

Planning & Zoning Minutes

November 19, 2009



CITY OF
REXBURG
America's Family Community

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Commissioners Attending:

Winston Dyer – Chairman
Thaine Robinson Ted Hill
Richie Webb Nephi Allen
Dan Hanna Mary Ann Mounts
Gil Shirley Josh Garner

City Staff and Others:

Rex Erickson – City Council Liaison
Stephen Zollinger – City Attorney
Kevin Hendricks – IT Technician
Elaine McFerrin – P&Z Coordinator

Chairman Dyer opened the meeting at 7:02 pm. He welcomed everyone.

Chairman Dyer stated that Community Development Director Val Christensen was excused from the meeting tonight and that City Attorney Stephen Zollinger is in attendance to cover staff concerns and to provide any legal advice.

The Chairman expressed thanks to and appreciation for Judy Hobbs of Realty Quest, who provided the Commissioners with treats tonight.

Roll Call of Planning and Zoning Commissioners:

Josh Garner, Richie Webb, Nephi Allen, Mary Ann Mounts, Winston Dyer, Thaine Robinson, Ted Hill, Dan Hanna, Gil Shirley

Minutes:

1. Planning and Zoning meeting -- October 1, 2009

Corrections:

Page 2 - Clarification - In answer to Chairman Dyer's question, Chris Carr (Nauvoo House) said that they are not intending to provide parking spaces at this time *in the universal parking area that the University is planning.*

Chairman Dyer requested that staff contact Rachel Whoolery to see if there has been any feedback from surrounding property owners in regard to a possible Comprehensive Plan Map change that was discussed at the October 1, 2009 P&Z meeting.

Mary Ann Mounts motioned to approve the Planning & Zoning minutes of October 1, 2009 as amended. **Gil Shirley** seconded the motion.

Josh Garner, Richie Webb, and Dan Hanna abstained for not having been present. None opposed. **Motion carried.**

Public Hearings:

Chairman Dyer briefly explained the procedure followed for public hearings. The applicant or a representative will present the proposal. The Commissioners may then ask clarifying questions of the applicant and may ask staff for any clarifying information. Public testimony will then be taken. When public input is closed, staff will present their evaluation of the proposal. The Commissioners will then deliberate and make a decision.

7:05 pm – Conditional Use Permit – W.R. Henderson - Corner of South 2nd West and
7th South

Chairman Dyer declared a direct conflict of interest and recused himself.
Thaine Robinson acted as chair.

W.R. Henderson, 1335 South 2nd East, Henderson Construction, the applicant, presented the request for a Conditional Use Permit for the construction of a 152 unit, single student, BYU-Idaho approved housing complex. Two of the units will be manager units. The site plan was shown on the overhead screen. Mr. Henderson feels they have followed the requirements of the Pedestrian Emphasis Zone (PEZ). There will be 10-foot sidewalks all around the project, which the University will continue all the way to Center Street. They could have more density because of the PEZ Zone and may eventually do a second phase of development within the parking lot shown. The property slopes about 40-feet following the slope of the streets. Parking spaces that the University is building work well for them. They have 65% parking. They are proud of the design they have come up with. Mr. Henderson showed the Commissioners the brand new large drawings of the planned building elevations which had not been previously submitted for City review. They have tried to not make the complex look like a dormitory. The site plan and parking area were shown. There are a lot of pop outs and railings in front of the windows – they look good. The University wants economical housing. The complex will be seen as people come off the highway when the new road is built. Mr. Henderson stated that the City Engineer does not want the project to access off of 7th South. There is one access from 2nd West and one exit onto 2nd West. The property has lots of rock. There will be a retaining wall. Parking will be behind a berm. There are numerous ADA (Americans with Disabilities Act) requirements that must be met. They will link all the buildings so that a disabled person could get from building to building. The buildings will be four stories and will be fully sprinkled. They have met with the City Fire Chief and the City Engineer. The driveway will be 26-foot wide. Dumpster locations were pointed out.

Kelly McCandless, 223 Jill, Project Manager, Henderson Construction, stated they wrestled with how to accommodate the parking in such a way so that visually it was not so visible. The parking lot is depressed somewhat because of elevation changes.

W.R. Henderson stated there will be more trees than are shown and a lot of landscaping. The PEZ Zone allows them to do many things that will make the project attractive. The PEZ Zone allows for the taller buildings.

Areas for bike parking were pointed out.

