

Laura Hanson of Cooper Roberts Simonsen Associates, 700 North 200 West, Salt Lake City, Utah, the urban planning consultants for the city, presented the new Comprehensive Plan, using a PowerPoint presentation on the overhead screen. She thanked the Commissioners for all their hard work in creating this great document. She acknowledged that the Commission had worked on this document for several years before CRSA was hired to complete it and that CRSA had built upon these efforts of the Commission. At the beginning of the process, they conducted a public outreach for input on what is important to community members and on any concerns there might be. The city of Rexburg has experienced tremendous growth. The community vision statement of the Comprehensive Plan is to help ensure that the qualities of life in Rexburg are maintained and preserved.

For each chapter in the Comprehensive Plan there was a series of goals, objectives and policies; existing conditions; and what could be done in the future. The areas Laura Hanson focused on were:

1. Economic Development - promote and support a diverse and sustainable economy. An increase of 8000 jobs can be expected by the year 2020 in Madison County. The Downtown analysis found it was a critical piece of the city that residents want to maintain as the center and heart of Rexburg. Airport expansion and promotion is critical for expansion of both the university and business development in the city.

2. Land Use and Agriculture- preserve the high quality of life in Rexburg and strengthen the image of the city as America's Family Community. Promote park spaces. The Comprehensive Plan suggests preservation and support of existing neighborhoods. There are no changes in land uses in developed residential areas. Neighborhood Centers will exist as self-sustaining neighborhood units, each with a central hub. Development may occur farther to the north and also to the west side of Highway 20 where the new high school is being built. Commercial development is encouraged around the existing infrastructure- the highway, the 3 interchanges, along Yellowstone Highway, and near the airport. There could be light industrial and business park developments along the railroad lines as well as near the airport. Downtown revitalization is also encouraged, pedestrian emphasis areas are identified, and clustered bench development and open space preservation are goals. Open space is suggested along the highway entering Rexburg, to preserve a nice view corridor as visitors enter Rexburg. The draft preferred land use map (Comprehensive Plan Map) was projected on the screen to show the areas.

3. Transportation – Plan ahead for transportation needs in Rexburg, and work with local state and regional decision makers regarding these issues. Provide an efficient and integrated transportation system for the city. Goals include maintenance of roads, extension of the historic grid, and additional east- west access routes and north- south access routes, and safe routes to schools, trails, and bike lanes.

4. Parks and Recreation - Develop a new neighborhood park in the southeast quadrant of the city. Utilize areas that are not suitable for development, as parks when possible. It is recommended to develop a capitol improvements plan that identifies and prioritizes park and recreation needs. Emphasize landscaping throughout the city, and develop a river park plan for lands along the river. The Parks and Recreation Plan Map was shown on the overhead screen.

The creation of a framework for inter- jurisdictional decision-making was done by representatives of Rexburg, Madison County, and Sugar City. A joint commission (3 members of all affected local

jurisdictions, always including Madison County), will be created to make decisions regarding impact areas.

Chairman Dyer recognized Laura Hanson's and her colleagues' monumental effort in putting together this new Comprehensive Plan.

The Commissioners asked Laura Hanson questions for clarification. She said her firm is also currently serving as the consulting planners for Madison County's comprehensive plan.

Chairman Dyer opened the questioning to the public to clarify what is being proposed with this new Comprehensive Plan.

Johnny Watson, 1152 Bond Ave. He commented on the lack of availability to the public of the draft plan. He asked for clarification of sentences on page 13 of the draft Comprehensive Plan document regarding low building height allowing the community to enjoy the summer sky more and its helping to maintain historic roots. He has lived here 42 years, and has been architecturally involved a number of years, but had not heard this comment before and wondered where it originated. Laura Hanson said the comment most likely came from the public input meetings that were held. On page 34 regarding the statement: "Consider community character in the design and appearance of schools. Utilize public workshops to engage the broader community as well as review by the city and county design review boards." Is this statement asking our schools to be community designed, or designed by experts? Laura Hanson answered that the location of schools, not the actual physical design of schools, is being addressed in this statement. Mr. Watson also questioned the objectives of parking in the rear of businesses. He commented on the draft Comprehensive Plans statements on increasing landscaping in parking lots, and he also was concerned with the narrowing of some streets on the Comprehensive Map. He said if Public Works agrees with what is stated in this document regarding these issues, then he is okay with it also.

