



# Planning & Development Services

PLANNING SERVICES NEIGHBORHOOD & COMMUNITY SERVICES

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## PLANNING & ZONING COMMISSION (P&Z)

### AGENDA

Wednesday, June 14, 2023, 6:30 p.m.

911 N. Seventh Avenue, City Council Chambers

The meeting will be live-streamed at: <https://streaming.pocatello.gov/> and available on Sparklight Cable channel 56

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days' advance notice by contacting Skyler Beebe at [sbeebe@pocatello.us](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5th Avenue, Pocatello, ID.

The Planning & Zoning Commission is a citizen advisory group to the City Council. They are charged with making recommendations concerning land use plans, planning processes and/or on matters of plan implementation. All regular meetings of the P&Z Commission are recorded for record retention and transcription.

The following is the official agenda of the Planning & Zoning Commission. Discussion and Commission action will be limited to those items on the agenda. Any citizen who wishes to address the Commission shall first be recognized by the Chair, and shall give his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Commission, he/she shall first seek permission from the Chair. Oral testimony may be restricted to no more than 3 minutes per person.

#### **AGENDA ITEM 1: ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST, EX-PARTE COMMUNICATION AND SITE VISIT.**

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

#### **AGENDA ITEM 2: APPROVAL OF MINUTES**

The Commission may wish to waive the oral reading of the May 10, 2023, P&Z clarification and meeting minutes and to approve the minutes as written. **(ACTION ITEM)**

#### **AGENDA ITEM 3: PUBLIC HEARING – COMPREHENSIVE PLAN 2040 - FUTURE LAND USE MAP**

This time has been set aside for the Commission to hear comments from the public and to make a recommendation to City Council regarding Pocatello Comprehensive Plan 2040 Future Land Use Map. **(ACTION ITEM)**

**PLANNING & ZONING COMMISSION (PZC)**  
**Clarification Meeting Minutes for May 10, 2023, at 6:00 p.m.**  
**City Hall Council Chambers**  
**911 North Seventh Avenue, Pocatello, ID 83201**

**AGENDA 2**

**Ryu** called the meeting to order at 6:00 p.m.

**AGENDA ITEM #1: ROLL CALL**

**Present:** Eugene Bartu, Roger Frey, Marjanna Hulet, Richard Phillips and Shin Kue Ryu.

**Excused:** Krystal Chanda.

**Unexcused:** Whitney Fenwick.

**Staff:** Will Klaver, Aceline McCulla and Merrill Quayle.

**AGENDA ITEM #2: DISCUSSION TO CLARIFY ITEMS ON THE PLANNING AND ZONING  
COMMISSION MEETING AGENDA FOR MAY 10, 2023.**

The Commission and staff discussed the agenda items.

**AGENDA ITEM #3: ADJOURN**

With no further discussion, **Ryu** closed the meeting at 6:08 p.m.

Submitted by: \_\_\_\_\_ Approved on: \_\_\_\_\_  
Aceline McCulla, Secretary

**PLANNING & ZONING COMMISSION (PZC)  
Regular Minutes for May 10, 2023 at 6:30 p.m.  
City Council Chambers  
911 North Seventh Avenue, Pocatello, ID 83201**

**AGENDA 2**

**Vice Chair Ryu** opened the meeting at 6:30 p.m.

**AGENDA ITEM #1: ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST, EX-PARTE COMMUNICATION AND SITE VISIT.**

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

**Present:** Eugene Bartu, Roger Frey, Marjanna Hulet, Richard Phillips and Shin Kue Ryu.

**Excused:** Krystal Chanda.

**Unexcused:** Whitney Fenwick.

**Staff:** Will Klaver, Aceline McCulla and Merrill Quayle.

**Eugene Bartu** had nothing to report. **Roger Frey** had nothing to report. **Marjanna Hulet** had nothing to report. **Rich Phillips** made a site visit for agenda items 3 and 4 and had nothing else to report. **Shin Kue Ryu** made a site visit for agenda items 3 and 4 and had nothing else to report.

