

# Planning & Zoning Minutes

February 21, 2008



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

12 North Center  
Rexburg, ID 83440

www.rexburg.org

Phone: 208.359.3020  
Fax: 208.359.3022

## Commissioners Attending;

Winston Dyer – Chairman  
Ted Hill            Charles Andersen  
Mary Haley       Thaine Robinson  
Dan Hanna       Mike Ricks

## City Staff and Others:

Rex Erickson – City Council Liaison  
Gary Leikness – Planning Administrator  
Elaine McFerrin - Secretary

## 6:00 pm – 7:00 pm - Work Meeting – Hemming Property Project

**Planning and Zoning Commissioners** attending the work meeting were **Ted Hill, Thaine Robinson, Dan Hanna, Mary Haley, Winston Dyer** and **Charles Andersen**.

The work meeting began at 6:02 pm.

The representatives for the Hemming Property Project were Reg Richey, Richie Webb, and Lane Hemming. Richie Webb said they are trying to stay focused on what the PRO (Project Redevelopment Option) zone calls for. Tonight they wanted to focus on the drawings followed by their executive summary of the project, copies of which were given to the Commissioners. **Thaine Robinson** expressed that the visual drawings were very helpful. The Hemming representatives were hoping they could come to an agreement tonight on where they are headed so they can also meet with the City Council with a similar presentation, and then eventually to have a public hearing for the PRO zone. The development will be done in phases. Reg Richey went over the drawings that were given to the Commission members. There is an L-shaped buffer zone. They feel they need to develop their retail area first to help support the rest of the project. Areas would be landscaped, with some retail and restaurants with new paving – traditional and urban in character, but with no asphalt and no dark materials, with lots of attractive open space. They want the area to be friendly in terms of the environment and for the community. They would like to have angled parking on both sides of the street in front of the retail districts on 1<sup>st</sup> and 2<sup>nd</sup> South, to help them be successful. A large underground parking garage would serve the area in addition to the angled parking. Traffic flow would be on 2<sup>nd</sup> West for the hotel. **Chairman Dyer** asked the width of 2<sup>nd</sup> South; Reg Richey said it was 55 ft. from curb to curb. They are proposing two 15 foot drive lanes, which is wider than the present lanes and which will also have bicycle lanes. They are hoping for a smaller ratio for parking that considers shared parking, angled parking, and the pedestrian traffic of their project. One idea is to make a shorter, safer pedestrian crossing. Retail would tentatively be open till 7 or 8 pm, driven by what tenants the developers will have, so that off-street parking would then become more available.

**Mary Haley** asked what type of tenants they are looking at. The Hemming representatives stated some national and regional tenants such as Bath and Body Works, Barnes and Noble, or a locally owned book store would hopefully be included in the 20 to 25 spaces they will have available. They already have 2 tenants committed to the project. The hotel would be built in the second phase of their developing. They are also thinking of thermal heating surfaces for the area. The planned sloped roofs would allow

more sun to filter in. Apartment tenants would have parking in back and possibly a parking garage, on the north side. Parking space limitations could be addressed in the apartment leases.

**Chairman Dyer** asked about the setbacks for the proposed development. The Hemming representatives said they are asking for a change in setbacks. They feel what they are asking for are very respectful changes. They are proposing a 20 foot wide sidewalk with a building that sits way back on the street. What they are proposing is not traditional individual yards, but there will be green space. There would be little change on the east or state highway side, just on the north and south boundaries of their project. Gary Leikness said the City dictates the setbacks, even on the state highway side. **Chairman Dyer** asked about the setbacks in relation to the right-of-way, or property line. They will meet the CBC zone requirements for setbacks in this area.

**Chairman Dyer** asked about pedestrian and transit amenities. The Hemming representatives said the 20 foot walkway in front of each building would include sheltered seating and partially covered walkways, bike racks, benches, umbrellas, restaurants, and serious landscaping. **Chairman Dyer** asked if the City's Engineering Department has reviewed these street plans; they have not seen these final drawings, but they saw plans over a year ago and are aware of what direction the developers are hoping to take. The Hemming representatives are trying to get through the Planning and Zoning Commission first. They felt the feedback from the City's engineers at that time was positive.

