

CITY OF PRESTON PLANNING AND ZONING MEETING

August 9, 2017

ROLL CALL Roll Call showed the following Board members present: Chairman Linda Hansen, Commissioner Penny Wright, Commissioner Charles Chesney, Commissioner Steve Call, Commissioner Brock Alder, Commissioner Vern Purser

Staff present: Wendy Merrill, Mark Owens, Tyler Olson

Others: Betsy Buttars, Blair Buttars, Bryon Martin, Brandon Roberts

Meeting was called to order at 6:00 p.m. by Chairman Linda Hansen

REVIEW AND APPROVAL OF PLANNING & ZONING MINUTES 07/26/17 It was moved by Commissioner Penny Wright and seconded by Commissioner Vern Purser to approve the minutes of July 26, 2017. The motion received unanimous approval.

PUBLIC HEARING ANNEXATION TRICON PROPERTIES 1415 WEST HIGHWAY 36 Chairman Linda Hansen called for the Public Hearing to give consideration to the application of Tricon Properties, Brandon M. and Laura A. Roberts, 1415 West Highway 36, Preston, Idaho for annexation into the City of Preston.

NOTICE OF PUBLIC HEARING ON PROPOSED ANNEXATION AND ZONING OF PROPERTY TO BE ANNEXED

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Planning and Zoning Commission of the City of Preston, Idaho, on the 09th day of August, 2017, at the Preston City Hall, 70 West Oneida, Preston, Idaho, at the hour of 6:00 P.M., for the purpose of giving consideration to the application of Tricon Properties, Brandon M. and Laura A. Roberts, 1415 West Highway 36, Preston Idaho for the annexation of certain property to the City of Preston, Idaho. Said properties are located in Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, and is more particularly described in Exhibit "A" which is attached hereto and made part of this Notice. Also attached is Exhibit "B", a map indicating the boundaries of the annexation.

NOTICE IS FURTHER GIVEN, that simultaneously with said Public Hearing on Annexation, that a Public Hearing shall be held by the Planning and Zoning Commission at the above-stated time and address for the purpose of giving consideration to the request by the above-stated property owners that said property be zoned Transitional on annexation of said properties to the City and the Comprehensive Plan be amended in accordance with this request.

All persons present will be given the opportunity to be heard concerning said annexation and zoning requests. Written comments or objections may be submitted to the Office of the City Clerk, Preston City Hall, Located at 70 West Oneida, Preston, Idaho 83263.

Dated this 27th day of June, 2017.

Linda Acock, City Clerk

Publish in The Preston Citizen: July 12, 2017

CITY OF PRESTON PLANNING AND ZONING MEETING
August 9, 2017

Exhibit "A"

Parcel "A" (RP01851.02)

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Beginning 1100 feet, more or less, East of the South West corner of Section 21, thence East 220 feet, more or less, thence North 1007 feet, more or less, to the right-of-way of Highway 36, thence following the right-of-way of Highway 36 in a Southwesterly direction 220 feet, more or less, thence South 1007 feet, more or less, to the point of beginning. Containing approximately 5.09 acres.

And also:

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

All that portion of the South West of the South West of Section 21 lying South of Highway 36 and East of the East Edge of the Creek known as Erickson Hollow, containing approximately 0.25 acres.

Parcel "B" (RP01849.01)

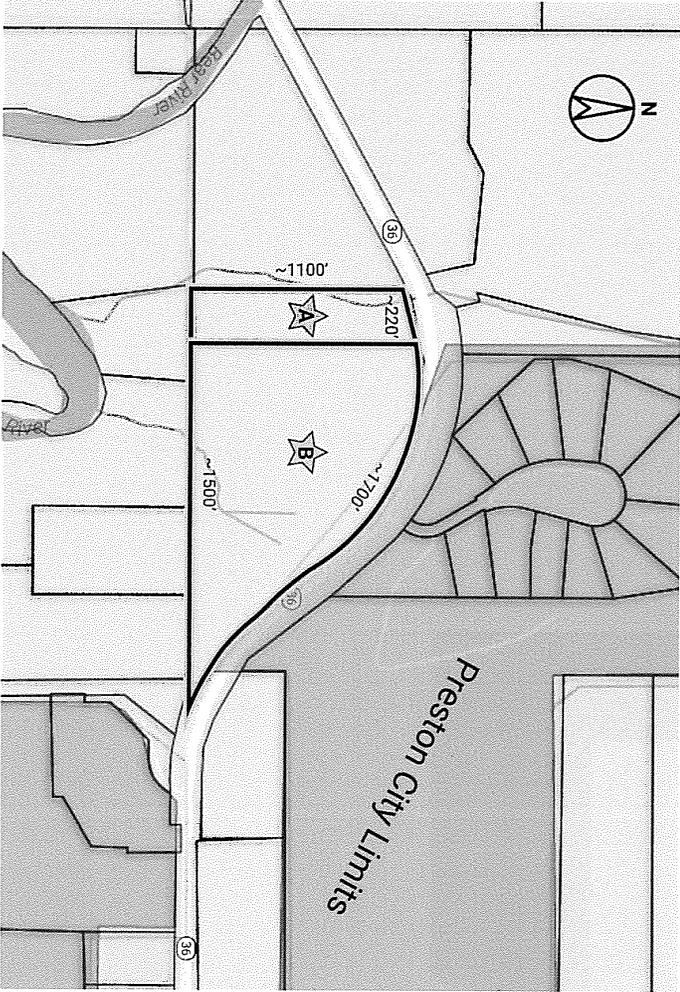
Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 21: Commencing at the Southwest corner of the E1/2 SW ¼ of Section 21, thence running North 800 Feet, more or less, to the South boundary line of State Highway 36 right-of-way; thence East and Southeasterly following the said Highway right-of-way to a point which is 1000 feet East of point of beginning; thence West 1000 feet, more or less, to place of beginning. Containing approximately 19 acres.

