



Planning & Development Services

PLANNING SERVICES NEIGHBORHOOD & COMMUNITY SERVICES

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**PLANNING & ZONING COMMISSION (P&Z)
SPECIAL MEETING AGENDA
Wednesday, June 22, 2022, 6:00 p.m.
911 N. Seventh Avenue, City Council Chambers**

Limited in-person attendance is allowed, but due to COVID-19 guidelines, strict social distancing measures are still in place.

During low/medium community level designations, individuals are encouraged, but not required, to wear masks / face coverings. During high community level designations, individuals will be required to wear masks/face coverings.

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.

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 on 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 waive the oral reading of the P&Z clarification and regular meeting minutes from June 8, 2022, and to approve the minutes as written. **(ACTION ITEM)**

AGENDA ITEM 3: COMMISSION TRAINING

The Commission will receive training by Planning and Development Services Staff.

PLANNING & ZONING COMMISSION (PZC)
Clarification Meeting Minutes for June 8, 2022 at 6:00 p.m.
City Hall Council Chambers
911 North Seventh Avenue, Pocatello, ID 83201

AGENDA 2

Chanda called the meeting to order at 6:03 p.m.

AGENDA ITEM #1: ROLL CALL

Present: Krystal Chanda, Whitney Fenwick, Marjanna Hulet, Richard Phillips,

Excused: Shin Kue Ryu and Dakota Worrell.

Staff: Carl Anderson, Matthew Lewis, Aceline McCulla and Merrill Quayle.

**AGENDA ITEM #2: DISCUSSION TO CLARIFY ITEMS ON THE PLANNING AND ZONING
COMMISSION MEETING AGENDA FOR JUNE 8, 2022.**

The Commission and staff discussed the agenda items.

AGENDA ITEM #3: ADJOURN

With no further discussion, **Chanda** closed the meeting at 6:32 p.m.

Submitted by _____ Approved on _____
Aceline McCulla, Secretary

PLANNING & ZONING COMMISSION (PZC)
Regular Minutes for June 8, 2022 at 6:30 p.m.
City Council Chambers
911 North Seventh Avenue, Pocatello, ID 83201

AGENDA 2

Chair Chanda opened the meeting at 6:30 p.m.

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.

Krystal Chanda made a site visit for agenda items 6 and 7 and had nothing else to report. **Whitney Fenwick** made a site visit for agenda items 4, 5, 6 and 7 and had nothing else to report. **Marjanna Hulet** made a site visit for agenda items 3, 5, 6 and 7 and had nothing else to report. **Rich Phillips** made a site visit for agenda items 3, 4, 5, 6 and 7 and had nothing else to report.

Present: Krystal Chanda, Whitney Fenwick, Marjanna Hulet and Richard Phillips.

Excused: Shin Kue Ryu and Dakota Worrell.

Staff: Carl Anderson, Matthew Lewis, Aceline McCulla and Merrill Quayle.

AGENDA ITEM #2: APPROVAL OF MINUTES

The Commission may wish to waive the oral reading of the P&Z clarification and regular meetings minutes and approve the minutes held May 11, 2022.

It was moved by **M. Hulet** and seconded by **R. Phillips** to approve the meeting minutes as written from May 11, 2022. Those voting in favor were Chanda, Fenwick, Hulet and Phillips. Those voting against were none. Motion passed unanimously.

AGENDA ITEM #3: PRELIMINARY PLAT – FILE 1294

This time has been set aside for the Commission to hear comments from the public regarding a request by Brandon Ratliff of Land Quest Development, Inc., represented by RMES, for the Western Skies Division 3 Preliminary Plat application to subdivide 24.53 acres (more or less) into 55 lots, located west of I-15; an extension of Eastpointe Drive.

Chanda opened up the public hearing at 6:37 p.m.

Brady Smith of RMES and representative for the applicant stated the project would have 55 lots and an open space area for storm drainage. The staff comments and requirements were understood, and Smith did not find any issues with the conditions. Smith noted that Division 4 is shown as Lot 20 in the preliminary plat. An annexation application and a Comprehensive Plan amendment would be coming before the P&Z in the near future.

Senior Planner **Carl Anderson** with the City of Pocatello summarized the staff report.

No public comments were received for this application.