An audience member asked about the area near the hospital and why it's planning was not addressed. He is concerned with how people are going to get to the hospital. Laura Hanson said it was felt that changing the land use around the hospital would not be in the public's interest, as residents appeared happy with the way it is now. She did say that there is opportunity close by for spinoff businesses such as medical offices. Ms. Hanson said it may be found that another hospital is needed in the future. Getting there now is a challenge. The audience member wondered why there was not this concern addressed. She said there may be a transit system at some point that could help the public get to the hospital.

Another audience member wondered at the process of implementing the grid system where roads are already built. Laura Hanson stated the plan is suggesting they should not go in and change something that has already been built. There will be some challenges in tying into the grid where roads have been constructed on a non-grid pattern. It is suggested in this comprehensive plan to apply the street grid in areas that are undeveloped and then where possible linking those new roads based on the grid to the existing road systems.

Gary Leikness stated that the most significant change in the new comprehensive plan is the focus on nodal development, which are shown on the draft Comprehensive Plan Map – these include areas of town that have not been planned for in the past, and this now gives those areas some much needed direction.

Laura Hanson said that Rexburg is growing rapidly and is in a great position to do things right the first time; there is almost a blank slate in some areas. There is still the opportunity to have a good foundation in place for Rexburg's future.

Chairman Dyer opened the public input portion on the Comprehensive Plan document and the Preferred Land Use map (also called the Comprehensive Plan map).

In Favor:

David Pulsipher, 331 S. 3rd East, also president of the 3rd East Neighborhood Association. He is in favor of the extension of the grid. He feels this is extremely wise and will provide much easier access throughout the city. It will facilitate traffic patterns and development.

Don Sparhawk, 37 S. 3rd East. He commended the Commission for its goal of preservation and support of existing neighborhoods.

Pat Hinton, 55 S. 2nd East. She appreciates the fact that the neighborhoods are being preserved and stated the protection of neighborhoods should be continued.

Carla Jimison, 255 Harvard. She said she sustains the last 2 speakers in their statements regarding preservation of neighborhoods.

Mary Haley, 275 E. 1st S. She commended the Commission and is glad to see that residential neighborhoods are preserved on the proposed Comprehensive Map.

Preston Haley, 275 E. 1st S. He stated he is totally for the preservation and support of existing neighborhoods. He also strongly supports 2nd East, on its east side, being zoned residential as it is shown.

Neutral:

Johnny Watson – 1152 Bond Ave. He apologized for not having gotten the Comprehensive Plan document sooner since it was available to him. He said that as a design professional and as a citizen of this community, he relies on this Commission to decide if this Comprehensive Plan is ready for adoption. He touched on his concerns earlier in this meeting, but would support the Commission in that adoption.

Stephen Zollinger said some churches are marked as public on the draft Comprehensive Plan Map; they are not public; this will need to be corrected.

Judy Hobbs, Realty Quest 117 West Main. She commends the Commission and Laura Hanson for their hard work. She has collector corridor concerns (2nd East to Hwy 20, 12th West as it goes north to the golf course, and some areas south from Main Street right along the highway), such as putting high density residential rather than commercial near Hwy. 20, which she feels is not a good choice.

Mrs. Hobbs also has buffering concerns and health hazard concerns for residences near the

highway. She feels the plan is a great vision, but that the jump from today to 2020 should be one of more gradual change.

John Hegsted, 1419 N. 2nd E He stated he was not aware of this hearing until a neighbor informed him of it. He wondered why his property at the north interchange is now agricultural, but when annexed the agreement was for it to be commercial. In addition, he feels that residential along 2nd East does not make sense.

Lisa Jones, 860 Capital Ave. She said she did not have enough information ahead of time. She is concerned with the look of the town. She likes buildings with character and history, reflecting the agricultural and pioneer heritage of Rexburg. As an example, she was dismayed at the Hemming design and feels it does not seem to fit the city.

Opposed:

Ken Sakota 1245 N. 2nd East. He is concerned with the north corridor and feels it should be commercial. It does not make sense to him to change it on the map to residential. There are 4 different land designations for his property. His vision is for retail on the west side of the street along 2nd East, with an entrance from the west. Beyond that, he would see condominiums as a buffer. Mr. Sakota would like consistency and continuity in what is done. He would like 2nd East to be commercial on both sides.

Gary Leikness clarified the scale of the comprehensive plan map. He pointed out that the small squares on the map actually designate 10 acre blocks, which are the same size as our downtown block which now allow for many uses such as the block where Broulim's grocery store is located. That block contains a grocery store, restaurant, furniture store, video store and other.

