

# Planning & Zoning Minutes

May 7, 2009

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

## Commissioners Attending:

Winston Dyer – Chairman  
Thaine Robinson    Randall Porter  
Nephi Allen         Ted Hill  
Gil Shirley         Mary Ann Mounts

## City Staff and Others:

Rex Erickson – City Council Liaison  
Gary Leikness – P&Z Administrator  
Stephen Zollinger – City Attorney  
Natalie Powell – Compliance Officer  
Elaine McFerrin - Secretary

**Chairman Dyer** opened the meeting at 7:05 pm.

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

Mary Ann Mounts, Nephi Allen, Randall Porter, Winston Dyer, Thaine Robinson, Ted Hill

**Dan Hanna, Charles Andersen, and Josh Garner** were excused.

## Presentation:

Randall Porter – Planning & Zoning Commissioner – Recognition of Service

Councilman Rex Erickson presented **Randall Porter** with a special plaque in recognition of his years of service as a Planning & Zoning Commissioner for the City of Rexburg, from May 7, 2003 to May 7, 2009. On behalf of the Mayor, the City Council, and the P&Z Commission, he thanked **Mr. Porter** and praised him for his hard work and dedicated service for the betterment of this city. He has done a great job and has shown that he cares very much about this community.

**Randall Porter** thanked Councilman Erickson for his complimentary words and for his lifelong dedication to the City of Rexburg. He thanked the Mayor and the City Council. He thanked everyone individually. He very much appreciates the friendship of the Commissioners. He thanked City staff for all of their hard work. He thanked **Winston Dyer** for his love for and dedication to the City, both as chairman of the Commission and as a private citizen. **Mr. Porter** thanked the Commission and said it has been wonderful knowing them and serving with them.

**Chairman Dyer** said they will miss **Randall Porter's** wisdom. His tireless and dedicated service, including all the extra time serving on the Design Review Committee, has been very much appreciated. Rexburg will forever enjoy the night sky because of **Randall Porter**.

**Mr. Porter** left the meeting at 7:15 pm.

## Minutes:

1. Planning and Zoning meeting – April 16, 2009

**Thaine Robinson** motioned to approve the Planning & Zoning minutes for April 16, 2009. **Ted Hill** seconded the motion.

**Mary Ann Mounts** and **Nephi Allen** abstained for having not been present.

None opposed. **Motion carried.**

**Public Hearings:**

7:05 pm – Conditional Use Permit – Madison County – Mosquito abatement and weed facility – 530 Airport Rd.

**Chairman Dyer** briefly explained the procedure that is followed for public hearings. The applicant or a representative will explain the proposal. The Commissioners will then ask any questions to clarify their understanding of the proposal. Staff will be asked questions by the Commission if necessary. Public testimony will be given. After public input is closed, the Commission will deliberate and make a decision.

Johnny Watson, 1152 Bond Ave, JRW & Associates, first gave words of thanks to **Randall Porter**. It has been a pleasure working with him; **Mr. Porter** has been passionate about what he believes is best for this community.

Johnny Watson introduced the proposal, which is a request for a conditional use permit for a mosquito abatement and weed facility. The property was shown on the overhead screen. The parcel is owned by Madison County. The building would be a 60' by 100' industrial-type shop, to house the equipment for the County's mosquito and weed abatement project. The building will be adjacent to the transfer station. The equipment it will house includes 3 standard-size pick-up trucks. Mosquito abatement is getting increasingly complex; room is needed for a lab for testing. The location is in the flood plain so must meet the city requirements for building above the base flood elevations. The building will have concrete aprons and will be a rectangular structure; with a wood frame. The property is in the Airport Zone; a conditional use permit is needed to allow this public facility use.

**Chairman Dyer** asked if the proposed facility falls under FAA regulations for height or location. Johnny Watson said it did. The structure will be under the height of the transfer station and will be about 20 feet high to the eave. He has conferred with Public Works Director John Millar.

The facility will be placed and planned in accordance with the City's Comprehensive Plan, which envisions a future extension of Airport Road across the river. Assistant City Engineer Keith Davidson is designing the extension for the water main.

