

**CITY OF PRESTON PLANNING AND ZONING MEETING**  
March 11, 2020

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**ROLL CALL** Roll Call showed the following Board members present: Commissioner Jeff Pope, Commissioner Dave Cole, Commissioner Adrienne Alvey, Commissioner Fred Titensor, Commissioner Penny Wright and Commissioner Berni Winn

Staff present: Shawn Oliverson, Kelly Mickelsen, Lyle Fuller.  
Others: LeRoy Johnson, Jeff Gale, Keith Gamble, Kay Gamble, Nancy Jensen, Jay Jensen, Byron Kelley, LuAnn Kelley, Darin Hess, Shannon Newswanger, Steven Martin, Hannah Martin

The meeting was called to order at 6:00 P.M. by Chairman Penny Wright.

**REVIEW & APPROVE P&Z MINUTES 2/26/20** It was moved by Commissioner Fred Titensor and seconded by Commissioner Dave Cole to approve the Planning and Zoning Minutes of Feb 26, 2020, as written. The motion received unanimous approval.

**PUBLIC HEARING STEVEN AND HANNAH MARTIN SPECIAL USE PERMIT – SUMMIT STRUCTURES LLC. LIGHT INDUSTRIAL USE IN A TRANSITIONAL ZONE** Chairman Wright called for a Public Hearing to hear Steven and Hannah Martin’s request for a Special Use Permit – Light industrial use in a Transitional Zone at 291 North 8<sup>th</sup> West. Summit Structures LLC.

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held on March 11, 2020, before the City of Preston Planning and Zoning Commission at the hour of 6:00 P.M., or as soon thereafter as this matter may be heard, at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of Steven and Hannah Martin, Summit Structures, LLC, 291 North 8<sup>th</sup> West, Preston, Idaho, for a Special Use Permit in accordance with Preston Municipal Code 17.14.020 which requires a Special Use Permit for other uses, industrial, commercial, or otherwise. Specifically, the applicant desires to manufacture portable storage buildings at 291 North 8<sup>th</sup> West. A copy of the Application for Special Use Permit is on file with the City Clerk at the above stated address, and may be reviewed upon request to the City Clerk.

Legal Description of said property:

Parcel 1

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho Section 21: Commencing 665.5 feet south of the Northeast corner of the Northeast quarter of the Southeast quarter of Section 21, and running thence North 129 feet; thence West 150 feet; thence South 129 feet; thence East 150 feet to the point of beginning.

(05080.02)

Parcel 2

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho Section 21: Commencing 370 feet South of the Northeast corner of the Northeast quarter of the Southeast quarter of Section 21, and running thence West 20 rods;

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thence North 2 rods; thence West 140 rods; thence South 27-8/11 rods; thence East 160 rods; thence North 25-8/11 rods to the place of beginning.  
(05080.01)

Excepting therefrom:

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho  
Commencing 370 feet South from the Northeast corner of the Northeast quarter of the Southeast quarter of Section 21, and running thence West 244 feet;  
Thence South 112 feet; thence East 244 feet; thence North 112 feet to the place of beginning.

Excepting therefrom:

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho  
Section 21: Commencing 665.5 feet South of the Northeast corner of the Northeast quarter of the Southeast quarter of section 21, and running thence North 129 feet;  
thence West 150 feet; thence South 129 feet; thence East 150 feet to the point of beginning.  
(05080.02)

Excepting therefrom:

A parcel of land located in the Southeast quarter of section 21, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:  
Commencing at the East quarter corner of said Section 21, from which the Southeast corner of section  
21 bears South 00°8'35" East;  
Thence South 00°8'35" East 741.86 feet along the east boundary Section 21 to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163", the point of beginning.  
Thence South 00°8'35" East 60.00 feet along said east boundary to a 5/8" rebar and cap;  
Thence North 89°45'00" West 2649.09 feet to a 5/8" rebar and cap at the West boundary of the Southeast quarter of Section 21;  
Thence North 00°03'16" West 465.92 feet along said West boundary to a 5/8" rebar and cap (LS 4735);  
Thence South 89°31'11" East 2318.47 feet to a 5/8" rebar and cap;  
Thence South 00°08'35" East 396.61 feet to a 5/8" rebar and cap;  
Thence South 89°45'00" East 330.00 feet to the point of beginning.

Subject to a 35 foot wide city roadway and utility easement, being West of, and coincident with the East boundary of said section 21.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said Special Use may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 4th day of February, 2020

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Linda Acock

Publish: February 12, 2020 in The Preston Citizen

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Chairman Wright gave guidelines for holding a public hearing, and asked the applicant to make presentation for a Special Use Permit to operate a light industrial business in a Transitional Zone.

Steven Martin, (291 north 8<sup>th</sup> West) explained that he and his family moved here with the intention of doing a family business and thus he would like to build storage sheds and small barns at his property. He stated that no marketing will be done at this location and all sales will be done at sales lots elsewhere. Building supply inventory will be stored at this location and will be kept neat to fit the rest of the community.

Chairman Wright asked Assistant Planner Oliverson to summarize his staff report. He stated that this was a unique situation where the property is located in a Transitional Zone with residences around it and there are Industrial Zone both north and south of the property. Across the street is zoned Residential A-1. It does not quite fit in the home business code as there may be other people coming to work there and also the work will be done in a large shed on the property not in the home itself. This is the reason for needing a Special Use Permit.

