

# Planning & Zoning Minutes

May 19, 2016



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

35 North 1<sup>st</sup> East  
Rexburg, ID 83440

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## Commissioners Attending:

Bruce Sutherland – Acting Chairman  
Steve Oakey                      Rory Kunz  
Melanie Davenport          John Bowen  
Gil Shirley                        Greg Blacker  
Heidi Christensen

## City Staff and Others:

Brad Wolfe- City Council Liaison  
Scott Johnson- Economic Development Director  
Natalie Powell – Community Development Compliance Officer  
Steven Park – Community Development Intern  
Elaine McFerrin – P&Z Coordinator

**Chairman Jedd Walker** was excused.

**Commissioner Bruce Sutherland** acted as chairman and opened the meeting at 7:01 pm. He welcomed everyone.

Community Development Director Val Christensen was excused.

## Roll Call of Planning and Zoning Commissioners:

**Attending:** Steve Oakey, Greg Blacker, Gil Shirley, Rory Kunz, Bruce Sutherland, John Bowen, Heidi Christensen, and Melanie Davenport.

Jedd Walker, Mark Rudd, and Richard Smith were excused.

## Minutes:

1. Planning and Zoning meeting – May 5, 2016

**Steve Oakey** motioned to approve the Planning & Zoning minutes of May 5, 2016. **Rory Kunz** seconded the motion.

Heidi Christensen and Bruce Sutherland abstained for having not been present.  
None opposed. **Motion carried.**

## Public Hearings:

1. 7:05 pm – Comprehensive Plan Map Amendment – 1030 South 5<sup>th</sup> West – Low-Moderate Density Residential to Moderate-High Density Residential

**Chairman Sutherland** explained the procedure that is followed for public hearing.

The applicant will present the proposal to the Commission. The Commissioners will be given the opportunity to ask clarifying questions. The public may also ask clarifying questions in order to better understand the proposal. Save any comments on how you feel about the request for public hearing testimony. If anyone wishes to give public testimony, they should state their name and address for the record, and their affiliation with the request, such as neighbor, interested citizen, etc. Public input will be heard from those in favor of, neutral to, or opposed to the proposal. If someone has already made comments that you agree with, please state that you agree without restating the issue.

Testimony should be limited to no more than five minutes.

The P&Z Commission is a recommending body and will make a recommendation to the City Council.

**Troy Kartchner**, the applicant, 601 West 1700 South, Logan, Utah. They are requesting to change the Comprehensive Plan map designation from Low-Moderate Density Residential to Moderate-High Density Residential for the specified property, which was shown on the overhead screen. They feel it is the best use for the property in the long term, even though there are some challenges. To the south of the specified property is commercial land, to the west is commercial, to the north is multi-family with densities similar to what they are planning for this subject property, and to the east, there are homes as well as farm equipment. Further east is University property. He again stated they feel the requested Comprehensive Plan map change to Moderate-High Density Residential is the best use for the property.

Mr. Kartchner explained some of the things they plan to do.

They widened the road on 5<sup>th</sup> West and added sidewalk on 5<sup>th</sup> West in front of Mesa Falls Apartments. With this new development, a road would be added including an access to the west connecting to a new road, which may alleviate some traffic off of 5<sup>th</sup> West. At approximately 900 South 5<sup>th</sup> West, the road would be widened to its full width. The road will continue to University Blvd. That will be done with the development of this property when that happens.

In addition, 5<sup>th</sup> West will continue to be widened on the west side all the way to University Blvd., with pedestrian sidewalks. Mr. Kartchner has worked with City staff over the last year in working to eventually widen and add a sidewalk to the west side of 5<sup>th</sup> West all the way over to 5<sup>th</sup> South. The sidewalk on the west side would be done all the way. At some point the road needs to be widened to the full width going north and to the east side. This will be difficult because homes sit on the east. The road and sidewalk would be right at their front yard. He would guess that eventually those properties will sell, and then the road would be widened on the east side as well.

Those are a few of the challenges that would address pedestrian connectivity and traffic.

Mr. Kartchner reiterated that he feels this Comprehensive Plan change request is the best use for the property, with its close proximity to the University and the other zoning around the property.

