



## City of Donnelly

169 Halferty Street  
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### Planning & Zoning Commission Meeting

Monday, May 9, 2016 at 6:00 pm

AT

The Donnelly Elementary Multi-Purpose Room

MINUTES

**Roll Call:** 6:00p.m. Commissioners Maggie Bryant, Sally Gilbert, George Dorris, Chairman Larry Mangum and Gene Tyler by phone. Quorum exists. Clerk Cami Hedges and Administrator Delta James were present.

Chairman requested to Amend the agenda to move the previous minutes to be prior to the staff updates.

**Motion by Gilbert, 2<sup>nd</sup> by Bryant** to amend the agenda as stated. Motion carried.

Chairman Mangum opened the public hearing at 6:02 p.m.

Northwest Passages Amendment to the Development Agreement. Chair asked if the Developer had anything they would like to state prior to public comment. Doug Crowther spoke. He stated that the previous proposed development agreement was a much different development to what they are proposing. This is an apartment complex rather than mixed use – condo, townhomes, commercial. He also stated that since the previous Planning and Zoning meeting ITD is requiring them to widen State Highway 55 to include a Southbound turning lane. This has put some added costs to the project that was not previously expected. Mr. Crowther provided a cost estimate of this project in the amount of \$228,000 from Granite Construction. Mr. Crowther wanted to amend the presented agreement to reduce the paving on Halferty and not extend the sidewalk from their property line to State Street.

Chairman opened the floor for public comment. Barbara Evans who owns property at 462 Halferty asked the commission why is Donnelly think it is beneficial to the City to offer low income housing when both McCall and Cascade defeated the proposal. Did the zoning change for that area? She stated that they had a lot of problems this winter with snow removal on the street. If the company is going to be required to remove snow where will they put it? Clerk – Zoned CBD & GC, both provide for multi-residential. This is also not section 8 housing but workforce housing.

Rene Wehrli who lives at 144 Halferty also spoke, saying that she was in support of the project. It will bring people and commerce into town, which will help and benefit many.

Callie Smith owns a business on Main Street. She asked if the property was for sale since the sign was still on the property. Developer answered stating that the sale is under contract and that the agent is allowed to continue to advertise the property.

No additional comments. Chairman closed the public hearing at 6:19 p.m.

Discussion:

Dorris asked to have more clarification with the \$25,000 that was given to the City originally for the Storm drainage, however was later changed it to be used toward the required water connections. Sewer improvements in or around 2004, and North Lakes should be able to give information on Sewer. Still concerned on the EDU capacity.

Administrator went through her staff report for the Development agreement. Development agreement for the project shall be amended as follows:

- 10.1.1 Section 5.3 shall state that the Main Street sidewalk and street section shall include street trees, street lights, and irrigation comparable to the established Main Street section to the South.
- 10.1.2 Article X of the Development Agreement shall be amended to specify what, if any, expectations of credit from the City to the Developer result from this section and the \$400,000 cost estimate. Additionally, if this section is to remain, this cost estimate should be detailed and verified by the City Engineer.
- 10.1.3 Construction of the required turn lane within SH 55 / Main Street should be added.
- 10.1.4 Benchmarks for completion of infrastructure should be added. For example, completion of infrastructure may be required prior to issuance of all or a portion of the Certificates of Occupancy for the project.
- 10.1.5 The exhibits of the Development Agreement shall include construction plans for infrastructure, including water, sewer, fire suppression, sidewalk, curb, gutter and street cross sections that have been reviewed and approved by the City Engineer.

Chairman Mangum suggested that 11.5 and 11.6 be modified of Development Agreement.

- 10.1.6 Article XI 11.5 the sentence “provided, however, that if all or any portion of the Property is divided, each owner of legal lot shall only be responsible for duties and obligations associated with an owner’s parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property” shall be stricken.
- 10.1.7 Article XI 11.6 shall be removed and replaced with “The Development Agreement shall not be signed by the City until the Developer is able to prove ownership

**Motion by Dorris, 2<sup>nd</sup> by Bryant** to send the Development Agreement back to developer with recommendation of administrators and chairman. Motion was withdrawn.

**Motion by Gilbert, 2<sup>nd</sup> by Dorris,** to recommend that the Development Agreement be recommended to City Council with changes discussed and noted above. Motion carried.

### **General Business:**

Design Review – Northwest Passages Apartments.

Scott Hopkins of CSQHA has presented the commission with new drawings for the Drainage, Landscaping, Snow Storage, Trash Storage and Elevations.

Commissioner Gilbert asked if the Community Center was for use by the Community or only residents in the complex. NWP stated that its intended use is for all residents in the Donnelly Community.

Administrator went through the conditions of approval of the design review for NWP.

**Motion by Gilbert, 2<sup>nd</sup> by Bryant** that if the removal of sidewalks along Main Street was denied by City Council then the Design Review would have to come back to Planning & Zoning to review. Vote came back 2 yes, 2 no. Roll Call Vote: Gilbert (yes) Bryant (yes), Dorris (no) Mangum (no). Tyler had disconnected by phone. **Motion fails to move forward.**

Dorris asked what is a solution to move forward with the Design Review approval for Northwest Passages. Gilbert stated that she does not want the sidewalk removed and feels if it comes back to P&Z then we can require. Amended the conditions to strike sentence “and/or” and replace with “in accordance with”.

**Motion by Gilbert, 2<sup>nd</sup> by Bryant** to approve the Design Review with conditions of approval from Administrator. Gilbert (yes), Bryant (yes), Dorris (yes), Mangum (yes)

**PREVIOUS MINUTES:**

**Motion by Dorris, 2<sup>nd</sup> by Gilbert**, to approve the P&Z Minutes from March 7, 2016 as corrected. Motion carried.

**Motion by Gilbert, 2<sup>nd</sup> by Dorris**, to table the P&Z Minutes from April 4, 2016 to the next meeting. Motion carried.

**STAFF UPDATES:**

- City Clerk – Since the West Central Mountains were selected to be in the final round of the ABC contest they received funds to provide bus kiosks for each community. Also Free Dump day is Jun 3-6, 2016.
- Commissioner Gilbert would like to talk about violations within the City. This will remain on the agenda for the next meeting.

**ADJOURN**

**Motion by Gilbert, 2<sup>nd</sup> by Dorris** to adjourn until the next regular scheduled meeting at 6:00 p.m. Motion carried.

Adjourned: 8:05 p.m.