   \text{Amount payable to the City}
   \]

The documentation of water source must be verified and approved by the City Attorney prior to filing the petition.

The approval of this application for annexation does not permit the violation of any section of the Building Code, or other City ordinances.

I hereby acknowledge that I have read this application, and state that the above information is correct, and that this shall serve as my written request for annexation of the lands described herein pursuant to Idaho Code 50-222 and 67-6525.

Applicant's Signature: [Signature]

Date: 4-9-19

Representative's Signature: [Signature]

Date: 4/9/17

Applicant or representative must be present at the public hearing. A sign giving public notice will be posted at the proposed annexation site during the course of these proceedings.
POCATELLO AREA OF CITY IMPACT
BOUNDARY MAP

Legend

- City of Pocatello
- Pocatello Area of City Impact Boundary
PLANNING & ZONING COMMISSION MEETING: MAY 8, 2019

FILE # 19-806

SUBDIVISION: Western Skies Division 1
APPLICANT/OWNER: Land Quest Development Inc. – Brandon Ratliff
SURVEYOR/ENGINEER: Rocky Mountain Engineering & Surveying – Cheyenne Newberry
TITLE REPORT: Title report was submitted and reviewed
LOCATION: East of Dolostone Drive & North of Eastpointe Drive
LOTS/UNITS: Forty-Four (44) lots
STAFF: Carl Anderson, Senior Planner

RECOMMENDATION & CONDITIONS:
Staff finds that the proposal is compliant with all applicable standards of City Code 16.20.050, assuming the following conditions are met:

1. All comments and conditions contained in the Public Works Memorandum, dated April 29, 2019, shall be adhered to;
2. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to, or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording;
3. As proposed, the applicant or the associated property owner shall be responsible for the upkeep and maintenance of all easements designating open space shown on the preliminary plat unless otherwise approved by the Pocatello City Council; and
4. All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

GENERAL BACKGROUND
REQUEST: The request is for preliminary plat approval for Western Skies Division 1. The proposal calls for the platting of 16.84 acres (more or less) into forty-four (44) lots. The proposed subdivision is located at the east end of Basalt Drive and north of Eastpointe Drive. The application was submitted by Brandon Ratliff of Land Quest Development Inc. and represented by the engineer/surveyor Rocky Mountain Engineering and Surveying (RMES).

DENSITY & LOT DESIGN: The proposed subdivision is zoned Residential Low Density (RL) and Residential Medium Density Single-Family (RMS). The applicant is proposing to subdivide the property into forty-four (44) lots, one (1) of which is non-buildable and dedicated to open space/stormwater retention. The RMS zoning district requires a minimum lot size of 5,000 square feet per single-family dwelling unit and the RL zoning district requires 7,500 square feet per single-family dwelling. The smallest buildable lot proposed is 9,520 sq. ft. (0.22 acres), which is compliant with both the RL and RMS zoning district.

SLOPE DEVELOPMENT STANDARDS: The topographical slope for portions of Western Skies Division 1 exceed 15% and are, therefore, subject to the slope development standards (17.05.100). A slope analysis has been submitted and is included in the application packet. Per City Code 17.05.140.A.5 all building permit applications for structures on such lots shall be accompanied by a geotechnical assessment. Based on the slope analysis, the maximum site disturbance permitted is 15.22 acres of the 16.84 acre subdivision. Additionally, Public Works staff has determined that per section 800 Geotechnical and Earthwork, structures shall not be permitted on slopes of 20% or greater without a civil site plan by a licensed engineer in the State of Idaho. See Public Works Memorandum (Attachment A) for additional comments and conditions. All standards of 17.05.140, Site and Building Development Guidelines shall be met at the time of building permit submittal.

STREETS: The proposed subdivision will be accessed from the eastward extension of Basalt Drive and northward extension

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of Eastpointe Drive. The proposed subdivision provides a continuation of a connected transportation system as it connects to Basalt Drive and Eastpointe Drive, which are abutting. Per condition #13 of the Public Works Memorandum, a traffic analysis shall be submitted at final plat application for all divisions-full buildout scenario, per City Code 16.20.050.E (Attachment A). See the attached memo (Attachment A) from the Public Works Department for further comments/conditions regarding the proposed street improvements.

