

Sugar City Planning & Zoning Commission
Regular Meeting April 17, 2008
Minutes

Attending: Steve Hawkes, Vaun Waddell, Ninette Galbraith, Brian Hawkes, Paul Lusk, Ray Barney, Bruce Bills, Stephanie Blackham, Josh Garner, Anne Marie Waddell, Alvarado Mendoza, Victor Mendoza, Alan Dunn, Terry Mortensen, Dwayne Seiter, Simon Vanderlinden, Wesley Seiter, Alan Parkinson and Winston Dyer.

Chairman Hawkes called the meeting to order. Vaun moved to accept the minutes from April 3, 2008. Ninette seconded the motion and it passed unanimously.

Brian welcomed Steve Hawkes as the new member of the planning & zoning commission replacing Kerry Moser.

Alan Dunn, superintendent of the Sugar-Salem school district was in attendance to place a proposal before the commission. The school district would like to add on to their existing maintenance building. In order to do this, they would like to utilize the small street and grassed triangle directly north of the existing maintenance building. They would also like to have the same setback as the existing building which is 13 feet. Several options for obtaining the needed space have been discussed and this would be the least expensive option for the school district. Several factors would need to be addressed.

- 1) Purchase or some other transaction with the city of the street and grassed triangle.
- 2) Maintenance of the clear vision triangle.
- 3) Determination of infrastructure or lack thereof underneath the street and grassed triangle.
- 4) Determination of the feelings of the residents in the surrounding area.

The commission agreed that the school district has three options: 1) apply for a variance for the setback, 2) apply for a zone change and 3) choose a different property.

Winston Dyer and Dwayne Seiter submitted a special use permit request for the resort area of Toscano. It will be passed on to Sharon for processing.

The preliminary plat application was then discussed. Agency review submissions were queried. Rocky Mountain Power responded that it did not see utility easements adjacent to the roads. Winston noted that in regards to the public streets, the utility easements are in the front yards. There are no dedicated utility easements for the private roads in the resort area. The final plat will show those easements.

It was noted that the design review process needs to be applied to the development concurrently with the preliminary plat. Dwayne would like to be included on the design review board for this development. He will submit that request to city council. The completion of the design review process will be a condition of approval.

The land use zone for the resort was discussed. It was determined that a special use permit will be required no matter what the designation. The commission will likely vote on the special use permit at the next meeting and then schedule a public hearing in June.

Water for the development was discussed. The developers will seek a well permit first. Plan B will explore trading surface rights for groundwater rights. If neither of these options work out, the developer would ask that the city's excess water rights be reassigned to the development as the well on the property will benefit the entire city.

Phasing of the green belt was then discussed. Each phase will contain completion of a percentage of the green belt. This percentage will be addressed in the development agreement.

Vaun felt that the development's CC&R's were good. The commission has no jurisdiction in regard to the CC&R's, but can review them as a matter of courtesy. Vaun then moved to recommend approval of Toscano's preliminary plat to the city council with the following conditions: 1) Completion of design review 2) Phasing of open space included in the development agreement 3) Addition of utility easements on private roads. Stephanie seconded the motion and it passed unanimously.

Alvarado and Victor Mendoza own 10.83 acres along Highway 20 that they would like to develop. They would like to put in multi-family housing and wondered if the city would be willing to include their property in the city's impact area. The commission determined that this is not a land use that is desired for Sugar City and the possibility of using the property for commercial was discussed. The Mendoza's were referred to the county.

Bruce reported on a meeting between the county, Rexburg and Sugar City regarding the grid system in the county. He reported that the problems stem from the county. Rexburg has 7 blocks per mile, the county has 10 blocks per mile and Sugar City has 13 ½ blocks per mile. Rexburg and Sugar City are in line with the section lines, but the county is off-grid with regards to the section lines. A committee has been formed to address the problem.

The question of design review for Old Farm Estates was discussed especially with regard to lighting. Brian will get in touch with Josh and make sure the design review process is in the development agreement.

Vaun led the discussion on the comprehensive plan pointing out the corrections made from the draft discussed on April 3. It was determined that minimum road widths should not be designated by a range, but by a single number. Also it was the consensus of the commission that the zoning ordinance be changed to require a certain percentage of lots in sizeable developments be more than ¼ acre. Ninette moved to accept the comprehensive plan pages 1-41 with agreed upon revisions and schedule it for public hearing May 15, 2008 at 7:00 p.m. Bruce seconded the motion and it passed unanimously.

Vaun passed out blank maps for the commission to work out city zoning districts and comprehensive plan land uses. These will be discussed at the next meeting. He reminded the commission that the comprehensive plan states the desired uses of the land and the city zoning map shows what is permitted by ordinance.

Brian reported that the city has hired Gary Leikness part time to assist the planning & zoning commission. The mayor would like the commission to hold his assistance to five hours a week. After some discussion, it was decided that the commission would like him to begin writing sign (Title 8, Chapter 2) and lighting (Title 8, Chapter 5) ordinances. Vaun will e-mail Gary a copy of the comprehensive plan for reference.

The meeting was adjourned.

Brian D. Hawkes

May 1, 2008