

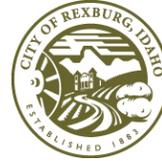
# Planning & Zoning Minutes

August 21, 2008

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

## Commissioners Attending:

Winston Dyer – Chairman  
Charles Andersen      Ted Hill  
Mike Ricks              David Stein  
Dan Hanna  
Mary Ann Mounts

## City Staff and Others:

Gary Leikness – Planning Administrator  
Elaine McFerrin - Secretary

**Chairman Dyer** opened the meeting at 7:03 pm.

## **Roll Call of Planning and Zoning Commissioners:**

Ted Hill, Dan Hanna, Winston Dyer, David Stein, Mike Ricks, Charles Andersen, Mary Ann Mounts

**Thaine Robinson, Richie Webb, and Josh Garner** were excused.

## Minutes:

1. Planning and Zoning meeting – August 7, 2008

## *Corrections:*

Page 4 - Under **Mike Ricks'** comment asking the developers if they have “noticed a difference in the sub” – for clarification for the public, change the word “sub” to “sub-water”.

**Dan Hanna** motioned to approve the Planning & Zoning minutes for August 7, 2008, as amended.  
**Mike Ricks** seconded the motion.

**Mary Ann Mounts** and **David Stein** abstained for not having been present.  
None opposed. **Motion carried.**

## Public Hearings:

7:05 pm – Conditional Use Permit – Stonebrook Apartments Phase 2 – Pioneer Rd.

**Chairman Dyer** briefly explained the public hearing process. The applicant will make a presentation of what is being proposed. The Commissioners will then ask clarification questions of the applicant. Public input will then be heard, followed by deliberations by the Commission.

Stan Rowlan Westates Construction, 1108 W. South Jordan Parkway, South Jordan, UT. He presented the proposal for a conditional use permit for Stonebrook Apartments Phase 2. It will have 132 units; there will be six buildings –five 24-unit buildings and one 12-unit building. The buildings' look has changed a little from the first phase, to meet the updates in the development code. When the first phase was built, there were no design standards. The property was shown on the overhead projector. There will be hip roofs to accommodate the 30 foot height limit for High Density Residential (HDR1). Another bump was added to the building, bringing it out 2 feet because they combined 2 buildings together and needed to break up the longer walls. There will be a fire sprinkling system.

The Commission asked questions for clarification.

**Mary Ann Mounts** asked about how the applicant is addressing parking for the units and for visitor parking.

Mr. Rowlan stated the number of parking spaces they will have exceeds what is required by the Development Code, as was done in the first phase. He stated there are 35 extra parking spaces in phase 1 over what the Code requires. The buildings, rather than the parking lot, are closer to the street, which is what the City encouraged them to do, so the parking was put in the interior area of the development.

**David Stein** said the Development Code requires windows on the ends of the buildings, but the drawings show that not all the buildings include this requirement.

The design standards will be addressed at the time of the building permit review.

**Dan Hanna** stated the staff review addressed possibly moving the east entrance access to the east.

Stan Rowlan said it is a good comment. He pointed out the suggested move, which would eliminate car headlights shining on the residences across the street as vehicles leave the development. He said it would be difficult for them to move because they would end up with a dead end that is longer than what is allowed by the fire code. A loop in the water line is at that location as well. They will move the access if called for by the City.

**Chairman Dyer** asked for clarification on the reasons for the conditional use permit.

Mr. Rowlan stated that in High Density Residential 1 (HDR1), Development Code 926 calls for a conditional use permit because the apartment complex is over 40 units, and because the building is bigger than a 6 unit building.

In answer to **David Stein**, the applicant said the reason they are building apartments is because of the demand.

**Mike Ricks** asked the width of the parking aisles.

Mr. Rowlan said the aisles will be 26 feet wide.

**Chairman Dyer** asked if Gary Leikness had any additional input for clarification of the proposal.

Gary Leikness stated his calculations show there are 236 parking spaces. He asked the developer if there is an agreement for shared parking with phase 1.

Stan Rowlan said there is shared parking with the 1<sup>st</sup> phase. There is some shortage of spaces because people use their garages for storage rather than to park their vehicles.

Mr. Leikness stated if the Commission recommends approval of this conditional use permit, he advised it be approved subject to a final parking analysis with City staff. He reiterated his comments regarding driveway alignment and potential impact of headlights shining into housing across the street. He stated that, for the zoning that is in place, this development is a natural fit.

**Mary Ann Mounts** was concerned with the parking. She has had difficulty finding a parking spot in Phase 1 of Stonebrook Apartments.

**Mike Ricks** asked Gary Leikness about the parking space requirement for apartments and if it is different for town homes or condominiums. Gary Leikness stated it is different in that condominium projects require 1 additional parking space for every 3 units.

**Mike Ricks** asked if in the future the use of this project is changed from apartments to condominiums or townhomes if this current parking would meet the requirements.

Mr. Leikness said currently the amount of parking spaces required for multi-family housing in HDR1 and HDR2 is based on the number of bedrooms and units.