**Chairman Dyer** expressed concern about possible hazardous materials storage.

Johnny Watson said hazardous material would be kept inside the building; there will be very little chemical storage. The Idaho Building Code has very specific guidelines on how much chemical is allowed in this type of structure.

They may have to build a separate structure in the future to store chemicals.

**Thaine Robinson** referred to John Millar's comment that the road to the site will need to be upgraded for all-weather traffic. He asked Johnny Watson to address this issue.

Johnny Watson stated has not presented the comments to the county and will bring the staff comments/requests to the County after tonight's hearing.

**Chairman Dyer** asked Gary Leikness for any information to help the Commissioners understand the proposal

Gary Leikness said everything has been addressed.

**Thaine Robinson** asked Gary Leikness to clarify if the conditional use permit application was for the mosquito abatement facility use in this Airport Zone, or for the actual building.

Gary Leikness stated that the use of a public utility is a conditional use, and with it comes the site plan, to see if it is compatible or fits in.

**Chairman Dyer** said if the Commission felt there were conditions necessary to put on the proposal to make it work ( for public health and safety or impact to surrounding properties), those things should be considered.

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

**In Favor:** None

**Neutral:** None

**Opposed:** None

**Written Input:** None

**Chairman Dyer** closed the public input portion of the hearing. The Commissioners discussed the proposal.

**Thaine Robinson** thought the location was the best place in the City for such a use and is consistent with surrounding uses.

**Ted Hill** asked why they get to develop the property without developing half the road, curb, etc up front – an individual would have to do so.

Gary Leikness said it is not known at this time of road alignment or where the bridge is exactly going to be. Planning's proposed Condition #4 addresses that the property owner shall share in installing future sidewalks and curbs, etc. when Airport Road is expanded

Stephen Zollinger reiterated that the City is not sure where the curb and gutter is going to be aligned. As long as the proposed condition # 4 is included, the property owner will need to share cost at the time of road widening.

**Thaine Robinson** asked if the issue would be addressed the same way for an individual applicant.

Stephen Zollinger said it would be addressed the same way.

**Chairman Dyer** asked Gary Leikness to go over his proposed conditions of approval.

Gary Leikness said Proposed Condition # 1 should read: “The project *shall comply* (instead of *complies*) with all City Flood Plain (not *plan*) regulations.”

He stated it is critical that adequate setbacks and right- of –ways, etc., are planned for, so problems do not arise when there is future expansion. The property owner will install sidewalks and improve the roads when Airport Road is expanded.

**Gil Shirley** arrived at 7:35 pm.

**Mary Ann Mounts** motioned to recommend approval to City Council to grant a Conditional Use Permit to Madison County for a mosquito abatement and weed facility at 530 Airport Road, to include the six (6) Planning staff proposed conditions of approval and staff review comments.

**Thaine Robinson** seconded the motion.

**Gil Shirley** and **Nephi Allen** abstained.

None opposed. **Motion carried.**

*CUP – Madison County- Mosquito Abatement Facility  
Proposed Conditions of Approval*

- 1) *The project shall comply with all City Flood Plain regulations.*
- 2) *The site plan shall be revised to show future right-of-way lines.*
- 3) *The building shall be set back from the future right-of-way, sufficient enough to provide for a 10-foot front yard setback that should be landscaped now in order to allow trees to mature for the future buffering.*
- 4) *When Airport Road is expanded, the property owner shall install sidewalks and improve roads and driveways with curb gutters, landscaping, and other elements as determined by the City Engineer at the time.*
- 5) *When Airport Road is expanded, the property owner shall improve subject property to allow for adequate landscaping, paved parking lots and driveways, and any other improvements required for new site development at the time of site improvements.*
- 6) *Building shall be oriented toward the future street so that the back of building will not be visually predominant from future road.*

7:20 pm – Conditional Use Permit – Jared Sommer - for up to 30 units per acre at 431/445  
West 4<sup>th</sup> South

Jared Sommer, 3614 N. 3000 W., presented the proposal. The property is zoned High Density Residential One (HDR1). His purpose tonight is to get approval for greater than 24 units (for the development). There is a right of up to 30 units per acre in HDR1, but a conditional use permit must still be applied for. The site plan was shown on the overhead screen. Mr. Sommer addressed

the Building staff review comment stating that parking spaces are too short – he met with Community Development Director Val Christensen today to clarify. Mr. Sommer's map has an error, and it will be corrected

**Chairman Dyer** commented on the proposed very long, very narrow building.

Jared Sommer stated that the buildable area is shown where the building is going to be. There is more snow storage area than is required. He pointed out the snow storage area on the north side of the property, on the overhead screen map. There is a 26-foot aisle space due to fire department requirements. There are 2 accesses to the property.