W.R. Henderson said there will be two beds per bedroom; built in desks will be provided. Each unit will have a washer and dryer. The units will be very nice.

Gil Shirley asked what was planned for snow removal.

Mr. Henderson stated that the snow will be hauled away.

Chairman Robinson stated that this project is a great proposal and the buildings look great. He commended the applicant on the building design. The project will be an asset to the City, but there still appears to be a boneyard parking lot. One of the reasons why the PEZ Zone was put in place was to try to eliminate that. What about the possibility of reversing and putting the building up front with parking in the back?

W.R. Henderson said that would be difficult due to ADA requirements.

Kelly McCandless said there will be 282 parking stalls and 900 beds, which is only about 30% on site. It is relatively smaller. The balance will be rented spaces from the University.

Chairman Robinson asked if there would be amenities such as a basketball court.

Mr. Henderson said the University does not want them to provide too many amenities so that the complex will interact with other University housing complexes. The University has just built more amenities.

Nephi Allen said these are great questions, but tonight isn't this request for a Conditional Use Permit only?

Stephen Zollinger said staff had same concerns regarding relocation of parking; staff recommended swapping the building or visually protecting the lot from the street by a berm; staff does not want a sea of asphalt visible from the street. Staff did not see this current drawing until tonight.

Snow removal should be part of the conditions because there is not a provision for snow storage.

The pedestrian pathway, in conjunction with Nauvoo House, just north of this Henderson project, will do half the connecting sidewalk; the same condition will be placed on this Henderson development.

The Design Review Committee would need to meet at a later date, or the elevation drawings as shown tonight could be determined by the Commission to be sufficient as the design review and could be an attached part of the Conditional Use Permit conditions.

Lighting was also a staff concern.

Chairman Robinson opened the public input portion of the hearing.

In Favor:

Bill Henderson addressed the length of the building and the pop outs that aid in breaking up the length. Meeting ADA requirements has been difficult. They did not want it looking like a dormitory. This is a project like no other in Rexburg. This is their best effort in regard to these issues.

Neutral:

Eric Erickson, 897 Widdison. They own University Plaza north of the development and close to the roundabout. He would like the Commission to look very carefully at storm water being contained on the site. Also, where will snow go if it is being hauled away? Please make sure waste water is directed away from the roundabout. The other concern is parking. He would hope there are written agreements with the University. He reiterated his concern with storm drainage.

Opposed: None

Written Input: None

Rebuttal :

Kelly McCandless. – They have had discussions with the City. Storm water will be well retained. Anything the site creates will be retained on site. There would be underground storage so there will not be an increase in storm water flow beyond their project. They will try to develop “No Car Contracts”. They will throttle their parking demand.

Chairman Robinson closed public input and asked Mr. Zollinger for staff evaluation.

Stephen Zollinger stated staff recommends to include the 10 proposed conditions of approval that are in the Community Development Staff report. Condition #4 could be amended to include “specifically storm drainage.”

There will eventually be a new retention facility down on 7th South

#2 of proposed conditions – the Commission could include the completed elevations as shown tonight and to include a completed landscape elevation as the visual buffer to prevent the streetscape from being a sea of asphalt.

There was discussion.

The PEZ Zone is designed to create visitor parking, not parking lots.

Mary Ann Mounts said that for her everything is here. As far as the length of the building, there are enough architectural features in the design (elevations) presented tonight. She prefers greenscape with trees, as she has seen in Boise and Sun Valley. Landscape drawings could be part of the CUP.

Ted Hill thought the type of berm should be left up to developer; the height of lighting should also be up to the developer as he deals with the elevations.

Richie Webb wondered whether the specified height of 15- feet for lighting was part of the Lighting Ordinance.

Stephen Zollinger said that this height pertained to the elevations staff had previously reviewed, not the elevations presented tonight.

A written snow removal agreement could be part of the CUP.