**AGENDA ITEM #2: APPROVAL OF MINUTES**

The Commission may wish to waive the oral reading of the April 12, 2023, P&Z clarification and regular meeting minutes and to approve the minutes as written.

It was moved by **M. Hulet** and seconded by **R. Frey** to approve the April 12, 2023, P&Z meeting minutes as written. Those voting in favor were Bartu, Frey, Hulet, Phillips and Ryu. Those voting against were none. Motion passed unanimously.

**AGENDA ITEM #3: PUBLIC HEARING – ZONE MAP AND COMPREHENSIVE PLAN MAP AMENDMENT - FILE 23-746**

This time has been set aside for the Commission to hear comments from the public regarding a request by Jake Woodward of JW Properties, for a zone map and comprehensive map amendment application to rezone a 3.03-acre parcel (more or less) from Residential-Medium Density Multi-Family (RMM) to Residential High (RH) Density. The request also includes rezoning of Lots 26-28 Block 13 of West Pocatello Townsite from Residential Medium Density Single-Family (RMS) to Residential-Medium Density Multi-Family (RMM). The current Comprehensive Plan Land Use Map for approximately 1.34 acres of the 3.03-acre parcel is designated as “Public”, therefore, the request also includes amending the map from “Public” to “Residential”. The property is generally located at 516 Riverside Drive.

**Ryu** opened up the public hearing at 6:33 p.m.

**Jake Woodward** of JW Properties Company has owned the property for a year and has been working with staff to come up with a plan that would meet City standards. Woodward had a meet and greet with a food truck with neighbors to engage the neighbors in discussion. A land swap was done for odd parcels to complete this property to benefit both parties. **Hulet** asked Woodward to share comments from the neighbor meeting. **Woodward** stated there were safety concerns and discussion about overgrown foliage. The majority of comments were positive and people were pleased that something would be done with this property. Woodward plans to clean up the area and add walkways to connect to the trail system. Woodward clarified that there are no plans to build government subsidized low-income housing for this project.

The land swap created an opportunity to develop the property for residential use. There are some right-of-way items to finalize, but they are working with staff through the process. Woodward hired a hydrologist engineer to complete water analysis of the property to get the property out of the flood plain, and water analysis and studies have been and will continue to be sent to FEMA until approved, and then the flood plain maps will be amended.

Assistant Planner **Will Klaver** of the City of Pocatello summarized the staff report.

No written public comments were received regarding this application.

Staff concludes that the proposed zone map and Comprehensive Plan map amendments are compliant with Pocatello City Code Section 17.02.170. A full analysis is detailed within this staff report. Should the Commission recommend approval of the subject application, staff recommends the following conditions: **1)** The subject parcel RPRPCPP092101 encompassing 3.03 acres (more or less) shall be rezoned from Residential Medium Density Multi-Family (RMM) to Residential High (RH) Density; **2)** The subject parcels RPRPWPO031300 & RPRPWPO031400 encompassing 0.67 acres (more or less) shall be rezoned from Residential Single-Family (RMS) to Residential Multi-Family (RMM) Density; **3)** Any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to; and **4)** Any activity requiring a separate development or building permit shall comply with applicable regulations.

Development Engineer **Merril Quayle** of the City of Pocatello clarified that the previous owner had brought plans to the City but he never did anything with the property, he has since passed away, and Woodward purchased the property and wants to develop the property. Quayle also explained the different FEMA flood zones and wetlands improvement areas.

**Ryu** opened the meeting for public comment at 6:55 p.m.

Those in support or neutral: none

Those opposed:

**Diana Brown** had questions about property taxes and had concerns that this development would affect the wildlife and increase traffic.

Applicant Rebuttal:

**Woodward** stated he could not address property taxes; but the roadways are adequate to accommodate traffic for this project. Woodward did have a wildlife study and if anyone would like to see the study, please reach out the Woodward. The flood plain would be addressed through the FEMA application process.