Commissioner Cole asked if all the work would be done inside the building. Oliverson said that Mr. Martin would be better to answer this question. Commissioner Titensor asked that where this property is located in both the city and the county could they move the business to the county portion of the property if they were denied the permit? Oliverson stated that everything that is related to this business (building, lot, etc.) is located on the parcel that is within city limits.

Chairman Wright called for testimony in favor of the Special Use Permit.

Jeff Gale – 360 North 800 West. He stated he lives across the street from the Martins and he is in support of the Martins and he believes they will do what they say they will do.

Keith Gamble – 180 North 8<sup>th</sup> West, his family has lived on the street forever and they are in full support of the Martins.

There were no written comments.

Chairman Wright called for neutral testimony. There was no testimony and no written comments.

Chairman Wright called for testimony opposing the Special Use Permit. There was no testimony and no written comments.

Chairman Wright asked if the commission had any further questions of the applicant?

Commissioner Alvey asked if there would be set hours of operation.

Mr. Martin stated that the basic hours of operation would be approximately 7:30 AM to 5:30 PM with work occasionally going a little later, but no early morning work. As far as the work taking place inside or outside the majority of the work will be done inside the building with maybe some finish and touch-up work may be done outside, but no construction.

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Commissioner Wright asked how would they receive the material and how would they remove the finished sheds, by semi or what? What time does this occur?

Mr. Martin stated that semi-trucks would bring in materials and they have a large enough yard for them to turn around and they haul sheds out by gooseneck trailer. All of this is during business hours.

Commissioner Alvey stated that she had seen multiple sheds on the property and wondered how many would be there at a time.

Mr. Martin stated that typically there would only be one or two sitting there at a time.

Commissioner Wright wondered if they had started building sheds before they had the necessary permit.

Mr. Martin answered that they had built a few sheds as he thought there would not be any permits needed as Trail West is located both south and north of his property. His partner had talked with someone who mentioned they may need a Special Use Permit and they then started the process of applying for the permit.

Commissioner Wright then closed the public hearing.

Commissioner Wright asked the commission to look over the conditions needed for Special Use Permit and give their input.

Commission members felt that this met the criteria.

Commissioner Alvey suggested that they have set hours of business.

Commissioner Titensor moved that the Special Use Permit for Summit Structures LLC be sent on to City Council with the commission's recommendation for approval.

Commissioner Winn seconded the motion.

Vote went as follows:

Commissioner Winn – aye  
Commissioner Cole – aye  
Commissioner Wright – aye  
Commissioner Pope – aye  
Commissioner Alvey – aye  
Commissioner Titensor- aye

Motion received unanimous approval.

**REVIEW  
NEW CITY  
CODE  
17.14.020**

Chief Dan McCammon proposed new city code 17.14.020 regarding blocking parking spaces in the public right of way. He explained the details of the code and the reasons for it. In developing this code he kept 3 things in mind.

1. Safety
2. Maximum use of city property.
3. City Esthetics –including protect individual property rights.

He also cited other ordinances as examples of these considerations. He also mentioned that this code is not just for rodeo time but year round.

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Commissioner Titensor asked about the process if there is no curb along the street, for instance along the fairgrounds on the north side.

Commissioners Titensor and Alvey mentioned that they have had good luck during the rodeo asking the homeowners to help with the issues.

Chief McCammon stated that a lot of times it is someone other than the homeowner putting the things in the right of way.

Commissioner Pope asked the chief if there had been any issues with people moving other people's things.

Chief McCammon replied that a couple years ago the parade started late because all the officers on the parade route were trying to solve disputes and could not get to their assigned spot on the parade route to direct the parade.

There was a straw poll taken to give to the council. The vote was 3 in favor and 3 not in favor of the ordinance.

**DISCUSS  
COMPREHENSIVE  
PLAN**

The commission discuss parking downtown. Things that were mentioned were a buyout program where businesses that were short of parking in order to get a business license could pay into a fund set aside to help the parking issue. The city could set up a particular parking project such as paving the city property next to our current parking lot and other folks could park there. This would let the business know exactly where the money is going, not that they are just paying the money to get the business license.

Another idea was to install signs pointing to the public parking areas such as the lot behind the courthouse. People in other cities realize that they may have to walk a block or so to get to a certain business and this would help train the locals and also help visitors from other areas.

The consensus of the commission was to work on specific parts of the comprehensive plan such as land use and parking, then go back to the zoning ordinances and the zoning map.

**REPORT OF  
APPROVED  
BUILDING  
PERMITS**

<u>Name</u>	<u>Address</u>	<u>Project</u>
Cory Nielsen	80 N 4 <sup>th</sup> E	House
Franklin Country	561 W Oneida	Steel Bldg.
Daniel Higley	701 S 7 <sup>th</sup> E	House
Daniel Higley	718S 7 <sup>th</sup> E	House
Scott Palmer	596 N State	Sign Permit
Michael Funk	377, 375, 373 S. 480 West	3 Unit Townhouse

**ADJOURN** Meeting was adjourned at 7:50 P.M. by Chairman Penny Wright.

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