**Thaine Robinson** asked where storm water drainage is planned on site, as the application indicated this will be done because the City storm water systems are at capacity at this location.

Jared Sommer said there will be French draining. He is working with Public Works Director John Millar.

**Chairman Dyer** asked if Gary Leikness had any clarifying information for the Commissioners. Gary Leikness said the Comprehensive Plan map change application request to allow for multi-family and the zone change application request have been approved to allow for multi-family for this property - tonight's proposal is consistent with those steps.

Multi-family and commercial surround the property.

Jared Sommer stated that the Fire Department said no on the circulation access (too small).

**Chairman Dyer** said they could restrict egress to a right turn only.

Stephen Zollinger said only one 3-yard dumpster is shown for the entire facility. The future development will most likely need additional dumpster.

Rex Erickson requested that the access questions be clarified and solved by the P&Z Commission before it comes to City Council.

Jared Sommer stated he has no problem with the 4<sup>th</sup> South access being totally obstructed, if it were not for the fire department radius turning requirement. There will be one way access coming into the property.

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

**In Favor:** None

**Neutral:** None

**Opposed:** None

**Written Input:** None

**Chairman Dyer** closed the public input portion of the hearing. He asked Gary Leikness to go through his staff report proposed conditions.

Gary Leikness said the proposed conditions are standard conditions for a conditional use permit; lighting, landscaping, and exterior sidewalks are addressed.

**Chairman Dyer** asked for his comments on access for the property.

Gary Leikness stated that access on to 4<sup>th</sup> South could be temporarily granted such as the City allowed on the Snellgrove Townhomes on Main Street. In that case, the access was granted until a canal was lowered and then at that time the access would be closed. In this case, a temporary access could be granted and then closed at a later date, or moved to the east when the commercial component of this site is developed. He also includes a proposed condition stating the CUP shall expire in 1 year if a building permit has not been applied for..

The Commissioners discussed the proposal.

Stephen Zollinger stated that the fire department ladder truck needs to get within a certain distance of a building – the fire lane has to be accessible (26 feet aisle width). Planning staff could be directed to investigate alternatives with the Fire Department.

**Mary Ann Mounts** motioned to recommend approval to City Council to grant a Conditional Use Permit to Jared Sommer for multi-family at 431 and 445 West 4<sup>th</sup> South, with the 4th South access being limited to fire department access only through the use of a breakaway gate, unless an alternative route for the Fire Department is found (to be investigated by Planning and Fire Department staff), and also including all of the Planning staff's proposed conditions (#1 through #13). **Gil Shirley** seconded the motion.

None opposed. Motion carried.

*CUP – Jared Sommer  
Proposed Conditions of Approval*

- 1) *No issuance of a Conditional Use Permit can occur until is approved through administrative review which shall take place at the time the applicant applies.*
- 2) *Submitted site plan shall be substantially complied with, however final site plan shall incorporate all City design requirements, e.g. parking disallowed in required front yard, etc.*
- 3) *All parking lot requirements shall be depicted on the revised site plan, including proper aisle widths, grades, parking stall sizes, number of spaces, etc.*
- 4) *Lighting shall be reviewed. All lighting shall be applicable lighting standards, including full cut-off fixtures and lower wattage light sources, i.e. 60 watt. Violating lights on site shall be replaced prior to issuance of a certificate of occupancy.*
- 5) *Lighting shall be low (under 15-feet in height) and not create glare, and as a minimum shall adhere to the City's lighting ordinance. Any proposed lighting would need to be submitted to the City for review and approval subject to the submittal and approval criteria found in the development code.*