Doug Sakota 1245 N. 2nd E. He also stressed that there should be continuity and consistency; building homes near Hwy 20 on North 2nd East does not make sense to him. He is a strong advocate of property rights – he stated he has never been asked what he would like for his property. Mr. Sakota would like the map changed back to commercial in that area, which he pointed out on the overhead screen. He would like the commercial corridor preserved.

Phyllis Bond 250 E. 3rd S. She has lived on this street all her life. She stated that once before there was an attempt to change the map in the area she resides. She wants the area to be left as it is The college, as far as the traffic increase it has brought, has pushed residents out. Please leave the residents alone; leave things as they are.

Brent Barker, 231 E. 3rd S. He said he agrees with his neighbor, Phyllis Bond - preserve the residential area there as well as in other areas throughout the city.

Gary Thompson – 241 S. 2nd E He stated he is neutral and a little opposed. He agrees with the presentation that more routes are needed to get across the city. The street he lives on has extremely busy traffic. He again said he is a little opposed, but thinks what was presented is a good plan.

Gary Lovell – 473 Morgan. He commends the efforts to bring good city planning to Rexburg. He agrees with the Sakotas who previously spoke, about commercial designation. He asked the Commission to consider commercial areas to give the hospital and some of its doctors more adequate space. The needs of the hospital and for other medical space should be addressed.

Written Input: None

Rebuttal:

Laura Hanson – The Planning & Zoning Commission has the responsibility to do what is right for their community, and this is often challenging. She stated that the 2nd East corridor is challenging. The Commissioners will need to evaluate whether commercial areas should be extended, in addition to the traffic and people increase that these changes may bring. Hopefully, the Comprehensive Plan will guide the Commission with some of the challenges that are presented to them. She will help facilitate any changes the Commission may decide to make to the Comprehensive Plan.

Chairman Dyer clarified for the public that there are 2 maps the City of Rexburg goes by – 1) the preferred land use map (which is the Comprehensive Plan map) looks to the future and is foundational to everything, and 2) the zoning map is what in actuality by law can be done on a piece of property. The zoning map arises out of the preferred land use map. There is not any rezoning of properties on tonight’s agenda; the Commission is just looking at possible preferred land use changes as they look to the future and plan for development. The Planning and Zoning Commission is an advisory body to the City Council; there will be a subsequent hearing before the City Council. They will make the final decisions on what is adopted.

Gary Leikness stated, after being asked for input from the Chair, that it is good that the Comprehensive Plan document will support the Comprehensive Plan map; it is a positive tool for the City. Planning staff fully supports what is before the Commission tonight

Chairman Dyer asked for clarification that several maps, including transportation maps showing arterials and a map of downtown BYU-Idaho pedestrian emphasis, will be included. Laura Hanson stated that the maps will be in the text of the Comprehensive Plan document.

Chairman Dyer closed the public input portion of the hearing.

Chairman Dyer said the question before the Commission is if the Comprehensive Plan document and the Comprehensive Plan map that were presented tonight should be recommended for approval to City Council.

David Stein said the Commission has been working for 5 years to complete this new Comprehensive Plan; it is not something they have taken lightly. There has been lots of input from the community. The City has been gracious enough to hire some experts in the field. This plan is not the planners’ plan – they have had a number of work meetings with Planning and Zoning, and with City Council. He personally feels that taking the 2nd East corridor to commercial as in the old comprehensive map was a mistake. Changes can be made to the comprehensive plan in the future if they are needed. He supports this Comprehensive Plan document and this Comprehensive Plan map.

Dan Hanna wondered about the process of adding to or correcting the presented document and map.

Chairman Dyer said the Commission could, as part of the motion to City Council, ask that staff’s comments be considered. He said they might concentrate on whether a land use is right or whether a goal is appropriate, with other issues to be addressed by the City Council.

Charles Andersen stated this is a living document: it will continue to change. What was presented helps drive direction. The more detailed zoning map is where the Commissioners would need to define issues.

Ted Hill was concerned about the zoning map and about those here tonight

Chairman Dyer said the zoning map remains unchanged tonight; the public's rights are preserved.

Randall Porter expressed concern about the 2nd East corridor.

Richie Webb felt the map seemed choppy. **Josh Garner** shared the same concerns.

Ted Hill said they need to move ahead. They can always make changes.

David Stein stated it could be called patchwork on 2nd East if the areas concerned were half blocks or smaller, but as Gary Leikness stated earlier, they are talking about 10 acre parcels. This document is a planning document that describes a vision of clustering business around the traffic centers.

