

**CITY OF BLACKFOOT
PLANNING & ZONING
Meeting Minutes**

157 N Broadway Street, Blackfoot
June 23, 2020

Meeting called to order:

The meeting of the Planning and Zoning Commission of the City of Blackfoot was called to order at 7:00 PM on June 23, 2020, at The City of Blackfoot council chambers by Chairperson Jefferis. This meeting was also made available to the public by way of the Zoom application.

Pledge of Allegiance:

Commissioner Roll Call:

Those present: Chairperson Marilyn Jefferis, Commissioners Deborah Barlow, JoAnne Thomas, Merv Dolan, Ron Ramirez, Rocky Moldenhauer, and Dine Smith.

City of Blackfoot staff present:

Kurt Hibbert, Planning & Zoning Administrator, Donna Parkinson, Planning & Zoning Clerk, and Attorney Garrett Sandow.

Report on Conflicts of Interest/Ex parte of Communication:

Commissioner Barlow mentioned that she had commented about a petition signing on a social media post. She explained in the reply that it would be a good idea to show up to the public meeting.

Commissioner Ramirez reported regarding the fourth agenda item (Cromwell Lane). He had received a call from 2 neighbors, Phil Harrison and Jim Patrick, asking about the extent of the zone change.

Approval of the June 9th meeting minutes:

Chairperson Jefferis asked the board for a motion to approve the minutes. A motion was made and seconded and the vote to approve the minutes was unanimous.

Other:

Commissioner Ramirez asked if another item could be added to the agenda under new business. It was an item involving a meeting the City Planning and Zoning administrator had with county officials regarding the impact area and requesting Administrator Hibbert to report on the results of the meeting. Mr. Ramirez made a motion to add the item. Commissioner Barlow seconded; all board members voted yes.

First Agenda Item:

Camas Street Subdivision, Approve Plat Map – Action Item.

Kendall Murdock with Murdock Construction presented information on how the proposed PUD would be established on the property. He explained the reasoning for choosing lot sizes, mainly due to the size of investment to develop the subdivision site. Mr. Murdock also responded to items in the staff report findings. Below is a summary of his comments:

1. Points #1 and #2: He explained how selection of elevations and floor plans would be chosen.
2. Point #4: In the findings, his answer was that vinyl fencing would be erected around the subdivision property.
3. Point #5: He stated that garbage container storage would be inside of garages.
4. Point #6: This involved plans for parking, that street width would be adequate for parking on one side, also

stating that parking was planned for two in the driveway and two in the garage.

5. Point #7, This was concerning the retention pond, a possible idea to use water infiltrators which would free up property for a green space as well as visitor parking.
6. Point 7-E: Storage for boats and campers will be excluded in the covenants.
7. Point 7-G: About maintenance buildings, all outside maintenance will be done by a contractor, therefore no need for additional storage structures. Mr. Murdock stressed that he has no intention of this being a low-level development stating that it would be considered a mid-level one. Other positives he pointed out were increased valuations in the neighborhood and development of the Camas Street roadway. He then asked the group if they had any questions.
8. Chairperson Jefferis asked Mr. Murdock to explain what was meant by using the 3 elevations. He responded that this was views of exteriors and that the homes would be broken up into those choices. Another question by Chairperson Jefferis was the integrity of a vinyl fence whereas some of it would be exposed to animals. Mr. Murdock said the fence would be on the PUD's property line and the surrounding owners would be responsible for their own fencing.

Next question, Chairperson Jefferis asked how parking was to be enforced. Mr. Murdock replied that signage, as well as the HOA members would be enforcing parking requirements. Ms. Jefferis also asked about snow removal. Mr. Murdock said that hauling it away or pushing it into the retention pond and/or greenspace were possibilities. Ms. Jefferis next question was the 55 and older requirement in this residency and if it was fixed income individuals only. Mr. Murdock clarified that it would not be strictly fixed income. Other questions from the board included HOA costs, canal overflow, whether there will be a playground or just a greenspace. Kendall Murdock mentioned that there would be no basements.

