#7

POCATELLO CITY COUNCIL
PUBLIC HEARING: FEBRUARY 6, 2025
EXECUTIVE SUMMARY

REQUEST – PLANNED UNIT DEVELOPMENT (PUD) APPLICATION:
David Assan of Sunrise Engineering on behalf of Gate City Builders, has submitted an application for a Planned Unit Development (PUD). The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking. The subject property is zoned Residential-Commercial-Professional (RCP) which allows the use outright.

RECOMMENDATION:
In consideration of the application, information provided by City Staff and public testimony the Planning and Zoning Commission recommends **APPROVAL** of the Aspen Place Planned Unit Development from David Assan on behalf of Gate City Builders finding the application **DOES** meet the standards for approval under Chapter 17.02.140 of Pocatello Municipal Code with conditions as outlined in Findings of Fact (attached).

ATTACHMENTS:
a. Planning & Zoning Commission Findings of Fact
b. Planning & Zoning Commission Staff Report Packet

ATTACHMENT A

PLANNING AND ZONING COMMISSION FINDINGS OF FACT AND RECOMMENDATION

FINDINGS OF FACT AND RECOMMENDATION

CITY OF POCATELLO
PLANNING & ZONING COMMISSION
PUBLIC HEARING JANUARY 8, 2025

PROJECT:	Aspen Place Planned Unit Development
APPLICANT/OWNER:	David Assan of Sunrise Engineering -representing Gate City Builders
SURVEYOR/ENGINEER:	Matt Baker of Sunrise Engineering
LOCATION:	Four separate parcels located at 2806 S. 5th Avenue
FILE:	PUD24-0002

I.REQUEST: David Assan of Sunrise Engineering on behalf of Gate City Builders, submitted an application for a Planned Unit Development (PUD). The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less). The subject property is zoned Residential-Commercial-Professional (RCP) with a future land use map designation of Mixed-Use (MU). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking.

II. PUBLIC HEARING: A public hearing was held before the Planning & Zoning Commission on the evening of January 8, 2025. The Chair opened the public hearing. The applicant's representative provided information regarding the application. Staff provided a brief presentation noting that the application meets the requirements of Municipal Code with conditions attached. The Chair asked for public testimony both in favor, neutral and apposed to the application. No testimony was received. The Chair closed the public hearing.

III. NOTIFICATION: All property owners within a 300-foot radius of the existing property boundaries have been provided notice of the public hearing in order that they may provide comment on the proposed request. Notice was also published in the Idaho State Journal and a sign was posted on the subject property. Utility providers and affected City departments were provided notice on 12/5/2024. As of Wednesday December 18, 2024, no comments have been received from utility providers and affected City departments with exception of the Public Works Memorandum.

IV. CRITERIA FOR REVIEW: The Planning and Zoning Commission shall review the facts and circumstances for each application in terms of the following criteria:

Table 1. PUD Review Criteria Analysis

REVIEW CRITERIA (17.01.140 C):				
Compliant			**City Code and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**17.02.140 C.1**	**The project provides alternative methods of land development;**
			FINDING	The applicant is proposing that the following be considered as an alternative method of land development for reasons illustrated in the project narrative associated with the application (Attachment A). The applicant has designed the project to provide a safe, attractive development with the stated intent providing high quality housing to the area for both students and families. The subject site is designed to incorporate a recreation area for residents as required by code for a PUD.

				The applicant is proposing to utilize lot size averaging as called out in City Code 17.02.140 G. See the staff analysis under this subsection for an evaluation of the proposed lot size averaging.
☒	☐	☐	**17.02.140 C.2**	**The project includes a mix of land uses; these uses are compatible and well integrated even though they might otherwise be discouraged through conventional zoning techniques;**
			FINDING	The site consists of 4 parcels encompassing 5.56-acres (more or less). Land uses adjacent to and near the proposed development include Rest Lawn Cemetery to the south, a manufactured home community to the east/northeast, a mixed commercial use adjacent the northern boundary and Ross Park with a community trail to the west. The property is zoned RCP which allows the use outright. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5") in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D). Such will provide a more pedestrian friendly experience and would be in line with the proposed cross section envisioned with the Brownfields Study area in addition to providing an amenity for the residence of the apartments and general public.
☒	☐	☐	**17.02.140 C.3**	**The project conserves natural and topographic features;**
			FINDING	The subject site consists of minimal grade thus development is not subject to Hillside Development or Sensitive Land Standards.
☒	☐	☐	**17.02.140 C.4**	**The project promotes compatibility with adjacent land uses, established neighborhoods, and available public facilities;**
			FINDING	Existing infrastructure such as but not limited to water and sewer is available adjacent S. 5th Avenue. Utility connections will be subject to review at the time a preliminary/final plat application is submitted. Once complete, these services are adequate to serve the property.
☒	☐	☐	**17.02.140 C.5**	**The project considers intensity of use including, but not limited to, building coverage, magnitude of activities, density, and traffic circulation/patterns;**
			FINDING	Each eighteen (18)-plex will consists of twelve (12) 2-bedroom units and six (6) one (1) bedroom units on a lot measuring 5,662 sq.ft. (more or less).
☒	☐	☐	**17.02.140 C.6**	**The project emphasizes architectural design and aesthetic value; and**
			FINDING	The project provides multi-family units are architecturally designed providing for a pleasing aesthetic value to the project and surrounding areas. The multi-family buildings will have vinyl siding, perforated metal soffit and a colored accent band. Staff recommends that earth-tone colors be used where possible.
☒	☐	☐	**17.02.140 C.7**	**The project emphasizes provision of open spaces and quality recreation areas and facilities;**
			FINDING	See analysis under section 17.01.140.D.4

Table 2. PUD General Standards Analysis

REVIEW CRITERIA (17.01.140 D):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	17.02.140 D.1	**Ownership or Unitary Control: A PUD shall be under single ownership or unified control throughout the entire planning stage and the completion of all approved infrastructure to ensure that development is accomplished as planned. Proof of single ownership or unified control is required and may be demonstrated by a deed showing a single owner, restrictive covenants of a property owners' association, or otherwise as approved by the city.**
			FINDING	A Title Report has been submitted with the application showing NKA Bareground as the owner of the subject parcel. Additionally, a signed and notarized Affidavit of Legal Interest from Gary Ratliff and Jonathan Vincent was provided as part of the application allowing Sunrise Engineering to submit the PUD Application on their behalf. The applicant will be responsible to provide a draft Declaration of Covenants, Conditions and Restrictions (CC&R'S) prior to recording a Final Plat.
☒	☐	☐	17.02.140 D.2	**Integration: In the design process, particular effort shall be made to integrate a PUD proposal with the surrounding natural and built out environment. Particular attention shall be paid to proposed traffic patterns, pedestrian circulation, surrounding land uses, and drainage patterns.**
			FINDING	There is one (1) point of ingress/egress to the development via South 5th Avenue. Public Works and Traffic Department personnel are requiring that the approach, as proposed, be moved to the north to line up with Garden Street to the west which extends between S. 4th & 5th Avenues. This results in the Apartment building on Lot 1 to be relocated to the proposed multi-use stormwater/recreation area located adjacent South 5th Avenue. The latter shall be moved to Lot 1. The parking area shall be dedicated as shared common lot area and at no point may gates or other obstructions be placed within the parking and access area so as to prevent fire access through said parking area. The parking lot shall be maintained by the future Homeowners Association in perpetuity who shall be responsible for all maintenance and snow removal.
☒	☐	☐	17.02.140 D.3	**Subdivision Requirements: Any PUD that includes a subdivision of land shall comply with all standards set forth by the subdivision ordinance of the city. Subdividing of land may not proceed until a proposed PUD has been approved.**
			FINDING	The subject PUD application will be followed by both a preliminary & final plat application to subdivide the property. All standards of the subdivision ordinance shall apply and will be reviewed at the time of application submittal. Any modifications at that time, may require an amendment to the final approved PUD application.
☒	☐	☐	17.02.140 D.4	**Open Space: Regardless of the type of PUD, common open space shall encompass at least twenty percent (20%) of the net land area involved in the development. Rights of way and areas included within private lots**

				shall not be counted toward the required open space. The required common open space shall include, but not be limited to, usable recreation areas and/or facilities (e.g., parks, clubhouses, athletic courts, pools, trails).
			FINDING	The project area as called out in the summary of the request states that there is 5.56 acres of land area, or 242,194 sq. ft. (more or less). The open space dedication states that at least 20% of the net land area involved in the development shall be left for open space. As such, a minimum of 48,439 sq. ft. shall be dedicated as open space and the applicant is proposing 86,348 sq. ft (more or less) which includes all landscape areas between lots and the private recreation areas associated with Lot 9. Please note that the calculation does not include the parking/circulation area.
☒	☐	☐	**17.02.140 D.5**	**Grading and Vegetation: All lands graded and/or stripped of vegetation, except private residential yards, shall be revegetated by the developer in a timely manner with approved species adapted to site conditions. Revegetation plans shall be submitted to and approved by the city engineer or designee prior to grading**
			FINDING	A landscaping plan shall be reviewed and approved at the time of building permit. Said plan shall be designed as outlined under Condition #5 and the cross section (see Attachment D). The applicant shall receive approval by the city engineer or designee prior to grading. See recommended condition #7 concerning future landscaping.
☒	☐	☐	**17.02.140 D.6**	**Time Frame: For any approved PUD, physical construction of approved infrastructure shall begin within three (3) years of final approval of the PUD. Grading or landscaping does not constitute physical construction. Build-out of the PUD infrastructure shall be completed within five (5) years of final approval. If not complete, the PUD becomes null and void and reapplication is required thereafter. If requested, the planning and zoning commission may consider granting time extensions for the PUD time frames described herein. Extensions shall not exceed a one year period, and requests for such extensions shall be received by the city at least three (3) months prior to the expiration date. These time limits may be as otherwise adjusted and approved through the PUD process.**
			FINDING	The applicant has not indicated that the PUD will be constructed in phases.
☒	☐	☐	**17.02.140 D.7**	**Planned Unit Development to Run with The Land: A planned unit development granted pursuant to the provisions of this chapter shall continue for the approved use upon a change of property ownership, subject to the same conditions and terms of approval.**
			FINDING	All conditions and terms of approval shall run with the land and shall apply upon any change in ownership.