Mike Ricks stated he supports that the document and map go to City Council as it is; it is a living document that can be changed or modified in the future.

The Commissioners continued their discussion.

David Stein motioned to recommend to City Council the adoption of the City of Rexburg Vision 2020 Comprehensive Plan Document and the Comprehensive Plan Map, to include any edits that staff may have. **Charles Andersen** seconded the motion.

Those in Favor:

Winston Dyer
Thaine Robinson
David Stein
Mike Ricks
Dan Hanna
Charles Andersen
Ted Hill
Randall Porter
Josh Garner

Those Opposed:

Richie Webb

Motion Carried.

Comprehensive Plan Map Amendments by Applicants:

The applicant Areas were taken in order of public interest from the audience members – **Area 4, Area 2, Area 3, and Area 1.**

Area 4 – Legacy Leasing

Johnny Watson, JRW & Associates, 1152 Bond Ave. He presented the proposal for Legacy Leasing. The areas specified in the public hearing notice under Legacy Leasing are currently low-moderate residential. The applicants would like the area changed to mixed use. The request includes property owned by Dr Lovell, Dr. Robert Lofgran, and Dr. Douglas Smith. Mr. Watson pointed out the areas on the overhead screen. The applicants are not asking for a change in zoning; they have a vision for the future and where this area is going, for the community and would like to move toward that vision.

Richie Webb recused himself due to direct conflict of interest.

Gary Leikness clarified that the applicants are requesting a change from low to moderate residential density to mixed use. He pointed out the area, which measures about 1.5 acres, on the map on the overhead screen. The area currently has a good variety of mixed uses. The draft comprehensive plan map is low density residential in this area, but the Public Works Director clarified that at this time it is just a draft document. The Commission needs to look at a balance between the neighborhood residents and expansion needs. If changed, the area could generate more traffic on 2nd East.

Dr. Lovell said that Professional Office is what they would like the land use change for.

Chairman Dyer opened the public input portion.

In Favor:

Gary Lovell , 473 Morgan Drive. Growth has been such that the doctors involved in this request and several other clinics need more space. They purchased properties in the area with the understanding that they could be used for commercial/professional use. He said it was changed from this designation without notification to him. The recent changes in the hospital accentuate their move to have more space for medical expansion. Dr. Lovell said he is open to suggestions from the Commission for other areas in which they can expand, but due to further distance away from the hospital, he does not think that would be wise. He feels very sympathetic to the feelings of the neighborhood. The decision to keep the hospital in its current location was made. There needs to be some allowance for development in proximity to the hospital.

Doug Smith, 1009 Larch Drive. He owns some of the property in this proposal and feels it is a good use to have offices in this area. He feels that doctors should have the opportunity to get to the hospital quickly if they are needed. They are not trying to push anyone out of their homes; he only wants to use the properties he owns in ways that are useful to this community.

Neutral:

Steve Oakey – 25 South 3rd East. He stated that 2nd East is a unique street in this city. It will continue to bear traffic. There may be more construction in both the north and south directions. It behooves everyone to work together. He is sympathetic to both sides; the doctors should retract their request for a mixed zone and go toward a PRO Zone which would take into consideration the neighborhood. Mr.Oakey has some concerns for those neighbors who are not present at this

meeting. He feels willing to work with the doctors if they extend a hand to work cooperatively with other interested parties in the neighborhood, as they develop.

Myron Williams 158 S. 2nd E. His biggest concern is traffic. It is hard to get out of his driveway. He is neutral to the proposed change in land use.

Opposed:

Don Sparhawk 37 S. 3rd E. He said that a similar request was discussed 3 years ago and has been done 3 or 4 times before. The request was denied in the past, but a ProZone was a possible idea at that time; it never developed. He is willing to compromise, but that is a compromise that should involve both the residents and the professional people. Others in the neighborhood feel the same; he is asking that the Commission turn down the proposal tonight and suggest a PRO Zone for the area, as suggested a few years ago by the City Council.

Mary Haley 275 E. 1st S. She stated that a week ago **Richie Webb** and Dr. Smith invited the residents to a meeting to discuss this proposal. At that time there was not a footprint plan, but there is tonight. They were told that the proposal would be for mixed use of the land; there was also the concept that there could be a 3 story building, which would greatly impact the area. **Mr. Webb** said at this meeting that those who were not contiguous to the properties were not impacted. Mrs. Haley disagrees. She feels this proposal would negatively affect herself and the neighborhood in which she lives, which surrounds Professional Plaza. She stated that an ingress/egress was suggested that would impact the residents greatly. She is concerned about the applicants' lack of talking with the neighbors. The content of the neighborhood has not changed very much at all. The neighborhood is not against professional people, but pushing out to 3rd East would affect many others. She felt a PRO Zone would really help.