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 contained in the Public Works Memorandum, dated May 31, 2022, 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)** Lot 8 Block 1 shall include an “R” restriction indicating that the proposed common area lot is non-buildable; and **4)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

Development Engineer **Merril Quayle** with the City of Pocatello clarified sewer questions. **Chanda** clarified that the roads and turn around criteria meet Fire Code.

Chair Chanda opened up the meeting for public comment at 6:40 p.m.

Those in favor, neutral or opposed: none.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to approve of the Western Skies Division 3 subdivision preliminary plat application from Land Quest Development, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code with the conditions listed in the staff report, and to authorize the Chair to sign the findings of fact. Those voting in favor were Chanda, Fenwick, Hulet and Phillips. Those voting against were none. Motion passed unanimously.

AGENDA ITEM 4: PUBLIC HEARING – PRELIMINARY PLAT – FILE 22-1363

This time has been set aside for the Commission to hear comments from the public regarding a request by Brandon Ratliff of Land Quest Development, Inc., represented by Knudsen Engineering, for the Lands End Preliminary Plat application, to subdivide 24.41 acres (more or less) into 37 lots, located on Fore Road, between Grant Avenue and the Pocatello Women’s Correctional Center.

Chanda opened the public hearing at 6:52 p.m.

Joel Dixon of Knudsen Engineering provided a brief history of the project and clarified that the applicant combined division one and two to make this project work.

Chanda noted there was a typo in the Engineering Memorandum in the Plat Condition No. 7 and that the Development Condition No. 2 requires that water service on Lot 1 Block 2 be added for the sprinkler system. **Dixon** stated he read, understood and would comply with all the conditions in the staff report and Dixon would work with staff.

Senior Planner **Carl Anderson** with the City of Pocatello summarized the staff report.

No written public comments were received and one phone call was received with a discussion about the application.

Anderson noted the Fire Department sent in a response, which was given to the Commission during the clarification meeting, as well as an additional drawing the applicant submitted, which was included in the presentation, and both documents will be included in the public record and attached to the minutes.

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 contained in the Public Works Memorandum, dated May 24, 2022, 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)** The exception request to the fire code must be granted prior to the approval of the current proposed subdivision, or an alternative meeting the standards of the Pocatello Fire Department be provided; **4)** The proposed subdivision is approved for a 96 gallon cart service only, pursuant to comment from the Sanitation Department; **5)** Prior to recording of the plat, the area to remain undisturbed shall be shown on the plat and delineated with a building restriction line. The boundaries shown on the plat

shall be surveyed and staked prior to beginning of construction. The applicant shall provide a proposed building footprint location on Lot 8 Block 2 to verify the proposed development of this lot will not encroach beyond the no-build line. All other standards of City Code 17.05.140 shall apply. All building permit applications for structures on lots with a natural slope of 15% or greater, shall be accompanied by a geotechnical assessment; **6)** Clarify the proposed name of the new roadway appearing as either Ward Road or Lands End Road; and **7)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply; **8)** Correct the verbiage in the Public Works Memorandum under Plat Conditions 7 to change verbiage to “for all the lots with slopes over 20% in Block 2.

Anderson clarified a traffic impact statement was completed and submitted, and a traffic impact study was not required as part of the application requirements.

Chanda asked that if the P&Z approves this preliminary plat, how it reads that everything has to be sprinkled because the number of lots exceeds the 28 lots limit, would the applicant need to come back before the P&Z if the number of lots is reduced to 28? **Anderson** clarified that the applicant needs to submit another design that would meet the Fire Department standards. There are two options to meet fire code available to them. The number of lots may be reduced without changing the road configuration, but they could not add more lots.

Hulet clarified that the no build line could be moved as long as Code requirements are met.

Chanda opened up the meeting for public comment at 7:07 p.m.

Those in favor, neutral or opposed: none.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to approve the Lands End subdivision preliminary plat application from Brandon Ratliff of Land Quest Development, Inc., finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code with the conditions listed in the staff report and add a condition from the Engineer Memorandum under Plat Conditions 7 to change verbiage to “for all lots with slopes over 20%, and to authorize the Chair to sign the findings of fact. Those voting in favor were Chanda, Fenwick, Hulet and Phillips. Those voting against were none. Motion passed unanimously.

With no more comments, **Chanda** closed the public hearing at 7:08 p.m.

AGENDA ITEM 5: PUBLIC HEARING - PRELIMINARY PLAT – FILE 22-1398

This time has been set aside for the Commission to hear comments from the public regarding a request by Rocky Mountain Capital LLC, represented by Connect Engineering, for the Ammon Park Preliminary Plat application to subdivide 0.81 acres (more or less) into nine (9) lots, located along Ammon Street, adjacent to Ammon Park.

