

**CITY OF PRESTON PLANNING AND ZONING MEETING**  
April 12, 2023

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**ATTENDANCE** The following Board members were present: Chairman Adrienne Alvey, Commissioner Steve Call, Commissioner Richard Swainston, Commissioner Justin Carter, Commissioner Berni Winn, Commissioner Dave Cole, Commissioner Fred Titensor.

Staff present: Shawn Oliverson, Tyrell Simpson, Becky Cox, Jared Coburn.

Meeting was called to order at 6:00 P.M. by Chairman Adrienne Alvey.

**REVIEW &  
APPROVAL  
P&Z MINUTES  
3/22/2023**

Commissioner Winn moved to approve the minutes of March 22, 2023 as written. Commissioner Carter seconded the motion. Motion passed by unanimous vote.

**PUBLIC  
HEARING:  
COMP-  
REHENSIVE  
PLAN**

Chairman Alvey called for a public hearing on the City of Preston Comprehensive Plan.

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held on April 12, 2023 at 6:00 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Planning and Zoning Commission to consider an update and amendment to the City's Comprehensive Plan, specifically to change the title of the plan to City of Preston Comprehensive Plan, Update Element 1: Population, population data; Update Element 5: Economic Development, to include fiber-optic infrastructure and update income data; Update Element 7: Public Services, Facilities and Utilities to update data regarding the Franklin County Medical Center; Update Element 8: Recreation to include 2022 data in the Recreation Registrations; Update Element 9: Schools, Facilities and Transportation to update school data; Update Appendix A. Statistical Data, to update the Preston City, Franklin County and Idaho State population and household data; and, to Add Appendix B: Other Plans Incorporated By Reference. The proposed amendment is available for review at the above address during regular business hours. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

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Linda Acock, City Clerk  
Publish March 22, 2023

Chairman Alvey explained the procedures for a public hearing.

Commissioner Titensor made a motion to open the public hearing. Commissioner Cole seconded the motion. Vote was unanimous.

Chairman Alvey invited City of Preston Community Development Director Shawn Oliverson to review the changes made to the Comprehensive Plan. Mr. Oliverson explained that the changes were minor and mostly entailed updating statistical information with the most recent available data. They also

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included updates from Franklin County Medical Center and Preston School District.

Chairman Alvey called for public comment in favor.  
There were no comments and no written comments.

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

Chairman Alvey called for opposing comments.  
There were no comments and no written comments.

Commissioner Call made a motion to close the public hearing. Commissioner Titensor seconded the motion. Vote was unanimous.

Commissioner Titensor made a motion to recommend to City Council approval of the Comprehensive Plan. Commissioner Call seconded the motion.

Vote went as follows:

Commissioner Carter	<u>Aye</u>
Commissioner Swainston	<u>Aye</u>
Chairman Winn	<u>Aye</u>
Commissioner Alvey	<u>Aye</u>
Commissioner Titensor	<u>Aye</u>
Commissioner Cole	<u>Aye</u>
Commissioner Call	<u>Aye</u>

Motion passed by unanimous vote.

**PUBLIC  
HEARING:  
MODIFI  
CATION &  
WAIVER  
650 E  
ONEIDA**

Chairman Alvey called for a public hearing on the Application for Modification & Waiver at 650 W Oneida.

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held on April 12, 2023, before the City of Preston Planning and Zoning Commission at the hour of 6:05 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 Brad Shurtliff regarding property located in the area of 600 West Oneida between Oneida and 2 nd North, for a Modification & Waiver to the requirements of Section 16.34.100 which states that, no planned unit development shall be permitted within one thousand eight hundred feet (1,800') of any other planned unit development. Specifically, the applicant desires to develop a Planned Unit Development that is one thousand four hundred feet (1,400') of an existing Planned Unit Development. A copy of the Application for Modification and Waiver, as well as the legal description of the property, 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.

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Dated this 10th day of March, 2023.

Linda Acock

Publish: March 22, 2023 in The Preston Citizen

Commissioner Winn made a motion to open the public hearing.  
Commissioner Swainston seconded the motion. Vote was unanimous.

Chairman Alvey invited the applicant to present his application. Christian Traeden stated that they would like to develop a PUD with housing and storage units on a twenty-four-acre parcel. He stated that the storage units are already an allowed use, but the PUD violates Preston City Municipal Code 16.34.100 that states a PUD cannot be built within 1800 feet (1800') of another PUD. There is a PUD on 1<sup>st</sup> N that falls within that range. He stated that they felt the storage units would be a good buffer between the light industrial zone and the residential zone and that this development meets the need for accessible and affordable housing as stated in the City of Preston Comprehensive Plan.

City Engineer Tyrell Simpson stated that this the first step they need to take before moving forward with plans for this development.

Chairman Alvey called for comments in support.

Dixon Beckstead commented that there is a fine line between property owner's right and their neighbor's rights. He is on the side of worrying about what he can do on his property and not what his neighbor's can't do. If a pig farm moves in next door and he doesn't like it he has options to move. This development is not a bad thing in that neighborhood.

There were no written comments in support.

Chairman Alvey called for neutral comments.

Mike Lower commented that he owns Idaho Salvage, which adjoins this property, and has been there for fifty years and he has no plans to move or change operations. His business is often noisy and there are several places nearby that create a lot of dust. He is concerned about where the storm water will go and that they are overbuilding in Preston. He is not opposed to the project but wants to see better planning in the city.