Pat Hinton, 55 S. 2nd E. She appreciates and agrees with the comments of Don Sparhawk and Mary Haley. She feels frustrated with the doctors' plans for the proposed area. In a meeting with city officials, the East Main Neighborhood Association, and Professional Plaza representatives, there was only one person that came representing Professional Plaza..No ideas were presented on what the Professional Plaza representatives planned to do. This proposal will increase traffic on 2nd E. The corridor to the Temple will be affected. As it is now, the area is a good representation of Rexburg's being a family community. Mrs. Hinton feels if more professional buildings are put on 2nd East, from Main Street and going up 2nd East, the area will lose its integrity. She feels it is not the time for this change; perhaps there will be a time in the future. She has an excellent home and does not want to sell it. She would like to know more about what the doctors would like to do – a drawing or a proposal could be provided.

Ron Lindsay, 70 S. 3rd E. He stated he lives just to the east of Professional Plaza. The residents did try to be agreeable with Dr. Smith when there were problems with his property setbacks. Another city would have forced him to tear his building down. The residents have tried to be reasonable although not always unemotional. He said that potential buyers who were looking at Dr. Smith's properties to use as private residences were turned down and told the properties were going to be used for medical- related commercial projects. If Rexburg is a family community, Mr. Lindsay hopes the Commission will protect the lower income families, or the city slogan needs to be changed. Part of directing the growth of the community is protecting residential neighborhoods from commercial encroachment and helping to keep them stable, clean, and nice. The building trend is being forced

toward more medical offices by those with special interests – the doctors. He acknowledged that there is a traffic problem on 2nd East, but he feels people would still be interested in buying the private homes there to be used as residences if the land use remains unchanged. Commercial development could be done south of the Temple or to the west. Citizens rely on the Planning & Zoning Commission and City Council to protect the home owners from affluent developers who have other interests, or all these homes will be gone.

Rebuttal:

Johnny Watson 1152 Bond Ave. On behalf of the applicants, he would like to acknowledge the residents' concerns and comments regarding this proposal. The applicants understand it is a very emotional issue. They appreciate the very open door and helping hands that have been suggested this evening. They stand by their request to change the parcels specified to mixed use on the Comprehensive Plan Map (Preferred Land Use Map).

Written Input:

Letter from Pat Thompson - in favor of the proposal, read aloud by **Chairman Dyer**.
Letter from Dee Halley – neutral to the proposal, read aloud by **Chairman Dyer**.

The Commissioners discussed the request.

Thaine Robinson said he understands both sides' concerns but feels uncomfortable with such a change.

Josh Garner wondered how such a proposal could fit with the new Comprehensive Plan's statement regarding preserving neighborhoods. **Chairman Dyer** clarified that these applications have been pending for some months and came forward under the current Comprehensive Plan.

Charles Andersen recommended for approval to City Council the request for a change to mixed land use for Legacy Leasing on the condition that a PRO Zone is sought by the applicant. **Dan Hanna** seconded the motion.

Stephen Zollinger informed the Commission that this motion cannot legally be done as it ties a land use designation request to a zone. The motion should be withdrawn

Charles Andersen rescinded his motion. **Dan Hanna** seconded the rescinding of the motion.

Mike Ricks motioned to recommend to City Council to **deny** the request from Legacy Leasing for a land use change from low moderate residential to mixed use for the parcels specified. **David Stein** seconded the motion.

The Commissioners discussed the motion.

Those in Favor:

Winston Dyer
Mike Ricks
David Stein

Those Opposed:

Dan Hanna
Ted Hill

Charles Andersen
Thaine Robinson
Randall Porter
Josh Garner

Motion Carried.

