

Planning & Zoning Minutes

August 18, 2016



CITY OF
REXBURG
America's Family Community

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Commissioners Attending:

Jedd Walker – Chairman
Melanie Davenport
Heidi Christensen
Steve Oakey
Rory Kunz
Gil Shirley
Greg Blacker

City Staff and Others:

Brad Wolfe- City Council Liaison
Natalie Powell – Community Development Compliance Officer
Cecil Jensen – Community Development Intern
Elaine McFerrin – P&Z Coordinator

Chairman Jedd Walker opened the meeting at 7:04 pm.
Community Development Director Val Christensen was excused.

Roll Call of Planning and Zoning Commissioners:

Attending: Steve Oakey, Greg Blacker, Gil Shirley, Rory Kunz, Jedd Walker, Heidi Christensen, and Melanie Davenport.

John Bowen, Mark Rudd, Bruce Sutherland, and Richard Smith were excused.

Minutes:

1. From Planning and Zoning meeting – August 4, 2016 minutes

Steve Oakey motioned to approve the Planning & Zoning minutes of August 4, 2016. **Rory Kunz** seconded the motion.

Heidi Christensen and Melanie Davenport abstained for having not been present.
None opposed. **Motion carried.**

Public Hearings:

1. 7:05 pm – Conditional Use Permit – 149 East 3rd South – to allow Dormitory Housing in a Medium Density Residential One (MDR1) zone – Porter Wilkins

Chairman Walker explained the procedure that is followed for a public hearing. The applicant will present the proposal to the Commission. The Commissioners may ask questions to clarify the proposal. Staff may also give information to clarify the proposal for the Commission. Public testimony will be heard, followed by the staff report. The Commissioners will be asked if they have a perceived or direct conflict of interest with the proposal. Then there will be deliberation by the Commission in order to come to a decision.

The P&Z Commission has the authority to make the final decision on this Conditional Use Permit request for dormitory housing in the MDR1 zone, per the Development Code Ordinance No. 1115, Section 6.12f. The request does not have to go on to City Council.

Porter Wilkins, 536 Sunflower Road, the applicant. He pointed out the property on the overhead screen. They are under contract to purchase 149 East 3rd South and just went through a successful rezone of the property to MDR1. They are requesting a Conditional Use Permit to rent dormitory-style. They plan to rent individual bedrooms to non-BYU-Idaho students (single men).

(6 tenants - 5 rental contracts which would allow the tenant to have a vehicle and 1 rental contract for a tenant without a vehicle). They would have 5 parking spaces rather than 6 (would have 75% parking). The 5th parking space may come off the alleyway. Mr. Wilkins is working with staff on a parking plan that would work and be code compliant.

There were not any questions for the applicant from the Commission. Staff did not have additional clarifying information.

The public testimony portion of the hearing was opened.

In Favor: None

Neutral: None

Opposed: None

Written Input: None

The Chairman closed the public input portion of the hearing.

Community Development Compliance Officer Natalie Powell gave the staff report. *“Staff is unaware of any outstanding issues that would prevent the Planning and Zoning Commission from acting upon this request as they determine if a new site plan that adequately identifies parking is provided.”*

She stated Mr. Wilkins is working with staff on this issue. Staff will make sure the parking is code compliant.

Chairman Walker asked for clarification of the 75% parking.

Compliance Officer Powell explained that several months ago a parking management plan ordinance was passed regarding dormitory-style developments.

From Ordinance No. 1143:

“AN ORDINANCE AMENDING ORDINANCE 1115 BY ALLOWING FOR A REDUCTION FROM 1 TO 1 RATIO TO AS LOW AS .75 TO 1 RATIO IN REQUIRED PARKING FOR DORMITORY UNIT DEVELOPMENTS UPON A SHOWING OF ADEQUATE PARKING MANAGEMENT PLAN ...”

Melanie Davenport felt there is a need in the community for this kind of housing.

The plan is for 5 spaces, which would be about 83 percent parking.

It was discussed that the applicant would have to comply with the parking requirements of the Development Code.

It was clarified that the conditional use permit would go with the property if it was sold.

Steve Oakey declared a perceived conflict of interest as he lives close to the subject property. He remained on the dais.

The Chairman reiterated that the motion would not be a recommendation to City Council. The P&Z Commission has the authority to make the final decision on this Conditional Use Permit request.

Steve Oakey motioned to approve a Conditional Use Permit to allow dormitory housing in a Medium Density Residential One (MDR1) zone, for the property located at 149 East 3rd South.

Heidi Christensen seconded the motion.

The Standards Applicable to Conditional Use Permits, Section 6.12B from the Rexburg Development Code Ordinance No. 1115, apply to all conditional use permits.

None opposed. **Motion carried.**

Unfinished/Old Business: None

New Business: None

Compliance: None

Non-controversial Items Added to the Agenda: None

Report on Projects: None

Tabled Requests: None

Building Permit Application Report: None

Heads Up:

September 1, 2016:

1. Joint Work Meeting of City Council and P&Z Commission - Cancelled until further notice

September 1, 2016 - P&Z Commission meeting 7:00 pm:

Rezone – 255 and 259 West 2nd North – Low Density Residential 2 (LDR2) to High Density Residential 1 (HDR1) – Wesley Haws

The meeting was adjourned at 7:16 pm.