Gary Leikness stated the Commission needs to consider if the proposed use is appropriate for the location. Other concerns will be addressed by staff as the development is built.

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

**In Favor:**

Steven Bradley, 600 Pioneer Road. He is the current manager of Stonebrook Apartments. He wanted to stress the high demand and need for apartments in Rexburg. They have been at full occupancy since September 2007. He pointed out parking lot areas on the overhead screen for tenants and visitors. There is lots of parking in the back. He suggested that perhaps the complex needs better signage, so people will be aware of that parking. He stated that 12 out of 20 garages are used for vehicles; 8 garages are being used for storage. Mr. Bradley stated that they do zero marketing and are totally filled. Stonebrook Apartments are a popular complex.

**Neutral:** None

**Opposed:**

Russ Van Allen, 635 Casper Ave. He asked for a point of clarification – are the parcels of Stonebrook Phase 1 and Phase 2 connected by a driveway?  
Stan Rowlan answered yes.

**Chairman Dyer** cautioned there is no questioning and answering in this portion of the hearing

Russ Van Allen would prefer the area to be zoned medium density like the property to the south and the west on the north end, rather than high density. If that change is not possible, he feels this proposal should be consistent with the other buildings of 12 units per building. The area appears to be packed in. Mr. Van Allen also wanted to remind the City that the developer was to build an 8 foot privacy fence; what is there currently is only a 6 foot fence. Also, parking on Pioneer Road really narrows the road as one drives down it, giving one the feeling that they are driving down the middle of the road. He wondered if anything could be done to alleviate this problem.

**Written Input:** None

**Rebuttal:**

Stan Rowlan stated the agreement with the City Mr. Van Allen spoke about regarding a privacy fence was for a 2 foot berm and a 6 foot fence above it, to create the 8 foot buffer.

**Chairman Dyer** closed the public input portion of the hearing and asked for Gary Leikness' staff review.

Gary Leikness stated the staff review was covered during the clarification phase of this hearing, with one additional clarification. Parking standards for dormitory housing currently are 1 to 1 no matter the zone - it is based on the number of persons, not the number of units, if the use of this property were to change. The developer is only applying for multi-family housing at this time.

The Commission discussed the proposal.

**Chairman Dyer** said High Density Residential 1 (HDR1) was granted to the area this project is in with the future in mind, in order to facilitate denser housing.

**Mary Ann Mounts** said that cars parking on Pioneer Road are a problem, as Mr. Van Allen stated. However, regarding parking in back - if these spaces are not utilized, she would like more spots to be designated for visitors. She feels some conditions should address how parking is managed.

**Chairman Dyer** said that Pioneer Road is built to City standards to accommodate parking on both sides. It is a local street rather than an arterial.

The Commissioners discussed moving this project's entrance to the east so as not to directly line up with the fronts of homes across the street, which would be hit by headlights as vehicles left the complex.

**Charles Andersen** said it would be very hard on the developer to make this change of moving the entrance to the east.

**Ted Hill** asked what is driving the issue concerning headlights shining into a building across the street.

**Chairman Dyer** said the P&Z Commission always walks a fine line between the greater good of the community and the rights of the property owner.

**Dan Hanna** felt there still will be a site plan and a design review that could address issues the Commission has concerns about, which would give the developer a chance to come up with his best approach.

Gary Leikness read from the Conditional Use Permit (CUP) criteria in the Development Code 926, Section 6.13 – that the project “be designed and constructed in a manner to be harmonious with the existing character of the neighborhood”, and that it not create “improperly directed glare” for neighboring properties - these are requirements to be examined. He, as City planner, is pointing out the potential impacts.

**Chairman Dyer** stated the Commission has identified 2 issues – parking, and impact to neighboring properties.

Discussion continued.

**David Stein** motioned to recommend to City Council to grant the Conditional Use Permit for Stonebrook Apartments Phase 2, with the condition that the standards in Section 6.13 for Conditional Use Permits (Development Code 926) are met, to include the condition that the developer work with City staff to mitigate glare to neighboring properties, the condition that the developer work with City staff to meet all parking concerns, and the condition to include buffering from neighboring properties to the west and to the south of the development by using the same kind of buffer used in Stonebrook Apartments Phase 1 ( a 2 foot berm with a 6 foot fence on top of the berm). **Dan Hanna** seconded the motion.

None opposed. **Motion carried.**

**New Business:** None

**Unfinished/Old 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:**

The July Joint P&Z meeting was cancelled. The next Joint P&Z meeting will be at the end of October.

The Commissioners discussed the City Council meeting coming up on August 25<sup>th</sup>, which will address the Comprehensive Plan. The September 3<sup>rd</sup> City Council meeting may address both the Comprehensive Plan and the four Comprehensive Plan Map Amendment applications that were previously heard.

Gary Leikness stated he may do a presentation in October for Madison County's planning commission, for them to adopt the City's Development Code 926, with Design Standards in place, for the impact area. The planning consultants are working to get the Development Code finalized. **Chairman Dyer** said each time the City amends this document the County must do likewise.

The Commission continued to discuss various issues.

**Chairman Dyer** adjourned the meeting at 8:45 pm.