**Hulet** asked about safety issues on the wetlands area. **Quayle** stated this is a reasonable project and slopes are required to meet regulations and use stormwater ponds.

**Ryu** asked about the traffic study for this project. **Quayle** stated this project would not affect the traffic flow.

With no more public comments, **Ryu** closed the public hearing at 7:04 p.m.

Discussion between Commission members ensued.

It was moved by **M. Hulet** and seconded by **R. Phillips** to recommend approval to City Council for the zoning map & Comprehensive Plan map amendment by Jack Woodward of JW Properties, finding the application does meet the standards for approval under Chapter 17.02.170 of Pocatello City Code, with the conditions listed in the staff report, and to authorize the vice chair to sign the findings of fact. Those voting in

favor were Bartu, Frey, Hulet, Phillips and Ryu. Those voting against were none. Motion passed unanimously.

**AGENDA ITEM #4: PUBLIC HEARING – PRELIMINARY PLAT - FILE 23-758**

This time has been set aside for the Commission to hear comments from the public regarding a request by Nick Jensen of Sweat Equity Investment, represented by Stewart Ward of Dioptra LLC, for the Jazmine Estates First Addition preliminary plat subdivision application, platting 12.785 acres (more or less) into thirty-five (35) lots. The property is generally located south of I-86, west of I-15, north of Western Skies Subdivision, and east of Jazmine Estates Subdivision.

**Ryu** opened up the public hearing at 7:06 p.m.

**Stewart Ward** of Dioptra LLC described the project and identified that this project is part of the Western Skies master plan approved by the City. The plan is for 35 single-family lots and division five and six of that master plan, but this property has a new developer, a name change was required, and this will be known as Jazmine Estates. Ward will work with Brandon Ratliff to connect water and sewer for this project and future phases of the Western Skies Subdivision phases.

Asst. Planner **Will Klaver** of the City of Pocatello summarized the staff report.

No written public comments were received regarding this application.

Staff finds that the proposal is compliant with all applicable standards of City Code 16.20.050, assuming the following conditions are met: **1)** All comments contained in the Public Works Memorandum, dated May 03, 2023, shall be adhered to; **2)** A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to, or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording; **3)** Lot 1 Block 4 shall include an “R” restriction indicating that the proposed storm water retention area lot is non-buildable; and **4)** All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply.

**Ryu** opened the meeting for public comment at 7:12 p.m.

Those in favor:

**Nick Jensen** noted the City needs more buildable lots and he is working to buildout this property.

Those neutral or opposed: none.

With no more public comments, **Ryu** closed the public hearing at 7:14 p.m.

It was moved by **M. Hulet** and seconded by **R. Frey** to approve the preliminary plat application from Nick Jensen of Sweat Equity Investments, LLC for the Jazmine Estates Division 1 subdivision, finding the application does meet the standards for approval under Chapter 16.20.050 of Pocatello Municipal Code, with the conditions listed in the staff report, and to authorize the vice chair to sign the findings of fact. Those voting in favor were Bartu, Frey, Hulet, Phillips and Ryu. Those voting against were none. Motion passed unanimously.

With no other Commission business, **Ryu** closed the P&Z meeting at 7:15 p.m.

Submitted by: Signature on File  
Aceline McCulla, Secretary

Approved on



## MEMORANDUM

**AGENDA # 3**

**TO:** Pocatello Planning & Zoning Commission

**FROM:** Jim Anglesey, Long-Range Senior Planner

**DATE:** June 14, 2023

**RE:** Pocatello Comprehensive Plan 2040 Future Land Use Map

**REQUEST:** The Planning & Development Services Department seeks the Commission's recommendation regarding an amendment to the proposed Future Land Use Map near the intersection of Hildreth Road and South 5<sup>th</sup> Avenue. The amendment proposes to designate the subject properties to Commercial (C) and Mixed-Use (MU) where it was previously proposed to be Industrial (I), Mixed-Use (MU), and Residential (R).

