

Planning & Zoning Minutes

September 1, 2016



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:

Jedd Walker – Chairman
Mark Rudd
Heidi Christensen
Melanie Davenport
Rory Kunz
Greg Blacker
Bruce Sutherland
Gil Shirley

City Staff and Others:

Brad Wolfe- City Council Liaison
Natalie Powell – Community Development Compliance Officer
Colton Murdock – Community Development Inter
Elaine McFerrin – P&Z Coordinator

Chairman Jedd Walker opened the meeting at 7:02 pm.
Community Development Director Val Christensen was excused.

Roll Call of Planning and Zoning Commissioners

Attending: Greg Blacker, Gil Shirley, Rory Kunz, Mark Rudd, Jedd Walker, Bruce Sutherland, Heidi Christensen, and Melanie Davenport.

Steve Oakey, John Bowen, and Richard Smith were excused.

Minutes:

1. Planning and Zoning meeting – August 18, 2016 minutes

Gil Shirley motioned to approve the Planning & Zoning minutes of August 18, 2016. **Rory Kunz** seconded the motion.

Mark Rudd and Bruce Sutherland abstained for having not been present.

None opposed. **Motion carried.**

Public Hearings:

1. 7:05 pm - Rezone – 255 and 259 West 2nd North – Low Density Residential 2 (LDR2) to High Density Residential 1 (HDR1) – Wesley Haws

The public hearing process was explained by **Chairman Walker**.

Wes Haws, 136 West 8000 South, the applicant, presented the proposal. He is requesting to change the zoning designation of 255 and 259 West 2nd North, from LDR2 to HDR1. The property is next to the parcel that has a Cable One building which houses fiber-optic equipment. The location of the two subject parcels was pointed out on the overhead screen. Mr. Haws eventually wants to build a small apartment complex, possibly 10 units. The Comprehensive Plan land use designation of the properties is Moderate-High Density Residential. High Density Residential 1 fits under that designation.

The east half of the block is zoned Light Industrial. Properties on the southwest corner of the block are zoned High Density Residential 1. The requested change would create a buffer between the Low Density Residential 2 and the Light Industrial zones.

At 255 West 2nd North, there is a mobile home. The property at 259 West 2nd North has a single family home.

It was clarified that the HDR1 property on the southwest corner of the block, where apartments are currently being built, was rezoned a couple years ago.

Rory Kunz asked if Wes Haws had discussed the proposal with neighbors. Mr. Haws said he spoke with Scott Banta, who owns the property at 259 West 2nd North. Mr. Banta joined him in this request. At least 50% of the other surrounding properties are rentals.

For clarification, **Community Development Compliance Officer Natalie Powell** pointed out the surrounding areas. Apartments are coming in to the south, and also to the north, near the Walters cement business. The city anticipates some of the surrounding areas may be redeveloped in the future. The best use could be higher density to buffer the lower density residential homes from industrial. The area would eventually be improved with curb and sidewalk.

Chairman Walker opened the public input portion of the hearing.

In Favor:

Scott Banta - He owns 259 West 2nd North, one of the subject properties of this rezone request. It is currently just a single family home. He agreed to be a part of this request because the change would not affect him negatively; it would bring positive opportunities.

Neutral:

Tim Solomon, 127 East Main, Rocky Mountain Power Regional Business Manager. He is not here to speak in opposition to the proposal. He did have concerns. On the east corner of the same block where the subject properties are located, is a 69KB substation. They definitely have plans to expand the substation to a 161KB substation. They do not know when expansion would occur.

The small parcel that Cable One has a building on is actually owned by Rocky Mountain Power. They would not allow any parking or access on that parcel.

What they do not want is to have a zoning change that would impact their ability to expand the substation. That is their big concern. They want to be able to expand and provide Rexburg with the capacity that will be needed in the future.

Opposed: None

Written Input: None

The Chairman closed the public input portion of the hearing.

Compliance Officer Powell said the requested zone of HDR1 allows 30 units per acre. The development would be limited by the parking that would be required. The size of the subject property is .8 acres. The applicant would work with staff. Staff would make sure that the necessary improvements would be done that would benefit the neighborhood.

Several years ago the Fire Department condemned the trailer on 255 West 2nd North. Staff is excited to have the trailer removed and the property cleaned up, with something positive going there.

From Community Development staff report for Rezone – 255 & 259 W. 2nd North

If the Commission determines that High Density is appropriate, Staff recommends that they take into consideration changing the whole block to High Density Residential. This would have to take place in other meetings and would be handled by City Staff.

If the Planning and Zoning Commission determines that the change is in the best interest of the City of Rexburg and the adjoining neighborhoods are not adversely affected, Staff requests that the Planning and Zoning Commission recommend that the City Council process the requested zone change.

Compliance Officer Powell explained that the maximum density of the current LDR2 zoning would be a duplex, with a Conditional Use Permit.