WATER, SEWER, & STORMWATER: Infrastructure such as water and sewer will be provided meeting all standards as set forth by Public Works. The applicant proposes that the storm water generated by Blocks 1 - 5 will be retained on Lot 1 Block 4, to be dedicated as open space and stormwater retention. All development of the lots must comply with City Erosion and Sediment Control and Stormwater management requirements. See the attached memo (Attachment A) from the Public Works Department for additional comments/conditions.

UTILITY PROVIDER & CITY DEPARTMENT NOTICE: Utility providers and affected City departments were provided notice on 04/08/19. City staff comments/conditions are summarized in Attachment A.

PRIVATE COVENANTS, RESTRICTIONS & CONDITIONS: Recorded Owner’s Covenants, Conditions and Restrictions (CC &R’s) for the subdivision, if any, must be submitted after the recording of the final plat.

COMPREHENSIVE PLAN:
The Comprehensive Plan Map designates the area for Residential Use. Staff finds the following goals, objectives and policies from the Comprehensive Plan to be applicable to this application:

    Housing Goal 1: Encourage development of a wide variety of high-quality housing opportunities that are safe, sanitary, attractive and affordable.

    Objective 1.1: Encourage development of housing affordable for households of all income levels throughout the community.

REVIEW CRITERIA (16.20.050):
The planning and zoning commission shall review the preliminary plat, at a scheduled meeting, for compliance with applicable ordinance provisions subject to the following review criteria:

A. The subdivision proposal complies with applicable provisions of this title.
B. The subdivision proposal complies with all applicable city design standards and development regulations.
C. The subdivision proposal complies with all applicable zoning requirements of the underlying zoning district, applicable overlays, and other applicable development standards.
D. All public facilities including streets, sidewalks, curbs, gutters, water, sewer, fire protection, and sanitation services can be provided to the newly created lots and accommodate future extension to adjacent land.
    1. The use of a “control strip” intended to control or prevent the future extension of public facilities or development of adjacent land is prohibited.
E. If city public works determines that the proposed subdivision will result in significant traffic impacts pursuant to subsection 16.20.030V of this chapter, than a “traffic impact study” will be required as part of the commission’s review.
F. The proposal provides for a continuation of a connected transportation system unless topography or natural features prevents a connection to abutting streets or property.
G. The proposed subdivision provides for bicycle and pedestrian transportation routes and amenities in accordance with Bannock Transportation Planning Organization’s adopted bicycle and pedestrian plans.
H. Public utilities are provided to the newly created lots in public rights of way or in appropriately sized easements.

OPTIONAL MOTIONS:
1. Denial of the Application: “Motion to recommend denial of the preliminary plat application from Brandon Ratliff of Land Quest Development Inc. for the Western Skies Division 1, finding the application does not meet the
standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, finding that: [cite findings for denial].”

2. **Approval of the Application:** “Motion to recommend approval of the preliminary plat application from Brandon Ratliff of Land Quest Development Inc. for the Western Skies Division 1, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, with the conditions of approval: [insert conditions of approval here]”

**ATTACHMENTS:**
A. Public Works Memorandum
B. Application & Preliminary Plat
C. Aerial
Memorandum

To: Carl Anderson, Senior Planner

From: Merrill Quayle PE, Public Works/Development Engineer
       Owen Campion, Sr. Engineering Technician

Date: April 29, 2019

Re: Western Skies Division 1 - P&Z Preliminary Plat (May 8, 2019)

The Public Works Department has reviewed the preliminary plat application for the above mentioned project and submits that the following changes and items shall be addressed prior to final plat application.

Plat Conditions
1. The final plat shall meet all the requirements defined in section 16.24.040: Final Plat Requirements of the Subdivision Ordinance.
2. Subdivision Plat shall conform to all state and local laws and ordinances.
3. The subdivision plat shall be formatted per Bannock County’s requirements and reproducible on an 8.5x11 sheet of paper per Bannock County instructions.
4. Notes on the Plat shall be approved by the City of Pocatello Engineering and Legal Department prior to recording.
5. Provide adjoining property owners recorded deeds, a copy of all recorded easements, and document(s) which grants the signatory to sign the plat on behalf of the owner(s) to the City Surveyor at the time of final application for review.
6. The plat shall be black opaque ink, no gray scale or color.
7. Add note, Easements not depicted:
   All lots in this subdivision are subject to a drainage easement equal to the primary structure setback line along all lot lines. Lots must be graded and maintained so as to minimize drainage to adjoining properties.