Keith Gamble commented that he owns property on the North side of the proposed development and is not opposed to it but wants to make sure that it does not affect his property and he would like a barrier between the two properties.

Patty Chesney stated that the developer should comply with the regulations and make their development conform to the rules. Granting a variance can open it up for other developers and defeats the purpose of the ordinance.

Jerry Baird stated that there is some confusion with the addressing on that part of Oneida and wondered what would be built right next to his property. He doesn't want to stop development but is worried about storm water being a problem in that area.

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Wes Dryden commented that he owns a business on Oneida and right now the water from the proposed development property runs into his and Mr. Baird's property and he would want to make sure the water situation is addressed.

There was one written comment read and is attached to these minutes.

Chairman Alvey called for opposing comments.

Lane Nielsen commented that the zoning was just redone on this property and that there are already several PUDs in the area putting a lot of high-density housing in a small area and this changes the flavor of the area. The proposed development is surrounded by residential B zone, which is meant to be low density, and this development allows for growth that is counter to what the Comprehensive Plan states. We need to allow growth in a responsible way.

There was one written comment read and is attached to these minutes.

Chairman Alvey invited Mr. Traeden to rebut the comments. Mr. Traeden stated that this is the first step in this process and there will be several more opportunities for public input as they move forward. He stated that they will put fencing around the development. This will be a large infrastructure project and they will work with the city to make sure that the roads, storm water retention, and water and sewer systems are in place. He stated that the storage units will provide a buffer area between the salvage yard and other businesses and the housing and create a nice transition into the industrial zone for the existing residences. Their master plan includes a park and amenities to serve the neighborhood.

Commissioner Titensor moved to close the public hearing. Commissioner Swainston seconded the motion. Vote was unanimous.

Commissioner Carter stated that there are a lot of questions when dealing with a development like this but that the question they are addressing right now is whether or not they are going to allow a PUD to be built less than 1800 feet from another PUD. He stated that he felt the initial intent of that restriction was about access and this PUD will be accessed from different roads than the one on 1<sup>st</sup> North and he doesn't see a problem with that.

Commissioner Titensor reminded the commissioners that when they created this restriction City Council was hesitant about the 1800 feet and voted to lessen it to 1000 feet. The next meeting, they voted it back to the 1800 feet. This indicates that City Council liked the 1800 feet restriction.

Commissioner Winn made a motion to recommend to City Council denial of the application for modification & waiver at 650 W Oneida. Commissioner Call seconded the motion.

Vote went as follows:

Commissioner Carter	<u>Nay</u>
Commissioner Swainston	<u>Nay</u>
Chairman Winn	<u>Aye</u>
Commissioner Alvey	<u>Aye</u>
Commissioner Titensor	<u>Aye</u>
Commissioner Cole	<u>Aye</u>

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Commissioner Call                      Aye

Motion passed by majority vote.

**PRELIM  
INARY  
PLAT:  
SADDLE  
CROSSING**

Chairman Alvey invited Brandon Roberts to present his preliminary plat. Mr. Roberts stated that he is proposing a fifty-six (56) lot residential subdivision between 4<sup>th</sup> West and the county rodeo grounds. He has worked with city staff to design the subdivision to be within city code regulations and they have done water and traffic studies. He will build the subdivision in five phases. His plan includes replacing some existing water lines with larger ones to supply the community and putting in a pressurized irrigation system so that there will not be a large demand on the city's culinary water system. In lieu of green space he would like to donate land to the city. He has talked with the county and believes that they would like to buy some of his land to extend the rodeo grounds, and may be interested in the land that he would like to donate to the city.

City Engineer Tyrell Simpson stated that he has some concerns about the roads in the subdivision. Gamble Ave. will be extended and that is not on the city's major street plan so accepting the plat will add that extension of the road to the major street plan. He explained that the city park is very close to this subdivision so contributing land to the city makes more sense than building a small park, but there are concerns about what the city would do with the land, how they would maintain it, and who would build the roads that abut the land. He also explained that if 3<sup>rd</sup> North is not put in with phase 2 then those houses will only have one access and this can create problems in emergency situations.

The commissioners discussed if the donated land would be beneficial to the city and how the option of not accepting the land and having green space would affect the roads and the size of the green space. They discussed the possibility of requiring 3<sup>rd</sup> North to be built with phase 2 instead of phase 3. Mr. Roberts stated that there will be a turnaround at the end of 3<sup>rd</sup> west for emergency vehicles, and if he has to build extra roads before he is able to sell more lots it may not be financially feasible for him.

Commissioner Carter made a motion to recommend to city council approval of the preliminary plat for Saddle Crossing Subdivision. Commissioner Swainston seconded the motion.

Vote went as follows:

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

Motion passed by majority vote.

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**APPROVED  
BUILDING  
PERMITS**

The following approved building permit was reviewed, there were no comments:

John Jenkins                      1383 W Industrial Park Rd                      Addition

**PUBLIC  
INPUT**

None.

**CALEN-  
DARING**

Chairman Alvey stated that the City Council would like to have a work meeting to discuss the changes to the subdivision code and this will take place at the April 26<sup>th</sup> meeting.

**ADJOURN**

Meeting was adjourned at 7:35 P.M. by Chairman Alvey.

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Becky Cox

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Adrienne Alvey, Chairman