

Sugar City Planning and Zoning  
Regular Meeting February 21, 2008  
Minutes

Those in attendance: Greg Stoddard, Gary Stillman, Eddie Pincock, Jan Gallup, Sharee Palmer, Sharla Pincock, Heather Briggs, Kathy Stillman, Brian Hawkes, Vaun Waddell, Kerry Moser, Paul Lusk, Ray Barney and Stephanie Blackham.

The minutes from February 7, 2008 were amended. Vaun moved to accept the minutes as amended and Ray seconded the motion. It passed unanimously.

Eddie Pincock and Gary Stillman were in attendance to present the final plat for Old Farm Estates. Brian said a letter had been prepared for Transwest that stated the conditions of preliminary plat approval that needed to be met. Mr. Stillman made a statement that many hours had been spent on the project and they felt they had exceeded the conditions set by the Planning & Zoning and City Council. In January 2008, a working meeting was held with Dick Dyer, city engineer; Josh Garner, city attorney; Kurt Roland, project engineer; Eddie Pincock, project manager; Adam Dunn, project attorney and Gary Stillman, project developer. Mr. Dyer and Mr. Garner had some recommendations for the project. Another meeting was held in February 2008, minus Mr. Dunn, and Mr. Dyer and Mr. Garner felt the conditions had then been met.

Brian asked that Mr. Stillman and Mr. Pincock go through the conditions one by one and demonstrate how they had been met.

- 1) Larger lots were discussed. Mr. Pincock showed on the plat where additional larger lots were located. Because 5<sup>th</sup> South was made a collector street, it required a shift in lot sizes to larger lots. There are 239 single family lots in the project with the average size of the lots being approximately .48 acres. The commercial and PUD areas were downsized. It was discussed that covenants need to be in place before the P&Z can recommend approval to the city council. Mr. Pincock pointed out that each phase of the development would start at the beginning of the plat process and only Phase 1 was there for final plat approval.
- 2) The grid system in the project was discussed. Brian read a letter from the city's public works supervisor, Dee Brower, who expressed that the streets need to line up with Cutler and Austin Avenues. Mr. Brower also said that the cul-de-sacs should be eliminated as they present real problems for snow removal crews. Mr. Pincock commented that the city engineer was satisfied with the street layout and that in Mr. Dyer's April 2 letter, he felt the master plan shows existing grid criteria appear to be met. Mr. Pincock noted that the developer only owns 60 ft of property where this problem exists and they will do the best they can to line up the streets. Vaun felt a traffic study should be done to address some of the issues with 3<sup>rd</sup> South. Mr. Pincock referenced a letter from Mr. Dunn addressing the conditions saying that the development would be willing to pay their proportionate share of the impact on 3<sup>rd</sup> South which would be determined by the traffic study. Mr. Pincock said they would be willing to initiate the traffic study after the completion of Phase 1 or possibly Phase 2. The roads were identified in the commercial and PUD districts as stated in the conditions.
- 3) In regards to the data in the impact study, Mr. Pincock noted that Rexburg is re-evaluating its numbers for wastewater flow and would not give out any numbers

until their re-evaluation is complete. Mr. Pincock and Mr. Dunn felt the data in the impact study was as recent as was available. He also said that the city engineer was satisfied with the numbers. Ray wondered how 2002 numbers could be the most recent data available. Ray also referenced Mr. Dyer's letter that the P&Z should be very careful about wastewater capacity and other attendant issues. Brian felt the impact study was missing information on peak flow. He would like to see the numbers for Phase 1. In addition, he feels the impact study should address the possible need for a pumping station. Brian would like to talk to Mr. Dyer in the coming days and Mr. Pincock indicated he would talk to Chris Park regarding information on peak flow. Impact fees and hook-up fees were also discussed and will be addressed in the development agreement. After the first 56 homes, impact fees will be assessed for the rest of the development.