Table 3. PUD Development Standards in Residential Zoning Districts Analysis

REVIEW CRITERIA (17.01.140 G):				
Compliant			**City Code and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**17.02.140 G.1**	**Lot size averaging may be used provided that the overall density does not exceed the maximum number of dwelling units per acre allowed by the underlying zoning district, plus up to twenty percent (20%).**

			FINDING	Municipal Code requires a minimum of 1,452 sq.ft. per unit for multi-family or in this case 26,136 sq.ft. per 18-plex for a total of 209,088 sq.ft. (8 x 26,136) or 4.80 acres for the eight (8) 18-plex structures. The RCP zoning district allows a maximum number of thirty (30) dwelling units per acre. Past interpretation of lot size averaging on separate applications has indicated that lot size averaging may include the common area of the project into the lot size average calculation. The Commission finds that the overall density does not exceed the maximum number of dwelling units per acre allowed by Municipal Code. The average minimum lot size meets the minimum requirement of the RCP zoning district.
☒	☐	☐	**17.02.140 G.2**	**Uses permitted in the neighborhood commercial and residential commercial professional districts may constitute up to twenty five percent (25%) of the net land area within a residentially zoned PUD.**
			FINDING	The applicant is proposing to develop multi-family structures outright in the RCP zoning district.
☒	☐	☐	**17.02.140 G.3**	**Open space (common area) shall conform to the general standards set forth in subsection D4 of this section.**
			FINDING	See analysis under subsection D4 regarding open space requirements.
☒	☐	☐	**17.02.140 G.4**	**Residential PUDs shall meet minimum off street parking requirements for residential components. A reduction of up to ten percent (10%) from minimum off-street parking requirements may be allowed for nonresidential uses.**
			FINDING	Based on Municipal Code Section 17.05.570-1 one & one-half (1.5) off-street parking spaces are required per apartment unit with one (1) required for the single bedroom units resulting in a total of 192 off-street parking spaces. A total of 259 (259) parking spaces are proposed.
☒	☐	☐	**17.02.140 G.5**	**Architectural design principles shall be approved for each PUD and shall be enforced by the property owner(s) or a property owners' association. The standards shall address. a. Style or type of building; b. Color scheme; and c. Building materials.**
			FINDING	See Section 17.02.140 C.6.

V. PLANNING & ZONING COMMISSION RECOMMENDATION: In consideration of the application, information provided by City Staff and public testimony the Planning and Zoning Commission recommends **APPROVAL** of the Aspen Place Planned Unit Development from David Assan on behalf of Gate City Builders finding the application **DOES** meet the standards for approval under Chapter 17.02.140 of Pocatello Municipal Code with the following conditions attached

1. All applicable standards of Pocatello Municipal Code 16.20 & 16.24 shall be strictly adhered to;
2. All comments provided in the Public Works Memorandum dated December 18, 2024 and hereby attached, shall be strictly adhered to;
3. All open space designated as part of the subject PUD shall be maintained by the future Homeowner's Association subject to the standards of Municipal Code 17.02.140.D.4;
4. The parking area shall be dedicated as shared common area and at no point may any gates or other obstruction be placed within the parking and access area so as to prevent fire access through the parking lot areas as well as the rear yard of each townhome.
5. A street light shall be installed on the north side of the approach.

6. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5") in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D);
7. All proposed amenities shall be complete with each phase as proposed;
8. A final landscape plan shall be submitted at the time of the initial building permit application and shall be compliant with all landscaping requirements of Pocatello Municipal Code. Said plan shall include a planting schedule which includes the type of vegetative, non-vegetative cover, and tree type and size;
9. All approved architectural standards shall be enforced by the Homeowner's Association per Municipal Code 17.02.140.G.5; and
10. All other standards or conditions of Municipal Code not herein stated but applicable to the Planned Unit Development, land subdivision and residential development shall apply.

Rich Phillips, Chair
Planning & Zoning Commission
Authorized to sign 1/8/2025

STATE OF IDAHO)

ss:

County of Bannock)

On this 13th day of January, 2025, before me, the undersigned, a Notary Public in and for the State, personally appeared Rich Phillips, known to me or proved to me to be the person whose name is subscribed to the foregoing instrument, and being duly sworn, acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

ACELINE MCCULLA
NOTARY PUBLIC
STATE OF IDAHO
COMMISSION # 20210088
MY COMMISSION EXPIRES 01/22/2027

Aceline McCulla
NOTARY PUBLIC FOR IDAHO
Residing in Pocatello, Idaho

ATTACHMENT B

PLANNING AND ZONING COMMISSION STAFF REPORT PACKET

Pocatello
Planning & Development Services
PLANNING SERVICES NEIGHBORHOOD & COMMUNITY SERVICES
911 NORTH 7TH AVENUE | P.O Box 4169 POCATELLO, IDAHO 83205-4169 208.234.6184 WEB https://www.pocatello.us

PLANNING & ZONING COMMISSION
MEETING JANUARY 8, 2025
STAFF REPORT

PROJECT:	Aspen Place PUD	**FILE # PUD24-0002**
APPLICANT/OWNER:	David Assan of Sunrise Engineering -representing Gate City Builders	
SURVEYOR/ENGINEER:	Matt Baker of Sunrise Engineering	
REQUEST:	Planned Unit Development application	
TITLE REPORT:	Title report was submitted and reviewed	
LOCATION:	Four separate parcels located at 2806 S. 5th Avenue	
STAFF:	Matthew G. Lewis M.S., Senior Planner	

PLEASE NOTE: The staff report was completed 10 days before the due date mainly in light of the Holidays. This being the case there may be additional information provided to the Commission at their January 8, 2025 meeting.

GENERAL BACKGROUND

REQUEST: David Assan of Sunrise Engineering on behalf of Gate City Builders, has submitted an application for a Planned Unit Development (PUD). The property is located at 2806 S. 5th Avenue and consists of four (4) parcels encompassing 5.56-acres (more or less). The subject property is zoned Residential-Commercial-Professional (RCP) with a future land use map designation of Mixed-Use (MU). The request is to allow for lot size averaging to construct eight (8) multi-family structures on individual lots with Lot 9 proposed to be a common lot for stormwater retention, recreation area and parking.

DENSITY & LOT DESIGN: The above noted parcel is zoned Residential-Commercial-Professional (RCP). The subject PUD will be followed by a subdivision application. Common areas will be provided for parking, open space and storm water retention with said areas being dedicated and maintained by the homeowner's association. See further discussion from staff under section 17.02.140.G.1 regarding density and lot design.

Each eighteen (18)-plex will consists of twelve (12) 2-bedroom units and six (6) one (1) bedroom units on a lot measuring 5,662 sq.ft. (more or less). Based on Municipal Code Section 17.05.570-1 one & one-half (1.5) off-street parking spaces are required per two (2) bedroom unit and one (1) required for the single bedroom units resulting in a total of 192 off-street parking spaces. A total of 259 (259) parking spaces are proposed.

NOTIFICATION: All property owners within a 300-foot radius of the existing property boundaries have been provided notice of the public hearing in order that they may provide comment on the proposed request. Notice was also published in the Idaho State Journal and a sign was posted on the subject property. No public comment has been received as of the completion of the staff report.

UTILITY PROVIDER & CITY DEPARTMENT NOTICE: Utility providers and affected City departments were provided notice on 12/5/2024. As of Wednesday December 18, 2024, no comments have been received from utility providers and affected City departments with exception of the Public Works Memorandum.

OPTIONAL MOTIONS:

1. **Approval of the Application**: Motion to recommend approval of the Aspen Place Planned Unit Development from David Assan on behalf of Gate City Builders finding the application **does** meet the standards for approval under Chapter 17.02.140 of Pocatello Municipal Code, **with the conditions of approval** [insert conditions of approval here], and to authorize the Chair to sign the Findings of Fact and Recommendation.