Chanda opened the public hearing at 7:08 p.m.

Joshua Ball of Connect Engineering summarized information from the application materials.

Chanda asked if Ball planned for shared driveways, and Chanda noted that the standard size driveway would need to meet code. **Ball** stated he understood and would work with staff and comply to Code requirements.

Senior Planner **Matthew Lewis** with the City of Pocatello summarized the staff report.

No public comments were received for this application.

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 contained in the Public Works Memorandum, dated May 17, 2022, 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)** The area to remain undisturbed shall be shown on the final plat and delineated with a no build/disturbance line. The boundaries shown on the plat shall be surveyed and staked prior to beginning of construction. All other standards of City Code 17.05.140 shall apply; and **4)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply. **5)** Add a no-build line to the Plat meeting Plat Conditions section of the Public Works Memorandum

Chanda opened up the meeting for public comment at 7:17 p.m.

Those in favor: none.

Those neutral:

Carl Gold wanted to know where the development would be built. The **Chanda** and **Quayle** showed Gold on a map where it would be built.

Lucile Linford was concerned that the public park was going to be built on. **Quayle** showed on the map that the City Public Park area would not be built on. He showed the four lots that would be built on, and noted that access would be off Ammon Road.

Those opposed:

Dan Herb was concerned with added traffic.

Rebuttal:

Ball noted that off street parking would be provided and it should not impact traffic. The homes would be sold for under \$300,000.00.

It was moved by **W. Fenwick** and seconded by **M. Hulet** to approve the Ammon Park Subdivision of the preliminary plat application from Collin Hunter of Rocky Mountain Capital LLC, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code with the conditions listed in the staff report, and to authorize the Chair to sign the findings of fact.

The Commission ensued in discussion.

Those voting in favor were Chanda, Fenwick, Hulet and Phillips. Those voting against were none. Motion passed unanimously.

With no more comments, **Chanda** closed the public hearing at 7:31 p.m.

AGENDA ITEM 6: PUBLIC HEARING – PRELIMINARY PLAT – FILE 22-1411

This time has been set aside for the Commission to hear comments from the public regarding a request by Bill Isley of B Street Investments LLC, represented by RMES, for the Elevation 5000 Division 1 Preliminary Plat application to subdivide 5.93 acres (more or less) into 25 lots, located north of Vista Drive and the extension of Center Street.

Chanda opened the public hearing at 7:32 p.m.

Bill Isley of B Street Investments presented the Master Plan layout and gave a history of the area projects.

The purpose for townhomes was selected to maintain wildlife and reduce fences. Private home lot owners' desire fences and Code and HOA Covenants are recorded to restrict fences to allow wildlife to move freely, and townhomes are best suited for this purpose. The additional road connection will help with traffic flow and that is what Isley wants to complete.

Senior Planner **Matthew Lewis** with the City of Pocatello summarized the staff report. Several phone calls were received with questions about this application and three written public comments were received in opposition of this application and provided to the Commission and would be included in the minutes.

Phillips clarified the zoning and the need for the rezone on the next agenda item. A condition will be added that this will be approved in upon Agenda Item 7 being approved.

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 contained in the Public Works Memorandum, dated June 1, 2022, shall be adhered to; **2)** In light of the fact that lot size density/clustering is being utilized the minimum lot size required shall be at least 3,000 sq. ft. Lot 14, Lot 18, and Lots 22-24 Block 1 shall be increased to meet the minimum square footage as part of final plat submittal. **3)** 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; **4)** The area to remain undisturbed shall be shown on the final plat and delineated with a no build line. The boundaries shown on the plat shall be surveyed and staked prior to beginning of construction. All other standards of City Code 17.05.140 shall apply; **5)** Pursuant to Municipal Code 17.04.170 E(e) Fencing and landscaping, where utilized, shall be wildlife friendly as recommended by the Idaho Fish and Game Department (See Attachment D); **6)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply; **7)** this will be approved upon approval of agenda item 7; **8)** the Fire Department will provide a memo on the fire safety; and **9)** CC&Rs must require that no fences be placed, with the exception of patio fences.

