

Planning & Zoning Minutes

February 1, 2007

12 North Center
Rexburg, ID 83440

www.rexburg.org

Phone: 208.359.3020
Fax: 208.359.3022



CITY OF
REXBURG
America's Family Community

Commissioners Attending:

Rex Erickson – Council Member
Winston Dyer – Chairman
Ted Hill Thaine Robinson
Dan Hanna Charles Andersen
Mike Ricks David Stein
Joe Laird

City Staff and Others:

Gary Leikness – P&Z Administrator
Emily Abe – Secretary

Chairman Dyer opened the meeting at 7:00 pm.

Roll Call of Planning and Zoning Commissioners

Joe Laird, Dan Hanna, Winston Dyer, David Stein, Charles Andersen, Ted Hill, Thaine Robinson, Mike Ricks

Mary Ann Mounts and **Randall Porter** were excused.

Minutes:

A. Planning and Zoning meeting – January 18, 2007

Corrections:

- P. 3 – Motion on Harvest Heights Church – Strike “there shall be no access to Millhollow Road” in the first sentence.
- P. 3 – Under the Commissioner’s discussion of access to Millhollow Road, add sentences to indicate what their concerns were.
- P. 4 – Under Charles Andersen’s amendment to the motion, state why the plat would have to be amended.
- P. 7 – Under Chairman Dyer’s comments, replace “it” with “the neighborhood.”

Joe Laird motioned to approve the minutes for January 18, 2007 as amended. **Dan Hanna** seconded the motion.

None opposed. **Motion carried.**

Work Meeting:

A. Development Code Amendments

The Commissioners discussed the Development Code amendments proposed by staff.

Public Hearings:

8:00 pm – Conditional Use Permit – Church Parking Lot Expansion – 136 S. 1st E.

Thaine Robinson declared a perceived conflict of interest in that he was the Bishop of the ward using this building two years ago, but he has no material interest in the outcome of this proposal. The Commission did not have an issue with this.

Randy Hayes; JHS Architects, 125 North Garfield, Pocatello. He represents the LDS Church for this issue. He said they are trying to expand the parking lot into the next residence to the North. The Church is continuing to try to get some additional property on the North side to provide for more parking in the future. With the proposed expansion, the site would gain a net of 16 parking stalls.

Chairman Dyer asked what the future plans are for the property. Randy Hayes said the Church continues to try to obtain additional property to the North of the site, because they are still in need of parking. In the next couple of years, if they can acquire the needed property, they would like to completely re-design the existing lot. **Chairman Dyer** asked why they do not wait until they have all the property they need, and do it all at once. Randy Hayes said they need parking now, and are willing to pay for the 16.

David Stein asked if the home on this lot is a historical home. **Ted Hill** said he drove by it on the way here, and it is a nice home, but in his opinion it would not be classified as a historical structure.

Thaine Robinson asked if there would be a buffer along the north that could provide for snow storage. Randy Hayes said they are providing a five (5) foot landscaped area between the parking lot and what will be the property to the north. This is not intended to provide snow storage area. Right now, the snow is stored to the west, where the alley stops.

Joe Laird asked what would be in the landscape strip. Randy Hayes said it is their plan to match the landscaping that is currently along the street. There are no plans for planting now, but they plan to meet all of the City ordinances.

Chairman Dyer complimented the applicant on the completeness and accuracy of the application.

Chairman Dyer said it was noted in the staff report that there is not Conditional Use Permit on file for the use of a church on this property. He asked if the question before the Commission was a Conditional Use Permit for the church parking lot expansion, or the entire church, including the expansion. Gary Leikness said the church has been there for a long time, and is grandfathered in. When you expand an existing non-conforming use, you open it up for review. Essentially, this is a Conditional Use Permit for the entire church. He said they can consider everything except the expansion as grandfathered in, and only scrutinize the northern expansion of the parking lot. Essentially, they will be approving the project as it is now. If there are any impacts that need to be addressed elsewhere on the property, this can be done at this time.

Gary Leikness pointed out the accesses to the property. This is a small piece of property for a church site. The site plan does propose a five (5) foot encroachment into the setback with a few of the parking stalls. It is consistent with the rest of the landscaped area. He summarized the rest of the staff report, and said he found it to be a good fit for the area.

Charles Andersen asked if there is proposed lighting on this proposal. Randy Hayes said they have not proposed any lighting at this time. They would include lighting in the proposal when they re-design the lot.

Chairman Dyer opened the public input portion.

In favor:

Randy Hayes; 125 North Garfield, Pocatello. He said the existing parking stalls are in the 20 foot setback, but the new stalls are not in the 20 foot setback.

Neutral: None

Opposed: None

Written Input:

Letter from Marlene R. Jennings, owner of the property, in favor of the proposal.

Chairman Dyer closed the public input portion.

Gary Leikness introduced staff's recommended conditions of approval for the proposal. The Commissioners discussed these proposed conditions.

Charles Andersen motioned to approve the Conditional Use Permit for the church as it is currently in operation, and for the church parking lot expansion at 136 South 1st East with the following conditions:

1. Project must comply with Article 6.13B of the Development Code regarding Conditional Use Permits.
2. Trees planted along any of the landscaped area shall include trees with a DBH of at least 2-3 inches. These trees shall be appropriately spaced.
3. Site shall include 30% landscaping.
4. A site plan reflecting all conditions of approval and incorporating all City standards, e.g. landscaping, parking, commercial lighting, etc. shall be submitted and approved by the City prior to the issuance of a conditional use permit.

Mike Ricks seconded the motion.