Dan Hanna motioned to recommend approval to City Council of a Conditional Use Permit for W.R. Henderson, for a 152- unit complex for single student housing at the corner of South 2nd West and West 7th South, to include the ten(10) proposed conditions of approval in the Community Development Staff Report, amending condition number two(#2) to state that elevations shown at tonight's P&Z meeting(11.19.09) be attached as part of this Conditional Use Permit and are sufficient as the design review approval; amending condition number four (#4) to state that there be maximized greenscape and trees/shrubs along the berm, with complete landscape elevations to be shown on the site plan, and that there be a written snow removal plan(storm drainage) as part of the Development Agreement; and that condition number five(#5)be amended to state that lighting shall not exceed fifteen (15) feet in concert with the berm, or as otherwise approved by staff . **Mary Ann Mounts** seconded the motion

None opposed. **Motion carried.**

Proposed Conditions of Approval

- 1. Work with adjoining property owner to the north to create a pedestrian pathway on the north boundary of this project. Dedicate 50% of the land required for this path, provide 50% of construction cost and provide an easement for its use. The Community Development Director shall approve the path as part of the Site Plan Review.*
- 2. Determine if length of buildings can be approved as part of Planning and Zoning Meeting. The P&Z Commission acting as the Design Review Committee should determine if the spirit of the design standards are met. Staff requests that design review be included as part of CUP. The elevations presented at the P&Z meeting tonight (11.19.2009) are attached as part of this conditional use permit and are sufficient as the Design Review approval.*
- 3. Trash dumpsters/receptacles shall be located within the interior (behind front building line, but in required setbacks) of the lot and shall be enclosed.*
- 4. A site plan reflecting all conditions of approval and incorporating all City standards, e.g. landscaping, parking, snow storage, etc. shall be submitted and approved by the City prior to the issuance of a building permit – specifically storm drainage. There shall be maximized greenscape and trees/shrubs along the berm, with complete landscape elevations to be shown on the site plan. There shall be a written snow removal plan (storm drainage) as part of the Development Agreement.*
- 5. Lighting shall be low and shall not exceed 15-feet in height in concert with the berm, or as otherwise approved by staff, and shall not create glare, and as a minimum shall adhere to the City's lighting ordinance.*
- 6. To encourage alternative travel options, i.e. bicycling, bike racks and hard surface must be provided. Location of racks needs to be shown on revised site plan. This requirement is identified in the PEZ Ordinance.*

7. *Sidewalk and pathway maintenance to be performed as per the PEZ Ordinance.*
8. *Parking Contracts to be approved by the City Attorney.*
9. *Requirements of the PEZ Zone Ordinance to be applied to this project.*
10. *Storm drainage and other Engineering considerations to be reviewed and approved by the City Engineer.*

Winston Dyer resumed as chairman.

7:30 pm – Conditional Use Permit – Fuller Consulting LLC (on behalf of AT&T) -
164 West 1st North

Jodi Price, of Fuller Consulting, LLC, 4835 N. Villa Ridge Way, Boise, presented the request on behalf of AT&T for a Conditional Use Permit for an existing, temporary telecommunications facility to remain at its current location at 164 West 1st North. They want the location on Steiner Elevators to be permanent. It is vital to AT&T's overall network.

Thaine Robinson asked what telecommunications area this site covers.

Chad Rydalch, Rigby, performance engineer for AT&T Wireless. It is primarily a line-of-site technology. It depends on the density of the buildings. The Geographical Information Systems (GIS) map was shown on the overhead screen, and the area of coverage was pointed out. Other tower locations in Rexburg were pointed out.

Thaine Robinson asked if they have multiple towers in town, could they have more coverage with less towers?

Chad Rydalch stated that is what sectors will do.

Chairman Dyer said at the time temporary permission was asked for this tower, it was discussed that it should not be visible. The elevator is green. The telecommunications equipment is chrome and white. It is quite visible. Is there a way of painting them to match?

Jodi Price stated the facility would be painted to match the grain elevator. The equipment had been put up quickly to regain the coverage they had lost.

Nephi Allen asked if there was a generator, and what in addition is at the bottom of the tower.

Chad Rydalch said there had been a generator, but there is not a generator at present. It was for standard, household service. They intend to have one again. It runs once a week for about 15 minutes.

Jodi Price said the area would be fenced. There will be a concrete slab foundation

Richie Webb asked what changes might be made for a permanent versus temporary situation.

Jodi Price said there would be little change other than the concrete foundation for the equipment to sit on.

Chairman Dyer noted that the site plan outlines the specified area.

Chairman Dyer asked if staff had any information to clarify the proposal for the Commission. Stephen Zollinger said the only issue was that the permanent structure be camouflaged on top.

Chairman Dyer opened the public input portion of the hearing.

In Favor: None

Neutral: None

Opposed: None

Written Input: None

Chairman Dyer closed the public input portion of the hearing. There was discussion.

Thaine Robinson said it is wise to camouflage the tower equipment by painting it to match. He wondered what the consequences of denying this request would be.