Commissioner Thomas also questioned enforcement of parking. Administrator Hibbert clarified that the number of parking spots per residence would be two in the garage and two in the driveway. Commissioner Dolan questioned the group about the legality of the residents being 55 and older. It was made clear by some in the group that discrimination is not an issue. The bylaws created would keep owner qualifications in check. Kendall Murdock finished up at this point with his replies. Administrator Hibbert explained that a PUD was its own stand-alone development and does not have to conform to surrounding zoning requirements but also pointed out that this PUD is in line with the City's R1 zone. Also noted, there is a multi-family development on the west end of this block which is zoned R3. Another similar example Hibbert used was the east side of Camas Street. Commissioner Moldenhauer brought up the issue about The R1-R but some pointed out that it was limited to property owners requesting that, not the area.

Chairperson Jefferis opened the public hearing and asked the public if there was anyone in favor, which there were none and anyone neutral, which was also none. Below is those not in favor:

- Craig Reese, 1035 Riverton Road, stated reasons why he is opposed.
- Ronald Reese, 1653 Christensen, stated reasons why he is opposed.
- Diana Reese, 1035 Riverton Road, declared not in favor.
- Laddie Curran, 655 Riverton Road, stated reasons why he is opposed.
- Fred Higley, 599 McAdoo Street, stated reasons why he is opposed.
- Christopher Anderson, 1190 W. Center Street, stated reasons why he is opposed.
- Hugh Horton, 710 McAdoo Street, stated reasons why he is opposed.
- Cindy Reese, 744 McAdoo Street, stated reasons why she is opposed.
- Pedro Pelayo, 755 Riverton Road, stated reasons why he is opposed.
- Sam Thomas, 1142 W. Center Street, stated reasons why he is opposed.
- Shelly Parks, 780 McAdoo Street, stated reasons why she is opposed.
- Scott Reese, 744 McAdoo Street, stated reasons why he is opposed.

Attorney Sandow read a letter sent in by Paula Parks, 780 McAdoo Street, which was an opposition reply.

At this time, Chairperson Jefferis offered the floor back to Mr. Murdock for rebuttal or comment. He stated that he had none. Chairperson Jefferis closed this portion of the meeting to the public & turned the time back to the Commission. The board discussed some of the other items on the proposed PUD such as the irrigation ditches, setbacks, and street width.

Commissioner Ramirez brought to Chairperson Jefferis' attention a letter received the day of this meeting from Tom Watt and suggested it be included with the other testimonies. Attorney Sandow read the letter to the group.

Discussion continued with Commissioner Barlow sharing her concerns about density and greenspace size. Chairperson Jefferis made the argument about the feasibility of PUD's amid R1-R zoning. Hibbert reminded the group that the R1-R was created to protect residents with animals and that the R1 zones still would qualify for development. He also stressed to the board the importance of making decisions based on what the zoning ordinances state. The group continued the discussion looking at some of the surrounding properties using a map on the monitor screen. Commissioner Ramirez echoed some of Administrator Hibbert's comments on the creation and use of the R1-R zone. Mr. Ramirez also made the point that as a board, all decisions need to follow what is contained in the City code. He said that health, safety and welfare of the community were the other factors that should be considered in decision making. Commissioner Smith directed a question to Mr. Murdock; if he had a plan to address the concerns of those who are opposed to this development? Mr. Murdock answered that the street width was adequate, neighboring property owners would retain their R1-R status, and that it would be a 55+ only community. Commissioner Thomas asked if there was a possibility of making the fence bordering the R1-R properties more private, so as not to disturb the animals. The discussion continued with a back and forth over items that were brought up previously. Commissioner Ramirez made a motion to recommend to the City Council approval of this Planned Unit Development. Commissioner Moldenhauer seconded and a vote was taken.