- 6) *A landscape plan shall be submitted when an application is submitted for a change of use, or building permit. Landscaping shall be required to be implemented prior to the issuance of a full certificate of occupancy. The site shall include 20% landscaping (per ordinance 926), this percentage shall be shown on the approvable landscape plan.*
- 7) *Parking areas shall be adequately screened from the public right-of-way and adjacent residential properties. Screening must include the use of deciduous trees and evergreen trees to ensure non-seasonal screening. Deciduous trees shall be planted with a minimum size of 2-inch caliper DBH. Evergreen trees shall be 7-feet tall at planting. Shrubs shall include 5-gallon containers as a minimum. Ground cover shall include a minimum of 50% living material, i.e. grasses, shrubs, etc, other ground cover can be non-living material, e.g. rocks, bark chips, etc.*
- 8) *Proposed project entrances shall be enhanced through landscaping. This requirement shall include all mechanical equipment installed as part of the development to be adequately screened from the ROW and from adjacent property.*
- 9) *All exterior sidewalks adjacent to the subject property must be installed or repaired (to City standards) prior to the occupancy of the proposed structure. However, due to the unique situation involved with this site, i.e. the bridge and canal, the City Engineer may need to make a final determination on this matter.*
- 10) *All sidewalks both exterior and interior shall be interconnected and shall connect to the main entrances of the unit*
- 11) *To encourage alternative travel options, which are likely to decrease vehicular trip generation, short term bicycle parking shall be provided. As a minimum, short-term parking shall be provided at a ratio of 1 space per 4 units.*
- 12) *All other provisions and City codes regulating conditional use permits shall be adhered to.*
- 13) ***This conditional use permit shall expire in one year if a building permit has not been applied for.***

**Unfinished/Old Business:** None

**New Business:**

1. Preliminary Plat – Pioneer Village First Amended Plat

Kurt Roland, Schiess & Associates, 859 South Yellowstone, Suite 2503, presented the proposal. The property is located across from World Gym. The existing buildings have 1 owner. They want to subdivide the existing commercial strip mall, to sell each building off individually as separate lots (6). They are planning to add one additional lot/building. They have tied Lot 4A to the subdivision property line per a Public Works review comment. They will need to reroute the water and sewer around this lot, as it currently goes under this lot.

| Stephen Zollinger stated that the Lot 4A property line-tie in was for clarification.

**Thaine Robinson** wondered about a possible North/ South parking lot connector to the adjacent north property so that patrons would not have to go back out to the road.

Kurt Roland stated they could do such a connection. He would need to speak with the developers. He stated that all required setbacks have been met.

**Chairman Dyer** asked for Gary Leikness' staff report.

Gary Leikness clarified that the applicant is seeking to subdivide the existing building to allow individual ownership. There will be one future building site pad added to the existing developed site. A parking analysis has been provided, and City standards have been met. He went over the proposed conditions for approval. Although the land was already platted, this preliminary plat allows the Commission to see what is planned before the final plat comes before them for approval.

**Chairman Dyer** stated the question before the Commission is: shall a preliminary plat be approved that amends the existing Pioneer Village plat?

Gary Leikness stated that the CC&Rs need to be submitted for review by the City Attorney as part of the application.

A timeline needs to be submitted to establish a date when the City can expect the improvements near the corner of Pioneer Rd. and Yellowstone Highway, near the railroad tracks, to be completed. The area should be cleaned up/restored soon, but no later than when the City grants a certificate of occupancy for the new building.

The Commissioners discussed the proposal.

**Ted Hill** said he likes the proposal. It will help to get the existing building occupied, because of separate ownership for each unit. He suggested that the proposed new building be made smaller on the east side to open up the area and allow easier access to parking.

**Thaine Robinson** would like to see some connectivity between the property in the proposal and the adjacent property to the north. This would be interconnectivity so that cars would not have to go back out onto the road to get to the property next door.

**Mary Ann Mounts** motioned to recommend approval to City Council for the Preliminary Plat for Pioneer Village First Amended Plat at Pioneer Road and Handcart Lane, to include interconnectivity to the property to the north, and that the size of the new building be reduced on the east side and moved to the west, and to include proposed conditions of approval of the planning staff. **Thaine Robinson** seconded the motion.

The motion was discussed.

