

Sugar City Planning & Zoning Commission
Regular Meeting March 6, 2008
Minutes

Commission members attending: Ninette Galbraith, Paul Lusk, Brian Hawkes, Bruce Bills, Vaun Waddell, Kerry Moser, Ray Barney, Stephanie Blackham
Public attending: Eddie Pincock, Sharla Pincock, Brent Crowther

Chairman Hawkes called the meeting to order. Ninette moved to accept the minutes of 2/21/08. Paul seconded the motion. It passed.

Brent Crowther, manager of Forsgren Associates presented the final plat of the Sugar City Business Park.

Agency review of the final plat was discussed. As the final plat was essentially the same as the preliminary plat, it was determined that further agency review was not needed. The only response to the agency review was the canal company.

The four conditions for preliminary plat approval were discussed.

- 1) The city council agreed that the bridge providing access to 3rd North should be completed as part of the initial infrastructure. They are working with the county on a cost-sharing basis to that end.
- 2) Street names are listed on the final plat. The mayor is willing for anyone who doesn't like the names to rename them.
- 3) There is an open space dedication around the perimeter of the business park that provides for no motorized vehicle access.
- 4) The CC&R's are being prepared by Clair Boyle, Bruce King and Vaun Waddell. A discussion was held telephonically with Bruce King and Vaun will send electronic copies of the draft of the CC&R's to commission members for their review.

It was determined after conferring with the city engineer that the four conditions appear to have been met.

Brian had some concerns about the width of the canal easement and the use of swales as opposed to infiltrators. He feels the canal easement is excessive at 50 feet. Mr. Crowther indicated that the canal company has been advised by their legal staff not to sign anything on specific easement widths. They will verbally agree to at least 16 feet, therefore Mr. Crowther thought that a 20-foot easement would be more reasonable so that the lots on that side of the development would be viable.

Brian wondered about the possibilities of using infiltrators instead of swales. Mr. Crowther said that the cost was the prohibitive factor even though the city would like to see them used also. Landscaping of the swales was discussed and Vaun will add a condition to the CC&R's that swales will be grass only. At a later date, the swales could be easily replaced with infiltrators.

As the city council did not act on the P&Z commission's recommendation of the preliminary plat, it was determined to table the final plat until such time as the city

council could act on the recommendation. It was suggested that commission members be available for a special meeting March 13, 2008.

Electronic copies of a letter from Adam Dunn, dated 3/5/08 and addressed to the city council, were noted received by the P&Z commission members.

The final plat for Old Farm Estates was discussed.

- 1) The lot sizes are acceptable. Lot 45 was discussed as it may not be viable because setback requirements may not be able to be met. It was determined to be an issue between the city, the contractor and the home owner.
- 2) The grid system seems to be appropriately upheld. The traffic study is still something that concerns the P&Z commission. While it is adequate for Phase I, the commission feels it is lacking for the master plan.
- 3) As far as the south boundary issue, the commission feels like Vaun's response to Mr. Dunn says it all. "Question of Ownership on South Boundaries." P&Z has taken no interest in the outcome of this question except to determine, in the interest of the developer, whether lots along the southern boundary are viable. An inspection on the ground, specifically a drive along Seventh West to the bridge over the canal, immediately clarifies the issue: does the Old Farm property line run along the fence north of the canal or does it run down the center of the canal? For the P&Z, the boundary question arose only following the question of the irrigation company's easement. The P&Z is obligated to protect the easement while ensuring that the relevant lots are viable." Furthermore, Mr. Dunn's comments on the condition are out of line.
- 4) Mr. Pincock assured the commission that DePatco has been retained to cut a ditch so that the property can be irrigated and farmed while the development goes forward. Also, if needed, property in the commercial or PUD phases could be used for a smaller school.
- 5) The commission feels the first five conditions have been basically met. Conditions 6, 7 & 8 are not complete. Several items are lacking in the final plat submission such as dedications, date of plat preparation, central angles and drainage ways to be dedicated. The irrigation district also does not have the information it requires. Brian will contact the city engineer and have him check the completeness of the final plat application.

The commission feels it has three options in regard to the Old Farm Estates final plat. They are to approve, disapprove or, in the spirit of the new Title 10 ordinance, extend the time limit.

Application forms were discussed. It was determined to start with the four applications that the commission deals with the most often. They are preliminary plat, zone change, final plat and annexation. Bruce will send electronic copies that commission members can review prior to the next meeting. It was also suggested that they be compared to Rexburg's applications.

Brian felt the P&Z needed to prioritize projects for the future. The list included: land use map, rezoning the city and impact area, home business/home occupation, Title 9-9 (impact area), Title 8-2 (signage), Title 8-5 (lighting), Title 8-3 (cell towers-update), kennels, land use schedule-update, minimum lot size in R-1 zone, Title 9-8 (PUD). After some discussion, it was decided that the top three are: 1) rezoning the city 2) land use

map 3) land use schedule update. Brian will ask the city if the proposed impact area map has gone to the county.

Paul gave a brief report on the meetings held with The Development Company regarding the business park. He reported there was a lengthy discussion on the management team that will oversee the build-out of the business park.

The P&Z's next move in the business park's process was discussed. As the city council has not approved the business park preliminary plat, it was determined that the commission could hold a special meeting during the time the city council meets. If preliminary plat approval was given, the commission could then vote to recommend approval of the final plat. Brian will check with the city attorney on the wording of the agenda for the special meeting.

Those attending the IAC meeting in Idaho Falls will meet at Brian's house at 8 am Saturday morning. The city will provide money for lunch. The meeting was adjourned.

Brian D. Hawkes

3/20/2008