2. **Denial of the Application**: Motion to recommend denial of the Aspen Place Planned Unit Development from David Assan on behalf of Gate City Builders finding the application **does not** meet the standards for approval under Chapter 17.02.140 of Pocatello Municipal Code, **finding that**: [cite findings for denial], and to authorize the Chair to sign the Findings of Fact and Recommendation.

TABLES:

1. PUD Review Criteria Analysis
2. PUD General Standards Analysis

ATTACHMENTS:

A. Planned Unit Development Layout and Response to Review Criteria under 17.01.140 C.
B. Public Works Memorandum dated December 18, 2024
C. Aerial
D. Front Landscaping/Sidewalk Cross Section

Table 1. PUD Review Criteria Analysis

REVIEW CRITERIA (17.01.140 C):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	**17.02.140 C.1**	**The project provides alternative methods of land development;**
			Staff Review	The applicant is proposing that the following be considered as an alternative method of land development for reasons illustrated in the project narrative associated with the application (Attachment A). The applicant has designed the project to provide a safe, attractive development with the stated intent providing high quality housing to the area for both students and families. The subject site is designed to incorporate a recreation area for residents as required by code for a PUD. The applicant is proposing to utilize lot size averaging as called out in City Code 17.02.140 G. See the staff analysis under this subsection for an evaluation of the proposed lot size averaging.
☒	☐	☐	**17.02.140 C.2**	**The project includes a mix of land uses; these uses are compatible and well integrated even though they might otherwise be discouraged through conventional zoning techniques;**

			Staff Review	As noted above, the site consists of 4 parcels encompassing 5.56-acres (more or less). Land uses adjacent to and near the proposed development include Rest Lawn Cemetery to the south, a manufactured home community to the east/northeast, a mixed commercial use adjacent the northern boundary and Ross Park with a community trail to the west. The property is zoned RCP which allows the use outright. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5") in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D). Such will provide a more pedestrian friendly experience and would be in line with the proposed cross section envisioned with the Brownfields Study area in addition to providing an amenity for the residence of the apartments and general public.
☒	☐	☐	**17.02.140 C.3**	**The project conserves natural and topographic features;**
			Staff Review	The subject site consists of minimal grade thus development is not subject to Hillside Development or Sensitive Land Standards.
☒	☐	☐	**17.02.140 C.4**	**The project promotes compatibility with adjacent land uses, established neighborhoods, and available public facilities;**
			Staff Review	See Staff review under 17.02.140 C.2 above. Existing infrastructure such as but not limited to water and sewer is available adjacent S. 5th Avenue. Utility connections will be subject to review at the time a preliminary/final plat application is submitted. Once complete, these services are adequate to serve the property.
☒	☐	☐	**17.02.140 C.5**	**The project considers intensity of use including, but not limited to, building coverage, magnitude of activities, density, and traffic circulation/patterns;**
			Staff Review	As noted above each eighteen (18)-plex will consists of twelve (12) 2-bedroom units and six (6) one (1) bedroom units on a lot measuring 5,662 sq.ft. (more or less).
☒	☐	☐	**17.02.140 C.6**	**The project emphasizes architectural design and aesthetic value; and**
			Staff Review	The project provides multi-family units are architecturally designed providing for a pleasing aesthetic value to the project and surrounding areas. The multi-family buildings will have vinyl siding, perforated metal soffit and a colored accent band. Staff recommends that earth-tone colors be used where possible.
☒	☐	☐	**17.02.140 C.7**	**The project emphasizes provision of open spaces and quality recreation areas and facilities;**
			Staff Review	See staff analysis under section 17.01.140.D.4

Table 2. PUD General Standards Analysis

REVIEW CRITERIA (17.01.140 D):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	**17.02.140 D.1**	**Ownership or Unitary Control: A PUD shall be under single ownership or unified control throughout the entire planning stage and the completion of all approved infrastructure to ensure that development is accomplished as planned. Proof of single ownership or unified control is required and may be demonstrated by a deed showing a single owner, restrictive covenants of a property owners' association, or otherwise as approved by the city.**
			Staff Review	A Title Report has been submitted with the application showing NKA Bareground as the owner of the subject parcel. Additionally, a signed and notorized Affidavit of Legal Interest from Gary Ratliff and Jonathan Vincent was provided as part of the application allowing Sunrise Engineering to submit the PUD Application on their behalf. The applicant will be responsible to provide a draft Declaration of Covenants, Conditions and Restrictions (CC&R'S) prior to recording a Final Plat.
☒	☐	☐	**17.02.140 D.2**	**Integration: In the design process, particular effort shall be made to integrate a PUD proposal with the surrounding natural and built out environment. Particular attention shall be paid to proposed traffic patterns, pedestrian circulation, surrounding land uses, and drainage patterns.**
			Staff Review	There is one (1) point of ingress/egress to the development via South 5th Avenue. Public Works and Traffic Department personnel are requiring that the approach, as proposed, be moved to the north to line up with Garden Street to the west which extends between S. 4th & 5th Avenues. This results in the Apartment building on Lot 1 to be relocated to the proposed multi-use stormwater/recreation area located adjacent South 5th Avenue. The latter shall be moved to Lot 1. The parking area shall be dedicated as shared common lot area and at no point may gates or other obstructions be placed within the parking and access area so as to prevent fire access through said parking area. The parking lot shall be maintained by the future Homeowners Association in perpetuity who shall be responsible for all maintenance and snow removal.
☒	☐	☐	**17.02.140 D.3**	**Subdivision Requirements: Any PUD that includes a subdivision of land shall comply with all standards set forth by the subdivision ordinance of the city. Subdividing of land may not proceed until a proposed PUD has been approved.**
			Staff Review	The subject PUD application will be followed by both a preliminary & final plat application to subdivide the property. All standards of the subdivision ordinance shall apply and will be reviewed at the time of application submittal. Any modifications at that time, may require an amendment to the final approved PUD application.

☒	☐	☐	**17.02.140 D.4**	**Open Space: Regardless of the type of PUD, common open space shall encompass at least twenty percent (20%) of the net land area involved in the development. Rights of way and areas included within private lots shall not be counted toward the required open space. The required common open space shall include, but not be limited to, usable recreation areas and/or facilities (e.g., parks, clubhouses, athletic courts, pools, trails).**
			Staff Review	The project area as called out in the summary of the request states that there is 5.56 acres of land area, or 242,194 sq. ft. (more or less). The open space dedication states that at least 20% of the net land area involved in the development shall be left for open space. As such, a minimum of 48,439 sq. ft. shall be dedicated as open space and the applicant is proposing 86,348 sq. ft (more or less) which includes all landscape areas between lots and the private recreation areas associated with Lot 9. Please note that the calculation does not include the parking/circulation area. (Note: Land dedicated as open space shall be permanently maintained by either private covenants attached to and made part of the plan, or if suitable and mutually agreeable to the applicant and the city, by public dedication. If open space is to be maintained through private covenants, the director may require, prior to recording of any final plat, establishment of a homeowners' association and/or either: a. Completed improvements, development, and dedication of open space features; b. Posting of a bond sufficient to assure completion of improvements, development, and dedication of open space features.)
☒	☐	☐	**17.02.140 D.5**	**Grading and Vegetation: All lands graded and/or stripped of vegetation, except private residential yards, shall be revegetated by the developer in a timely manner with approved species adapted to site conditions. Revegetation plans shall be submitted to and approved by the city engineer or designee prior to grading**
			Staff Review	A landscaping plan shall be reviewed and approved at the time of building permit. Said plan shall be designed as outlined under Condition #5 and the cross section (see Attachment D). The applicant shall receive approval by the city engineer or designee prior to grading. See recommended condition #7 concerning future landscaping.
☒	☐	☐	**17.02.140 D.6**	**Time Frame: For any approved PUD, physical construction of approved infrastructure shall begin within three (3) years of final approval of the PUD. Grading or landscaping does not constitute physical construction. Build-out of the PUD infrastructure shall be completed within five (5) years of final approval. If not complete, the PUD becomes null and void and reapplication is required thereafter. If requested, the planning and zoning commission may consider granting time extensions for the PUD time frames described herein. Extensions shall not exceed a one year period, and requests for such extensions shall be received by the city at**

				least three (3) months prior to the expiration date. These time limits may be as otherwise adjusted and approved through the PUD process.
			Staff Review	The applicant has not indicated that the PUD will be constructed in phases.
☒	☐	☐	**17.02.140 D.7**	**Planned Unit Development to Run with The Land: A planned unit development granted pursuant to the provisions of this chapter shall continue for the approved use upon a change of property ownership, subject to the same conditions and terms of approval.**
			Staff Review	All conditions and terms of approval shall run with the land and shall apply upon any change in ownership.

