

CITY OF PRESTON PLANNING AND ZONING MEETING

November 4, 2020

ROLL CALL **Roll Call showed the following Board members present: Chairman Penny Wright, Commissioner Steve Call, Commissioner Fred Titensor, Commissioner Adrienne Alvey, Commissioner Dave Cole, Commissioner Berni Winn, Commissioner Justin Carter**

Staff present: Tyrell Simpson, Shawn Oliverson, Preston Rutter, Becky Cox

Others: Dan Keller, Scott Palmer

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

REVIEW & APPROVE P&Z MINUTES 10/28/2020 **It was moved by Commissioner Fred Titensor and seconded by Commissioner Berni Winn to approve the Planning and Zoning Minutes of October 28, 2020 as written.**
The vote was unanimous in favor.

PUBLIC HEARING NORTH JUNCTION COMMERCIAL SUBDIVISION **Commissioner Penny Wright called for a public hearing on the North Junction Commercial Subdivision located at 600 North State Street.**

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on November 4, 2020, before the City of Preston Planning and Zoning Commission at the hour of 6:05 P.M. at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of Scott Palmer, North Junction Commercial Subdivision, 600 North State, for a Variance to the requirements of Section 16.28.020 (N) of the Preston Municipal Code, which requires an amount of non-culinary water equal to one and one-half acre feet per platted acre of the subdivision. Specifically, the applicant desires the amount of secondary water required for phases 2 and 3 of the North Junction Subdivision be lowered to a total of five (5) shares. A copy of the Application for Variance is on file with the City Clerk at the above stated address, and may be reviewed upon request to the City Clerk.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said variance 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 7th day of October, 2020

Linda Acock

Publish: October 14, 2020

Chairman Penny Wright explained the procedures for the public hearing and asked Scott Palmer, developer of North Junction Commercial Subdivision to present his variance application.

Scott Palmer explained to the commissioners that the city code does not differentiate between a commercial and residential subdivision in the requirements for water shares. According to the code, Mr. Palmer would have to provide twenty-eight (28) water shares for his commercial subdivision, but he feels that this is excessive for commercial buildings that will have very limited landscaping.

CITY OF PRESTON PLANNING AND ZONING MEETING
November 4, 2020

Commissioner Call asked if all of the lots are commercial. Mr. Palmer stated that they are. Chairman Wright asked if he had any businesses committed to building on any of the lots. Mr. Palmer said that he has one that is looking into it and one that is committed. Chairman Wright asked if the car wash that was built in phase one required water shares. Mr. Palmer said that he was not required to have any for phase one and the car wash runs off of city water.

Chairman Wright stated that one of the reasons for granting a variance could be that the requirement would cause undue hardship. She asked Mr. Simpson how much each water share would cost. Mr. Simpson stated that water shares cost \$1200.00 for one share.

Commissioner Cole asked Tyrell Simpson, City Engineer, if he thought that five shares would be enough to cover future businesses and landscaping. Mr. Simpson stated that it was hard to judge without knowing what businesses would be there in the future but that he and Public Works Director John Balls had discussed it and determined that five shares should be sufficient for whatever businesses would be there.

Chairman Wright called for comments in support. There were no comments and no written comments.

Chairman Wright called for neutral comments. There were no neutral comments and no written comments.

Chairman Wright called for comments in opposition. There were no opposing comments and no written comments.

Chairman Wright invited Mr. Palmer to give rebuttal comments. Mr. Palmer stated that the CCR's for the subdivision required the swale to be in rock, eliminating the need for watering.

Chairman Wright invited City Attorney Preston Rutter to add any comments. Mr. Rutter stated that there is no distinction in the code between commercial and residential subdivisions and directed the commissioners to adhere to the standards set in the code for approving a variance.

Chairman Wright called for a motion to close the public hearing. Commissioner Call moved that the public hearing be closed, Commissioner Alvey seconded the motion. Voting was unanimous.

Commissioner Call said that he saw no conflicts with any of the standards of approving a variance. Commissioner Titensor stated that it is pretty clear cut and that five shares of water would be adequate.

Commissioner Call moved to recommend approval of the variance to city council with the stipulation that all of the property remains commercial. Commissioner Winn seconded the motion.

Vote was as follows:

Chairman Penny Wright-	Aye
Commissioner Alvey -	Aye
Commissioner Titensor -	Aye
Commissioner Cole -	Aye
Commissioner Winn-	Aye
Commissioner Carter -	Aye
Commissioner Call-	Aye

Vote was unanimous.

CITY OF PRESTON PLANNING AND ZONING MEETING
November 4, 2020

**COMPRE
-HENSIVE
PLAN AND
ZONING
DISCUSSION**

Shawn Oliverson, Economic Development Director, provided the commissioners with a draft of the four parts of code that they have been working on; Multi-Family Dwellings, Animal Rights, Accessory Dwelling Units and Downtown Parking. Commissioner Cole asked Mr. Oliverson about protections for neighbors from animal noise and smell. Mr. Oliverson said that this section of the code refers to section 6.04.040 where those issues are addressed. Commissioner Titensor said the drafts contained everything they had agreed to send to city council.

The commissioners turned the discussion to the proposed zoning changes that they had discussed several months ago. Commissioner Titensor said that he felt they needed to spend some time evaluating each area of the city individually instead of trying to do the whole thing at once. All of the commissioners agreed that this was a good idea and that they would start with the Southwest quadrant. Mr. Simpson agreed to print off a detailed map of that quadrant for each of the commissioners.

**APPROVED
BUILDING
PERMITS**

The commissioners reviewed the following approved building permits, there was no discussion or comments.

Shad Moser	749 E 8 th S	House
High Peaks Construction	722 S. State	House
Chantele Cheney	223 S 1 st W	Accessory Bldg
Colton Acevedo	143 N 4 th E	House
Cody Ralphs	242 N 340 E	House
Cody Ralphs	248 N 340 E	House

ADJOURN

Meeting was adjourned at 6:40 P.M. by Chairman Penny Wright.

Becky Cox

Penny Wright, Chairman