**Dan Hanna** asked what the Hemming representatives are asking for of the Planning and Zoning Commission. Richie Webb said it comes down to setbacks and parking. They are fine with the hotel having one parking space per room. They are fine with the .25 ratio for restaurants (per seat). They would like a reduction in parking spaces, a .5 ratio for the women's apartments. They would be willing to make that contractual with the tenants. In regard to the professional office and retail area parking, there will be some pedestrian traffic to these proposed areas, but it is hard to predict how much; so, they are looking at a reduction to at least a 2.5 ratio rather than the norm of 3 spaces, which would be provided on the property and including on-street, per business area. They believe this figure would provide ample parking. Reg Richey said they want to energize the downtown, which they hope to become a part of. They will provide adequate employee parking. Underground parking would compensate for the hoped-for parking reduction above ground and would allow the development to have ample green space. To make their plan work, Lane Hemming said they are asking for some relief for the amount of parking needed. They feel that parking is a major issue. Reg Richey said they hope for and see as a goal, big walk-in traffic. The amount of off-street parking spaces would be about 1 space per thousand square feet. **Dan Hanna** said the reality may be that there may be a huge over-amount of parking once they are actually into the project; it may be a bigger problem than they anticipate.

**Chairman Dyer** said he thinks this proposal is at the point where they can discuss if it is a doable thing. Tonight the Commission has been given further clarification of the plans, and they have been able to focus on the points that may be deviations from a standard application, which the PRO zone may allow. **Mary Haley** said her only concern is with the parking. She feels attractive parking garages are what is needed. **Charles Andersen** said a paid parking lot may be a good idea to consider.

The Planning and Zoning Commission discussed the proposed Hemming Project and said they felt that that this development plan was positive. The next step would be for the Hemming representatives to hold a Neighborhood meeting and then report on any concerns to the Commission. **Chairman Dyer** said the Commission wants the public involvement this meeting would offer. After that, the

representatives could apply for the PRO zone which would call for a public hearing before the Planning and Zoning Commission, followed by the City Council. He thanked the Hemming representatives.

The work meeting for the Hemming Property Project concluded at 7:02 pm

**Chairman Dyer** opened the regularly scheduled Planning and Zoning Commission meeting at 7:03 pm.

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

Thaine Robinson, Winston Dyer, Dan Hanna, Charles Anderson, Ted Hill, Mary Haley

**David Stein, Josh Garner, Randall Porter, and Mary Ann Mounts** were excused.

**Minutes:**

1. Planning and Zoning meeting – February 7, 2008

***Corrections:***

Page 4 - The comment attributed to **Randall Porter** stating that it was “nice that the applicant is asking for permission rather than forgiveness”, was actually said by **Thaine Robinson**.

**Thaine Robinson** motioned to approve the Planning & Zoning minutes for February 7, 2008, as amended. **Dan Hanna** seconded the motion.

**Charles Andersen** abstained for having not been present.  
None opposed. **Motion carried.**

**Public Hearings:** None

**New Business:**

1. Preliminary Plat – Riverwoods Townhomes Div. 3

Mike Arneson, 1970 E 17<sup>th</sup>, Suite 203 Idaho Falls, of HBH Consulting Engineers, representing Jenks Brothers. Mr. Arneson stated that they started their application process by having a pre-application conference with staff in late December, 2007. They felt it was a very productive meeting. They addressed comments made at the meeting and then put together a preliminary plat to meet City standards. Mr. Arneson said that the minor details stated in the staff review comments will be addressed. Riverwoods Townhomes Division 3 is really an extension of the previous Riverwoods Divisions Projects: It is the final division for the Riverwoods. It is identical, using the same architectural style and the same overall concept. The Planning Department review addressed the front yard setbacks. Trash receptacles will be moved. There will be thirteen new units, all with double garages. This plan mirrors exactly what is across the street to the south. The plat was

viewed on the overhead screen. All utilities are in place. The proposal will be subject to architectural design standards. They will include pedestrian access from the public right-of-way. Sidewalk accessibility will be addressed through the form of easements. The Public Works Department asked for a sidewalk connection between Grand Loop and the development. Mr. Arneson said all staff comments will be addressed.

Gary Leikness said all issues have been addressed well by the applicants. He is in support of this preliminary plat.

**Dan Hanna** motioned to recommend for approval to City Council the Preliminary Plat for Riverwoods Townhomes, Division 3. **Thaine Robinson** seconded the motion. None opposed. **Motion carried.**

### **Unfinished/Old Business:**

1. Sign Ordinance – Statement of Intent

**Chairman Dyer** said the draft **Dan Hanna** put together for the Statement of Intent is consistent with what was discussed at the last meeting. He asked for any other input. **Thaine Robinson** said he recommends that the Statement of Intent be put in front of the actual Sign Ordinance.

