

**CITY OF PRESTON PLANNING AND ZONING MEETING**  
October 27, 2021

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**ATTENDANCE**      The following Board members were present: Chairman Fred Titensor, Commissioner Penny Wright, Commissioner Adrienne Alvey, Commissioner Steve Call, Commissioner Berni Winn, Commissioner Dave Cole

Commissioner Carter was excused.

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

Meeting was called to order at 6:00 P.M. by Chairman Fred Titensor.

**REVIEW &  
APPROVAL  
P&Z MINUTES  
09/08/2021**

Commissioner Call moved to approve the minutes of October 13, 2021 as written. Commissioner Wright seconded the motion.

Vote went as follows:

Chairman Titensor	<u>Aye</u>
Commissioner Wright	<u>Aye</u>
Commissioner Cole	<u>Aye</u>
Commissioner Call	<u>Aye</u>
Commissioner Winn	<u>Aye</u>
Commissioner Alvey	<u>Abstain</u>

Motion passed by majority vote.

**PRE- APP-  
LICATION  
MEETING  
TRIIIO  
GROUP  
PUD**

Michael Jewel from Triiio Group presented the proposed plan for a PUD located at 285 East 8<sup>th</sup> North. He stated that the plan includes seventy-two (72) units in four-plex townhouses to be built in phases. He said that they will be a combination of owned and rented units but will be individually parceled. Access from the highway will be on 2<sup>nd</sup> East and they will build that road to the end of property containing the PUD.

**PUBLIC  
HEARING:  
VARIANCE  
TRIIIO  
GROUP  
285 EAST  
8<sup>TH</sup> NORTH**

Chairman Titensor called for a public hearing on the variance application for Triiio Group at 285 East 8<sup>th</sup> North. Chairman Titensor explained the procedure for a public hearing and invited Triiio group to present their application.

Michael Jewell explained that the PUD is located outside of the core of the core of the city, which is considered 4<sup>th</sup> North to 4<sup>th</sup> South and 4<sup>th</sup> West to 4<sup>th</sup> East. City code states that outside of the core of the city, multifamily housing cannot be larger than a duplex structure. Mr. Jewell explained that in order to make the PUD financially feasible they would like to build four-plex's. He also stated that the way the property is laid out, duplexes would look odd and would not be the highest and best use of the property.

Chairman Titensor invited city engineer Tyrell Simpson to give his comments on the application. Mr. Simpson stated that he contacted the Idaho Transportation Department, which is located right next to the property, and they have concerns about residential property being next to them as they run trucks throughout the night and create a lot of noise. He also stated that the

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sewer in that area goes to a lift station and they would need to look into whether or not that would need to be upgraded to accommodate that many new units. Highway access would also need to be obtained from the State Highway Department and they indicated that a traffic study may be required.

Chairman Titensor called for any comments from the public in favor of the variance. There were no comments.

Chairman Titensor called for neutral comments.

Joel Palmer stated that his farming property has been surrounded by development and wondered if there is a farm clause in the city code that allows people to farm. He asked how the storm water draining would be set up because the development by him did not set up the storm water drain very well and often has flooding. He asked if any of this would be low-income housing and if there would be down lighting to decrease the effects of parking lot lights.

Vance Broadhead stated that he owns the property that is under consideration and that he has talked with the State Highway Department and they suggested that they do a traffic study. He stated that the sewer is already stubbed in on 2<sup>nd</sup> East and there is already power available from that side of the property. He also stated that Preston is in need of this type of housing but it will not be low-income housing.

Chairman Titensor asked for opposing comments. There were no opposing comments.

Chairman Titensor invited Mr. Jewell to give any rebuttal comments. Mr. Jewell stated that this will not be low-income housing. Commissioner Wright asked if he could give a price point for the units. Mr. Jewell stated that it would be determined by the market when the units became available. Commissioner Winn asked if they will build the road at 2<sup>nd</sup> East. Mr. Jewell replied that they would build it as far as their property goes and that the units would have two access points down 2<sup>nd</sup> East.

Commissioner Wright made a motion to close the public hearing, it was seconded by Commissioner Alvey. Vote was unanimous.