Development Conditions
1. The “bulb” in the northwest corner of the project, part of Rustic Rd. needs to be eliminated and Rustic Rd. need to run to the north for future development.
2. Rustic Rd. and portions of Basalt Dr. and Sagefield Dr. needs to be a 41-foot street section. Basalt Dr. (east of intersection of Basalt Dr. and Sagefield Dr.) and Sagefield Dr. (east of Sagefield Dr. and Eastpointe Dr.) can be a 37-foot street sections.
3. New sewer main needs to be construction down Basalt Dr. then north on Dolostone to the sewer that has been extended east from Andesite Dr. Sewer will not be allowed to head south through the existing system on Dolostone.
4. There needs to be sewer manholes located at the end of all stub streets within the subdivision and beyond the last sewer service on that line.
5. All Future development on Sagefield Dr. east of Eastpointe Dr. and Lots 5 & 7, Blk 3 and Lot 1, Blk 5 will need to sewer down Eastpointe Dr.
6. There needs to be a minimum 30-foot easement for the existing 18-inch water transmission line that runs along the south boundary line of this project. Also placement of permanent structures or
the planting of deep rooted trees within the waterline easement is prohibited. Fences will be permitted to cross the easement as long as there are gates placed to allow access.

7. Pressure zone – the proposed development should be part of the water system pressure zone established by the Merinus PRV. The following shall be incorporated into the development’s water system plans:
   a. New water main connection to the 8-inch pipe that currently terminates in front of 1699 Eastpointe Dr.
   b. Install a PRV assembly and vault west of the intersection of Basalt and Rustic. Contact Skyler Allen (208-234-6501) for clarification and details.
   c. The Pocatello Water Department will complete mainline taps and abandonment of portions of 8-inch main. The cost for this work will be borne by the Developer.
   d. Fire hydrants need to be located at property lines and at the end of all stubbed roads within the subdivision beyond the last water service.
   e. Water main lines need to have valves at the end of all stub future lines.

8. There needs to be a storm main line stub provided going east on Sagefield Dr., Basalt Dr., and Rustic Rd.

9. The city would like to see a weir (min. 2-foot) placed in the middle of the pond to break it up into two. Basalt Dr., Sagefield Dr., and any of Eastpointe Dr. can be designed to drain into the south portion, while Rustic Rd. and a small portion of Basalt Dr. can drain into the north portion.

10. The outlet structure needs to release water to the south. The outlet pipe needs to be constructed down lot Lot 6 Blk 13 of Boulders Subdivision beyond the access drive to the city water facility.

11. A geotechnical analysis needs to be conducted to ensure that the fill dirt used to build the pond is designed and placed correctly.

12. ADA ramps are required at all intersection and needs to meet ADA guidelines.

13. A Traffic Analysis shall be submitted at final plat application for all divisions-full buildout scenario.

14. Developer need to coordinate grading with Idaho Power in regards to existing power poles.

15. Two (2) full sized copies of construction drawings for right-of-way and infrastructure improvements shall be submitted for review under section 16.24.030(D): Final Plat Application Requirements of the Subdivision Ordinance.

16. Proposed right-of-way and infrastructure shall be designed by a licensed engineer in the State of Idaho and constructed by a contractor licensed and in good standings with the City of Pocatello and Public Works and meet all local, state, and federal regulations and standards.

17. If the developer desires to record the final plat prior to completion of all the required public infrastructure and improvements, then the developer shall be required to adhere to section 16.24.110: Subdivision Surety Bond and Warranty Bond of the Subdivision Ordinance.

18. All items above will need to be addressed in accordance with section 16.24.080(A): Recording of Final Plat of the Subdivision Ordinance.

19. Per section 500.04.16 Asphalt of the City of Pocatello Public Works Design Principles and Standards, Pavement preservation technique “Fog Seal” of streets shall be required prior to the two (2) year warrantee period on all newly accepted streets. Developer can have this done by a private contractor or have the City perform the work at the Developer’s expense (approximately $0.30 per square yard for materials, 2017 cost). The city will bill the Developer after the work is completed if the City performs the work.

