

Minutes
Special Meeting
Ashton Planning and Zoning Commission

February 2, 2017
7:00 pm

Attendees: Commission Members: Administrator Tom Cluff, Matt Brady, James Reynolds, Mike Hogle, Robert Reimann, Norman Watkins and Deputy Clerk Jan Warnke. Also attending were Jeff Southard, Tony Zhou, Jim Smith, Ron Palmer, Judy Heinz, Jan Stronks, Sheryl Hill, Michele OMalley, Shon Schuldberg, Tom Howell and Kurt Eidam.

Chairman Hogle opened the meeting at 7:00 pm and turned the time over to Administrator Cluff.

New Business:

1. Sketch Plan discussion with Ron Palmer – contractor office at approximately 57 N Baker Road.

Administrator Cluff presented the commission with an aerial photo of the property along with two alternate site plans. One plan shows a house at the rear of the property and an office/shop in front. The other plan shows the house in front and the office/shop in back. Mr. Palmer had spoken to administrator Cluff about rezoning the property to commercial because the property is currently zoned Low Density Residential Zone (LDRZ) and a stand-alone commercial building is not allowed in LDRZ. Administrator Cluff asked for feedback from the commission about their thoughts on if this type of shop could be appropriate for a residential area and if so maybe instead of a rezone a change to the code would work better. Commissioner Reynolds pointed out that there were already shops and buildings in that area. Administrator Cluff stated that the fact that there were buildings in the area might support that they are appropriate for this area. However the existing shops are called nonconforming or grandfathered because they existed prior to the zoning code that was adopted. What is already there doesn't give you leeway to allow the same thing if the zone doesn't allow it. LDRZ allows single family homes & home based businesses. You can't have a shop just because the neighbor's property has one. Administrator Cluff turned the time over to Ron Palmer. Ron stated that he and his brother had purchased the property from Jeff Forbush. They would like to build a home for their parents and build a shop with an office. The shop would be used for storage. They would not have any large delivery trucks just an occasional UPS truck. They had originally planned to put the shop/office up by Baker road. Then they decided that it would look better to put the house next to the road and the shop/office in back. There would be a driveway north of the house for the shop/office entrance. Mr. Palmer would be open to suggestions from the commission. Secretary Warnke asked if she could get a copy of what was presented to the commission for the record. Administrator Cluff asked the commission if they had any questions and then told the commission that in order for Palmer to build a shop/office he either needs to apply for a zone change to commercial zone or would have to ask for the code to be changed. The code allows for a home occupation in a LDRZ but it has to be between 200 -1000

square feet depending on the category and Palmer is beyond that. The commission needs to decide what the best approach is. Is this building compatible to a LDRZ? If not would a rezone fit in with the area? If the commission decides that type of shop would be compatible then they would need to revisit the code and decide what kind of shops would be allowed and how the commission would approve them. Administrator Cluff asked the commission what their thoughts were. Chairman Hogle said that the property was large in comparison to what he plans to build and he thought the property size could handle a building that large. When you look at the smaller lots however, they could not fit a building that large. Commissioner Watkins thought that the commission needs to think about what type of activity that a building would use and what time of day it would be used when thinking of LDRZ. Commissioner Brady pointed out they should consider what the buildings will be used for. One might be used for storage versus a shop that is going to create a lot of noise and other issues. Administrator Cluff mentioned a problem that the commission could run into. If that lot was zoned commercial then not only is that shop allowed but also anything else allowed in a commercial zone. You first need to ask, is this shop/office compatible with a residential area and if so is there a way to change the code in LDRZ to allow Mr. Palmer to apply for a permit without rezoning. This is the type of thing a commission needs to decide. The commission could decide to allow a shop up to a certain size to be built as a Class II permit in those zones. A class II permit allows the commission to review on a case by case basis. Administrator Cluff said he could work up some language for a code amendment to present to the commission at the next meeting.

2. Sketch Plan discussion with Jeff Southard – New Crown Hotel and restaurant, Hwy 20.

Jeff Southard presented a plan of what they would like to do. He had two items that he wanted to discuss. The City Code allows them to build a two story hotel. They are ready to proceed and would like to address any concerns that the commission might have as far as water, sewer, safety or any other concern so they can finish the large scale development study. Then they would be able to answer any of the commissioners concerns at the next meeting. The second item that they would like to talk about is the possibility of changing the code to allow a four story hotel as the code only allows for two stories at this time. Mr. Southard showed the commission what the four story hotel could look like and told them that they were required through Idaho Transportation Department (ITD) to put in a turn lane. Mr. Southard asked the commission if they had any questions. Commissioner Brady asked how many units the four story version would have and was concerned about the impact on the water, sewer and fire protection. Mr. Southard said it would have about one hundred four units, twenty five units per floor but as you go up you can cut out areas that you don't need such as laundry. The two story building has fifty units and the restaurant will seat approximately one hundred fifty people. The large scale development study will address the impact on the water and sewer system. The hotel will have fire suppression. Chairman Hogle voiced concerns about a four story hotel in winter with snow sliding off of the roof and if they had adequate areas for snow storage and runoff. Jim Smith, an engineer from Keller Engineering, addressed the snow storage and runoff concerns. He also pointed out where they would connect to the City water and sewer lines and where the fire

hydrants would be located. Administrator Cluff told the commission that the study will look at how much the development will require and look at what the city has and will be able to tell if there is adequate capacity. Commissioner Reynolds asked if a four story hotel was allowed what would be the liability without a fire truck that could handle that. Administrator Cluff informed the commission that they would have to meet with the fire officials to find out what the risks would be and what would be required of the hotel. The commission would maybe have to change the zoning or change the code to allow four stories if they wanted to approve it. The height limit is thirty five feet now and is common in a lot of building codes. Administrator Cluff raised a question on how the commission was going to review an application with four stories. The code doesn't allow it. He stated that the commission would have to meet with the fire officials and talk about what the risk and what would be required. Mr. Southard had previously met with the North Fremont Fire Chief. Chief Grube who told him that a four story hotel might be able to be built with fire prevention measures in place and a full review of the plans prior to construction.

3. Sketch Plan discussion with Jeff Southard – Replat of Johnson Subdivision, Lots 9-16; North First Street.

Jeff Southard told the commission that they would like to replat the existing eight lots and make ten lots. The code calls for sixty foot frontage which each lot will have. After hearing concerns from the city they would like to purchase that portion of North First Street and close it to minimize traffic impact in that area. Jim Smith pointed out where the water and sewer connections would be.

Administrator Cluff will get the large scale development study started and will schedule a hearing on the Class II two story hotel permit and class II plat amendment. The public hearings will be scheduled for March 2, 2017 at 7:00 pm. The Planning and Zoning commission will not hold their regular meeting on February 15, 2017.

Minutes respectfully submitted by Jan Warnke