### OPTIONAL MOTIONS:

- 1. Approval of the Request:** "Move to recommend approval of Pocatello Comprehensive Plan 2040 Future Land Use Map, [cite any findings or conditions of approval], and to authorize the Chair to sign the findings of fact."
- 2. Denial of the Request:** "Motion to recommend denial of Pocatello Comprehensive Plan 2040 Future Land Use Map [cite any findings of denial], and to authorize the Chair to sign the findings of fact."

**BACKGROUND:** Property owners approached Planning staff regarding desired changes to the Future Land Use Map. As a result, Planning staff worked with property owners to propose a change to the Future Land Use Map as proposed in Comprehensive Plan 2040. These changes can be reviewed in the attached documents. After notification of the public hearing, one of the property owners called to request an adjustment to extend the Commercial designation on the north end of parcel number RPR4013012908 as shown in attachment D. The Commission may consider all changes as part of their review and recommendation.

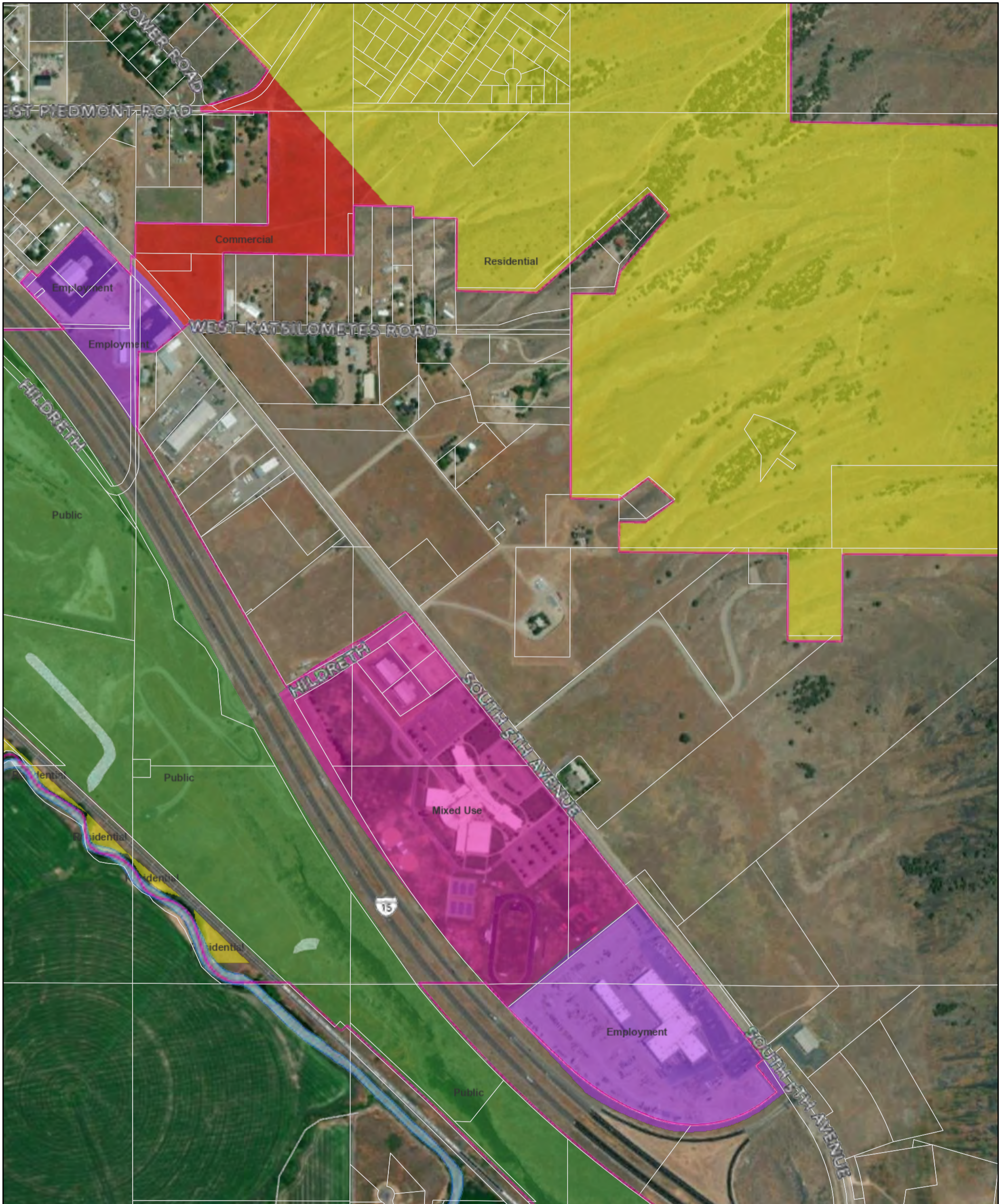
**NOTIFICATION:** Notice for this public hearing was published in accordance to City and State noticing requirements and procedures as identified in Pocatello City Code section 17.02.300.A.3.b.