Chairman Titensor reminded the commissioners that the variance is only to decide if they would approve four-plex's instead of duplexes. The commissioners discussed the fact that this PUD was just presented to them and the developers have not applied for a permit yet and this may not be the right timing for a variance. Chairman Titensor pointed out that they may not want to put the work into a permit application if they can't build the planned four-plex's.

Commissioner Wright stated that a variance cannot be granted for reasons of convenience or profit. Chairman Titensor stated that the land use map that was just approved has this area slated for commercial use.

Commissioner Call made a motion to not recommend to city council approval of a variance for Triiiio Group at 285 E 8<sup>th</sup> N based on the standard of being for convenience or profit. Commissioner Alvey seconded the motion.

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Vote went as follows:

Chairman Titensor	<u>Aye</u>
Commissioner Wright	<u>Aye</u>
Commissioner Cole	<u>Nay</u>
Commissioner Call	<u>Aye</u>
Commissioner Winn	<u>Nay</u>
Commissioner Alvey	<u>Aye</u>

Motion passed by majority vote.

**PUBLIC  
HEARING:  
VARIANCE  
BEN  
GOCHBERG  
237 WEST  
ONEIDA**

Chairman Titensor called for a public hearing on the variance application of Ben Gochberg at 237 W Oneida. He invited Mr. Gochberg to present his application.

Mr. Gochberg explained that his project for twenty-six (26) units in two buildings was approved last year but construction costs and some issues with engineering have made them take a new look at the layout. He stated that they would like to wrap a sidewalk around the buildings and the playground to make the area more accessible. With the extra parking they have planned this puts the development over the 55% hardscape rule. Mr. Gochberg is requesting a variance to allow them to have 60.5% hardscape.

Chairman Titensor asked City Engineer Tyrell Simpson to give a report. Mr. Simpson stated that the only way to get down to the 55% hardscape is to eliminate some parking or some sidewalks, both of which are beneficial to the development.

Chairman Titensor called for public comment in favor of the variance. There were no comments and no written comments.

Chairman Titensor called for neutral public comments. There were no comments and no written comments.

Chairman Titensor called for public comment opposed to the variance. There were no comments and no written comments.

Commissioner Wright moved to close the public hearing. Commissioner Cole seconded the motion. Vote was unanimous.

Commissioner Cole commented that this seems very straight forward, that it isn't much over the maximum amount of hardscape and is the best plan for parking and access to the facilities. Chairman Titensor stated that this request fits the variance criteria.

Commissioner Dave Cole moved to recommend approval of the variance application of Ben Gochberg at 237 West Oneida to city council. Commissioner Adrienne Alvey seconded the motion.

Vote went as follows:

Chairman Titensor	<u>Aye</u>
Commissioner Wright	<u>Aye</u>
Commissioner Cole	<u>Aye</u>

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Commissioner Call            Aye  
Commissioner Winn         Aye  
Commissioner Alvey         Aye

Motion passed by unanimous vote.

**DISCUSSION:**         The commissioners discussed section 16.22.010 of the municipal code  
**MINOR**                 dealing with minor subdivisions. They discussed the most common cause  
**SUB-**                     of confusion being how many times a parcel can be divided and what is the  
**DIVISIONS**             best way to determine how many times it has been divided. They discussed  
ways to clean up the language in the code to be clearer.

The commissioners also discussed the issues of protecting future roads, having the application be presented to P&Z before going to city council and creating an application process. They asked Mr. Simpson to present a draft of these changes for discussion at the next meeting.

**PUBLIC**                 Dixon Beckstead stated that he has worked in surveying and developing  
**INPUT**                 and could answer questions and give input if the commissioners wanted. He  
stated that if he had to build a road with a minor subdivision, he wouldn't do it  
because it would be too expensive. He feels that dedicating the land for future  
roads provides the easement that allows for development of the inner part of  
the block.

**APPROVED**         The following approved building permits were reviewed:

**BUILDING**  
**PERMITS**

Cory Robinson	231 E Eagle Way	House
F C M C	44 N 1 <sup>st</sup> E	Medical Office

**CALEN-**                 Chairman Titensor stated that they will plan to review the minor subdivision  
**DARING**                 code at the next meeting.

**ADJOURN**             Meeting was adjourned at 7:27 P.M. by Chairman Titensor.

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Becky Cox

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Fred Titensor, Chairman