**Steve Oakey** stated that it is very tempting to discuss the project, but that is not what is being addressed tonight. This is not a zoning request. It is a Comprehensive Plan map land use designation change request. He asked staff to clarify for the audience the difference between the two.

**Economic Development Director Scott Johnson** explained that the Comprehensive Plan map looks at the use of land and what should be going where. Zoning gets into the specifics.

*The Comprehensive Plan Map and the Zoning Map*

*There are two main documents the P&Z Commission operates by in their planning and zoning efforts.*

*The Comprehensive Plan map is the preferred land use map of the City, the dream map, or the wish list of what may occur with Rexburg's development in different areas of the City. It has been put together with the work of the P&Z Commission and the approval of the City Council. It is a general map, showing the vision of Rexburg's future for land uses.*

*The Zoning map is more detailed and specific. It is the law. A proposal would have to be consistent with what is allowed in a zone, or there can be a petition by an applicant to change the zone.*

**Melanie Davenport** asked at what point the City gets concerned in general with looking at widening roads, at infrastructure, traffic, etc.

**Scott Johnson** indicated staff actually gets more into these issues at the zoning level. Tonight we are not looking at that. Look at the totality of the area and whether the request would be the best use for the land.

**Greg Blacker** asked what is planned regarding the canal that goes through the subject property. **Mr. Kartchner** said there are a couple canals that they currently plan on piping. They will work with the property owners to the west to decide what can be done. Part of the canal to the south will be piped, but they will address the issue with engineering staff as things move forward to see what the needs are.

**Chairman Sutherland** asked for clarification of the Mesa Falls Apartments already built to the north and their amount of density.

**Troy Kartchner** said the density was gotten through a Conditional Use Permit (CUP). This time, they want to do a rezone that basically allows similar densities.

It was clarified that the density of Mesa Falls Apartments that are already built is 20 units per acre (zoning MDR2, with a Conditional Use Permit to have 24-unit buildings; the Comprehensive Land Use designation is Low-Moderate Density Residential).

The *Summary Table of Appropriate Land Uses*, which explains which zones are allowed under each Comprehensive Plan land use designation, was reviewed.



**Natural Resources and Hazardous Areas**

<b>Summary Table of Appropriate Land Uses for each Comprehensive Plan Map Designation:</b> (Amended 05 May, 2010 by Resolution 2010-07) (Amended 18 Aug. 2010 by Resolution 2010-12) (Amended 13 May, 2010 Ordinance 1045) (Amended 03 Nov. 2010 by Ordinance 1055) (Amended 03 Aug. 2011 by Ordinance 1073)		
Comprehensive Plan Designation	Allowable Zoning District	
Commercial	TOZ RBC GBD CBC	Technology and Office Zone Regional Business Center General Business Center Community Business Center
Light Industrial	LI TOZ	Light Industrial Technology and Office Zone
Commercial	RBC GBD CBC	Regional Business Center General Business Center Community Business Center
Downtown Commercial Mixed Use	CBD MU2	Central Business District Mixed Use Two (2)
Neighborhood Commercial Mixed Use	NBD MU1 MU2 PO OS	Neighborhood commercial Mixed Use One (1) Mixed Use Two (2) Professional Office Open Space
Public Facilities	PF	Public Facilities Point of reference & may be included in any zone
Moderate to High Density Residential	MDR1 MDR2 HDR1 HDR2	Medium Density Residential 1 Medium Density Residential 2 High Density Residential 1 High Density Residential 2
Low to Moderate Density Residential	LDR2 LDR3 MDR1 MDR2	Low Density Residential 2 Low Density Residential 3 Medium Density Residential 1 Medium Density Residential 2
Single Family Residential	RR1 RR2 LDR1 LDR2 LDR3	Rural Residential 1 Rural Residential 2 Low Density Residential 1 Low Density Residential 2 Low Density Residential 3
Agriculture / Rural	TAG1 TAG2 OS	Transitional Agriculture 1 Transitional Agriculture 2 Open Space
Open Space	OS	Open Space
University	UD	University District

**Community Development Compliance Officer Natalie Powell** clarified the allowed number of units in various zones.

The Chairman asked if those in the audience had any questions to clarify the request. There were no questions.