None opposed. **Motion carried.**

*Pioneer Village 1<sup>st</sup> Amended Plat – Preliminary Plat  
Proposed Conditions of Approval*

- 1) *CC&R's shall be submitted for review as part of the final plat application material.*
- 2) *A timeline for improvements near the Pioneer Rd and Yellowstone highway shall be submitted. This timeline should include when sidewalks will be completed and when the driveway will be closed off to traffic, and*

*landscaping completed. These improvements shall be installed, but no later than when the City grants occupancy on the proposed building.*

## 2. Final Plat – Pioneer Pointe Condominiums

Kurt Roland, Schiess & Associates, 859 South Yellowstone Suite 2503, representing developer Jon Gregory, presented the proposal for the final plat for Pioneer Pointe Condominiums. The Commission has recently seen the preliminary plat. It has been approved. The proposal is for 15 building lots. The buildings to the north have been staggered with 3-foot jogs. The CC&Rs have been reviewed by the City Attorney.

**Chairman Dyer** said that the buildings to the south do not appear to have been staggered.

Kurt Roland said they will shift buildings #3 and #4 down three feet. There is not enough room to do so between buildings #2 and #5. They still need to show on the plat the access going to the storm pond. There will be a dedicated easement.

**Thaine Robinson** asked for clarification of the Public Works staff review comment which says the entrances must be typical driveways with the curb line running straight and that the curbs cannot turn into the development.

Stephen Zollinger clarified that the curb radius shown is not allowed. The City requires a curb with a gutter line all the way across, with a winged driveway approach. **Chairman Dyer** stated that what is shown is a street approach. A driveway approach (curb line running straight) is required instead.

**Chairman Dyer** asked Gary Leikness for review of the proposed conditions of approval.

Gary Leikness said #1 of the proposed conditions brings in previous conditions stated at the time of the preliminary plat. Buildings on the south need to be staggered. Earlier, Mr. Roland stated buildings #3 and #4 could be shifted, but it would be difficult to stagger buildings #2 and #5. CC&Rs have been reviewed, so this proposed condition can be eliminated. Though plats are not approved site plans, the plats are approved based on how the improvements are going to be made and how things are oriented and work. Parking spaces cannot be in the required 20 foot front yard setback. The final site plan will be reviewed and approved at the time of the first building permit being submitted. The final site plan should depict the phasing of improvements. The final landscape plan should also depict the phasing of landscape improvements.

There was discussion.

The buildings proposed are 4-plexes – two units on each level.

Snow storage will be pushed to the common area on the south part of the property.

**Mary Ann Mounts** motioned to recommend approval to City Council for the final plat for Pioneer Pointe Condominiums located on West 7<sup>th</sup> South, excluding #3 of the planning staff proposed conditions ( as CC&Rs have been submitted and reviewed by the City Attorney), to include the

remaining six(6) planning staff proposed conditions, to include the staggering of buildings 3 and 4 on the south with a minimum of three-foot jogs (staggering of buildings on the north has been done), that parking spaces shown in the front yard setback be corrected, that the driveway be a straight approach rather than a street approach per the City Engineer, and to include all other staff review comments. **Gil Shirley** seconded the motion.

None opposed. **Motion carried.**

*Pioneer Pointe Condominiums Final Plat  
Proposed Conditions of Approval*

- 1) *All previous conditions of approval apply (see file #09 00070) as well as the following conditions:*
- 2) *Three-foot jogs in buildings shall be shown on final plat for recordation.*
- 3) *Parking spaces are still shown within the required 20-foot front yard setback. This shall be corrected prior to the final plat being submitted for recordation.*
- 4) *Final site plan shall be reviewed and approved at the time of the first building permit being submitted.*
- 5) *Final site plan shall depict phasing of improvements, i.e. parking, asphalt, sidewalks, etc.*
- 6) *Final landscape plan shall depict phasing of improvements.*