Mary Ann Mounts said that this area is an industrial area, and given other places where towers exist, such as nearer to residential, this location is better than some others.

Mary Ann Mounts motioned to approve the request by Fuller Consulting LLC (on behalf of AT&T) for a Conditional Use Permit for the existing telecommunications facility at 164 West 1st North to remain at this location permanently, to include the four proposed conditions of approval stated in the Community Development Staff Report, plus a fifth (# 5) condition of approval: that the tower shall be camouflaged. **Dan Hanna** seconded the motion.

None opposed. **Motion carried**

Conditions of Approval

- 1. There should be no outside storage of material or equipment unless fully screened from public right-of-way. This screening, if in itself deemed objectionable by affected property owners, should be reviewed and approved by the Planning Commission or designee.*
- 2. Commercial lighting standards per the City's development code shall be adhered to.*
- 3. Large equipment that is to be located on the subject property and is to be used for heating/cooling/ventilation of the proposed building(s), or similar uses, shall be located the maximum feasible distance from any adjacent residential dwelling unit, and shall incorporate any current technology that reduces noise generation.*
- 4. Information shall be included that adequately addresses the need for regular site maintenance to ensure that noxious weeds are not present and at the same time no dust leaves the property in such a manner that it becomes a nuisance.*
- 5. The tower shall be camouflaged to match the existing grain elevator.*

Unfinished/Old Business:

1. Mixed Use Zones - Discussion (postponed until December 3rd meeting)

New Business:

1. Amend the Downtown District Redevelopment Plan – Redevelopment Board

Councilman Rex Erickson, representing the Downtown Redevelopment Board, presented the Redevelopment Plan Amendment and showed the area proposed to merge into the Downtown District on the projected map.

The City Council thought this amendment would complement the downtown existing district. The City Council recommended to the Redevelopment Board to include this area.

Tonight, the P&Z Commission is to review and recommend the Amendment, to see if it conforms with the City's Comprehensive Plan.

Chairman Dyer asked about the boundary beyond 2nd South and if it is commensurate with the PRO Zone.

Councilman Erickson stated the boundary is commensurate with the Hemming PRO Zone - the Hemming PRO Zone would be part of downtown renewal district.

Richie Webb stepped down due to conflict of interest, per the request of **Chairman Dyer**.

He asked to be excused from the rest of the meeting.

There was discussion of the amendment and its impact.

Chairman Dyer stated that the question before the Commission is, shall the following be done: merge the Hemming area into the existing development district?

P&Z Commission – Approve Resolution for Amending the Downtown District

Chairman Dyer read the Resolution aloud in its entirety:

RESOLUTION OF THE REXBURG PLANNING AND ZONING COMMISSION
RELATING TO THE AMENDED AND RESTATED DOWNTOWN DISTRICT
REDEVELOPMENT PLAN FOR THE CITY OF REXBURG

WHEREAS, the Rexburg Redevelopment Agency (hereinafter "Agency"), has submitted a proposed Urban Renewal Plan entitled "Amended and Restated Downtown District Redevelopment Plan" (the "Plan") to the City of Rexburg, and the City Council, through the Mayor, referred the Plan to the Rexburg Planning and Zoning Commission for review and recommendations concerning the conformity of said Plan with the Comprehensive Plan known as the City of Rexburg Vision 2020 Comprehensive Plan; and

WHEREAS, the staff of the Rexburg Planning and Zoning Commission has reviewed said Plan and has determined that it is in all respects in conformity with the Comprehensive Plan; and

WHEREAS, the Rexburg Planning and Zoning Commission met on November 19, 2009, to consider the Plan; and

WHEREAS, the Rexburg Planning and Zoning Commission has reviewed said Plan in view of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF REXBURG, IDAHO:

Section 1. That the Plan, submitted by the Rexburg Redevelopment Agency and referred to this Commission by the City Council for review, is in all respects in conformity with the Comprehensive Plan.

Section 2. That the Director of the Planning and Zoning Division by and hereby is authorized and directed to provide the Rexburg City Council with a certified copy of this Resolution relating to said Plan.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED by the Planning and Zoning Commission of the City of Rexburg, Idaho, this 19th day of November 2009.

Winston Dyer, Chairman
Planning and Zoning Commission

Val Christensen, Director,
Planning and Zoning Division

Dan Hanna motioned to pass the Resolution Relating to the Amended and Restated Downtown District Redevelopment Plan for the City of Rexburg, in that it conforms to the City of Rexburg's Vision 2020 Comprehensive Plan. **Josh Garner** seconded the motion.