CITY OF PRESTON PLANNING AND ZONING MEETING

August 9, 2017

Exhibit "B"



CITY OF PRESTON PLANNING AND ZONING MEETING

August 9, 2017

Chairman Linda Hansen gave guidelines for holding a public hearing, and asked if any Board member needed to declare a conflict of interest, or ex-parte contact with the matter. There being none, Chairman Linda Hansen opened the public hearing and asked Brandon M. Roberts, Tricon Properties, to present his request to annex certain property, located at 1415 West Highway 36, to the City of Preston, Idaho, said annexation to be zoned Transitional.

Brandon M. Roberts stated he was seeking annexation for two parcels, RP01851.02 and RP01849.01, both located adjacent and contiguous to current City limits, which would square up city boundaries in accordance with the City's Comprehensive Plan, and allow him to receive City water for his home, as well as for any future development on the as yet undeveloped parcel.

Commissioner Penny Wright inquired what Mr. Roberts plans were for providing water for his swimming pool, to which Mr. Roberts stated the pool holds approximately 33,000 gallons, already has water in it, and they top it off as needed.

City Engineer Mark Owens advised Mr. Roberts and the Board to consider the following criteria for annexation; is the proposed annexation within the Area of Impact? Does it square up the boundaries of the city? Is the applicant willing to provide water shares or a dollar amount for each lot? Is there city water available, does the property have secondary water, does the property have city sewer or a septic system, is city garbage service available, and is the applicant willing to provide or upgrade the water system to comply with all Fire District standards? He also suggested that Mr. Roberts bore under the road with a four inch water line to the fire hydrant on his side of the highway, and a two inch water line from the hydrant to his residence.

Mr. Roberts stated he felt he had met all of the above criteria and could answer yes to each item.

Chairman Linda Hansen asked if there was anyone in attendance to provide testimony in favor of granting the request for annexation.

Bryon Martin, P.O. Box 107, Preston, Idaho, stated he was in support of granting the annexation.

Chairman Linda Hansen asked if there was anyone in attendance to provide neutral testimony regarding the request for annexation.

There being none, Chairman Linda Hansen asked if there was anyone in attendance to provide testimony against granting the request for annexation.

There being none, Chairman Linda Hansen closed the public hearing and opened the meeting up to the Board for discussion.

After discussion, it was moved by Commissioner Steve Call and seconded by Commissioner Charles Chesney to recommend to Preston City Council the approval of the Proposed Annexation for Tricon Properties, Brandon M. and Laura A. Roberts, to allow Chairman Linda Hansen to sign the Planning and Zoning Commission Decision - Proposed Annexation And Zoning Of Property To Be Annexed – Tricon Properties, and to have City Clerk Linda Acock set a public hearing. The motion received unanimous approval.

CITY OF PRESTON PLANNING AND ZONING MEETING

August 9, 2017

- BUILDING PERMIT AUSTIN HOLLINGSWORTH 550 NORTH 8TH EAST** City Engineer Mark Owens reported to the Board that Austin and Jessica Hollingsworth submitted a building permit for a home at 550 North 8th 8th East. Since the original parcel was split before 1997, when one free split of a parcel was permitted, and as long as the Hollingsworths sign a deferral agreement for the improvements with the City, the building permit is ready to be issued.
- BUILDING PERMIT TRINITY PUD 372, 374 & 376 SOUTH 440 WEST** City Engineer Mark Owens reported to the Board that Michael Funk, Trinity Planned Unit Development, submitted a building permit for three more units at 372 South 440 West, 374 South 440 West, and 376 South 440 West. Since the units were previously approved on their final plat, he stated the building permit is ready to be issued.
- REPORT OF APPROVED BUILDING PERMITS** Chairman Linda Hansen reported on the following approved building permits:
RBMC Properties 377 West Industrial Park Rd. Commercial Storage Bldg.
- REZONE VIABILITY BRYON MARTIN 3RD EAST & 2ND NORTH** Bryon Martin, P.O. Box 107, Preston, Idaho, approached the Board regarding the feasibility of rezoning two properties, one located at approximately 280 North 2nd East, and the other at approximately 190 East 2nd North, from Residential A-1 to Residential B. He stated his desire to develop single level handicapped accessible apartments for older residents, duplexes, or similar structures, and a place for a horse, uses that are not allowed in the Residential A-1 zone. City Engineer Mark Owens informed Mr. Martin that he will need to abandon 3rd North Street before proceeding with a rezone of the properties, and suggested he also look into planned unit developments, since they are allowed in all residential zones. The Board stated they could not advise him on the feasibility of the project until he submits a conceptual plan showing them how he intends to develop the properties. After Board discussion, Mr. Martin was advised to begin the street abandonment process, return with a conceptual plan, and weigh the options of a planned unit development verses rezoning of the properties.
- DISCUSS ANNEXATION AND WATER LINE SIZE BETSY BUTTARS** Betsy and Blair Buttars approached the Board regarding the feasibility of annexing their property at approximately 600 West 1200 South. Betsy Buttars explained that a small portion of the property is in the City limits and the existing water line is in close proximity to the property. The Board determined that along with the Buttars needing to annex the property, they were concerned about being able to provide another water hook up for another home since there are already several homes on the water line. After further discussion, the Board tabled the issue for further consideration and review by City Engineer Mark Owens.

CITY OF PRESTON PLANNING AND ZONING MEETING
August 9, 2017

ADJOURN Meeting was adjourned at 7:36 P.M. by Chairman Linda Hansen.

Linda Hansen, Chairman

Linda Acock, Clerk