**Chairman Sutherland** opened the public input portion of the hearing.

**In Favor:** None

**Neutral:**

**Faith Jacobson**, 806 South 5<sup>th</sup> West. When the first phase of Mesa Falls was being planned, their main concern was the density, which was being increased, although she realizes that is not an issue to be addressed tonight. They attended the meeting several years ago regarding the Mesa Falls Apartments development. Mr. Kartchner spoke to them and explained the wonderful things about Mesa Falls, but they have found several of those things have not come true. They do have concerns about another very large development coming here. She is not against growth. She understands that growth will come. She would hope as the new project moves forward, that as a good citizen some of the issues that did not come to fruition in the last phase might be addressed.

The residents were originally told that traffic would not increase on their road, but it has absolutely increased. She appreciates the statements about other exits out of Mesa Falls. It is a necessity. The road has fallen apart. It is dangerous to go out on the road. Her neighbors are concerned for their children waiting for the bus in the morning. There are cars that go around the bus, and 90% of those cars are coming in and out of Mesa Falls. She understands those are individuals, but it has been significant. They were told cars coming out of the complex would turn right toward University Blvd and up to campus, but that has not occurred. No one takes University Blvd. They come down 5<sup>th</sup> West and turn right on 7<sup>th</sup> South. It is a very serious issue. More exits are imperative.

Trash has blown into their yard from the apartment complex. She would hope that Mr. Kartchner would be a good neighbor and fix things.

When it comes time for eventually widening the road, which is an obvious outcome, Mrs. Jacobsen asked that Planning & Zoning and City Council would get some feedback from the citizens who will be impacted. Widening the road would take a portion of their front yard. Meet with the citizens.

**Opposed:**

**Wes Lawrence**, 795 South 5<sup>th</sup> West. Part of his concerns have already been addressed. He feels he probably has a bigger problem than anyone else on 5<sup>th</sup> West because he has lived on this street since 1935. It was a nice, quiet, decent neighborhood when he was growing up, with very few houses. Now, seeing what has happened, it is quite distressing and frustrating to see the number of houses and particularly apartments has changed his neighborhood in a negative way. The biggest offender is Mesa Falls, with 284 units and most if not all residents with cars, and this was just phase 1.

What is urgently needed now, before any future expansion, are 2 things.

First, there should be 2 additional accesses that are provided to the complex – one access on the south to University Blvd, and more importantly an access on the west to South Yellowstone Highway. He has talked to a property owner who would sell a right-of-way; the property owner would prefer to sell all 17 acres of his land.

The second item has already been addressed – the sidewalk. They have observed a lot of foot traffic from their kitchen window. A sidewalk is severely needed. Extend the existing sidewalk from Mesa Falls south to University Blvd, as well as north to 7<sup>th</sup> South. Both have existing sidewalks, so this would tie in.

Before granting any further development, Mr. Lawrence strongly urges the P&Z Commission to give careful consideration to these two items that are sorely needed right now.

**Written Input:** none

**Rebuttal:**

**Troy Kartchner** stated that he agreed with the comments. Growth will allow them to bring this through to University Blvd. They have talked about widening 5<sup>th</sup> West on the west side all the way to 7<sup>th</sup> South, along with sidewalk. Also, the road would be widened to University Blvd. All that will come with the growth.

**Chairman Sutherland** closed the public input portion of the hearing and asked for the staff evaluation.

**Scott Johnson** thanked Mrs. Jacobsen and Mr. Lawrence. They gave very good testimony. What he really appreciated is that they actually brought possible solutions. The City appreciates them being engaged citizens.

The staff report recognizes some of the challenges for this request. The report is based on some of the issues that have already been mentioned. Staff is working diligently and looking at all the possibilities. He reminded the Commission that this request is a Comprehensive Plan map change request, not a zone change request. It is not project-specific, but the area is being looked at in its totality. When annexed, the road was a country road. The City knew that at some point they would have to look at issues as the area developed. University Blvd. was created to try and take some pressure off of some other roads for those who wished to go directly to the University. Along with that, the City created a very large node of commercial.