**PLANNING & ZONING COMMISSION ACTION:** After notice, the Planning and Zoning Commission shall hold a hearing to consider the request and render a recommendation to City Council.






### ATTACHMENTS:

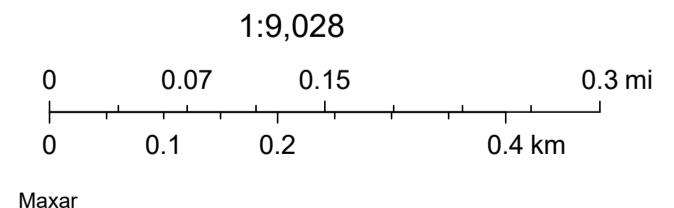
- A. Current Future Land Use Map
- B. Previously Proposed Future Land Use Map
- C. Newly Proposed Future Land Use Map
- D. Proposed Change to Parcel RPR4013012908 Designation

# Attachment A: Current Future Land Use Map

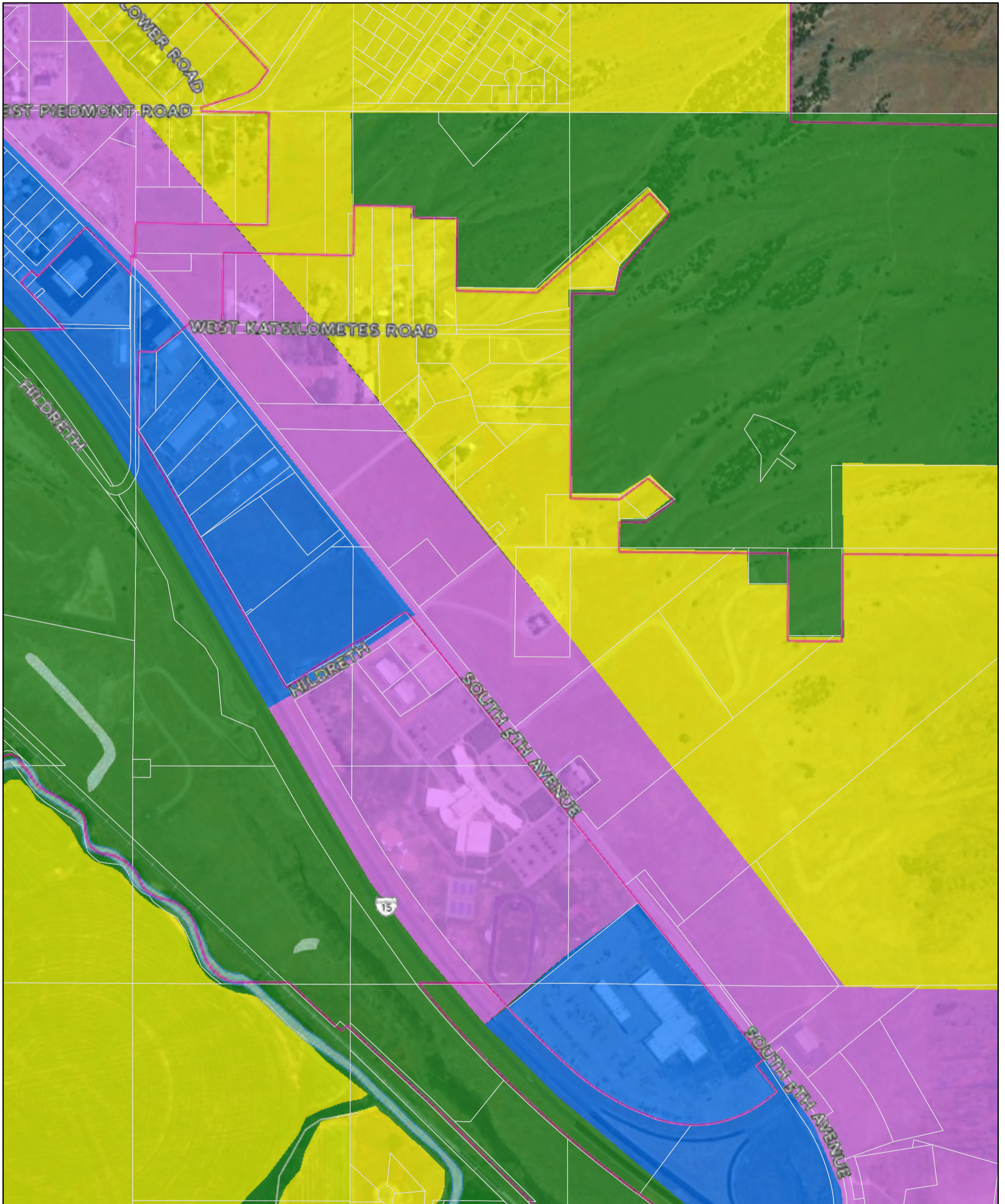


5/23/2023, 9:20:09 AM

- |  |   |
|--|---|
|  Bannock County Parcels_Public |  Mixed Use   |
|  Commercial                    |  Public      |
|  Employment                    |  Residential |



