

Planning & Zoning Minutes

January 15, 2015



CITY OF
REXBURG
America's Family Community

35 North 1st East
Rexburg, ID 83440

www.rexburg.org

Phone: 208.359.3020
Fax: 208.359.3022

Commissioners Attending:

Thaine Robinson – Chairman
Steve Oakey Jedd Walker
Melanie Davenport Cory Sorensen
Dan Hanna Tisha Flora
Mark Rudd

City Staff:

Val Christensen – Community Development Director
Stephen Zollinger – City Attorney
Shawn Summers- TCS Analyst
Faron Young – Community Development Intern
Elaine McFerrin – P&Z Coordinator

5:00 pm Courtesy meal for the Committees

Attending:

City Council: Sally Smith, Christopher Mann, Jerry Merrill, and Mayor Richard Woodland.

Planning & Zoning Commission: Thaine Robinson, Steve Oakey, Jedd Walker, Mark Rudd, Melanie Davenport, Tisha Flora, and Cory Sorensen.

City Staff:

Blair Kay, Val Christensen, John Millar, Keith Davidson, Stephen Zollinger, Scott Johnson, Darrick Farmer, Shawn Summers, Kelvin Giles, Faron Young, Elaine McFerrin

Mayor Woodland opened the meeting and introduced the RPO and Traffic Study Presentation.

Presentation:

1. Regional Planning Organization (Idaho's First RPO)

Rexburg's Traffic Study presentation by Horrocks Engineers in conjunction with a Regional Traffic Study: *Horrocks Engineers was selected as the winner of three separate ENR "Best Project" awards in the Intermountain Area (Utah, Montana, and Idaho) for Highways/Bridges, Landscape/Urban Development, and Small Project (Under \$10 Million).*

(NOTE: This Regional Planning Organizations' (RPO) members include Madison County, City of Rexburg, City of Sugar City, and the Idaho Transportation Department. The RPO will begin coordinating with Bannock County's Metropolitan Planning Organization (MPO), Bingham County's (MPO), and Bonneville County's (MPO)).

Kelly Hoopes of Horrocks Engineers gave the presentation. The goal is to seek funding for road improvements. He stated this is a work in progress; none of this information in the presentation is final. It is shown for the process of collaboration and making it better. The overall goal is to see where our transportation is now and where it will be in the future. This is an effort to plan for the future.

Please see the January 15, 2015 City Council minutes of the details of this presentation.

5:30 pm – Joint Work Meeting of City Council and the Planning & Zoning Commission

The work meeting began at 6:30 pm.

1. Zoning Discussion

Council President Sally Smith stated the City is getting close to the time to review the Comprehensive Plan. They might look at seeing Mixed Use on the Comprehensive Plan and less as a zone. The City could also look at the PRO Zone (Projection Redevelopment Option), which she felt is very similar to Mixed Use.

A few years ago, the City addressed infill and redevelopment. A spread sheet created by Val Christensen was shown of properties the City had looked at and scored regarding infill and redevelopment. Council President Smith felt it would be interesting to see how things have gone over time.

Some of the properties have developed differently than was speculated.

The City Council and the Commission have talked in the past about being more proactive as a City. Possibly identify some areas and get some changes made that the City feels may need to be rezoned before the areas become an issue.

There was brief discussion.

Stephen Zollinger clarified that there is a difference between infill property and redevelopment property. Infill is usually empty property but may require taking down one or two houses.

Council President Smith suggested that the City Council and the P&Z Commission should meet quarterly to talk about some of these issues. There was consensus from those present that this would be a positive step.

The City could look at being a step ahead in terms of zoning and development.

The joint work meeting concluded at 6:55 pm.

7:00 pm – Planning & Zoning Meeting

Chairman Thaine Robinson opened the meeting at 7:01 pm. He welcomed everyone. Council Liaison Brad Wolfe was excused.

Roll Call of Planning and Zoning Commissioners:

Cory Sorensen, Steve Oakey, Mark Rudd, Dan Hanna, Jedd Walker, Tisha Flora, Melanie Davenport, and Thaine Robinson

Gil Shirley and Bruce Sutherland were excused. Chuck Porter was absent.