Area 2 – Evan Nef

Evan Nef, 208 E. 3rd S. He presented his proposal to change 208 E. 3rd S. from low moderate residential to moderate high residential density. He and his wife JoAnn and his 4 children live at this property. They love their home. He feels the land use change that is being requested would help his family's future, and it would also fit for this area. When they purchased the home, they informed their neighbors of their potential plans for the home and did not get any negative feedback. Mr. Nef showed his presentation on the overhead screen. The Comprehensive Plan 2010 addressed developing higher density housing near the college which would serve the students. The 2020 Comprehensive Plan also addresses this subject - higher density housing at arterial intersections and to serve the students. This property is not an appropriate use for a single family. There is no privacy; it is not a good area for young children. The traffic is very heavy. Mr. Nef stated that the Kensington Apartments, 3 stories high and for students, are just to the east. Adults and youth walk through their front yard on a daily basis. It is an indicator that the property is not valued as a private residence. This property would act as a buffer to the individual residences if the land use change is approved. Mr. Nef showed the vegetation around the home, which helps as a buffer. Dormitory housing is his aim if the land use change is approved. His request would perpetuate a good looking house for a good use. He feels it would have little impact on the neighbors. They are not planning to change the physical property; they just would like to have students live there.

The Commissioners asked questions for clarification.

Thaine Robinson asked what has changed since they bought the home. Evan Nef stated not much has changed; they just were not aware of the impact living at that location would have on their children.

Thaine Robinson also asked if Evan Nef had talked to the neighbors surrounding this property. Mr. Nef said he did but was not given any negative feedback at that time.

The current zoning of the property is Low Density Residential 2 (LDR2).

David Stein stated the LDR2 allows for a 2-family residence and asked if the applicant had considered that. Evan Nef said he had, but he did not think it could work for them.

Gary Leikness clarified the proposal. The applicant is asking to go from low – moderate to moderate – high residential density. The new Comprehensive Plan has 3 designations for residential. If approval were recommended it would be medium density. It is directly next to high density. A zone change would be required if the land use proposal is given approval. The Commissioners need to determine if this location is appropriate for higher density use.

In answer to **David Stein's** recalling that this particular property had been before the Commission several years ago, Stephen Zollinger said the property owners at the time requested a commercial designation for a bed and breakfast.

Chairman Dyer opened the public input portion of the hearing.

In Favor:

JoAnn Nef, 208 E.3rd S. She stated she did not have any idea of how the lack of privacy would impact her family. Their eyes have been opened in the last several months since they purchased the home. They did not plan to ask for this change so quickly. One does not know the reality of a place until actually living there. She thanked her neighbors for being at this meeting

Neutral:

Gary Thompson, 241 South 2nd East He stated he is neutral and that Evan Nef pointed out some good things. He feels traffic and proximity to the college needs to be looked at. The college will get bigger, and the traffic will not get any less. The city has parking problems. He is in a similar situation with the applicant and rents to families.

Myron Williams 158 S. 2nd E. They are trying to sell their home and understand the applicant's situation. Dormitory housing is on all but one side of their home; there is a lot of noise that carries over. It was not that way when they moved into their home. The potential buyers that look at their property are not families looking for an individual home but are those asking if students may live there.

David Pulsifer, 331 S. 3rd East, also representing the 3rd East Neighborhood Association. The home in this land use request is a gateway into the neighborhood, an anchor property. There is a lot of concern about maintaining this transition from the college and higher density into the beautiful neighborhood. At the same time they realize it is a problem property in terms of what was previously addressed. They are in favor of anything that can keep the general residential feel and look of the neighborhood – keep the beautiful trees and the wonderful yard. At the same time they recognize that it has to be a viable property. Mr. Pulsifer thinks a duplex might work; there is also a shortage of good family rentals. If the dormitory use would be done properly it might be an option. He thought the bed and breakfast was a positive idea. He clarified for **Winston Dyer** that the home in this proposal is not part of the 3rd East Neighborhood Association.

Opposed:

Brent Barker 231 E. 3rd S. They wish the Nefs were staying; they are a wonderful family. They empathize with the neighbors who spoke earlier about this proposal. He is concerned with the potential parking problem that would carry over into the street with the residence's visitors. He would rather see no parking on the street. Mr. Barker said a duplex or a bed and breakfast might be something the Nefs could look at. He and his wife and other residents he has spoken with would like to preserve their neighborhood.

Corinne Barker 231 E. 3rd S. She is very much opposed to this proposal. She pointed out where she lives on the overhead screen; they have lived in their home for 24 years. There has been much growth and many changes. Many people walk through their property. Traffic is a constant problem

and concern. It gets backed up on 2nd East at certain times of the day. Noise has increased. Their street is used by dump trucks to haul materials to the new developments up the hill. This area needs to be kept, knowing that small children do live in the area and that safety is a concern. Mrs. Barker stated they love their home and do not want to move. They are dealing with the problems. The change requested would add more chaos. She also wondered how the proposal would affect their property as to whether it would increase or decrease its value.