Table 3. PUD Development Standards in Residential Zoning Districts Analysis

REVIEW CRITERIA (17.01.140 G):				
Compliant			**City Code and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**17.02.140 G.1**	**Lot size averaging may be used provided that the overall density does not exceed the maximum number of dwelling units per acre allowed by the underlying zoning district, plus up to twenty percent (20%).**
			Staff Review	Municipal Code requires a minimum of 1,452 sq.ft. per unit for multi-family or in this case 26,136 sq.ft. per 18-plex for a total of 209,088 sq.ft. (8 x 26,136) or 4.80 acres for the eight (8) 18-plex structures. The RCP zoning district allows a maximum number of thirty (30) dwelling units per acre. Past interpretation of lot size averaging on separate applications has indicated that lot size averaging may include the common area of the project into the lot size average calculation. The overall density does not exceed the maximum number of dwelling units per acre allowed by Municipal Code. The average minimum lot size meets the minimum requirement of the RCP zoning district.
☒	☐	☐	**17.02.140 G.2**	**Uses permitted in the neighborhood commercial and residential commercial professional districts may constitute up to twenty five percent (25%) of the net land area within a residentially zoned PUD.**
			Staff Review	The applicant is proposing to develop multi-family structures outright in the RCP zoning district.
☒	☐	☐	**17.02.140 G.3**	**Open space (common area) shall conform to the general standards set forth in subsection D4 of this section.**
			Staff Review	See analysis under subsection D4 regarding open space requirements.
☒	☐	☐	**17.02.140 G.4**	**Residential PUDs shall meet minimum off street parking requirements for residential components. A reduction of up to ten percent (10%) from minimum off-street parking requirements may be allowed for nonresidential uses.**
			Staff Review	Based on Municipal Code Section 17.05.570-1 one & one-half (1.5) off-street parking spaces are required per apartment unit with one (1) required for the single bedroom units resulting in a total of 192 off-street parking spaces. A total of 259 (259) parking spaces are proposed.

☒	☐	☐	**17.02.140 G.5**	**Architectural design principles shall be approved for each PUD and shall be enforced by the property owner(s) or a property owners' association. The standards shall address. a. Style or type of building; b. Color scheme; and c. Building materials.**
			Staff Review	See staff review under section 17.02.140 C.6.

SUMMARY & CONDITIONS:

The Planning and Zoning Commission shall hold a public hearing on this matter and render a recommendation. The Commission shall submit findings of fact and their recommendation to the City Council within forty-five (45) days following the closure of the public hearing. In consideration of the application and proposed development, staff concludes that the Planned Unit Development request is compliant with Pocatello Municipal Code Section 17.02.140. Should the Commission recommend approval of the subject application, staff recommends the following conditions:

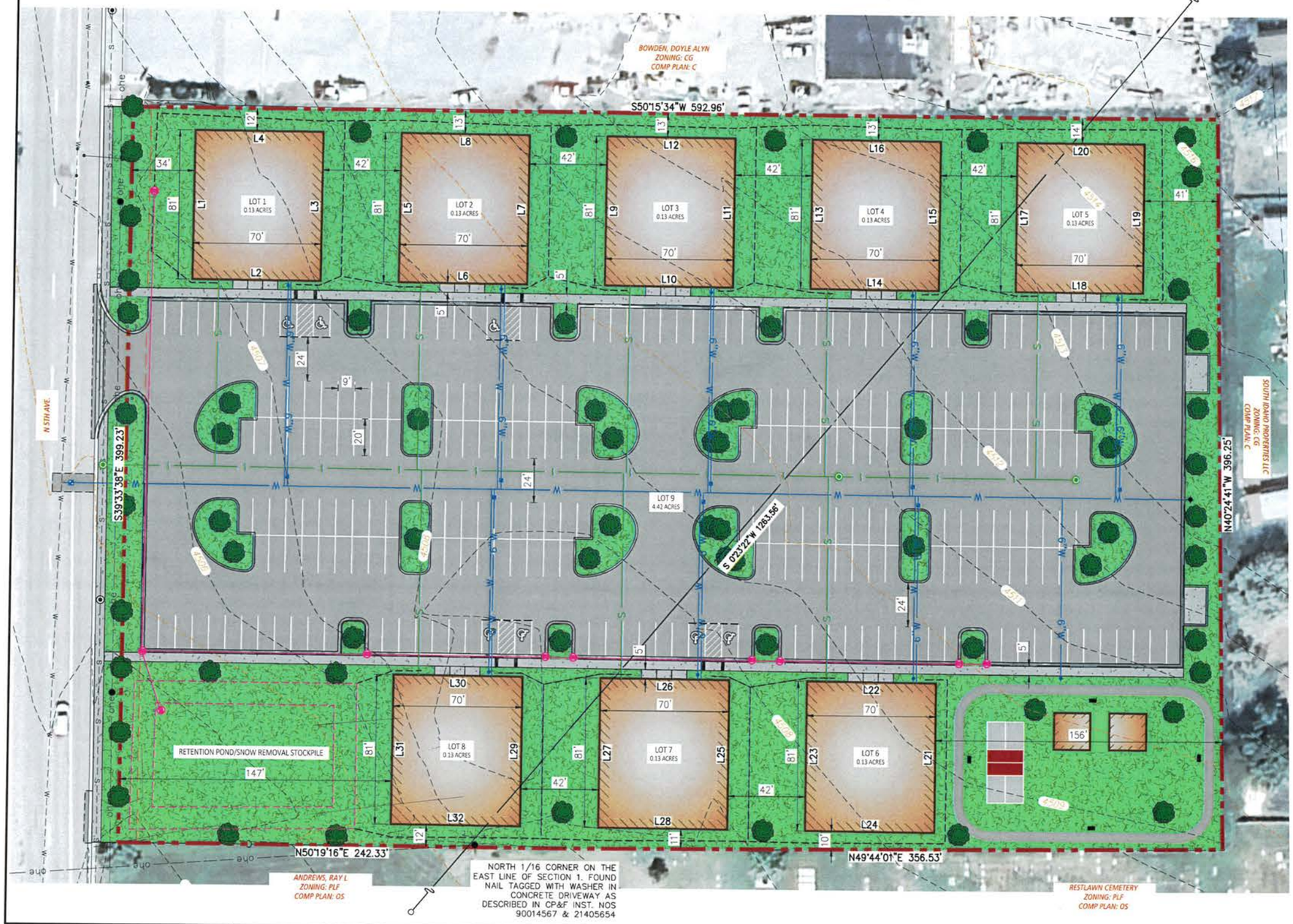
1. All applicable standards of Pocatello Municipal Code 16.20 & 16.24 shall be strictly adhered to;
2. All open space designated as part of the subject PUD shall be maintained by the future Homeowner's Association subject to the standards of Municipal Code 17.02.140.D.4;
3. The parking area shall be dedicated as shared common area and at no point may any gates or other obstruction be placed within the parking and access area so as to prevent fire access through the parking lot areas as well as the rear yard of each townhome.
4. A street light shall be installed on the north side of the approach.
5. Staff is recommending that an eight (8)-foot wide planter strip be provided between the curb and eight (8) foot wide sidewalk with a ten (10) foot landscaped setback provided on the east side of the sidewalk (as required by Municipal Code). In addition - one (1) tree a minimum of one & one-half inches (1.5") in caliper shall be provided for every thirty-five feet of street frontage in both landscaping areas. Such planting shall be staggered a minimum of ten 10-feet between trees within the landscape areas (Refer to Attachment D);
6. All proposed amenities shall be complete with each phase as proposed;
7. A final landscape plan shall be submitted at the time of the initial building permit application and shall be compliant with all landscaping requirements of Pocatello Municipal Code. Said plan shall include a planting schedule which includes the type of vegetative, non-vegetative cover, and tree type and size.
8. All approved architectural standards shall be enforced by the Homeowner's Association per Municipal Code 17.02.140.G.5; and
9. All other standards or conditions of Municipal Code not herein stated but applicable to the Planned Unit Development, land subdivision and residential development shall apply.

ATTACHMENT A

PLANNED UNIT DEVELOPMENT LAYOUT & RESPONSE TO REVIEW CRITERIA

PRELIMINARY PLAT FOR:
ASPEN GROVE SUBDIVISION

LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO



LINE TABLE

NO.	BEARING	LENGTH
L1	S39°33'38"E	81.00'
L2	N50°26'22"E	70.00'
L3	N39°33'38"W	81.00'
L4	S50°26'22"W	70.00'
L5	S39°33'38"E	81.00'
L6	N50°26'22"E	70.00'
L7	N39°33'38"W	81.00'
L8	S50°26'22"W	70.00'
L9	S39°33'38"E	81.00'
L10	N50°26'22"E	70.00'
L11	N39°33'38"W	81.00'
L12	S50°26'22"W	70.00'
L13	S39°33'38"E	81.00'
L14	N50°26'22"E	70.00'
L15	N39°33'38"W	81.00'
L16	S50°26'22"W	70.00'
L17	S39°33'38"E	81.00'
L18	N50°26'22"E	70.00'
L19	N39°33'38"W	81.00'
L20	S50°26'22"W	70.00'
L21	N39°33'38"W	81.00'
L22	S50°26'22"W	70.00'
L23	S39°33'38"E	81.00'
L24	N50°26'22"E	70.00'
L25	N39°33'38"W	81.00'
L26	S50°26'22"W	70.00'
L27	S39°33'38"E	81.00'
L28	N50°26'22"E	70.00'
L29	N39°33'38"W	81.00'
L30	S50°26'22"W	70.00'
L31	S39°33'38"E	81.00'
L32	N50°26'22"E	70.00'