None opposed. **Motion carried.**

2. Fuller Consulting, LLC on behalf of AT&T – request for time extension for temporary cell Tower at 120 West 4th South

Jodi Price, representing AT&T. AT&T is requesting a time extension for the temporary telecommunications site at 120 W. 4th S. in order to keep providing service to the University campus area, until they may have restoration of their University connection, hopefully by way of a Request for Proposal Pricing (RFP). They are requesting to stay at this temporary site until a decision has been reached. They want to avoid a disruption in service. They have reached out to the University in order to restore their relations with them.

Thaine Robinson explained that at the time of the first request for extension, he had declared a conflict of interest because of the AT&T contract with his employer, BYU-I; as the contract no longer exists, he feels there is no conflict of interest at this time.
The Commissioners saw no further conflict of interest

Thaine Robinson asked if they have explored other options besides the University, if the University location does not work out.

Jodi Price stated they have had communication with Beartooth Development, owners of the old Craig's building, in case the University negotiations do not work out. The owners are interested in having a permanent site there.

Dan Hanna asked how much extension time they are asking for.

Jodi Price said that is difficult to answer until they hear from the University on the RFP. She thought that within six months once they hear from the University would be sufficient.

Nephi Allen asked why they have to be located on campus.

Jodi Price said they do not have to be on the campus, but they would really like to be. The student population is a huge customer. It is a nice central location for AT&T.

Stephen Zollinger said from City staff perspective, the City is encouraging AT&T not to erect another tower. They want them on an existing tower. BYU-I has an existing light pole and is generously considering sharing it.

Phil Packer, BYU-I representative (in the audience), said the RFPs are ready to go out. They have held them in view of tonight's hearing. He expressed that 45 days would be adequate time.

Chad Rydalch said there is the technical perspective of providing coverage.

AT&T's primary concern is to maintain coverage for the campus and the area adjacent to campus. A Powerpoint presentation was shown to support their request for extension. They want to repair their relationship with BYU-I. They want to maintain reliable and consistent coverage.

Dan Hanna said if the bid process with BYU-Idaho is unsuccessful what would be the effect? Jodi Price said there would be a considerable amount of lost coverage in that downtown area. They would still pursue finding a permanent solution for another tower to replace the one at the old Craigo's location.

Thaine Robinson said he does not fault the consulting company. Why does AT&T wait till the eleventh hour, the last day? It makes it hard for the Commission to make a decision, in view of poor business practices regarding this last minute situation. AT&T is a difficult company to deal with because of this practice.

Chairman Dyer stated he wished to exercise executive privilege and make a statement for the public record:

First, you (Jodi Price) are not an AT&T employee; you are a hired consultant. Is that correct? (Jodi Price - Yes, that is correct.) And Mr. Rydalch, you are a hired technical employee of AT&T but not of corporate level. Correct? (Chad Rydalch – Yes) We understand the first rule of medieval warfare is to not shoot the messenger. Therefore the following words are a message for you to take back to your warlord, AT&T:

This Commission and this City have been treated disingenuously by AT&T and with a lack of integrity in the approach that has been taken toward us. At the same time, we have gone out of our way to try and accommodate you in this business decision and also our citizens of Rexburg, for whom we have primary responsibility. We also note that Brigham Young University - Idaho has been most magnanimous - there is no incentive whatsoever for them to play in this game other than that they are willing to support the objectives of the City of Rexburg in trying to assist our citizens. We appreciate their response.

This appears to be an extremely important issue for AT&T. Yet, we do not have anyone from the corporate level here to talk to us and address us this evening. Maybe this whole process isn't very important to AT&T. It is not a good message for the company to send to a community that is really going out its way to make AT&T successful. It is not our charge nor our charter to secure the success of businesses in Rexburg, only in accordance with the laws that we have. We get the feeling that maybe we are a nuisance to AT&T. Are we? (Jodi Price - Not as far as I know.)

AT&T was not truthful or forthright when they came to the City the first time about the circumstances of why they needed to have temporary service and so forth. It was implied that it was either the City's or the University's fault that coverage was being lost and that we needed to step forward to help make things happen, when in fact it was the result of a business decision of AT&T

and the way things were handled. They were asked to leave the University's light pole. They knew that well in advance but they never took steps to make any planning. In that regard, they came before us at the eleventh hour requesting temporary location – there were six days left before they had to absolutely be off the pole. BYU-I had extended the time frame for being off the pole, but it appears that AT&T took no steps to resolve the problem or do anything about it.