# Attachment B: Previously Proposed Future Land Use Map



5/22/2023, 12:32:02 PM

 Bannock County Parcels\_Public

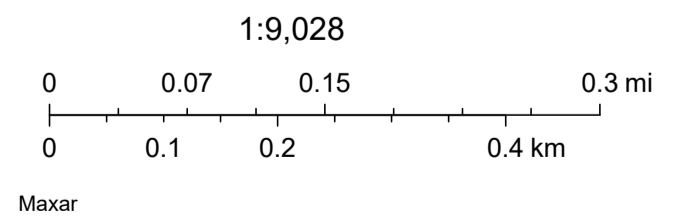
Proposed Future Landuse

 Industrial

 Mixed Use

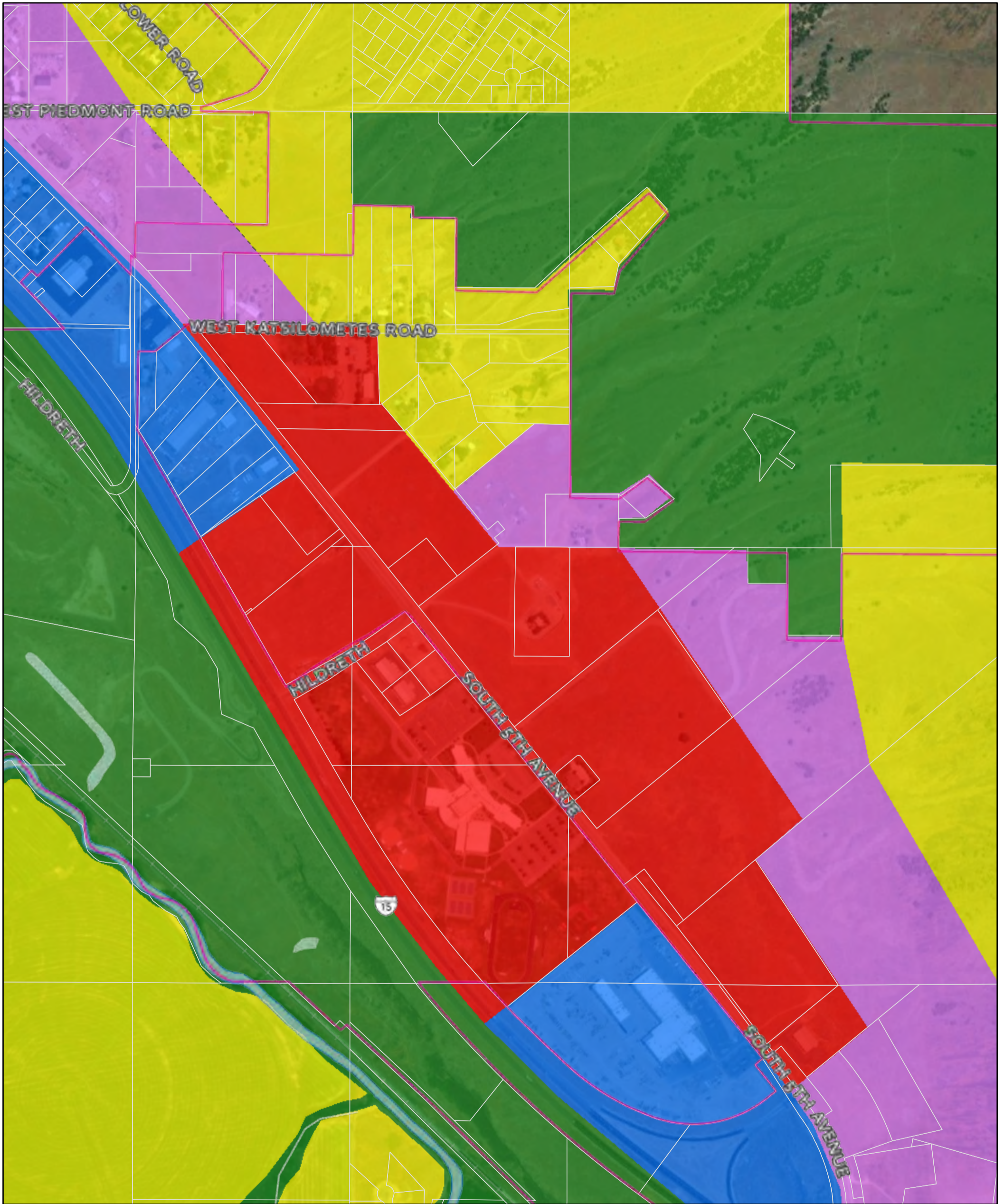
 Open Space

 Residential