VICINITY MAP

LEGEND

PROPOSED BOUNDARY LINE
PROPOSED PROPERTY LINE
PROPOSED EASEMENT LINE
PROPOSED CENTER LINE
SECTION LINE

EXISTING	PROPOSED
	COUNTOUR LINES
W	WATER LINE
	IRRIGATION LINE
S	SEWER LINE
SD	STORM LINE
OHE / UGE	UNDERGROUND / OVERHEAD POWER LINE
G	GAS LINE
T	TELEPHONE / FIBER LINE
CATV	CABLE TV LINE
	SIDEWALK
	STANDARD CURB / RIBBON CURB
	FIRE HYDRANT / WATER VALVE
	WATER METER / WATER SERVICE
	IRRIGATION BOX / IRRIGATION SERVICE
	SEWER MANHOLE
	SEWER SERVICE
	STORM MANHOLE / STORM CATCH BASIN
	STORM INFILTRATION BED
	POWER POLE / POWER BOX
	GAS METER
	TELEPHONE BOX / FIBER OPTIC BOX
	CABLE TV BOX/STREET LIGHT

NOTES

1. CURRENT ZONING: RESIDENTIAL COMMERCIAL PROFESSIONAL (RCP)
2. TOTAL AREA OF SUBDIVISION: 5.45 ACRES
3. LOT SIZE DATA
   PROPOSED MIN: 0.13 ACRES
   THE PROPOSED BUILDING CORNERS ARE THE PROPERTY CORNERS
4. SUBDIVISION STATS
   9 LOTS
5. LOT 9 IS PROPOSED TO BE A COMMON LOT FOR STORM WATER RETENTION, PUBLIC UTILITIES, AND PARKING LOT.
6. SEWER AND WATER TO BE CONNECTED TO THE CITY OF POCATELLO COLLECTION AND DISTRIBUTION SYSTEMS RESPECTIVELY.
7. STORMWATER WILL BE RETAINED ON SITE IN RETENTION POND
8. 259 PARKING SPACE PROVED, 7 OF WHICH ARE ADA SPACES
9. CODES, COVENANTS, AND RESTRICTIONS (CC&R'S) ADDRESSING THE CREATION OF A HOMEOWNER'S ASSOCIATION WILL BE SUBMITTED WITH THE FINAL PLAT.

PRELIMINARY STORM WATER REQ.

NOTE: ALL STORM WATER FOR ENTIRE SUBDIVISION TO BE DIRECTED TO STORM WATER RETENTION POND.

REQUIRED: 20,116 CU FT
PROVIDED: 20,142 CU FT

INTELLECTUAL PROPERTY NOTICE

THE DESIGN, IDEAS, DRAWINGS CONTAINED WITHIN THIS SET OF ASSOCIATED DOCUMENTS ARE THE SOLE PROPERTY OF SE. THEY ARE SUBJECT TO COPYRIGHT OF SE. THEY ARE CREATED, EVOLVED AND DEVELOPED FOR USE ON THIS SPECIFIC PROJECT. ANY USE OF THESE DRAWINGS, DESIGNS, MATERIALS OR INFORMATION CONTAINED HEREIN, INCLUDING BUT NOT LIMITED TO COPYING OR REPRODUCTION, WHICH IS NOT EXPRESSLY AUTHORIZED BY SE, IS STRICTLY PROHIBITED AS AN INFRINGEMENT OF ITS COPYRIGHT AND WILL RESULT IN ENFORCEMENT UP TO THE FULLEST EXTENT OF THE LAW.

HALF SIZE SCALE (B)
1 INCH = 60 FEET
0 15 30 60
0 15 30 60
1 INCH = 30 FEET
FULL SIZE SCALE (D)

SHEET INFORMATION

DRAWN BY: TJT	REVIEWER: RMH
CREATED: 10.23.2024	LAST REVISED: 10.28.2024

DEVELOPER INFORMATION

NAME	GATE CITY BUILDERS
CONTACT	JONATHAN VINCENT
INFO	GATECITYBUILDERS@YAHOO.COM

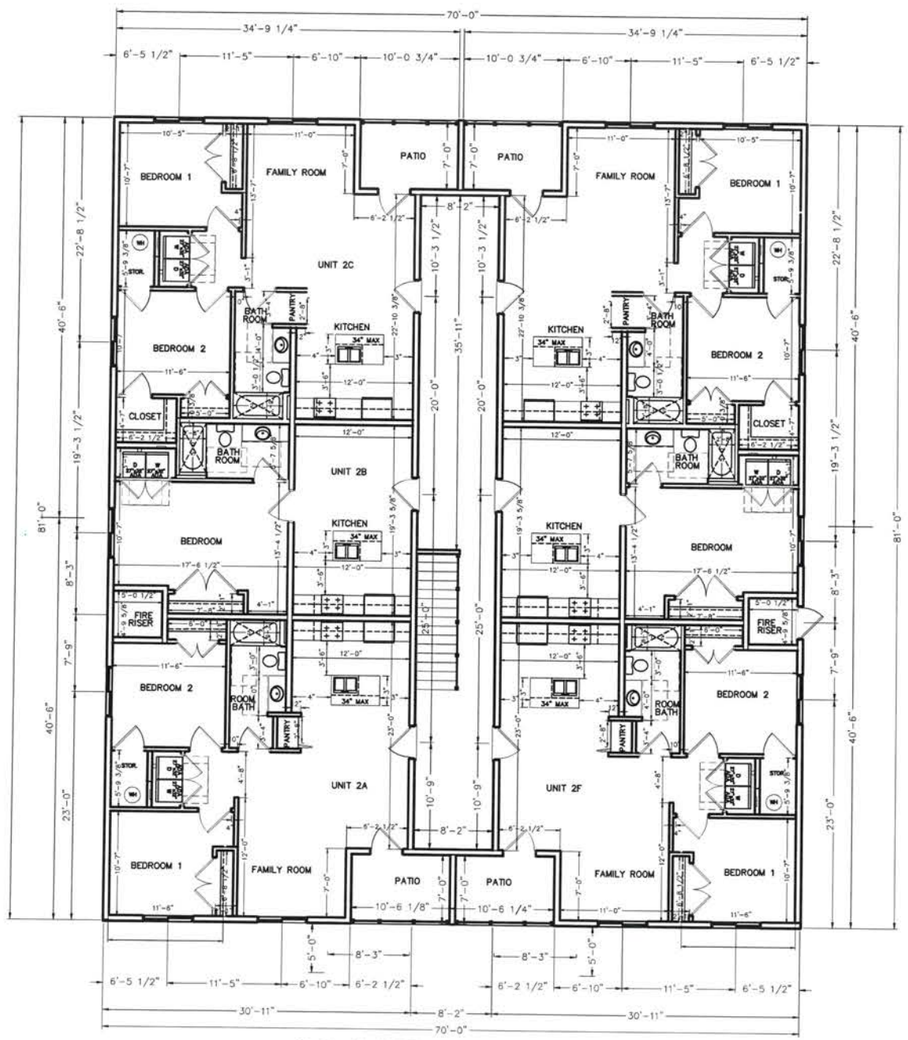
SHEET NAME:
PRELIMINARY PLAT FOR:
ASPEN GROVE SUBDIVISION

PROFESSIONAL ENGINEER LICENSED ROBERT M. HEUSEVELDT STATE OF IDAHO NOT FOR CONSTRUCTION

SUNRISE ENGINEERING
600 EAST OAK STREET, POCATELLO, ID 83201
TELEPHONE 208.234.0110
www.sunrise-eng.com