Minutes:

1. Planning and Zoning meeting November 20, 2014

Dan Hanna motioned to approve the Planning & Zoning minutes of November 20, 2014. **Jedd Walker** seconded the motion.

Cory Sorensen abstained for having not been present.
None opposed. **Motion carried.**

Public Hearings: None

Unfinished/Old Business: None

New Business:

1. Parking Discussion

Val Christensen addressed the Commission. He put together some possible suggested changes to the parking regulations in the Development Code. Some of the changes were just the cleaning up and clarifying of the document.

There were two main suggested changes.

The first suggested change would be to reduce by 20% the parking needed for multiple family housing (2 bedrooms and above) in the Infill/Redevelopment area, so that it would be reduced to 80 % parking. It would be an added incentive because the location is close to the downtown and the University.

Steve Oakey expressed that he understands but does not agree with much of the parking regulations. It is trying to micromanage. Any parking problems should be solved by the property owner.

Dan Hanna said it needs to be stressed that these are the minimum requirements.

Val Christensen stated the second suggested change, which would be in the section of the Development Code under the Pedestrian Emphasis Zone (PEZ) overlay.

The PEZ overlay apartment owners are currently being required to have 10 percent visitor parking. Val Christensen suggested that language could be added to the Code under the PEZ stating that the 10 percent visitor parking requirement could be reduced if the owner/developer provided a good management plan showing how they as management would be responsible for the visitor parking. He is proposing that the developer would present the plan just to staff for review and approval if they are interested in this option. If staff approved the plan, the 10 percent could be reduced. If there are problems later on, permission could be revoked and would go back to the 10 percent. Standard parking requirements would be unchanged. He stressed this submission of a management plan would just be an added option.

Jedd Walker asked when the management plan would need to be submitted - pre construction or post construction or both?

Val Christensen said the management plan could be presented at any time.

The City would have the management plan on record as part of the official building file. This would be an option for the developer. It was clarified this would only be an option for apartments being developed in the PEZ zone overlay because of the booting and towing situation.

Tisha Flora asked what Mr. Oakey would suggest otherwise, since he had commented earlier that he understood the change and regulations but did not agree them.

Steve Oakey stated he would want a committee to get together regarding this document to see what could be done to reduce bureaucratic management of their property. City streets and sidewalks are the responsibility of the City. Private owners are responsible for the managing of their property.

Val Christensen expressed that if anyone wanted to get rid of parking that would be a whole other discussion. If parking is not required there would not be enough.

Economies of scale regarding a complex were mentioned as a consideration.

Chairman Robinson asked apartment owners who were present their view on the option of submitting a management plan to City staff in order to manage their own parking and reduce the 10 percent visitor parking requirement.

Blake Willis, 1343 South Morningside Drive. He represents and owns the Tower Apartments and others. He appreciates Val Christensen's comments. Let the owners or their management manage their properties. If there is not enough parking, let them come up with a solution.

Trent VanderSloot, 2121 N.55th W, Idaho Falls. NorthPointe Apartments owner. His livelihood is based on the success of his apartments. His incentive is to provide for his family. It comes to having satisfied residents. He does not want to boot anyone and does not want to benefit from the booting. As far as management of the parking in lieu of the 10 percent – he would have to do a cost analysis. They may have enough parking where they do not have to manage the parking.

Val Christensen reiterated that this would be just an option to reduce visitor parking (with submission of a management plan to staff for approval). Everything is already in place in the Development Code. Nothing else would change. It is only an option and not a requirement.

Blake Willis clarified that the Towers parking spaces amount was by right. He did not reduce the parking. He does not have a problem with the visitor parking issue. His parking is working. His 3 percent visitor parking appears to work. Moving visitor parking in part to the street rather than people parking there permanently might be part of the solution. They have also handled and managed their own booting and towing problems.

Cory Sorensen suggested that a tiered percentage depending on complex size might be looked at.

Rachel Whoolery expressed that she likes the flexibility of change in Val Christensen's suggestion, as she is concerned that whatever might be decided at this time may change in the future.