Quayle clarified that the Condition for traffic study was not needed, because there is an approved master plan showing road connection providing access throughout the project area. The master plan has been approved by City of Pocatello's Public Works and the Fire Department. Quayle also clarified the storm drainage between roadways and private property non-roadway. Quayle noted the Stormwater Code is currently being revised. Quayle clarified the accepting a Master Plan and bonding development projects.

Chanda opened up the meeting for public comment at 8:13 p.m.

Those in favor: none.

Those neutral:

Sherry Stone noted that semi-trucks park on Vista Road by the Hotels.

Ally Schaak was concerned with one access road for all the local businesses and residents. Schaak asked that a two-lane second access road be built before anymore construction.

Those opposed:

Debra Pine was concerned that it would take 3-5 years to complete the second access road and a disaster plan for current residents to escape a fire emergency be established and the second access road is built prior to the More homes being built.

Ben Christensen was concerned that current traffic and adding higher density is right for this area.

Rebuttal:

Isley clarified that the City Public Works and Fire Department agree to the Master Plan and the road connectivity to address traffic. Isley would be allowed to build more single-family homes than the townhomes proposed.

Discussion ensued with the Commission and Quayle on Fire Code emergency road access per the Fire Marshall and the International Fire Code.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to approve the Elevation 5000 Division 1 subdivision preliminary plat application from Bill Isley of B Street Investments LLC, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code with the conditions listed in the staff report and add a condition **7)** this will be approved upon approval of agenda item 7, and to authorize the Chair to sign the findings of fact. **No vote**, M. Hulet asked to amend the motion as follows.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to approve the Elevation 5000 Division 1 subdivision preliminary plat application from Bill Isley of B Street Investments LLC, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code with the conditions listed in the staff report and add three conditions: **7)** this will be approved upon approval of agenda item 7; **8)** the Fire Department will provide a memo on the fire safety; and **9)** CC&Rs must require that no fences be placed, with the exception of patio fences, and to authorize the Chair to sign the findings of fact.. Those voting in favor were Chanda, Fenwick, Hulet and Phillips. Those voting against were none. Motion passed unanimously.

With no more comments, **Chanda** closed the public hearing at 9:10 p.m.

AGENDA ITEM 7: PUBLIC HEARING – ZONE MAP AMENDMENT – FILE 22-1424

This time has been set aside for the Commission to hear comments from the public regarding a request by Bill Isley of B Street Investments LLC, represented by RMES, for a zone map amendment application to rezone property south of Vista Drive and north of La Valle Strada from Residential Estate (RE) to Residential Low Density (RL), with a Comprehensive Plan land use designation of Residential (R).

Chanda opened the public hearing at 9:21 p.m.

Bill Isley of B Street Investments LLC provided a brief history of the project area and his vision on road connectivity in the area. Isley asked to rezone the two small triangles to match the RL from RE to match the Elevation 5000 development property.

Senior Planner **Matthew Lewis** with the City of Pocatello summarized the staff report.

No public comments were received for this application.

Staff concludes that the proposed zoning map amendment is compliant with Pocatello City Code Section 17.02.170. A full analysis is detailed within this staff report. Should the Commission approve the application, staff recommends the following conditions: **1)** The parcels in question be zoned from Residential Estate to Residential Low density; **2)** Any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to; and **3)** Any activity requiring a separate development or building permit shall comply with applicable regulations.

Lewis clarified that the triangle area properties are both currently zoned RE and are included in the Elevation 5000 preliminary plat, which would match the RL zoning designation preliminary plat.

Chanda opened up the meeting for public comment at 9:30 p.m.

Those in favor and opposed: none

Those neutral:

Sherry Stone asked questions about the zoning, and she was happy with the trail system and the open space Isley has developed in this area.

It was moved by **M. Hulet** and seconded by **W. Fenwick** to recommend approval to City Council the zone map amendment application from Bill Isley of B Street Investments LLC to rezone property located south of Vista Drive and north of La Valle Strada/south of High Terrace Division 1 Subdivision from Residential Estate (RE) to Residential Low Density (RL), finding the application does meet the standards for approval under Chapter 17.02.170 of Pocatello City Code, with the conditions listed in the staff report. Those voting in favor were Chanda, Fenwick, Hulet and Phillips. Those voting against were none. Motion passed unanimously.

With no more comments, **Chanda** closed the public hearing at 9:32 p.m.

With no other Commission business, **Chanda** closed the meeting at 9:32 p.m.

Submitted by _____ Approved on _____
Aceline McCulla, Secretary