**Non controversial Items Added to the Agenda:**

1. Jon Gregory: Hemming PRO-Zone – Bambino Restaurant

Jon Gregory, 204 West 225 North, Blackfoot, representing the Hemming PRO Zone tonight, gave the Commissioners the concept drawing of the Bambino Restaurant. The Commissioners have been provided with the site plan. As part of the agreement on the Hemming PRO-Zone, anything planned to be built in the Hemming PRO Zone that was not part of the original plan as a courtesy needs to come before the Commission and City Council. The proposal for the Bambino Restaurant is to be located on the property where the gas station and Sno-Shack formerly were, on the corner of South 2<sup>nd</sup> West and West 1<sup>st</sup> South. The Backyard and possibly some of the storage units would be torn down. Mr. Gregory stated that the site plan had been shown to Gary Leikness, who recommended that it be taken to the Mayor and to Community Development Director Val Christensen. Mr. Gregory stated that he did meet with the Mayor and Val Christensen last week, who gave the project their blessing. Now they are bringing it to the P&Z Commission for their comments and guidance in putting the project together.

**Chairman Dyer** reiterated that it is protocol that any proposed development that was not part of the original master plan of the Hemming PRO Zone does need to come before P&Z and City Council for approval to proceed.

Gary Leikness stated a drive-thru restaurant is allowed in the Hemming PRO zone with conditions. However, the Hemming PRO-Zone was intended to discourage auto-oriented businesses and have an emphasis on pedestrians. The original draft of the Bambino Restaurant site plan showed the drive thru on the front side facing Porter Park. It has been reconfigured so the drive-thru is at the rear of the property and not so visible from the streetscape which helps it to be more street oriented and therefore more pedestrian friendly.

Jon Gregory stated that the restaurant would be both sit down and drive-thru. There would be possibly 4 restaurants planned along that area of the Hemming PRO-Zone. The area is to be pedestrian friendly. The Mayor suggested the outside seating for the Bambino Restaurant, for use by pedestrian customers coming from Porter Park. There is a possibility of reverse diagonal parking.

There will be two accesses, one through the current Backyard area at the South, and an access on the Northeast.

The restaurant will serve fast food. There is a Bambinos Restaurant in Rigby. 60% of that business is from their drive-thru patrons.

**Gil Shirley** suggested moving the handicapped parking spaces to the South side, rather than where they are currently shown on the east side of the building.

There was concern expressed about the queue of cars as people wait their turn in the drive-thru.

**Chairman Dyer** asked for Gary Leikness' comments.

Gary Leikness said there is a provision for a drive-thru restaurant in the Hemming PRO-Zone. Any proposal has to be in line with the intent of the Hemming Pro- Zone. The developer made a major revision for this restaurant to be pedestrian oriented by moving the drive-thru to the rear of the property and away from the street.

The question tonight is if this proposal is in keeping with the PRO- Zone; it is a chance for the Commission to give the developer feedback, in keeping with PRO-Zone.

Gary Leikness said normally, a commercial site plan goes through an administrative (staff) review. With the Hemming PRO Zone, the P&Z Commission and City Council are a part of the review process.

Stephen Zollinger voiced Rex Erickson's concern - the sidewalk somehow needs to be stretched so it has more pedestrian orientation on the south - it needs to be connected to go somewhere other than into the drive thru.

The site plan has not been reviewed at staff level to measure distance, etc. Basically, the proposal comes to the P&Z Commission and City Council right away for their input to say whether the project fits the Hemming PRO- Zone.

Discussion continued.

Gary Leikness said the P&Z Commission and City Council would be giving approval for the project to move forward for staff review.

**Chairman Dyer** stated that the corner location, the eyes to the street and getting the drive-thru away from the street (minimizing it from view), its pedestrian friendliness – these points are all positive.

It was expressed that a drive-thru just does not fit.

Jon Gregory will look at possible alternatives.

He appreciated the input and will look at the sidewalk connection and the moving of the handicapped spaces to the south as suggested.

**Ted Hill** thinks a restaurant on that corner would be a good thing. He does have concerns about the drive -thru and the line of cars that will be created.

The Mayor had suggested the developers include a bike rack at the site.

Jon Gregory said he appreciates the Commission's comments and time.

The project proposal will move on to City Council for their input as the next step for this proposal.

## 2. Mixed Use Zones discussion

This issue will be addressed at an upcoming P&Z meeting.

### **Compliance:**

Natalie Powell, Compliance Officer for the City, reported on some non-compliance issues that were discussed at an earlier P&Z meeting.