We recognize that you are going to have an opportunity here through the graces of the University to respond to a request for proposal and we presume that will still be forthcoming. What we would like you to understand is that here is the University that has rights of property and they are extending an opportunity for someone to have that right of property with them in order to benefit the citizens of Rexburg. We would hope that the message would get to corporate AT&T to be very serious about this proposal and to make sure that it is done in a manner that you can achieve the objective and the opportunity that is being presented here.

We will discuss this (application) in a moment, and perhaps we could grant a 30 or 45-day extension, but we are not going to be looking forward to AT&T coming back and telling us how it did not work and how we have to do something else. It is AT&T's responsibility to solve this problem, not the City's or the University's. If AT&T cannot do that, you have a fiduciary responsibility to your customers here in town. If they lose their coverage, we want you to understand that the town will be supportive of its citizens moving forward to ask AT&T to get out of their contracts, be reimbursed for cell phones and other equipment they purchased, and if the issue needs to go to a class action lawsuit, the community would support that. This is a very important message for corporate. It is a very serious matter to us, and we hope that AT&T understands that this is a serious matter.

Chairman Dyer stated that he has taken the liberty tonight to express some of the feelings and thoughts of the Commission. He hopes he speaks for his colleagues. He asked Stephen Zollinger if the City would be supportive of its citizens if it needs to be.

Stephen Zollinger stated he has met with Fuller Consulting and that they are very aware of the seriousness of the situation. He told them the City would work diligently to try and help them find a solution to AT&T's problem but would vigorously resist any attempt at a forced resolution.

Chairman Dyer stated that the question before the Commissioners is, shall the temporary permit for the cell tower in the Craigo's parking lot (120 West 4th South), which expires on December 15th, 2009, shall that permission be extended or not, and if so, for how long?

Chairman Dyer thanked Jodi Price for hearing him out. She is a lovely person. He is not talking about the messenger. The Commission trusts that the message will be delivered.

The Commission discussed this issue.

Stephen Zollinger said they could condition the extension on an immediate report back to the Commission on the BYU-Idaho RFP closing. It behooves AT&T to continue working on alternate options.

The Commission asked for Mr. Packer's input.

Phil Packer said a decision on the RFP will be made in a week or so and then closure of it would take about a month.

Chairman Dyer asked Chad Rydalch how much time he felt was needed.

Chad Rydalch stated if they won the bid from the University by January 1st, then it would take about 30 days to be up and running.

There was more discussion.

Mary Ann Mounts motioned to grant a time extension to AT&T for its temporary cell tower site at 120 West 4th South, until January 31, 2010. **Gil Shirley** seconded the motion.

None opposed. **Motion carried.**

Chairman Dyer thanked Jodi Price for her professionalism, for coming into a difficult situation, and for listening ears. He thanked her for her willingness to carry a very important message back to her corporate client.

Jodi Price thanked the Commission.

Compliance: None

Non controversial Items Added to the Agenda:

1. A brief report was given on the Nauvoo House Design Review meeting that was held on November 17th. The building will be broken up with architectural features. The stairway will be enclosed.

2. Stephen Zollinger was asked by the City Council to present the issue of the PRO Zone. The new Development Code was passed with the PRO Zone preserved.

What does the P&Z Commission want – do they see the PRO Zone as a tool?

There was discussion.

Chairman Dyer said there was a lot of work put into developing the PRO Zone concept; the philosophy of that was seeing the PRO Zone as a planning tool to be applied in the appropriate location, and that it would give the community and the developer greater flexibility. If it is kept in the Development Code, it is available if needed.

The Commission had wanted to keep the PRO Zone in the Development Code

Stephen Zollinger said the PRO Zone is not a zone - it is a mechanism through which a zone is created. It is site specific. The City Council wants the PRO Zone to have an addendum that would state that under no circumstance will a PRO Zone be created that bypasses the approval processes that are currently in place (approval through P&Z Commission and/or the City Council).

The consensus of the Commission was to keep the PRO Zone in the Development Code.

Report on Projects: None

Tabled Requests: None

Building Permit Application Report: None

Heads Up:

December 3 agenda –

Rezone – Jeremy Forsberg

Rezone – Kendell Fuller

December 17 agenda –

Rezone – Aaron Robertson

The meeting was adjourned at 9:40 pm.