Chris Carr, 450 West 4th South. Developer, Central Park Apartments and others. He owns properties in multiple states. In Orem, Utah, he got involved and took charge and took care of predatory booting/towing problems that caused his businesses to suffer. He managed it. His ability to pay his mortgage depends on how he runs his business. He does not want micromanaging. His hope would be to let him run his business, and have the least restrictive ordinance as possible.

Mr. Christensen stated that tonight the Commission is looking at possible solutions based on the general public's demand to address the parking situation.

Chairman Robinson asked Val Christensen for clarification on what is necessary from the Commission tonight.

Val Christensen said his request is regarding if he may take the two (or one or none) of the suggested changes to the Development Code Ordinance as a recommendation to City Council, to eventually be addressed in the form of a public hearing.

The two suggested changes:

- 1) Add language to the Development Code regarding the lowering of the parking requirement by 20 percent in the Infill/Redevelopment Area for multiple family housing (for 2 bedroom units or more) to give further developer incentive.
and
- 2) The reduction of the 10 percent visitor parking requirement in the PEZ Zone overlay with the option of the submission of a visitor parking management plan for staff review and approval. The standard requirements of parking would not change. This would be an added option.

Cory Sorensen motioned to recommend to City Council to change the Development Code Ordinance to state that the parking requirement for multiple family housing (2 bedrooms and above) in the Infill/Redevelopment area may be reduced to 80 % parking (reduce parking by 20%). **Dan Hanna** seconded the motion.

Those in Favor:

Cory Sorensen
Jedd Walker
Dan Hanna
Thaine Robinson
Mark Rudd
Tisha Flora
Melanie Davenport

Those Opposed:

Steve Oakey

Motion Carried.

Dan Hanna motioned to recommend to City Council the addition to the Development Code Ordinance of the *option* of the developer to present a management/parking plan to be reviewed and approved by City Staff, in order to reduce the required 10 percent visitor parking required in the PEZ Zone overlay. **Jedd Walker** seconded the motion.

It was reiterated this would not change the standard requirements. This would be an option for the developer to ask for a reduction.

Stephen Zollinger said the City could continue to manage by the evidence of how much visitor parking is responsible. This is not the first time the owners would be given an option of significantly reducing the visitor parking if they personally would manage their parking. They chose in the past not to take advantage of it. Some of the newer owners may not be aware of this.

Melanie Davenport said there have been significant changes in ownership over the last few years. This current group of owners is very professional and is working on solutions.

The parking study group (BYU-I Off-Campus Householders Association Study) involving several large complex owners is planning to come forward with some recommendations in March.

Stephen Zollinger stated this requested change tonight regarding the option of submitting a management plan to reduce visitor parking may be a little premature. Any submitted plan would likely have to explain how booting and towing would be managed.

Dan Hanna respectfully **withdrew his motion.** **Jedd Walker** withdrew his second.

Mr. Zollinger expressed there may be no legal way to enforce what Mr. Christensen is proposing.

No other motion was made on this issue.

Chairman Robinson stated the issue could be looked at after the March work meeting of City Council and apartment owners on the parking issue.

Blake Willis expressed that he and several other complex owners met before this meeting and came up with some possible ideas to alleviate and allow change, such as managing their own property. Part of the problem is the visitor parking. The street could be for visitors parking in part; that would eliminate some of the visitor parking load. Getting rid of overnight parking in the PEZ area would allow this. Another idea was reducing percentage of parking, as was mentioned tonight.

The Chairman thanked everyone in attendance for their input.

Compliance: None

Non controversial Items Added to the Agenda: None

Report on Projects: None

Tabled Requests: None

Building Permit Application Report: None

Heads Up:

Feb 5, 2015: Chairman Robinson requested that the transportation study that was presented tonight be a topic of discussion at the February 5th meeting. The presentation will be emailed to the Commissioners.

March 12, 2015, 5:30 pm:

The P&Z Commission is invited to attend a Work Meeting of the City Council that will discuss booting/towing and parking with apartment owners.

Chairman Robinson adjourned the meeting at 8:55 pm.