From the City of Rexburg Vision 2020 Comprehensive Plan, Chapter 11 Housing - Objective 1.6 :

*“Through the Comprehensive Plan, plan for a land use policy that encourages housing to meet the demands of all stages of the life cycle, including starter and senior housing.*

*Policy – Allow for multi-family or town home mixed-use development as buffers between commercial and single-family residential areas, as well as in the vicinity of town centers and near the university....”*

Mr. Johnson clarified that this is actually what is being created around that very large commercial node.

Regarding the staff report, two issues that are seen as challenges have already been mentioned: pedestrian connectivity, and automobile traffic/connectivity. Staff meets with each of the developers as they come in. Staff expresses specific concerns and expects the developers to work with staff to help meet the needs and demands of the community.

**Steve Oakey** said that in the Public Works staff comments, Public Works states they cannot support a density increase. He asked for clarification.

**Scott Johnson** clarified that staff is not against this request; staff is merely requiring that these issues have to be addressed. Look at the totality of the area and how it should develop.

Mr. Oakey added that the concerns of some of the citizens should also be addressed.

**Greg Blacker** asked what would be an LID (Local Improvement District) time frame. **Scott Johnson** did not have this information. When the time comes, there will be a lot of discussion, and it is important that residents in the area give their input.

**Melanie Davenport** stated she is assuming that any development that has already occurred in this area has complied with requirements. Still, there are problems. If even higher density is added, even with meeting requirements, will that keep pedestrians safe in a high traffic area?

**Scott Johnson** reiterated that the Commission must look at the totality of the area. Look at the broad picture and how the entire area and connectivity will be impacted. Staff takes all this into consideration.

**Steve Oakey** had no opposition to this Comprehensive Plan map change request to Moderate-High Density Residential. Future transportation issues, pedestrian and auto, would be discussed further at the time of a rezone request.

**Melanie Davenport** said she does not know about increasing the density before the other problems are worked out. She would like to see some solutions first. Regarding buffering, a move to higher density seems like it would negate the buffering that had been planned for.

**Scott Johnson** clarified that when looking at buffering, there is first the commercial, then high to medium, then medium, and then low density. That is what is being seen here.

He reminded the Commission that they will have the opportunity to have these discussions that are more project-specific when a zone change request comes before the Commission.

**Gil Shirley** agreed with Mr. Oakey. It is a good use for the property. When this issue gets to the zoning request, pedestrian and auto traffic need to be looked at closely, including accesses to the south and west. Residents' input on the issue is very important.

**Steve Oakey** motioned to recommend approval to the City Council of a Comprehensive Plan Map Amendment land use designation change for the property at 1030 South 5<sup>th</sup> West, from Low-Moderate Density Residential to Moderate –High Density Residential.

**Gil Shirley** seconded the motion.

Those in Favor:

Steve Oakey  
Greg Blacker  
Gil Shirley  
Rory Kunz  
Bruce Sutherland  
John Bowen  
Heidi Christensen

Those Opposed:

Melanie Davenport

**Motion carried.**

2. 7:20 pm - Comprehensive Plan Map Amendment - Approximately 1001 South Yellowstone Hwy - Commercial to Moderate-High Density Residential.

**Tyson Cichos**, 5910 Holladay Blvd, Salt Lake City, Utah, representing Lot 6 Group LLC, the applicant. He feels the timing is perfect for their proposal. They are requesting a Comprehensive Plan map land use designation change from Commercial to Moderate-High Density Residential for the specified property. The land is directly west of Mr. Kartchner's property.

The frontage of the property on South Yellowstone Highway would remain Commercial; they do not want to change its Comprehensive Plan designation.

The Moderate-High Density Residential designation would be for the interior of the property and would serve as a great buffer.

They have been working with staff regarding this proposal. They are cognizant to what staff is recommending and feel that their ingress and egress for both cars and pedestrians will be a fantastic help to get people on the main roads. They understand the issues with 5<sup>th</sup> West and feel that their Comprehensive Plan map change request and future project may alleviate some of the issues that were spoken of in the previous hearing tonight.