It was clarified that the request is not seen as spot zoning. The properties to the south of the subject property could eventually turn into more housing. The area is in transition.

Discussion – it was clarified that the P&Z Commission cannot expand an advertised public hearing request to make the request larger. In the future, there could be a new application request to change more of the block.

Chairman Walker asked if any of the Commissioners needed to declare a conflict of interest or perceived conflict of interest regarding this rezone request. No one declared a conflict.

Bruce Sutherland felt the proposal was a good fit. He understands the power company’s concern. This change would not impact them.

Gil Shirley agreed that this request would fit the area.

Melanie Davenport said the request makes sense. It would bring more density close to the business areas of downtown.

Bruce Sutherland motioned to recommend approval to the City Council of a rezone from Low Density Residential 2 (LDR2) to High Density Residential 1 (HDR1), for the property located at 255 and 259 West 2nd North. **Rory Kunz** seconded the motion.

None opposed. **Motion carried.**

Unfinished/Old Business: None

New Business:

1. Gorilla Performance – Review for buffering requirements

From Development Code Ordinance No. 1115 – Section 4.7a. Screening Requirements iv. Highway 20 Corridor – “All development adjacent to the Highway 20 right-of-way must submit a site plan to the Planning and Zoning Commission and be approved by the Commission prior to obtaining a Building Permit.”

Natalie Powell clarified that this language from the Rexburg Development Code explains why this issue is on the agenda. She pointed out the subject property on Jet Stream Drive on the map, the future new location for Gorilla Performance. It is adjacent to Highway 20 and next to Madison Gymnastics.

All developments against Highway 20 have a grassy strip, or other landscaping to buffer the developments from the highway, helping to soften/protect the view of the city.

She pointed out Madison County property to the north which has a heavier buffer, which helps to block its equipment, etc. from cars passing on Highway 20.

Johnny Watson, 1152 Bond Ave, presented the issue. The new location of the Gorilla Performance business will be on Jet Stream Drive. The west side of the parcel is next to Highway 20. The site plan was viewed.

The existing buildings in the area are very simple. This is in industrial zoning.

The owner of Gorilla Performance specifically wants to draw people from the highway traffic. The parcel for the development was pointed out. The lot size is a little less than one acre. The owner wants signage on the highway side of the parcel.

The entrance to the business would be facing Highway 20, along with greenscape and public parking. There will be a little more character with this building.

Greenscape would likely be grass so nothing blocks the business signage. Entrances to the building have bump outs. Overhead garage doors would be on the Jetstream Drive side of the building. Vehicles could back out of the overhead doors and pull into the front. The building will sit back about 38 feet. Snow storage would be on the west side. There would be sidewalk on Jetstream Drive.

Mr. Watson would like the P&Z Commission's blessing on whether the presented site plan looks appropriate and enhances the community from Highway 20.

It was discussed that lower vegetation such as bushes or slower growing trees could be added for visual interest without blocking the signage.

Compliance Officer Powell clarified that any issues will be taken care of during the building permit process through staff review; the development will have to meet code. She emphasized that this is where the city wants these kinds of businesses – in the industrial zone.

Melanie Davenport expressed concern of safety on the east side regarding people going to the gymnastics center; the area should be visually open, so that the traffic on Jet Stream Drive can see this new development has work going on and that vehicles may be backing up.

Mark Rudd suggested some trees would be a positive addition to the buffer from the highway.

Chairman Walker said the look would soften with shrubs or trees. **Melanie Davenport** agreed.

Rory Kunz stated that because this appears to be a good looking building with more visual detail, the design of the front of the building which would face Highway 20 does the softening itself

Rory Kunz motioned that the P&Z Commission approves the presented Gorilla Performance site plan regarding Highway 20 corridor buffering per the Development Code, as long as the development will be as presented tonight - with the front of the business facing the highway and with the 3-dimensional entranceways. **Bruce Sutherland** seconded the motion.

It was clarified that each future building that is to be in the Light Industrial zone and next to the highway would come before the Commission for site plan approval as this one did.

Melanie Davenport felt this could set a precedent for future development in the area. She would like to see more buffering towards the highway.

Those in Favor:

Greg Blacker
Gil Shirley
Rory Kunz
Mark Rudd
Jedd Walker
Bruce Sutherland
Heidi Christensen

Those Opposed:

Melanie Davenport

Motion carried.

The applicant stated he understands the intent of what is being suggested by the Commission.

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 15th P&Z meeting:

1. Comprehensive Plan Map Amendment – 141 and 135 South 2nd East - Low-Moderate Density Residential to Neighborhood Commercial/Mixed Use – Steve Herdti and 2M Holdings LLC
2. Conditional Use Permit – 322 West Main - to allow per the Rexburg Development Code Section 3.7.025, a “Boarding House” (i.e. nightly rentals; short-term rentals) in a Medium Density Residential 1 Zone (with Professional Overlay) – Danny Hebdon

Chairman Walker adjourned the meeting at 7:57 pm.