20. A qualified engineer shall submit a written analysis of the storm water plan. This will include but not be limited to the associated calculations, pipe size, design details showing that the proposed design meets the Portneuf Valley Stormwater Design Manual current storm water requirements.

21. An erosion and sediment control plan and a final stabilization plan will be required as part of the final plat application.

22. Per section 800 Geotechnical and Earthwork, Structures shall not be permitted on slopes of 20 percent or greater without a civil site plan by a licensed engineer in the State of Idaho. Included in this section, 800.08 Grading, slopes over 15% require engineered grading with recommendations included in a geotechnical engineering report and incorporated in the grading
plans or specifications. Guidelines for Soils Engineering Report Risk Analysis Elements can be found in Appendix B of the City of Pocatello Design Principles and Standards.

23. Provide the model results for the culinary water system for projected pressures and flows for the subdivision and the entire pressure zone affected. Supply a digital layout of the subdivision with elevations for model verification.

24. A “will serve” letter from each serving utilities is required to be submitted to the City.
25. Utility and street light approval is required by the City.
26. US Mail box units required and location approved by the Post Master and the City of Pocatello.
PRELIMINARY PLAT APPLICATION

Filing Fee: $350.00

Owner/Applicant:
Name: Brandon Ratliff - Landquest Dev Inc
Address: 4902 Burley Dr. #9
City, ST, ZIP: Chubbuck, Idaho, 83202
Phone: (208) 221-4962
Email: landquest@hotmail.com

Representative (if applicable):
Firm & Contact: RMES
Address: 600 E. Oak St.
City, ST, ZIP: Pocatello ID, 83201
Phone: (208) 234-0110
Email: cheyenne@rmes.biz

Engineer/Surveyor:
Name: J. Mitchell Greer
Address: 600 E. Oak St.
City, State, Zip: Pocatello, ID, 83201
Phone: (208) 234-0110
Email: mitch@rmes.biz

Project Information:
Zoning: Residential Medium Density Single Family (RMS)
Legal Description & Deed Instrument Number: 21710043 & 21811230-1
Location (Section, Township, Range): Section 11, Township 6 South, Range 34 East
General Location: East of Dolstone Dr. & North of Eastpointe Dr.
Total Acreage: 16.84 Acres
Total Number of Lots: 44
Proposed Subdivision Name: Western Skies Division 1

Is this a replat? ☑ Yes ☐ No
Replats of existing subdivision lots require the submittal of a copy of the original plat with this application.
TERMS AND CONDITIONS

The approval of this application does not permit the violation of any section of the Building Code or other Municipal Codes.

This application shall not be considered complete, nor will a Planning & Zoning Commission meeting date be scheduled, until all required information has been submitted and verified by City staff.

I am also aware the applicant or a representative must be present at the Planning & Zoning Commission meeting.

If the applicant is not the legal owner of record of the property, then proper authorization from the owner must be submitted with the application.

A copy of the current recorded deed for the property must be submitted with the application.

I hereby acknowledge that I have read this application and state that the above information is correct and agree to the above terms and conditions.

Signature of Owner/Applicant: _______________________________ Date: _______________

Signature of Representative (if applicable): _______________________________ Date: _______________

Signature of Engineer/Surveyor: _______________________________ Date: _______________
PRELIMINARY PLAT FOR:
WESTERN SKIES - DIVISION 1
A Residential Development Located in:
Southeast 1/4 of Section 11, Township 6 South, Range 34 East,
of the Boise Meridian, Blaine County, Idaho

LEGEND & NOTES
1. RESIDENTIAL RESIDENTIAL
2. OFFICE COMMERCIAL
3. INDUSTRIAL INDUSTRIAL
4. PUBLIC SERVICE PUBLIC SERVICE
5. OTHER OTHER
6. EXISTING PROPOSED
7. WATERBODY WATERBODY
8. STORMWATER STORMWATER
9. PAVED PAVED
10. UNPaved UNPaved
11. FRONTAGE FRONTAGE

Preliminary Plat
Apr - 1 2019
RMES
Engineers, Surveys, Planners

STATE OF IDAHO
COUNTY OF BLAINE
TOWNship 6 S
RANGE 34 E
SEC. 11

SIGNED:
MICHAEL MILLER
Princ. Engineer

SIGNED:
ANDREW MILLER
Princ. Surveyor