

# SUGAR CITY PLANNING & ZONING PUBLIC HEARINGS

At Sugar City Hall

*Thursday, February 1<sup>th</sup>, 2024, 7:00 P.M.*

## Attendance

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

## Opening

**Prayer:** Commissioner Haacke

**Pledge of Allegiance:** Chairman Taylor

## Public Hearing Opening: Rules and Considerations

This meeting had three separate public hearings. Even though each hearing was held on its own, some details from applicants and city officials overlapped between hearings. To avoid repeating the same information, where possible, these details were shared just once when they first came up.

## Public Hearing 1: Special Use Permit and Site Plan for Sugar-Salem School District property at 205 E 3rd North

### City Attorney Overview

Attorney Hendricks began by addressing the commission about ex parte communication. The commission confirmed that there was no ex parte communication or financial interest in the hearing.

Attorney Hendricks discussed the Dalling Parcel, a property given to the school district with stipulations. One of the original stipulations was to keep the parcel in one piece. The school district and the city discussed concerns at the time the parcel was gifted. A development agreement was entered into where the new Jr. High School was permitted.

In the fall of 2023, the city and the school district had some additional discussions about the city's concerns. The main concerns were:

- transportation around the "bus barn" - specifically busses and other large vehicles being able to get in and out of the property and being able to get around the building
- utilities
- parking
- the continuation of Park Ave northward
- neighboring properties
- general transportation around the parcel

Attorney Hendricks presented a few maps to the commission. He informed the commission that the maps aren't final, but "represent the bones" of the plan. The school district will continue to work with the city and city officials as they move forward.

### Applicant - Jared Jenks

Mr. Jenks expressed gratitude towards the commission and city employees, highlighting the improved relationship between the school district and the city. The parcel was donated by Glen and Dorothy Dalling in 2018, leading to the construction of a junior high school in 2020 and the receipt of an occupancy permit in 2021.

The new bus barn will be funded primarily through COVID relief funds.

Recent meetings between the city and district have led to agreements on a 70 ft easement for Railroad Ave and the preservation of a soccer field built on an easement east of the property.

He talked about Park Ave and potential locations for the road. It could run along the east border of the school property, extended a little eastward from the property's eastern border, or the removal of the soccer field as a last resort.

He indicated that road financing would come from tax dollars via bonds and levies, requiring a 2/3 majority to pass. Given that most district beneficiaries live outside the city and might not vote for a bond, the district is open to applying for grants with the city to secure necessary funds.

### City Engineer - Dick Dyer

The City Engineer clarified that the current issues are related to land use, with development issues to be addressed later. The Public Facilities Zone stipulates that adequate meetings and collaboration with city officials must occur before any development. The city's master plan aimed to protect areas for roads and utilities until development, with a focus on the bus barn issue.

The proposed Bus Maintenance facility would have a complex intersection, prompting the city to request no through traffic to simplify it. The facility would have a gate for emergency vehicles and a bus entrance from Railroad Ave, which would be moved north as development progresses.

The School District plans to add more turn lanes to alleviate congestion along 3rd North by Kershaw. The lack of funds was cited as the reason for not extending Railroad Ave at this time. The CTE building will use existing campus accesses, with utilities planning not yet completed but not a concern at this planning stage.

He recommended approval of all these plans, with the understanding that changes will be made as development progresses.

## Public Testimonies

### For

**Jason Flagg:** He said that this is much needed in this area for all the growth in this area. He recommended that the commission carefully seeks to protect property rights. See the 5th and 14th amendments. Asked if it is fair for the city to force private landowners to put a road in? He said to make sure that the City Attorney has reviewed everything.

### Neutral

None

### Against

None

## Rebuttal

None

## Public Hearing Ended

## Public Hearing 2: Special Use Permit and Site Plan for CTE Sugar-Salem School District south of 1 Digger Dr

### Applicant - Jared Jenks

Mr. Jenks stated that The State of Idaho has allocated \$45 million for schools to apply for facilities like the one being discussed. The building is planned to house facilities like welding and auto shops. Initially, a request for \$3.8 million was made, but the school was granted \$2.7 million, making it the second largest recipient in the state. The district will need to supplement with their own funds to realize this project.

Local industry partners are contributing equipment such as car lifts and air compressors.

Future discussions will address the costs associated with bringing utilities to the area. It's currently unclear if a Special Use Permit (SUP) is required, but one has been submitted as a precaution.

#### Public Testimonies

#### **For**

None

#### **Neutral**

None

#### **Against**

None

#### Rebuttal

None

#### Public Hearing Ended

## Public Hearing 3: Proposed Public Facilities Zone Adoption for the City of Sugar City

### Administrator Hibbert

The city, in March of 2023, rezoned some public entities to take them off the land use schedule and free them up from needing more administrative processes.

### City Attorney Hendricks

Attorney Hendricks indicated that one of the main concerns with zoning is managing adjacent uses that could potentially conflict, such as a gravel pit next to a residential area. Conversations with the Planning and Zoning commission and the school district revealed that the current project wouldn't have been possible without a change in zoning. The previous zoning wouldn't have permitted this use. He believes that the change will provide the school with the flexibility to excel, while still addressing transportation and utility issues.

## Public Testimonies

### For

**Jason Flaig:** He endorsed what Attorney Hendrics and Administrator Hibbert said. He said that he thinks it's a brilliant move to have this mixed use. He said that this property was trans-ag, then rezoned to commercial, and now to open. He felt that the Land Use Schedule is pretty restrictive. His hope is that going forward, before the commission recommends anything that has to do with property rights, they refer to the Regulatory Takings document he handed out to the commission.

### Neutral

None

### Against

None

## Rebuttal - Administrator Hibbert

He shared an example of what the city did to avoid a regulatory taking. He indicated that the city is very aware and careful of these takings, especially when zoning. It is usually granting rights, not taking away rights.

## Public Hearing Ended

Closed at 8:36 PM.

## Approve Minutes

The January 18th, 2024 meeting minutes were approved.



Motion: I move that we approve the minutes for 1/18/24.

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

## Deliberations

The commission discussed concerns, most of which would be handled during the development stage of the process, and this hearing is about the land use stage of the process.

They expressed the need to have a better master plan to avoid similar issues in the future.

## Motions



Motion: I move to recommend to City Council to APPROVE the Special Use Permit and Site Plan for Sugar-Salem School District at 205 E. 3rd North with the following conditions:

1. A development agreement will be signed with staff concerns addressed.
2. Pay attention to the safety around the potential 5-way interaction (North Front Street and North Austin).

Motion made by Commissioner Fluckiger. Seconded by Commissioner Williams.  
Motion Carried



Motion: I move to recommend to City Council to APPROVE the Special Use Permit and Site Plan for the CTE Sugar-Salem School District south of 1 Digger Dr with the following conditions:

1. Concerns stated in the staff reports are addressed.

Motion made by Commissioner Fluckiger. Seconded by Commissioner Williams.  
Motion Carried.



Motion: I move to recommend to City Council to APPROVE the Proposed Public Facilities Zone Adoption for the City of Sugar City with reasonable clarity changes to the language as needed.

Motion made by Commissioner Fluckiger. Seconded by Commissioner Williams.  
Motion Carried.

## Meeting Adjourned



Motion: I move that we adjourn.

Motion made by Chairman Taylor. Seconded by Commissioner Williams.  
Motion Carried.