Gayle Taylor, 275 Harvard. She has lived in her home for 47 years. She said the Comprehensive Plan presented tonight states residential areas will be preserved and protected. This proposal conflicts with that. She stated some of the older homes around the college are now neglected. She knows the Nefs are honorable, but she is against the requested change.

Mary Haley – 275 East 1st South She is opposed to this proposal. This property is a gateway to the neighborhood; she feels the change would be a detriment to the neighborhood. Neighborhoods need to be protected. A duplex is allowed in that home and would be a buffer to the neighborhood.

Karen Newman 141 E 2nd S. She is speaking for herself and her husband. Her husband's family has been there since 1952. She and her husband have lived there since about 1985. They are currently dealing with issues concerning the dormitory housing next to them. Their living situation was great as long as they had good owners next door. The Nefs are good owners, but if they were to sell, the neighbors would have no protection. She said that the greenery around her home has become a parking lot. During the winter, it is quieter, and parking is not allowed on the street. They are the only house in the area where they own and live in the home. Their privacy is not respected at all during the summer months. It is very noisy, and there are outdoor lighting and parking problems. The Newmans have to compete with the students for parking. Current construction is very noisy. She concurs with the Barkers and Mrs. Haley - protect the area; preserve the neighborhood. She opposes this change.

Carla Jimison, 255 Harvard. Her family moved to Rexburg about 5 years ago. She previously lived on 3rd South close to the Nefs and loved the neighbors and the neighborhood. She would like to see the neighborhood protected. Where she grew up in Michigan near a university, she saw many beautiful old homes gradually destroyed over time as the zoning changed. The home in this proposal is a buffer to the area. She suggested the applicant fence the property. There is a need for family housing; the neighborhood should be preserved.

Phyllis Bond, 215 E. 3rd S. All her arguments have been voiced. If the house use is changed, the neighbors will be the buffer. The residents fought against the bed and breakfast being on this property a few years ago, because of possible traffic increase. There is currently lots of traffic; she would hate to see something that would cause more.

Written Input:

Letter from Jean Garner – opposed to the proposal, read aloud by **Chairman Dyer**..

Rebuttal:

Evan Nef- The property was vacant when they bought it, and the entrance area was a mess. They did a lot of work to clean it up. They would keep it as it is – maintained – to be a benefit for the community and for them. The solution to a traffic increase might be a “no car” contract for the students that would reside there, if the city would allow that. He feels this land use proposal would protect the residential area.

The Commission discussed the proposal.

Josh Garner stated it was an unfortunate situation for the homeowners, but many people in that neighborhood do not want this change.

Thaine Robinson and **Randall Porter** thought the neighborhood should be protected.

Charles Andersen motioned to recommend to City Council to **deny** the request for a land use change from low-moderate residential to moderate- high residential density for 208 E. 3rd S. **Thaine Robinson** seconded the motion.

Those in Favor:

Winston Dyer
David Stein
Mike Ricks
Thaine Robinson
Ted Hill
Randall Porter
Charles Andersen
Josh Garner

Those Opposed:

Dan Hanna
Richie Webb

Area 3 – Hemming Properties

Richie Webb recused himself due to a direct conflict of interest.

Reginald Richey, New Mexico, the architect for Hemming Properties, presented the proposal to change the land use to mixed use for 130 W. 1st S. and 226 S. 1st W. The two properties were omitted from the Hemming request for mixed use several months ago.

In Favor: none

Neutral: none

Opposed: none

Written Input: none

The public input portion of the hearing was closed by **Chairman Dyer**.

Thaine Robinson motioned to recommend approval to City Council to change the property on the north from Moderate-high residential to Mixed use and the property to the south from Commercial to Mixed Use. **Dan Hanna** seconded the motion.

Gary Leikness clarified that these properties fall under the new Neighborhood Commercial /Mixed Use designation on the new Comprehensive Map and suggested those terms might be included in the motion.

Thaine Robinson amended the motion to state a land use change to Neighborhood Commercial/Mixed Use rather than Mixed Use. **Dan Hanna** seconded the motion.

None opposed. **Motion carried.**

Area 1 – John Millar

John Millar 523 Edith Circle, owner of the property at 336 West 3rd North, projected photos of the property on the overhead screen. There is a singlewide trailer with a 2- room addition built above it, on the property. It is adjacent to a parking lot. He is requesting a land use change from Moderate – high residential density to Industrial. Currently the area north of the canal is zoned industrial; the area south of the canal is zoned low density residential 2(LDR2). He is requesting a change to light industrial or industrial for the purpose of removing the trailer and building a 1000 square foot shop his son-in-law will run a business in. The canal runs through the property. The property is 50 feet wide and 160 feet deep.