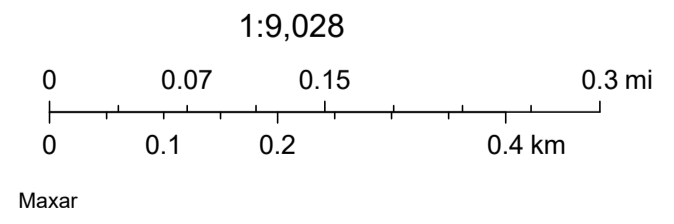


# Attachment C: Newly Proposed Future Land Use Map

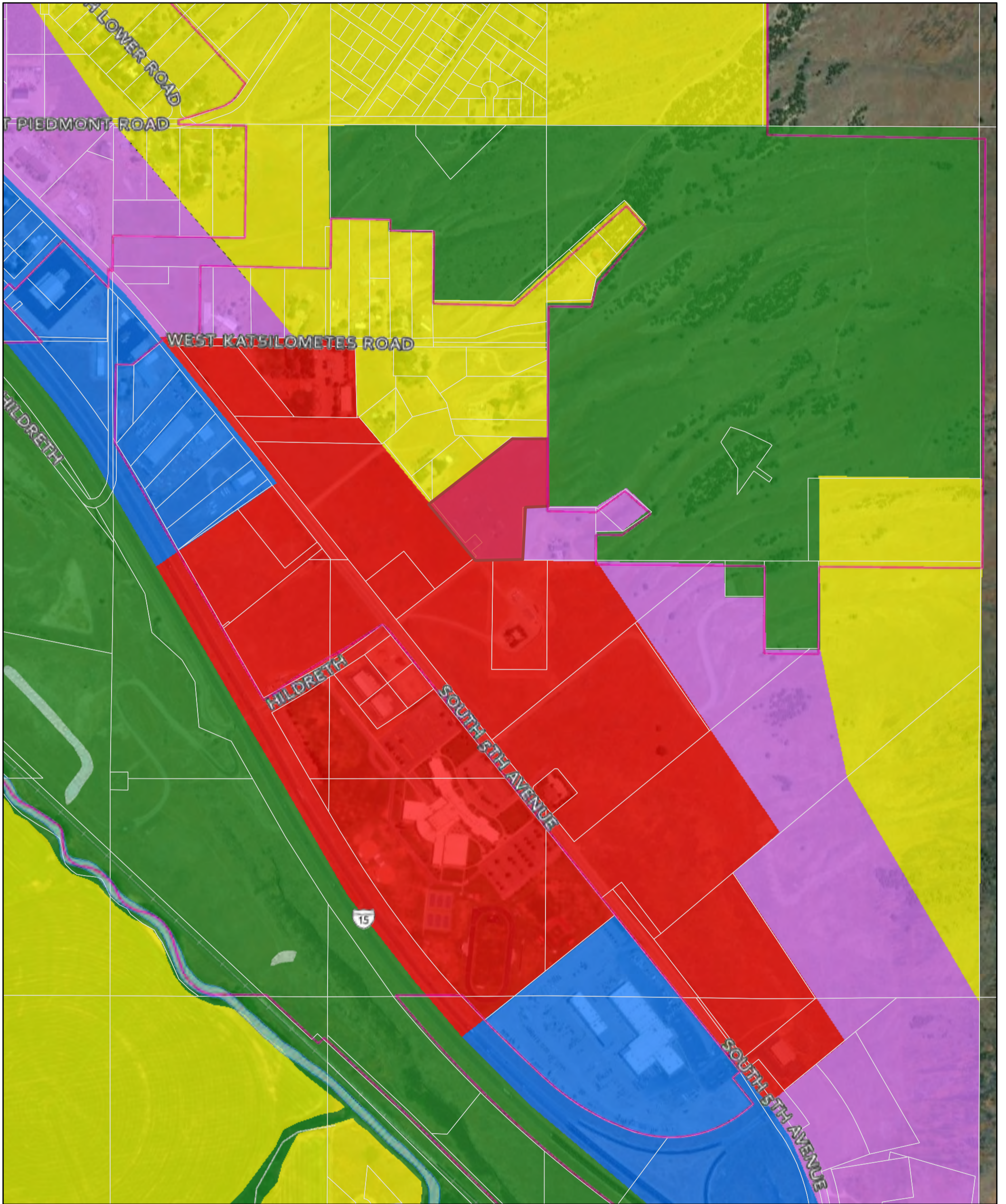


5/23/2023, 9:21:32 AM







- Bannock County Parcels\_Public
- Proposed Future Landuse
  - Commercial
  - Industrial
  - Mixed Use
  - Open Space
  - Residential



# Attachment D: Proposed Change to Parcel RPR4013012908 Designation



6/6/2023, 8:37:35 AM

- |  |   |
|--|---|
|  Bannock County Parcels_Public |  Mixed Use   |
|  Commercial                    |  Public      |
|  Industrial                    |  Residential |