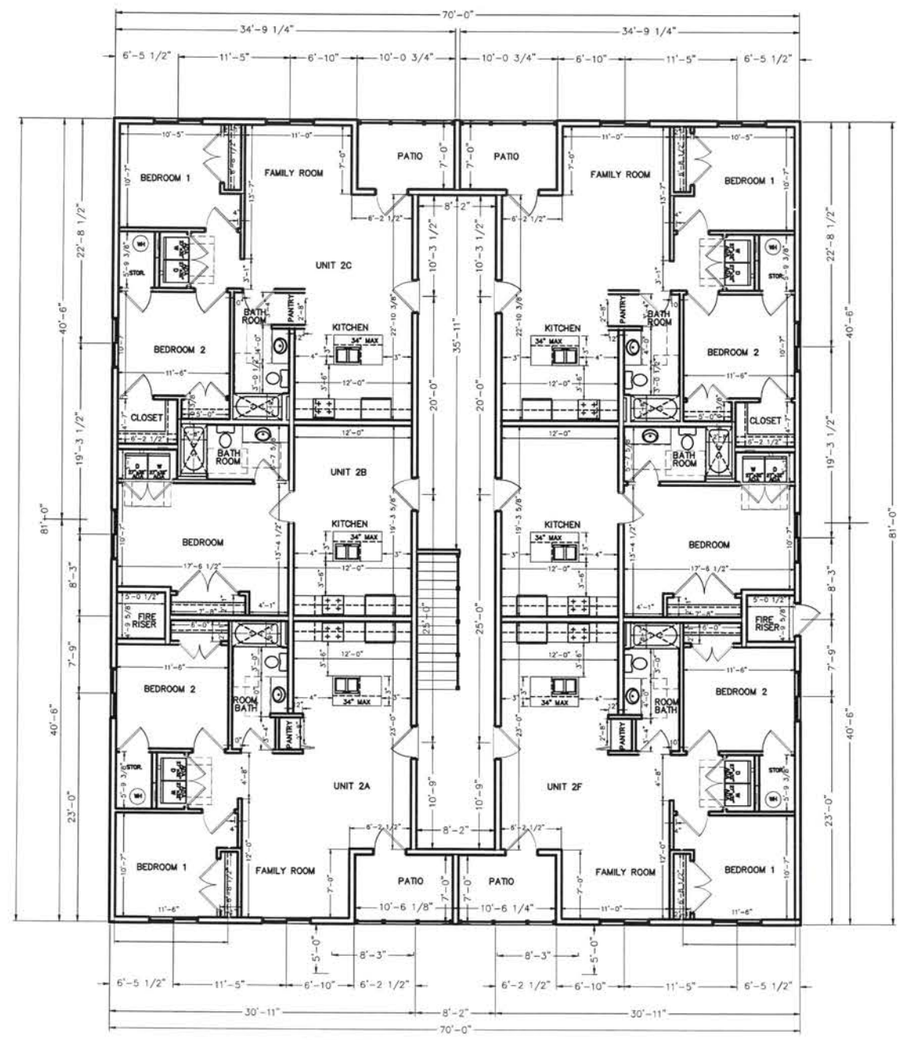
SHEET NUMBER
1 OF 1

P:\Gate City Builders\10397-University Landing\DWG\SHEETS\university landing-x-package.dwg Oct 28, 2024 11:13am tjtogisi

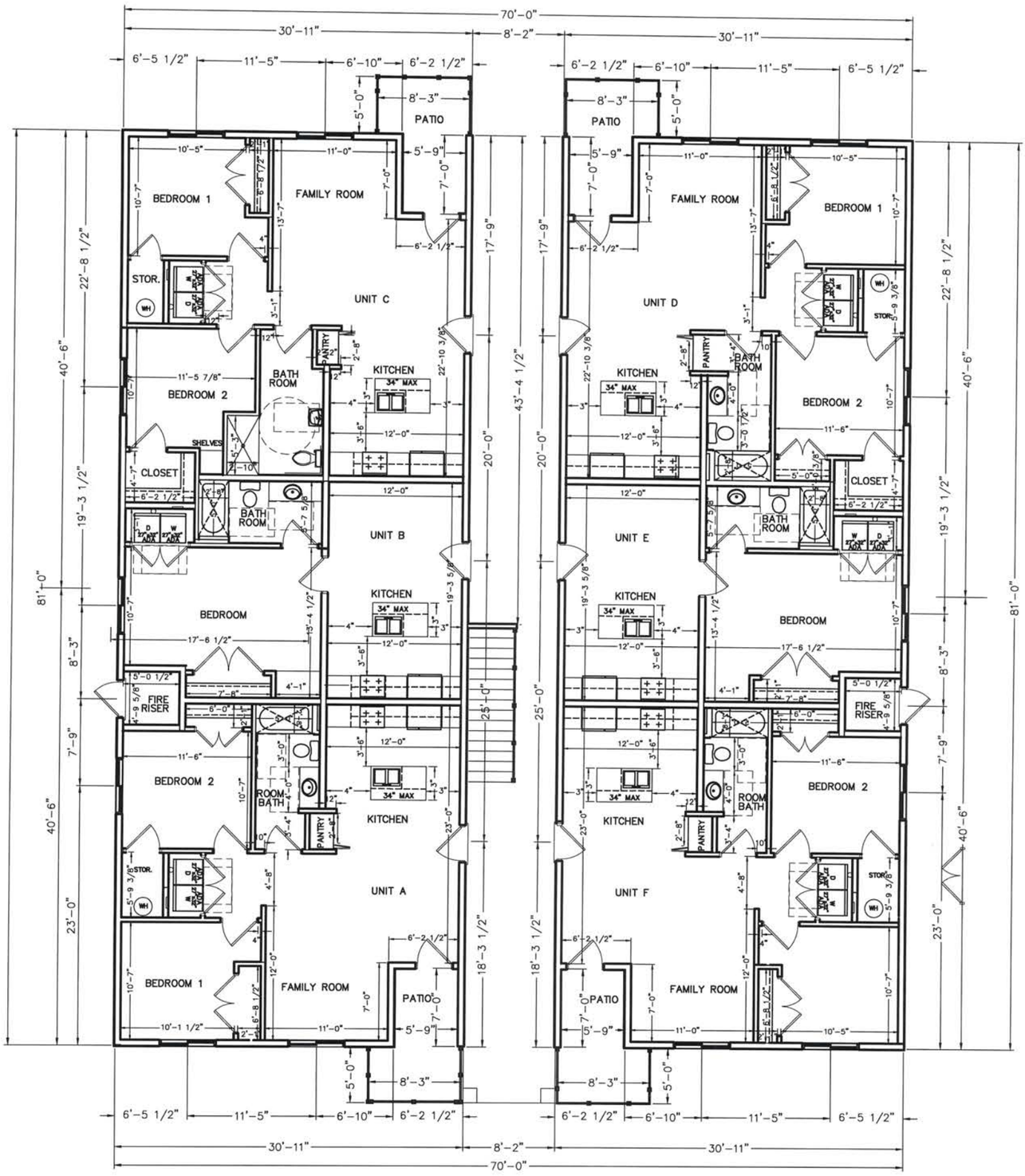


2ND FLOOR DIMENSION PLAN

SCALE: 1/4"=1'-0"



3RD FLOOR DIMENSION PLAN



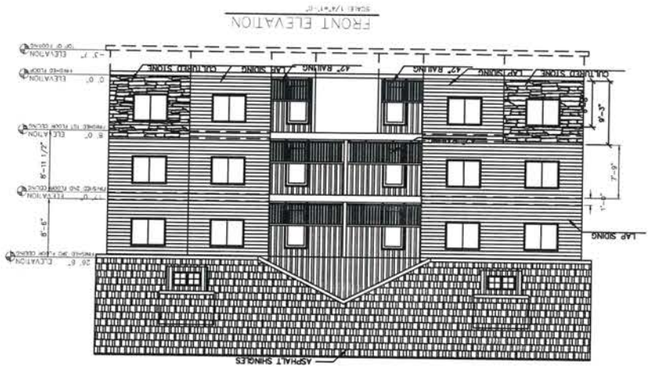
MAIN FLOOR PLAN

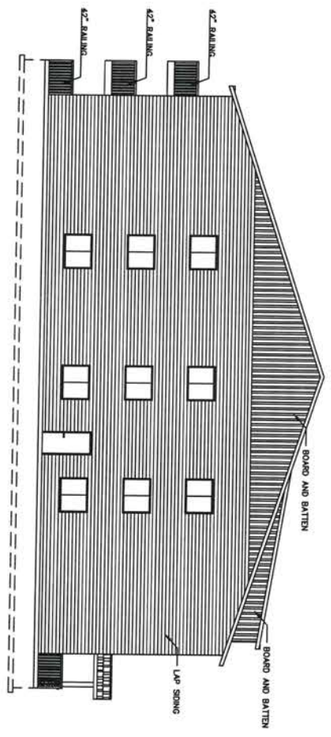
SCALE: 1/8"=1'-0"