- 4) Mr. Pincock and Mr. Stillman met with the school superintendent, Alan Dunn, and discussed the project's impact on the school system. Mr. Dunn indicated that what he would like is property for a high school which needs to be 25-30 acres. He didn't request that the project make property available, but if in the future it was requested, property would be donated or purchased. The timing for completion of the park was discussed. Mr. Pincock quoted from the Sugar City Comprehensive Plan that states, "The two community parks, Smith and Heritage, will be adequate until the population exceeds 3000." He felt with that said the project could be completed before the park was needed. Commission members felt that the park has utility long before the completion of the project. Kerry also quoted from the comprehensive plan, "Open space outside of the central area of the city should be set aside for new community parks. Playground and neighborhood parks are needed as new subdivisions develop." Mr. Pincock wondered who would maintain the park if the city does not accept the dedication. It was decided that the development would then take over maintenance.
- 5) The southern boundary of the project was discussed. Ray stated that the fence line takes precedence over survey stakes. It was pointed out that the city cannot demand settlement of a boundary dispute as a condition of approval. It was also noted that while this is true, the P&Z commission must determine if the lots along the canal are viable.
- 6) Mr. Stillman felt that the concerns raised in Mr. Dyer's letters of 4/2/07 and 10/19/07 have been addressed and that after the meetings in January and February of this year, Mr. Dyer and Mr. Garner are satisfied also. P&Z agreed to review Mr. Dyer's letters and the new master plan submitted. Kerry referenced the comprehensive plan in regards to the grid system of streets and Title 10 that states cul-de-sacs require special approval. Commission members feel that the grid system has been consistently advocated throughout the process. Mr. Pincock disagreed. Jan Gallup, representing the citizens residing around the project, asked if subsequent phases of the project would fall under Title 10 as it is now in the code book or the new Title 10 that has gone to city council for approval. It was determined that Old Farm Estates was notified that a new ordinance was in process and that future phases would fall under its application. It was noted that the condition of 15-ft. utility easements asked for by Rocky Mountain Power has been met. The irrigation district will not approve the final plat until their conditions are met on a water delivery system and proof of transfer of water rights. The irrigation district has not received notification that Teton Island Canal has signed off on this agreement. The ditch will need to be maintained so the

undeveloped ground in the project can be watered. It was noted that the water rights can be addressed in the development agreement.

Mr. Pincock gave Brian two copies of Mr. Dunn's response to the conditions for approval of the preliminary plat and copies of an e-mail from Chris Park. He also addressed the length of time the project has been in process and the possibility of further development in Rexburg using up existing wastewater capacity.

The Planning & Zoning Commission <sup>recessed.</sup> ~~adjourned.~~

Sugar City Design Review Board  
Regular Meeting February 21, 2008  
Minutes

The Design Review Board's first order of business was to elect officers. Ray moved that Brian chair the design review board and Stephanie seconded the motion. It passed unanimously. Vaun moved that Stephanie be elected secretary of the design review board and Ray seconded the motion. It passed unanimously.

Randy Johnson of Forsgren Associates presented the design review application for the business park. Several items were discussed.

- 1) West Center Street has adequate lanes to service the business park. Pedestrian traffic is not anticipated or desired in the center of the business park.
- 2) The possibility of yield signs instead of internal stop signs was discussed. Mr. Dyer felt that stop signs would only be needed at the entrance(s). Mr. Johnson pointed out the 25' x 25' triangle for a business park sign. The sign will be located outside of the clear vision triangle. Two considerations for the sign are safety and design.
- 3) The pedestrian walkway was reduced to 6 ft. as more width equates with more maintenance. Depth of the gravel and pit-run for the path were discussed. The cost of the walkway is estimated at \$10-12,000. Individual property owners would maintain the extra 4 feet of the 10-ft. easement and be allowed a fence on their side of the easement. CC&R's will require landscaping for individual businesses as well as uniform fencing around the perimeter of the business park. It was noted by Mr. Johnson that fencing will not be allowed on the north side of the park as the canal company requires space to do their work. Design review need not address fences if they are part of the CC&R's. Kerry raised the question of having grass rather than gravel on the walkway. She felt it would be hard to keep two different materials separated from one another and create more maintenance problems. There was some discussion on referring to this area as open space rather than a walkway. It was decided that the commission should concern itself with the proposal at hand.
- 4) The location of trees would be determined as part of the landscaping plan of each individual lot.
- 5) Several items were determined to be taken care of in the CC&R's. They were: backs of the individual lots (the backs should look as good as the fronts), fences, area if integration, streetscape improvements and screening of roof-mounted and ground utilities.

- 6) It is proposed that industrial businesses will be located mainly on the east side of the business park.
- 7) It was hoped that the sign for the business park would be finished early on in the progression of the development.
- 8) This design review application is for the business park as a whole and things not addressed here will be covered in the individual lot owners' design review applications.

Vaun moved to recommend the business park's design review application to city council. Ray seconded the motion. After some discussion, Kerry moved to amend Vaun's motion to recommend the application to city council with the open space surface to remain unspecified. Vaun seconded Kerry's motion. It passed unanimously.

The Design Review Board adjourned.