**Chairman Dyer** said he appreciates **Dan Hanna's** work in putting this draft together. They now can focus on banners and temporary signs, before it is sent to City Council with a recommendation for an ordinance change. Copies of the Statement of Intent with changes **Thaine Robinson** made were distributed. Content was not changed, only the order in which the bullets were listed.

**Chairman Dyer** suggested that after the listed bullets outlined the objectives of the ordinance, they should be followed by the summation paragraph as a conclusion to the Statement. **Chairman Dyer** asked for a vote of acceptance on the Statement of Intent, so that the Commission can move forward.

**Charles Andersen** motioned to approve with the changes discussed today the Statement of Intent and Purpose for the Sign Ordinance. **Ted Hill** seconded the motion. None opposed. **Motion carried.**

### **Non controversial Items Added to the Agenda:**

1. **Planning and Zoning Department Accomplishments 2007** handout - Gary Leikness explained that as part of the Planning Department's accountability, the Mayor and the City Council are provided with this department's and the other city departments' accomplishments and statistics for the year-end. The growth of the community is reflected in the statistics that are listed. All land-use actions for the year are listed, along with past years for comparison. Goals for 2008 include increasing department efficiency and providing excellent customer service. **Chairman Dyer** encouraged Gary Leikness to get this excellent information to the newspaper, to share with the community, as it shows what has been done and emphasizes goals and where the city of Rexburg is headed.

2. The City of Idaho Falls is sponsoring a forum, on March 19<sup>th</sup> at the Madison County Courthouse. It will focus on “open space planning” - all Commissioners are invited to attend. An e-mail note to the Commissioners will address attendance to this meeting.

**Mike Ricks** arrived at 7:43 pm.

### **3. Founders Square PUD Phase1, Final Master Plan – Interpretation of Application:**

**Winston Dyer** excused himself due to direct conflict of interest as the project engineer. **Thaine Robinson** acted as Chairman.

Gary Leikness read from his letter to the Founders Square applicant. As staff, his job is to tell the applicant what needs to be done in the application process. He recommended going back to amend the preliminary PUD plat and having a public hearing, rather than proceeding with the final master plan, due to the modifications that have been submitted.. Gary Leikness projected the plats on the screen to show the commissioners the changes from the Founders Square Preliminary Plat to its Final plat. The question is whether the project can move forward as a final master plan/plat, or if the preliminary master plan/plat should be amended.

Bill Collins, 740 Pearl, Jackson, WY – owner of Founders Square property. Mr. Collins said that the changes made are actually an improvement. They have moved from 2 to 3 open space areas. They have switched the location of some open spaces and lots. The perimeter boundary has stayed the same. The number of marketable residential lots has stayed the same. He feels the changes are minor. **Dan Hanna** asked if the area would be landscaped. Mr. Collins said there would be landscaping, a play area, and an asphalt walkway. They have changed from a 2-phase project to a 3-phase project.

**Thaine Robinson** asked Mr. Collins what he prefers and why, in regard to the decision that the Commission has to come to tonight. Mr. Collins said he would prefer to move forward with the Founders Square Final Plat for phase 1 and the Final Master Plan, without a public hearing, so that construction could begin in the spring after going before the Planning and Zoning Commission and the City Council. They would like to get through the process as quickly as possible. Mr. Dyer asked the Commission to consider how the development would impact adjacent properties. He feels there is nothing for the public to come back and comment on; the changes are basically in-house, rather than affecting anyone else.

The Commissioners discussed the issue. **Mary Haley** said she does not think that this particular PUD needs another public hearing, although another PUD might call for one. **Mike Ricks** asked for clarification as to whether Gary Leikness is satisfied with the developer’s explanation for the changes in the PUD – Gary Leikness said he was.

**Mary Haley** motioned to recommend to Gary Leikness to let the Founders Square Final Master Plan application process proceed. **Dan Hanna** seconded the motion. None opposed. **Motion carried.**

**Report on Projects:** None

**Tabled Requests:**

1. Preliminary Plat – Silver Estates

**Building Permit Application Report:** None

**Heads Up:**

1. Next P&Z meeting March 6, 2008, at 7 pm:-  
Founders Square PUD Final Master Plan/Final Plat for Phase 1

**Chairman Dyer** adjourned the meeting at 8:50 pm.