Kevin Flamm is Mr. Cichos' partner in Lot 6 Group LLC. They represent the Fujimoto family in developing Tamana Fields, both near this location and to the south. Potential anchors who are interested in possibly coming to the area have commented that they would like to see more "rooftops" in this area. Mr. Kartchner's development has helped.

This is the perfect opportunity to alleviate some of the issues on 5<sup>th</sup> West, to get people on the main arteries, and to hopefully start this development where there will be commercial and residential that would not affect 5<sup>th</sup> West.

**Steve Oakey** reminded the Commissioners that they need to stay focused and not talk about specific development issues. This request is not about the project. It is a Comprehensive Plan Map Amendment request, as was the previous request.

**Scott Johnson** clarified that the Commercial land use designation would remain for the frontage on the South Yellowstone Highway specified property. The interior part of the subject property is what would change to Moderate-High Density Residential land use designation if this request is approved.

**Melanie Davenport** expressed concern regarding the need to preserve more commercial property.

**Scott Johnson** stated that Rexburg has a significant amount of commercial land, enough to serve a population of 70,000 to 80,000 people.

**Greg Blacker** said regarding development, he has heard that residential comes first followed by commercial, and he has also heard the reverse. Which is correct?

**Scott Johnson** clarified that jobs come first, and the rest follows. Rexburg is a bit unique. The University stimulates a lot of these issues. Many of the retail businesses have very specific criteria when looking at coming to a community. The first thing is usually population.

**Chairman Sutherland** opened the public input portion of the hearing.

**In Favor:**

**Kevin Flamm**, 1855 Warm Springs Dr, Idaho Falls. Besides being a part of Lot 6 Group LLC, he is a representative of the Fujimotos' Tamana Fields for large commercial retail development. They

actually want “rooftops” close to the development. A Moderate-High Density Residential land use designation will help the commercial center to develop.

**Neutral:** None

**Opposed:** None

**Written Input:** None

**Chairman Sutherland** closed the public input portion of the hearing and asked for the staff evaluation.

**Scott Johnson** said staff had similar concerns for this request that were brought up in the previous hearing. Staff is not against the request but is just requiring that certain issues must be addressed. Staff does not take this lightly. The issues have been discussed with the applicant. A lot of time and effort were put into looking at the request.

**Rory Kunz** asked about buffering and the jetting out into commercial and how the city feels about this issue.

**Scott Johnson** said staff tries to look more at how commercial would fit and the totality of the area including the uses around the subject land.

**Greg Blacker** stated that he has seen this mix in other cities, and it seems to work.

**John Bowen** agreed. The requested land use designation of Moderate-High Density Residential with the Commercial frontage will be a good use for the land.

**Melanie Davenport** thought this request would be satisfactory. It would preserve the commercial frontage and also have moderate-high, and they will have access points.

**Rory Kunz** motioned to recommend approval to the City Council of a Comprehensive Plan Map Amendment land use designation change for the specified property at approximately 1001 South Yellowstone Highway, from Commercial to Moderate-High Density Residential.

**John Bowen** seconded the motion.

None opposed. **Motion carried.**

**Unfinished/Old Business:** None

**New Business:**

1. BYU-Idaho Student Enrollment – Eric Conrad

**Eric Conrad**, BYU-Idaho representative, reviewed the 2016 Spring Semester student enrollment for the University. The Headcount of students is 14,694 for the spring semester with a total of over 36,000 students enrolled in all programs. The Headcount numbers are those students attending the Rexburg campus.

It is expected that the number of students enrolled in the 2016 Fall Semester will have increased over last fall's numbers. The percentage of female and male students is beginning to even out.

The University has received approval to increase their Full-Time equivalent. It would increase over the next 5 to 6 years, about 1000 students a year, increasing the Headcount to about 23,500 students.

Mr. Conrad stated that he will come back in the fall to report on the new numbers for student enrollment.