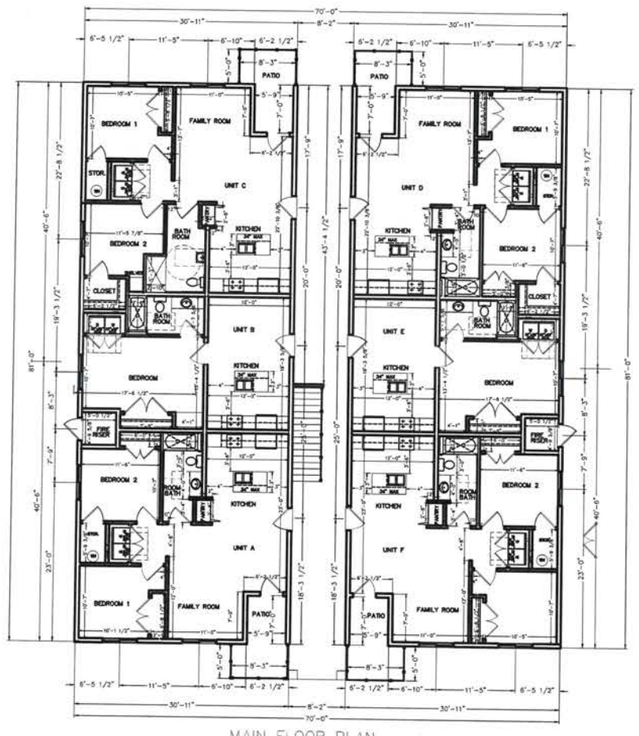
ASPEN GROVE 18 PLEX

2 BEDROOM UNIT 865 SQ. FEET

1 BEDROOM UNIT 582 SQ. FEET

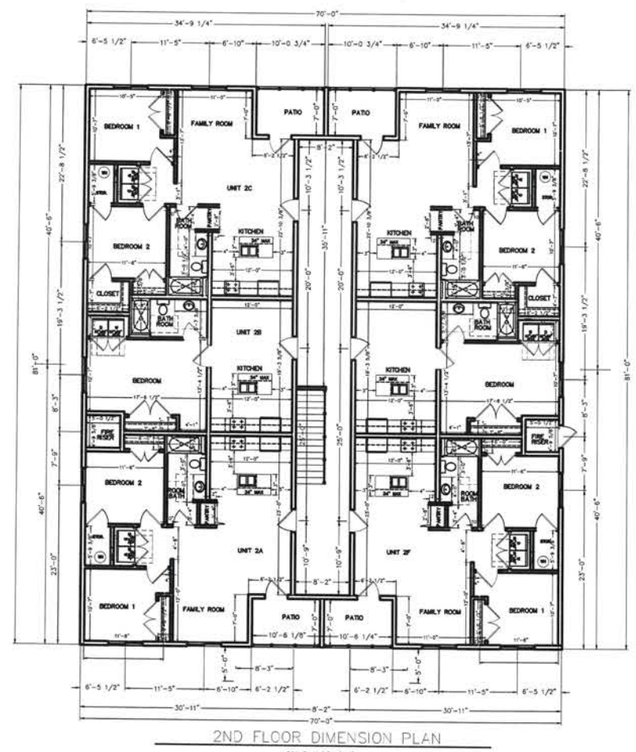






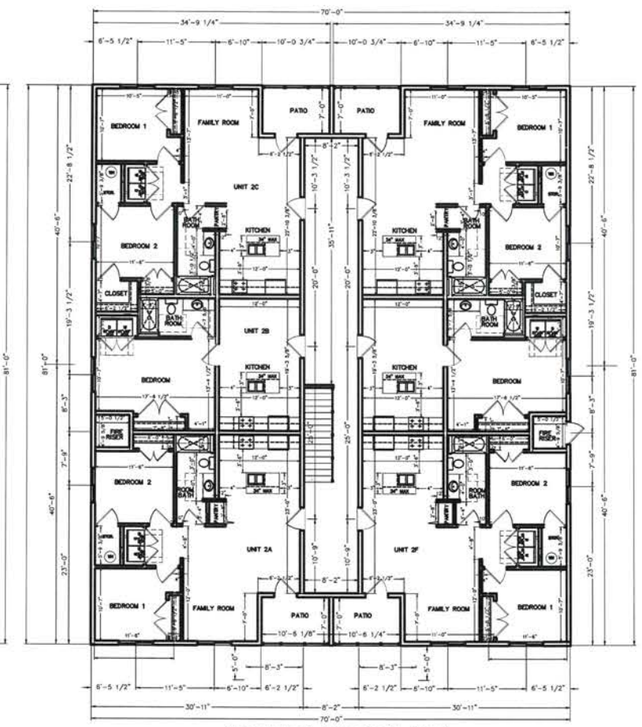
MAIN FLOOR PLAN

SCALE: 1/8"=1'-0"



2ND FLOOR DIMENSION PLAN

SCALE: 1/4"=1'-0"



3RD FLOOR DIMENSION PLAN

SCALE: 1/4"=1'-0"

ASPEN GROVE 18 PLEX
2 BEDROOM UNIT 860 SQ. FEET
1 BEDROOM UNIT 582 SQ. FEET

REQUIREMENT 1: The project provides alternative methods of land development;

Response: The current property is partially developed with a single structure and roadway access, with undeveloped land surrounding it. This project proposes to re-develop the property into 8 multi-family units with landscaping and recreational facilities.

REQUIREMENT 2: The project includes a mix of land uses; these uses are compatible and well integrated even though they might otherwise be discouraged through conventional zoning techniques;

Response: The site plan demonstrates the arrangement of buildings and landscape areas, with ample parking and stormwater facilities provided.

REQUIREMENT 3: The project conserves natural and topographic features;

Response: The proposed project minimizes grading activities to only excavations necessary for construction. The landscaping has been designed to provide a uniform layout to improve aesthetics.

REQUIREMENT 4: The project promotes compatibility with adjacent land uses, established neighborhoods, and available public facilities;

Response: The proposed project is located between a Public Land Use site, a commercial site, and a residential subdivision. The design of the site ensures a uniform mix of hardscapes and landscape areas to compliment the neighborhood.

REQUIREMENT 5: The project considers intensity of use including, but not limited to, building coverage, magnitude of activities, density, and traffic circulation/patterns;

Response: The proposed project will develop 8 residential buildings with 18-units per building suitable for students and families to live across from the Ross Park and within proximity to the University, Zoo and other places of interest. The location of the subdivision approach encourages only right turn unto South 5th Avenue.

REQUIREMENT 6: The project emphasizes architectural design and aesthetic value

Response: The design of the subdivision blends a mix of landscaped areas with the apartment designs, incorporating recreational facilities to create an aesthetically pleasing development.

REQUIREMENT 7: The project emphasizes provision of open spaces and quality recreation areas and facilities.

Response: The project proposes a landscape coverage of 38%, with the development providing a pickleball court and recreational areas. There are 259 parking spaces provided covering 2.16 acres of the property.

ATTACHMENT B

PUBLIC WORKS MEMORANDUM 12/18/24

Public Works
911 North 7th Avenue P.O. Box 4169
Pocatello, ID 83205-4169
Phone (208) 234-6225

Memorandum

To: Matthew Lewis, Senior Planner

From: Merril Quayle PE, Public Works Engineer MB

Date: 12.18.2024

Re: Aspen Grove Apartments - P&Z Preliminary Plat (01.08.2025) Application #PP24-0004

The Public Works Department has reviewed the preliminary plat application for the above-mentioned project and submits that the following changes and items shall be addressed prior to final plat application.

Plat Conditions

1. The final plat shall meet all the requirements defined in section **16.24.040: Final Plat Requirements** of the Subdivision Ordinance.
2. Subdivision Plat shall conform to all state and local laws and ordinances.
3. The subdivision plat shall be formatted per Bannock County's requirements and reproducible on an 8.5x11 sheet of paper per Bannock County instructions. The plat shall be black opaque ink, no gray scale or color.
4. Notes on the Plat shall be approved by the City of Pocatello Engineering and Legal Department prior to recording.
5. Provide adjoining property owners recorded deeds, a copy of all recorded easements, and document(s) which grants the signatory to sign the plat on behalf of the owner(s) to the City Surveyor at the time of final application for review.
6. Add cross easements access easement for all utilities, access and CCR's to include future maintenance and replacement plan of said improvements and appurtenances. Provide a recorded copy to the City for the file.
7. Add note, Easements not depicted: All lots in this subdivision are subject to a drainage easement equal to the primary structure setback line along all lot lines. Lots must be graded and maintained so as to minimize drainage to adjoining properties. Also, there is an easement for refuse pickup that is within the parking area. Also add this paragraph to the owner's certificate. "The undersigned owner(s) of real property located within the Aspen Grove Apartments Plat, hereby grant permission to the City of Pocatello Sanitation Department to drive City vehicles onto the asphalt/concrete and any other private property in order to provide garbage service at the above location including vehicles needed to perform clean-up maintenance on such private property. Owner(s) release and hold harmless the City of Pocatello, a municipal corporation of Idaho, and its employees from any liability and will accept full responsibility for damages to the driving surface area, Owner(s) acknowledge and agree are beyond the control of the City of Pocatello and its employees.

Development Conditions

1. Switch the retention pond/snow removal stockpile area with Lot 1.
2. Confirm the center line of the proposed approach is lined up with the center line of Garden Street.
3. A street light shall be added at the proposed approach adjacent to S 5th Ave.

4. A traffic calculation and evaluation will need to be submitted at the time of final application.
5. Landscape trees adjacent to S 5th Ave. shall not incumber sight distance for a 35mph travel speed.
6. Add master meter size, vault and double check valve and vault location and detail to final plan set.
7. Calculations show there should be a minimum of 10 6-yard garbage dumpsters provided for this development. Dumpsters will be front load and require 60-90-feet of clear space for truck access.
8. The parking area shall be dedicated as shared common area and at no point may any gates or other obstruction be placed within the parking and access area so as to prevent fire access and garbage pickup through the parking lot areas. Fire access will be required to the rear yard of each townhome from the parking area.
9. Place a fire truck turning template for the drive isles within the parking area to insure adequate drivability.
10. Above ground communication line parallel to S 5th Ave. will need to be relocated underground through this development.
11. There will need to be a property association and property management that will facilitate one monthly payment for sanitation, sewer and water pertaining to the City of Pocatello utility Billing.
12. All capacity fees shall be paid at the time of the first building application.
13. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to.
14. A subdivision surety bond will need to be provided to obtained early recording of the plat as outlined in City Code 16.24.110.

