

# Planning & Zoning Minutes

June 7, 2007

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CITY OF  
**REXBURG**  
America's Family Community

## Commissioners Attending:

Winston Dyer – Chairman  
Ted Hill            Charles Andersen  
Mike Ricks        Randall Porter  
Josh Garner       David Stein  
Dan Hanna        Mary Ann Mounts

## City Staff and Others:

Gary Leikness – P&Z Administrator  
Stephen Zollinger – City Attorney  
Emily Abe – Secretary

**Chairman Dyer** opened the meeting at 7:04 pm.

## **Roll Call of Planning and Zoning Commissioners**

Mary Ann Mounts, Dan Hanna, Josh Garner, Winston Dyer, Charles Andersen, Randall Porter, David Stein, Ted Hill

**Thaine Robinson** and **Mary Haley** were excused.

## Minutes:

A. Planning and Zoning meeting – May 17, 2007

## **Corrections:**

P.6 – Under Charles Andersen’s motion amendment, clarify that the commissioners could give *minor* input.

**Dan Hanna** motioned to approve the Planning & Zoning minutes for May 17, 2007. **Josh Garner** seconded the motion.

**Mary Ann Mounts** and **David Stein** abstained for having not been present.  
None opposed. **Motion carried.**

## Public Hearings:

7:05 pm – Conditional Use Permit – Assisted Living Center – 407 W 1<sup>st</sup> N

**Scott Nielson**; 990 John Adams Parkway. He presented the proposal. David Thueson owns the current facilities adjacent to this proposal. His intention is to expand his facility onto this property and provide an additional building. This property has recently been occupied by a large equipment repair shed. This building has been removed. He pointed out the site plan. He went through the staff review comments. He said there is nothing there that they can’t accommodate. They anticipate construction starting in the later part of July.

**David Stein** asked what the current occupancy is. Scott Nielson said there will be a total occupancy of 30, including the existing facility and the proposed facility.

Gary Leikness said this project is 1.1 acres. He addressed the site plan issues on the staff report.

**Chairman Dyer** opened the public input portion.

**In favor:**

D.J. Barney; 440 West 4<sup>th</sup> North. He owns the property across the street. His father owned this property previously. This property has been a contested piece of property for many years. They were there with grandfathered rights with uses that have been there for a long time. This will be a good development. There was a lot of opposition to Main Street Station, just west of this property. He has never had a problem with Main Street Station or the Homestead site as a neighbor. This will get rid of a non-conforming use in Rexburg. He demolished the buildings there. The property has been an eyesore there since the 60s. Anything going in there will be better than what has been there, and will be a benefit to the neighborhood.

**Neutral:** None

**Opposed:** None

**Written Input:** None

**Chairman Dyer** closed the public input portion.

Gary Leikness presented his staff report. A lot of these issues can be addressed at the site plan review stage.

**Chairman Dyer** said this seems to be a consistent use for the area. It is consistent with the underlying zoning and the comprehensive plan. It would be a significant improvement over existing conditions.

**David Stein** motioned to recommended to City Council to approve the Conditional Use Permit for an assisted living center at 407 West 1<sup>st</sup> North with the conditions being those referenced in both the staff reviews.

**Dan Hanna** seconded the motion.

**David Stein** amended his motion to include that the proposal must adhere to Article 6.13B of the Development Code pertaining to Conditional Use Permits. **Dan Hanna** seconded.

None opposed. **Motion carried.**

**Unfinished/Old Business:** None

**New Business:**

1. Final Plat – The Meadows, Phases 3,4, and 5

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

**David Stein** was selected to act as chair for this issue.

Winston Dyer: 310 North 2<sup>nd</sup> East. He said the Commission has previously reviewed the preliminary plat for this proposal. We have addressed the comments that were made at the preliminary plat submittal phase. There were comments about separation between buildings and setbacks. Staff indicated that they were treating the entire lot as a lot, with the frontage on 7<sup>th</sup> South, the side yards on the East and West, and the rear yard on the North. They slid everything around to accomplish the back yard setback. He said the 10 foot strip around the development will be landscaped. There will be a berm there, and the vinyl fence will continue. He reviewed the staff review comments.

**Mike Ricks** arrived at 7:30 pm.

**Chairman Stein** asked if the buildings meet the design standards. Winston Dyer said they will meet the design standards. Trever Einerson showed renderings of the proposed buildings.

Gary Leikness said the issues have been addressed from the preliminary plat.

**Randall Porter** asked how we will review the proposed lighting for the development. Gary Leikness said we will review a lighting plan at the site plan approval stage.

**Dan Hanna** motioned to recommend to City Council to approve the final plat for The Meadows, Phases 3, 4 and 5. **Mary Ann Mounts** seconded the motion.

**Mike Ricks** abstained since he arrived late.  
None opposed. **Motion carried.**

## 2. Sky Meadows Twinhomes discussion – Judy Hobbs

Judy Hobbs said she is just gathering information on this issue. She asked if it would be appropriate to take the lots on the very south side of the Sky Meadows subdivision, where it fronts on Poleline Road, and use them for twin home dwellings. This could buffer the heavy traffic from Poleline Road. She has looked at other developments that have incorporated twin homes. She mentioned Eaglewood and Valley View subdivisions. She asked what concerned the Commission had concerning this. The original developers are very concerned about maintaining a high quality neighborhood. This will be an extension of the quality that exists on the hill area and the East bench.

**Chairman Dyer** declared a perceived conflict of interest in that he is the engineer for the Sky Meadows plat. The Commissioners did not have an issue with this.

The Commissioners discussed Judy's proposal and how it could be accomplished. They concluded it would probably require re-platting, since the area had already been platted; a zone change, since the current zone of LDR1 does not allow twin homes; and possibly a conditional use permit. The commission discussed the probable need for a conditional rezone based on the twin home proposal.

**Mike Ricks** asked that the developers consider putting in a jogging path along Poleline Road.

**Mary Ann Mounts** left at 8:15 pm.

**Compliance:** None

**Non controversial Items Added to the Agenda:** None

**Report on Projects:**

Building Height/Parking Survey – Update

Gary Leikness said this discussion is premature, and he would like to bring it up at a later date.

**Tabled requests:** None

**Building Permit Application Report:** None

**Heads Up:**

**Chairman Dyer** said the PUD Ordinance public hearing will be held at City Council on June 20.

**Chairman Dyer** said the community meetings with the planning consultants are coming up:

June 20, 2007

7:00 – 9:00 pm

Rexburg Chamber of  
Commerce Offices

420 W 4th S

Rexburg, Idaho

June 21, 2007

8:30 – 10:30 am

Rexburg Chamber of  
Commerce Offices

420 W 4<sup>th</sup> S

Rexburg, Idaho

June 21, 2007

7:00 – 9:00 pm

Sugar-Salem High  
School

1 Digger Dr.

Sugar City, Idaho

**Chairman Dyer** adjourned the meeting at 8:27 pm.