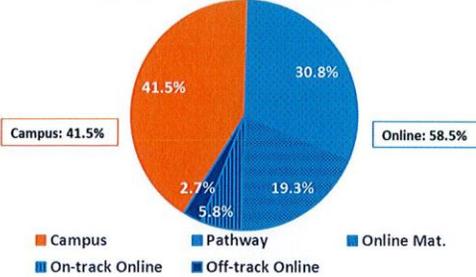


## Enrollment Services

May 2, 2016

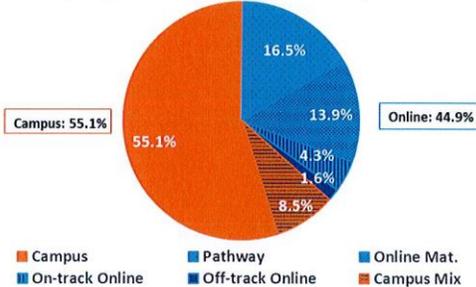
2016 Spring Semester	Headcount (HC)	Full-Time Equivalent (FTE)	Student Credit Hours	Average Credit Load	Spring 2015 HC Difference	Spring 2015 FTE Difference	% HC Growth	% FTE Growth
Campus HC	14,694	12,210	183,156	12.46	952	742	6.9%	6.5%
On-track Online Only	2,057	816	12,243	5.95	279	155	15.7%	23.5%
Off-track Online Only	941	316	4,738	5.04	265	89	39.2%	39.1%
Campus Matriculated Away	653	195	2,925	4.48	26	1	4.1%	0.5%
Online Matriculated	6,819	2,668	40,022	5.87	2,310	864	51.2%	47.9%
Other Enrollment	144	36	537	3.73	9	2	6.7%	5.3%
Employee	124	37	554	4.47	18	3	17.0%	8.4%
CES Enrollment	119	29	437	3.67	N/A	N/A	N/A	N/A
Pathway	10,894	3,171	47,572	4.37	1,578	35	16.9%	N/A
<b>Total</b>	<b>36,445</b>	<b>19,479</b>	<b>292,183</b>	<b>8.02</b>	<b>5,437</b>	<b>1,892</b>	<b>19.70%</b>	<b>18.75%</b>

Spring Semester 2016 Head Count



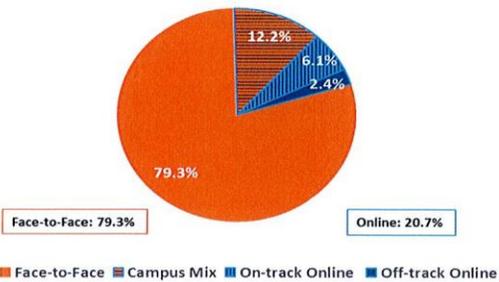
Headcount	Spring 2016 Semester	Spring 2015 Semester	Difference
Campus	41.5%	45.9%	-4.4%
Online	58.5%	54.1%	4.4%
Pathway	30.8%	31.0%	-0.2%
Online Mat.	19.3%	14.9%	4.4%
On-Track Online	5.8%	6.0%	-0.2%
Off-Track Online	2.7%	2.2%	0.5%

Spring Semester 2016 Full-Time Equivalent



Full-Time Equivalent	Spring 2016 Semester	Spring 2015 Semester	Difference
Campus	55.1%	58.0%	-2.9%
Online	44.9%	42.0%	2.9%
Pathway	16.5%	18.1%	-1.6%
Online Mat.	13.9%	10.4%	3.5%
On-Track Online	4.3%	4.0%	0.3%
Off-Track Online	1.6%	1.3%	0.3%
Campus Mix	8.5%	8.1%	0.4%

Spring Semester 2016 Campus Credits



Campus Credits	Spring 2016 Semester	Spring 2015 Semester	Difference
Face-to-Face	79.3%	81.2%	-1.9%
Online	20.7%	18.8%	1.9%
Campus Mix	12.2%	11.3%	0.9%
On-Track Online	6.1%	5.6%	0.5%
Off-Track Online	2.4%	1.8%	0.6%

**Compliance:** None

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

**Report on Projects:** None

**Tabled Requests:** None

**Building Permit Application Report:** None

**Heads Up:**

June 15, 2016, Wednesday – 5:00 pm - P&Z Commission has Joint Meeting with City Council

No items were scheduled for the next P&Z meeting date, June 2, 2016. The Commission made the decision that unless something comes up, the June 2<sup>nd</sup> meeting is cancelled.

Chairman Sutherland adjourned the meeting at 8: 21 pm.