Gary Leikness clarified that the request is to change to industrial from moderate-high residential density. It is important to note that the applicant would like to do a use that is industrial in nature. The change would bring industrial across the canal into a residential area, which would likely lead to future request of industrial encroachment into the neighborhood. The Comprehensive Plan designates the area as open space. The subject property would be a very small sliver or very small spot designation of industrial land in a residential and open space designation, which doesn't seem consistent with the comp plan direction for this entire area.

Chairman Dyer opened the public input portion of the hearing.

In Favor: none

Neutral: none

Opposed: none

Written Input: none

The Public input portion of the hearing was closed.

The Commission discussed the proposal.

Richie Webb recommended approval to City Council to change the land use for 336 W.3rd N. from Moderate-high residential to Industrial.. **Randall Porter** seconded the motion.

Those in Favor

Winston Dyer
Ted Hill
Thaine Robinson
David Stein
Randall Porter
Mike Ricks
Charles Andersen

Those Opposed:

Dan Hanna

Josh Garner
Richie Webb

Motion Carried.

**7:45 pm – Conditional Use Permit – Madison High School Supplement
Variance – Madison High School**

Stephen Zollinger recommended that the Commission open the hearing for the Conditional Use Permit (CUP), which is a supplement; he stated the Commission already approved the school location through the original CUP several months ago. Today the Commissioners can open the hearing, take public input, close public input, and then render an opinion exclusively to the location of the buildings on the site, so that the applicant can proceed. The hearing can then close. The deliberations can remain open; conditions can be addressed at the next Planning & Zoning meeting, in light of the late hour of this current meeting. The Variance part of the hearing can wait until the next P&Z meeting as well.

Johnny Watson, 1152 Bond, of JRW & Associates, presented the high school site plan on the overhead screen. The location is Trans Agricultural¹. The buildings sit 250-300 feet back. All Public Works and traffic issues are being worked on. Location of parking and landscaping can be addressed at the next meeting. The property has been worked on for 18 months. They feel it is very well laid out for safety and for future expansion of athletic fields.

Mike Ricks asked if there were any high spots in the building design provided for the drifting of snow.

Johnny Watson said they were very minimal; one may be behind the auditorium. The structural engineers are required to do the drifting analysis. He stated the new high school structure is completely different than the existing high school.

David Stein wondered about having more green space in front of the parking lot area.

Johnny Watson said it would be no problem for him to reduce the asphalt to allow for more green space along University Blvd.

Mr. Stein asked about the Design Review issue of sheltering the performing arts center.

Mr. Watson showed the facades on the overhead projector. They will be screening the areas as requested by the Design Review.

Gary Leikness stated both buildings meet the setback requirements. This supplemental CUP focuses on the site plan, the landscaping plan, and lighting plan. He supports the site plans as submitted.

Chairman Dyer opened the public input portion of the hearing.

In Favor: none

Neutral:

Mary Haley, 275 E. 1st S. She is concerned with the high school's shop location not being farther back on the property where it could be screened better. She wondered if a fence would contain the excess materials from the shop.

Opposed: none

Written Input: none

Chairman Dyer closed the public input portion of the hearing.

Chairman Dyer stated the issue before the Commission is on the siting of the buildings; they will render a decision on the site plan. That will be followed with a vote to table the CUP to discuss conditions for it at the next Planning and Zoning meeting and to address the Variance at the next meeting.

Charles Andersen motioned to approve the siting of the buildings for the Conditional Use Permit supplement for the Madison High School and reserve the right to discuss other conditions associated with this CUP at a future date. **Dan Hanna** seconded the motion.

None opposed. **Motion Carried.**

Charles Andersen motioned to table the discussion for conditions for the Madison High School supplement CUP until the next Planning and Zoning meeting, on August 7th, 2008. **Randall Porter** seconded the motion.

None opposed. **Motion Carried.**

Thaine Robinson motioned to table the hearing on the Variance for the Madison High School to the next Planning and Zoning meeting, on August 7, 2008. **Dan Hanna** seconded the motion.

None opposed. **Motion Carried.**

Unfinished/Old Business:

New Business:

Compliance:

Non controversial Items Added to the Agenda:

Report on Projects: None

Tabled Requests:

Building Permit Application Report: None

Heads Up:

Planned Unit Development – Summerfield
Final Plat – Pinebrook Estates Division 2

Chairman Dyer adjourned the meeting at 12:55 am.