

SUGAR CITY PLANNING & ZONING PUBLIC HEARINGS - EVENT CENTER, ANNEXATION AND ZONING

At Sugar City Hall

Thursday, November 16th, 2023, 7:00 P.M.

Attendance

- Chairman Taylor
- Commissioners Williams, Fluckiger, Haacke, Hawkes
- Staff: Administrator Assistant Owens, Administrator Hibbert

Opening

Prayer: Commissioner Haacke

Pledge of Allegiance: Chairman Taylor

Public Hearing Opening: Requests for Comprehensive Plan Map Amendment, Zone Change, Event Center, and Parking Plan Approval

Staff Overview

Three things that have to be decided on if recommended to the City Council: The comp plan would have to be changed to allow this use, a parking plan would have to be approved, and the zoning of the lot would need to change. The homeowner across the street doesn't have major concerns, but the homeowners behind the property were at the hearing and testified. This is adjacent to the downtown, which may fit with the new parking proposal.

Applicant

The applicants, Boyd and Debbie Baggett, have filed an application for a zone change and parking plan for a lot currently zoned as R1 south of Central Elementary. They intend to build an event center, primarily for weddings, with the potential for other events like retirement parties.

The proposed 3200 sq ft building will be constructed of wood and brick to give a "homey" feel. The Baggetts plan to utilize 30 city parking spaces along the street, and 10 on the other side, without encroaching on nearby church or school areas. They also plan to preserve the existing trees, fence the area for noise control and guest containment, and use low outdoor lighting. Most activities, including dancing, will take place inside the building to minimize noise.

Public Testimonies

For

Audrey Taylor: Was Debbie Baggett's neighbor. Wanted to testify to their character. They are honest, they take care of their property. It would bring a lot of beauty to Sugar City. They are hardworking, and willing to help anyone around them.

Neutral

None

Against

Written Response - Jeanette Clark: No comments.

Daniel & Gaye Fine: Are the new owners of the Harris' old property. From Las Vegas. Event center to them means "party hearty". The alleyway is public access and should be kept that. They are concerned about the consumption of alcohol on the property. There is a curfew on the park, and does the curfew extend to this event center. This was a surprise. They need to know curfew times and are trying to escape the noise.

Rebuttal

The Baggetts indicated that they will put up a white vinyl fence and plan on a 10 pm curfew. While alcohol could be served, it would be rare. Cameras will be on and around the property.

Administrator Hibbert indicated that the State's nuisance laws apply. The church across the street has been holding similar events for many years.

Public Hearing Ended

Closed at 7:31 PM.

Public Hearing Opening: Requests for Annexation and Zoning

Staff Overview

Tonight, there will be hearings on three properties:

1. RAWSON CHARLES LESLIE, RA WSON PEARL G (ACRES 2.3) RP06N40E080620: Regional Commercial
2. SMITH JARED VERN ACRES 1.5 RP06N40E059332: Regional Commercial
3. HARRIS JACQUELINE B, TUCKETT RUTH (ACRES 63) RP06N40E092062: R1 & R2

All properties are petitioned annexations. The R1 and R2 zones are both for single-family homes, but R2 allows for duplexes or townhomes. The city has adequate capacity in both water and sewer systems, with the recent addition of the new water tank. Water rights are managed by developers in coordination with ditch companies, with the city only getting involved when considering a secondary water source.

Public Testimonies

For

Written Response - Ilene Cooley from Murray UT: Indicated she is in support, but didn't specify which property.

Jared Smith: In favor of 1 and 2. #2 is his land. He's talked to a lot of people in Salem about how the growth is inevitable. A lot of those he has talked to don't want to be in Rexburg's impact area. He feels that Sugar City has similar goals to Salem. In the future, this area will probably have fewer homes and more businesses. It would be better to have businesses be on the outside of town vs in town by all the homes.

Neutral

None

Against

Scott Ercanbrack: Opposes #3. The dense zoning is starting to move it's way down to close to Moody Rd. To the west are 5 acre lots. He doesn't want to be annexed into the city. He doesn't want to be forced into an annexation. He is concerned about the traffic on the road. Water prices are going up, which doesn't affect him now, but would if he were in the city.

Russell Orme: Can't add much to the last testimony. Doesn't think it should be higher density south of the canal.

Sam Orme: 5 acre lots can be flood irrigated, which helps ground water. 5 acre lots would be more manageable. Concerns about housing moving across the canal, how about kids being near that canal.

Written Response - Russell Orem: Opposed.

Written Responses - Scott and Gay Ercanbrack: If prime farm ground has to be turned into housing it should be the lowest density as possible. We also own a home in Sugar City and as prices keep going up, we keep having to pay for it.

Written Response - Janet Phillips: No housing south of canal. Who is responsible for litter cleanup? High density will take away from the home values of nearby homes.

Julie Orem - Lives in Rexburg: Ditto to everything on record.

Rebuttal

Administrator Hibbert indicated that the proposal for property #3 would have R1 zoning north of the canal and R2 zoning south of it. R1 zoning allows for 4 units per acre and R2 is 5 units per acre.

Public Hearing Ended

Closed at 7:59 PM.

Approve Minutes

The October 19th, 2023 meeting minutes were approved.




Motion: I move that we approve the minutes.

Motion made by Commissioner Haacke. Seconded by Commissioner Hawkes.
Motion Carried.

Deliberations for Hearing #1

The commission discussed the following points:

1. The area under discussion is not designated as commercial in the Preferred Land Use Map, and the Zoning Map should align with this.
2. Spot zoning, while not always negative, is considered acceptable in this case due to the area's proximity to downtown.
3. Current parking at the school and church will be maintained, although the church has sectioned off a zone.
4. Many commissioners expressed a desire to support business owners.
5. Some commissioners didn't consider receptions and other similar events disruptive.
6. There are platting issues, but these are being addressed with the county and are not relevant to this issue.
7. The city enforces a state nuisance law and has an 11 pm curfew every night, extended to 12:30 am on weekends.


 Motion: I move that we change the comprehensive plan map to put a downtown commercial bubble on this sight.

Motion made by Commissioner Haacke. Seconded by Commissioner Hawkes.
Motion Carried - All in Favor.


 Motion: I move to approve the parking plan associated with this application.

Motion made by Commissioner Hawkes. Seconded by Commissioner Williams.
Motion Carried - 3 in Favor, 1 abstained

Deliberations for Hearing #2

 Motion: I move that we accept and approve the application for Charles Rawson.


Motion made by Commissioner Haacke. Seconded by Commissioner Williams.
Motion Carried - All in Favor

 Motion: I move that we accept and approve the application for Jared Smith.

Motion made by Commissioner Haacke. Seconded by Commissioner Williams.
Motion Carried - All in Favor

The commission discussed the following points in regards to the #3 property:

1. Some commissioners expressed concern that the R1 and R2 zoning seemed out of place for this area.
2. The R1 zoning would taper to R2 zoning to act as a buffer against Moody Road and to help with traffic.
3. Some commissioners shared a concern that developers hands shouldn't be tied.
4. The sellers were generous to not ask for a higher density.
5. There is a great need to avoid contamination of wells and ground water, which is always a problem where higher density meets rural areas.

 Motion: I move that we accept the Jacqueline and Tuckett Harris property for zone change.

Motion made by Commissioner Haacke. Seconded by Commissioner Williams.
Motion Carried - 3 in favor, 2 opposed

Meeting Adjourned

Meeting ended at 9:00 PM.