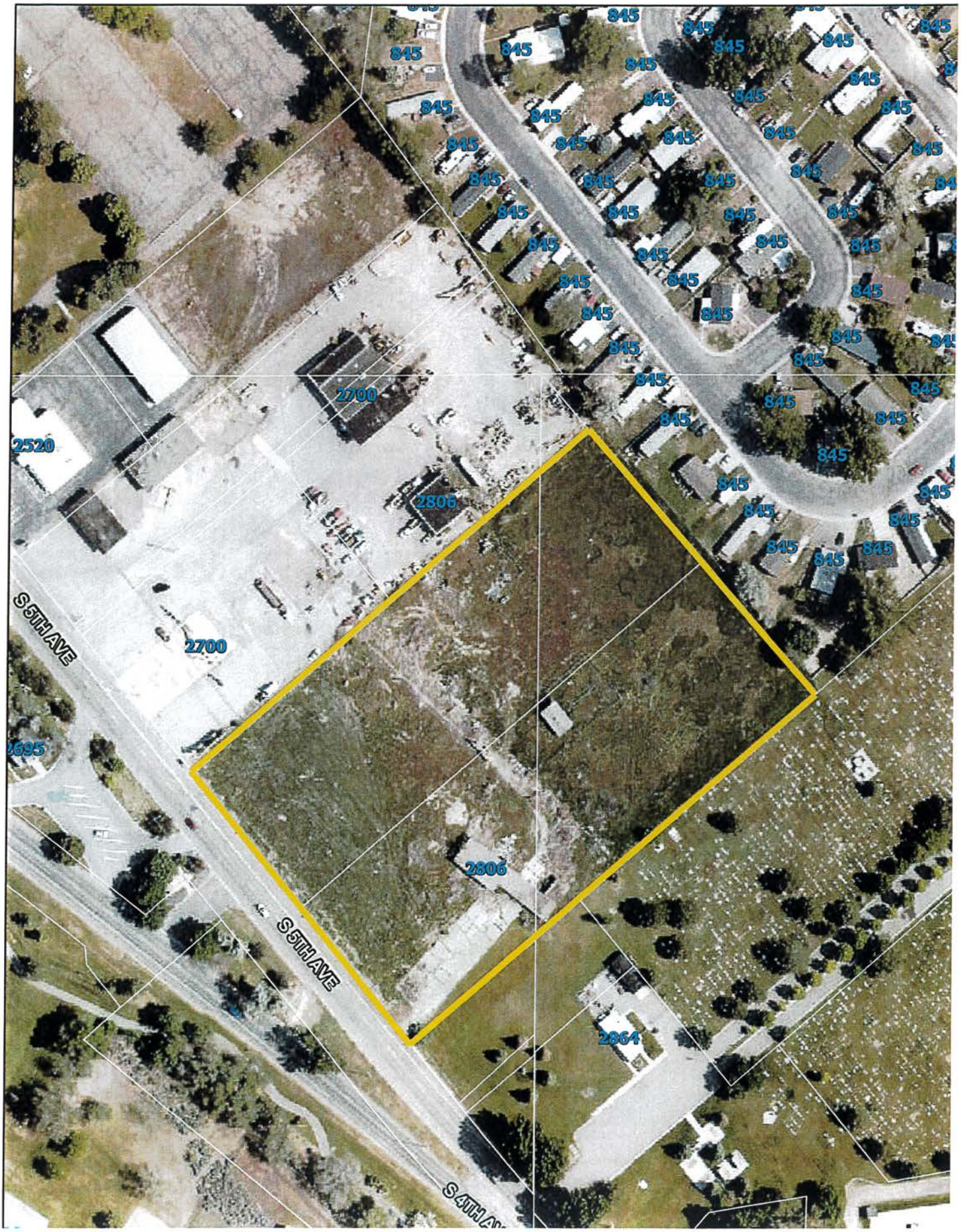
General Conditions

1. One (1) full sized copies of construction drawings for right-of-way and infrastructure improvements shall be submitted for review under section **16.24.030(D): Final Plat Application Requirements** of the Subdivision Ordinance.
2. Proposed right-of-way and infrastructure shall be designed by a licensed engineer in the State of Idaho and constructed by a contractor licensed and in good standings with the City of Pocatello and Public Works and meet all local, state, and federal regulations and standards.
3. If the developer desires to record the final plat prior to completion of all the required public infrastructure and improvements, then the developer shall be required to adhere to section **16.24.110: Subdivision Surety Bond and Warranty Bond** of the Subdivision Ordinance.
4. All items above will need to be addressed in accordance with section **16.24.080(A): Recording of Final Plat** of the Subdivision Ordinance.
5. A qualified engineer shall submit a written analysis of the storm water plan. This will include but not be limited to the associated calculations, pipe size, design details showing that the proposed design meets the Portneuf Valley Stormwater Design Manual current storm water requirements.
6. An erosion and sediment control plan and a final stabilization plan will be required as part of the final plat application.
7. Provide the model results for the culinary water system for projected pressures and flows for the subdivision and the entire pressure zone affected. Supply a digital layout of the subdivision with elevations for model verification.
8. Utility and street light approval is required by the City.
9. US Mail box units required and location approved by the Post Master and the City of Pocatello.

ATTACHMENT C

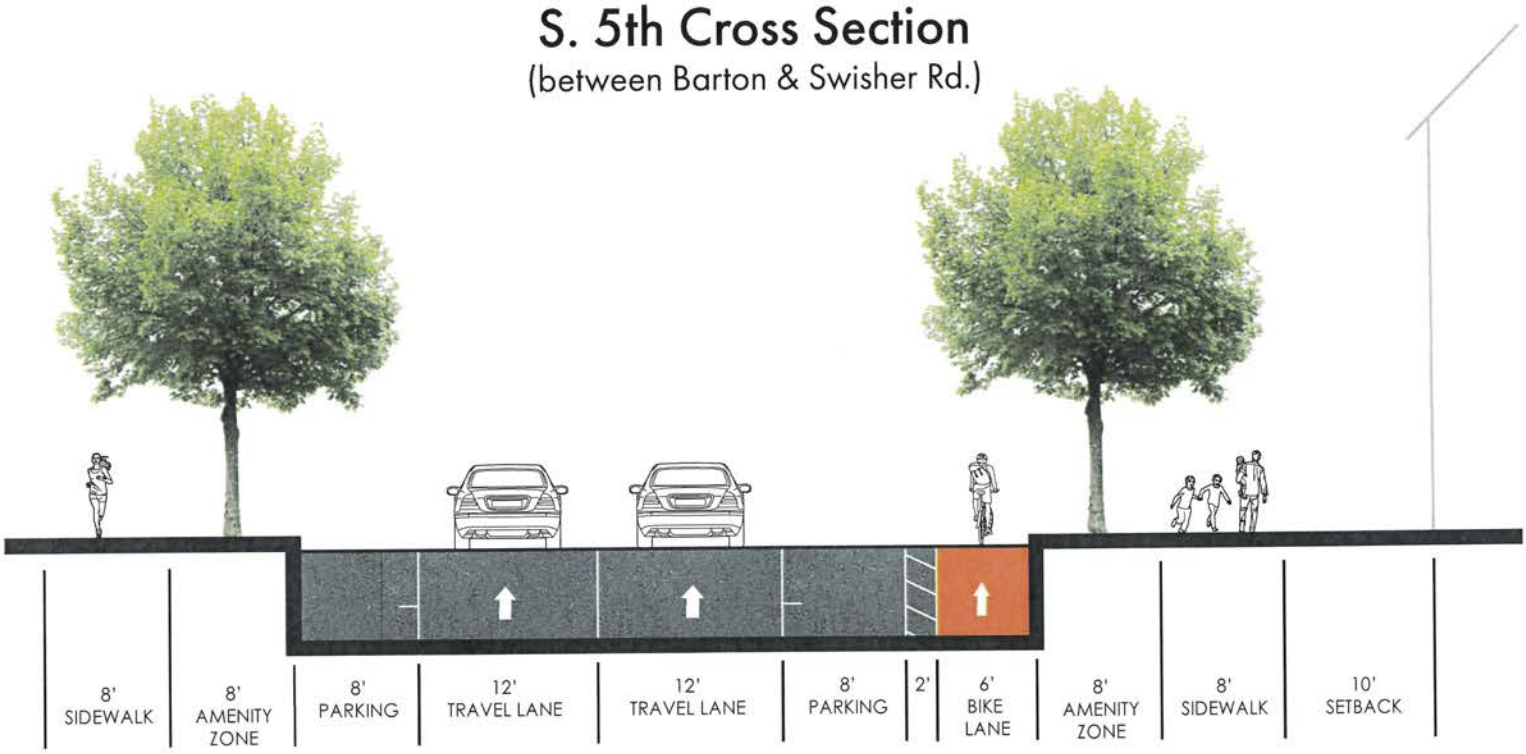
AERIAL OF THE SITE

Pocatello Planning Map



ATTACHMENT D

FRONT LANDSCAPING & SIDEWALK CROSS SECTION

S. 5th Cross Section

(between Barton & Swisher Rd.)