The Planning & Zoning Commission reconvened. Mr. Johnson presented four applications for variances for the business park. In letters to the adjacent property owners, he failed to give them a time and place to be heard. Stephanie will ask Sharon to notify the property owners that they can submit written comment to the city by February 28, 2008.

#### Variance 1-Loop street length (Title 10-6-2-F-3)

Before discussion on the individual variances began, the conditions applying to variances were read from the code book (See Title 9-12-5 and 6).

The loop street length is an arbitrary designation and as the grid system in this particular parcel of land would create safety issues and undesirable street types, it was felt that this variance should be granted.

Kerry moved to grant the variance for a longer loop street conditional on input from adjacent property owners. Paul seconded the motion. The variance was granted.

#### Variance 2-Block length (Title 10-6-3-A)

At 754 ft. there are 7 blocks in a mile. Jan Gallup noted that shorter block lengths are more neighborhood-friendly and are consistent with the family-oriented atmosphere of Sugar City. However, as this is not a residential area and the length of the blocks has been largely determined by the shape of the parcel, it was felt that this variance should be granted.

Ray moved to grant the variance for longer block length conditional on input from affected property owners. Vaun seconded the motion. The variance was granted.

Variance 3-(Title 10-7-2-A)

Concrete rolled curbs are required and ribbon curb is being requested. As swales will be used for storm water management, ribbon curb is better suited to this development. Maintenance of the swales was discussed and CC&R's will require landscaping.

Ray moved to grant conditionally Variance 3 pending input from affected property owners. Vaun seconded the motion. The variance was granted.

Variance 4-(Title 10-7-2-B)

Concrete sidewalks are required. Absence of sidewalks in the business park is being requested. As this development will be a destination-type commercial facility and foot traffic will not be promoted, sidewalks are not needed. While sidewalks have a function in the rest of the city, it is felt they have no function at this site. The other option would be to require individual business owners to bear the financial burden of the sidewalks. Paul mentioned it was the experience of the business park in Rexburg that this requirement resulted in some business owners looking elsewhere for a lot to build on. It was noted there are no nearby facilities that would benefit from having sidewalks in the business park.

Paul moved to grant Variance 4 pending feedback from affected persons. Ray seconded the motion. The variance was granted.

Brian postponed review of the application forms due to the lateness of the hour. He would like the commission to prioritize business and projects for future discussion. The city is considering hiring a planning & zoning administrator part-time and Brian wanted to get the commission's input. It was felt that even five hours a week would be very helpful to the commission and the design review board.

The business park preliminary plat was discussed. Mr. Johnson addressed some concerns of the city engineer.

- 1) Lot sizes were discussed. Mr. Dyer felt that some of the lots are too small. The city has been approached by some business owners that want smaller lots and the city wants the flexibility of varying lot sizes.
- 2) Mr. Dyer cautions against delay on completion of access to 3<sup>rd</sup> North because of safety issues. It was felt that he was right and the bridge should be built with the initial infrastructure.
- 3) Mr. Dyer was concerned about the turning radius particularly on the west end. Mr. Johnson researched this and found the turning radii were adequate for the largest trucks.
- 4) Mr. Dyer felt the sewer line needed to be extended for future needs. Mr. Johnson said one option would be to do this when the bridge was put in or let future developers pay later for the cost of the extension. He felt it was not in the city's best interest to jeopardize the project with too many cost overruns. The commission felt this was an engineering issue that the city council is better equipped to decide.
- 5) A lot line that Mr. Dyer felt needed realignment would be adjusted as far as it was possible.

- 6) Mr. Dyer felt a manhole needed to be added to cut down the width of an easement as the lot may sell easier with a smaller easement. It was suggested that moving the lot line to follow the sewer line would accomplish the same thing.
- 7) Water lines for fire suppression systems were discussed. Mr. Johnson indicated these would be made available on the east side where they would more likely be used and hydrants would be placed throughout the business park to handle the other lots.
- 8) The CC&R's need to be reviewed and finalized.

Vaun moved to recommend approval of the preliminary plat application for the business park with the following four conditions:

- 1) Access to 3<sup>rd</sup> North to be completed as part of the initial infrastructure installation.
- 2) Street names to be finalized before final plat.
- 3) Open space be formally designated as such.
- 4) CC&R's be agreed upon before final plat application.

Stephanie seconded the motion and it passed unanimously.

Brian got a count of how many would be attending the IAC conference in Idaho Falls on March 8. Those attending are Brian, Ray, Vaun, Paul and Stephanie. Stephanie will check with Bruce to see if he is planning on attending and then get the names to Sharon.

The meeting was adjourned.

*Brian D. Hawkes*