None opposed. **Motion carried.**

Unfinished/Old Business:

Gary Leikness presented to the Commission a proposal for timing of Comprehensive Plan Map Amendments. He proposed the deadlines for these applications be every December 1 and June 1. The public hearings at Planning & Zoning would then occur each January and July. He said since we are dealing with both the Planning & Zoning Commission and the City Council, who have different schedules, things can be pushed off and take longer. Planning & Zoning can stick to their schedule, but it is up to City Council to determine their schedule. Best case scenario would be that City Council would move on the issues in February and August.

Ted Hill said he is concerned that if it takes too long to go through City Council, the applicants will not have time to start on their projects.

The Commission discussed the importance of being timely when moving on Comprehensive Plan Map amendments, so developers are not held up on their projects.

Ted Hill motioned that the Comprehensive Plan Map Amendments be considered in the first of December and June meetings. **Dan Hanna** seconded the motion.

Gary Leikness clarified that staff recommends the application deadlines to be December 1 and June 1. The public hearings would be held in January and July.

Ted Hill amended his motion to say that the deadlines for the Comprehensive Plan Amendment applications be November 1 and May 1, and the public hearing dates be in December and June. **Dan Hanna** seconded.

None opposed. **Motion carried.**

New Business:

A. Preliminary Plat – Stonebridge Subdivision, Division 4

Chairman Dyer declared a direct conflict of interest and excused himself from the table.

Thaine Robinson was selected to act as chair.

Winston Dyer; 310 North 2nd East Ste. 153, the authorized representative of BC Stonebridge LLC. He pointed the area out on the vicinity map. He presented the master plan. Division 3 was recently constructed. Division 2 received preliminary plat approval, but there were questions about pathways and recreational access along the river, which have yet to be resolved. The developer is trying to continue his development as he can, with division 4. Divisions 2, 6, and 7 will be completed eventually. During the pre-application conference with staff, staff gave some input on the master plan. One issue is that there is a lack of any kind of interconnectivity along the west edge of the subdivision. He showed some streets and how they line up with other city streets. There are opportunities for interconnectivity in division 2. The Comprehensive Plan indicates a preference to continue the grid system in town. He pointed out streets in the subdivision that line up with the grid system. He pointed out the elevations of the area in question.

He presented the preliminary plat for Division 4. He showed where twin homes would be located in the subdivision. The remainder of the plat will be single family homes. The applicant will be dedicating the necessary right-of-way along 7th North to match what has been done before. There is a piping system within the subdivision collecting storm drainage that drains down to the southwest corner for storm water disposal. Some temporary facilities have been put in. These have been improved since last year, when the water backed up. This phase of the subdivision is consistent with the master plan. The manner of construction and extension of utilities and streets is also consistent with the plan.

Joe Laird asked if this area has any flood plain issues that need to be addressed. Winston Dyer said the plat is not in the flood plain.

The Commission discussed possibilities for the pathway system along the river. Winston Dyer said there is the possibility of creating a pocket park in the subdivision, but the City has indicated that they prefer to work out an agreement for the pathway along the river.

Winston Dyer addressed staff concerns. He said the subdivision has decorative style lighting that is only about 12 feet tall. The light doesn't really spread very far. The lights on the intersection have difficulty getting light to the far side of the intersection, as compared to the City's standard street lights. John Millar suggested having two (2) decorative lights per intersection in order to get enough light for safety. They might consider also having another light at mid block. They will also be changing the name of sections of the proposed "Stonebridge Street" for addressing issues.

Gary Leikness said this plat seems to be in compliance with the master plan. With approximately 147 units in the entire subdivision, the subdivision could generate approximately 1470 trips per day. With this, the future connectivity is definitely an issue for future discussion.

Mike Ricks said the decorative lighting looks good, so the idea to put two lights on each intersection is a good idea. He said the developers ought to be able to somehow contribute to the other major city parks instead of creating pocket parks.

The Commissioners discussed the issue of a greenbelt along the river.

Dan Hanna motioned to recommend to City Council to approve the Preliminary Plat for Stonebridge Subdivision, Division 4, with the conditions that staff review issues be resolved. **Joe Laird** seconded the motion.

None opposed. **Motion carried.**

Compliance: None

Non controversial Items Added to the Agenda: None

Report on Projects:

Gary Leikness asked for clarification on the zones allowed in each Comprehensive Plan Land Use designation. He asked which designation allows the MDR1 zone. The Commissioners agreed that the MDR1 zone should be in the Moderate-High Residential Density designation.

Gary Leikness said Applebee's Restaurant will submit their final building plans this Friday. They have resolved all the issues. They have complied with the Design Review Committee's requests. They want the building permit issued by Wednesday. Their tentative opening date is June 1.

The Commission discussed what the compromises were, and how the building is better now.

Gary Leikness asked when the Commission would like to hold a joint meeting with the County and Sugar City Planning & Zoning Commissions. The Commission proposed possible issues for discussion at that meeting. The Commissioners suggested inviting the RFP consultant to report on how issues are handled elsewhere in the country. They suggested watching a training video on planning issues, and having each Planning & Zoning Commission report on anything they are working on that could use input from the other groups. It was suggested that the beginning of the meeting be set aside for mingling.

Gary Leikness handed out a draft Planned Unit Development Ordinance for the Commission to take home and review.

The Commission finished discussing the Development Code amendments proposed by staff.

Tabled requests: None

Building Permit Application Report: None

Heads Up:

A. Conditional Use Permit – 710 South 5th West (Terry Madsen)

B. Conditional Use Permit – 346 West 2nd South (Bryce Owen)

Chairman Dyer adjourned the meeting at 10:44 pm.