Vote to recommend The Camas Street Subdivision, Approve Plat Map to The Blackfoot City Council:

- Commissioner Jefferis – Not in favor of.
- Commissioner Smith – In favor of.
- Commissioner Moldenhauer – Not in favor of.
- Commissioner Dolan – Not in favor of.
- Commissioner Barlow – Not in favor of.
- Commissioner Thomas – In favor of.
- Commissioner Ramirez – In favor of.

The motion did not pass.

Second Agenda Item:

Tom Arave – Zone Change Application – 1600 – 1520 Highland - Action Item.

The applicant was not present. Administrator Hibbert gave the group a brief background as to why the applicant was requesting a zone change. The board discussed the location and some of the criteria. Chairperson Jefferis opened the public hearing and asked the public if there were anyone in favor of, neutral, or opposed to. There was no reply, so the portion of the meeting was closed to the public. Commissioner Dolan made the motion to recommend to the City Council the request for the zone change from R-2 to a C-2. Commissioner Barlow seconded; motion passed unanimously.

Third Agenda Item:

Jeremy & Brittany Wood 655 Harbor Drive – Zone Change Application – Action Item.

Jeremy Wood, 655 Harbor Drive, discussed with the board a description of their property. Chairperson Jefferis opened the public hearing and asked the public if there were anyone in favor of, neutral, or opposed to. There was no reply, so the portion of the meeting was closed to the public. Commissioner Moldenhauer made the motion to recommend to

the City Council the request for the zone change from R-1 to an R1-R. Commissioner Thomas seconded; the motion passed unanimously.

Fourth Agenda Item:

Collin Hunter 2020 Cromwell Lane – Zone Change Application – Action Item.

Blake Jolley, 1150 Harper Drive, on behalf of Mr. Hunter, briefly discussed with the group why they are requesting the zone change. Some of the specifics of the property were brought up.

The Commissioners asked Mr. Jolley what the intent would be for the parcel. He replied that they did not have anything definite but would move forward if the zone change were approved. More discussion pertaining to current zoning, traffic concerns continued. Chairperson Jefferis opened the public hearing and asked if there were anyone in favor of, neutral, or opposed to. There was no reply, so the portion of the meeting was closed to the public. The board weighed some of the options that may occur if the change is approved. Commissioner Ramirez asked if the property included all the land between Lawrence and Cromwell and the applicant stated that a portion had been broken off and sold to another person. Administrator Hibbert indicated that the application had been received for a lot split so that it may have been a lot split not in accordance with City code. A motion was made to recommend to the City Council the request for the zone change from R-2 to an R-3. Commissioner Thomas seconded; the motion passed unanimously.

Fifth Agenda Item:

Comprehensive Plan Report.

The Comprehensive Plan and the Zoning Amendment changes were tabled until the next meeting. Commissioner Ramirez asked the board to be prepared to discuss these items and move forward on them. Commissioner Ramirez motioned to table these two items until the next meeting, Commissioner Smith seconded; the motion passed unanimously.

New Business Item:

John Gregory / Gary Street – Discussion on a new development for the City of Blackfoot.

John Gregory, 204 West 225 North, gave the board a description of the property which he owns at the end of Gary Street. The other uses on Gary street are all residential but his property has been zoned light industrial. He asked if the commission would consider changing the described property from light industrial to an R-2. The Commission agreed that the proposal may have merit, if a zone change application was made.

Other Items:

Administrator Hibbert reported on the meeting he and Attorney Sandow attended with County officials regarding the Impact Area Agreement. Hibbert explained some of the details that are being worked on. Commissioner Ramirez pointed out where the impact area was located on the map.

Commissioner Ramirez made a motion to work on the new zones in the next meeting. It was decided to just include it in the next meeting's agenda.

Adjournment:

Commissioner Ramirez made a motion to adjourn, it was seconded, and the vote passed unanimously. The meeting was adjourned at 9:45 PM.

Donna Parkinson

City of Blackfoot, Planning & Zoning Clerk
Donna Parkinson