Denning Well Drilling sign located on Hwy 20 which was designating a future building location - Natalie Powell has spoken with the owner. They are not able to build at this time. The owner had suggested tarping the sign, since to bring it down would be a big project. Instead, by May 15<sup>th</sup>, this sign will be changed to read that the property is now for sale.

**Chairman Dyer** stated that the sign was put up without the proper City permit and hoped it would only be up for a limited time.

Natalie Powell also reported on the DJ Barney property. City staff are communicating weekly with the owner and requiring him to clean the area. A building is being constructed, but the site plan specifies the owner cannot use for storage any of the open space - the natural landscape must be maintained. She and Gary Leikness will continue to work with the owner.

North 1<sup>st</sup> East property - concerning cars and camper on front area of property- the owner removed all the cars the day she was contacted by Natalie Powell requesting this be done. The camper is still in the driveway, but will be moved off the site by the end of May.

Property on Widdison – Natalie Powell spoke with the owners. They have removed items from their backyard. By July, all the used vehicles will be removed from the property. The owners have planted extra trees along Hwy 20; the foliage will help to buffer the area.

Property on 4<sup>th</sup> South, regarding the length of time a dumpster at a building site has been parked on the street – The dumpster will be removed by June 1<sup>st</sup>. The house is near completion. The owner picks up any debris from the dumpster on a daily basis.

**Chairman Dyer** said another concern at this location is that the construction trailer, which has no reflectors, is frequently parked there at night and could cause an accident as people come around the corner. Natalie Powell will look into this issue.

Property across from Arctic Circle – Natalie Powell has met with the owner of this corner strip mall property. The dumpster has been moved out of the right-of-way and put back, along the tree area. No-parking stripes will be put in the City right – of –way, or possibly landscaping would be a positive alternative. Currently there is a billboard on site; the owner is proposing that he would like to put up a new pole sign that meets the current sign ordinance, as a trade for the billboard being taken down. The Commission thought the trade would be a very good idea.

Natalie Powell gives written thanks to the citizens involved when a compliance issue is solved.

Sky Meadows, west of the water tower – there is only 1 house that was built here, but there was a lot of debris blown all over from that construction site. Community Service picked up 25 large bags of litter, and the contractor also picked up a large amount of litter. A dumpster has been removed – it did not have a lid, which created much of the litter problem. The area has been cleaned up.

Litter on 7<sup>th</sup> North and along the old Yellowstone Hwy has been cleaned up.

Marriott site – Natalie Powell took the general contractor a City letter which states that it is the contractor's responsibility to keep the construction site clean, neat and orderly. They are required to put up a fence if needed. Large pads of styro foam had been blown against and caught by the Fujimotos' fence. The contractor continues to pick up litter on a daily basis.

**Ted Hill** stated that a semi-truck parks on 3<sup>rd</sup> East and 2<sup>nd</sup> North.

Natalie Powell said this concern has been addressed – the owner is finding another location to park the semi.

**Ted Hill** said another semi parks just south of the carousel. Another concern he has is Barney Dairy Road when there is a ball game in the evening at the high school - parking on both sides of the road makes the road very narrow for traffic. Natalie Powell will see if a special patrol can be out to monitor the area at such times and will also see if signage can be put up.

The Commissioners thanked Natalie Powell for her work in addressing their compliance concerns and getting positive results.

Discussion continued on several subjects.

Gary Leikness said the Rexburg Chamber of Commerce is likely moving to an East Main location. He also stated that there was a discussion of wind turbines and wind turbine ordinances at the P&Z Joint meeting last week. He has been directed by the Mayor to work on a draft wind turbine ordinance. He is examining Madison County's wind turbine ordinance and other cities' ordinances.

**Chairman Dyer** summed up the Hemming PRO zone for the new commissioners. It aims to be pedestrian friendly, with lots of mixed use, possible underground parking, with different setbacks to densify, with a very specific master plan, and with a downtown look and feel.

Gary Leikness added that the Hemming PRO- Zone is only supposed to be approved upon development each time it is rezoned.

When a PRO-Zone is formed, there will be a certain intent. Each PRO-Zone is its own unique zone.

**Report on Projects:** None

**Tabled Requests:** None

**Building Permit Application Report:** None

**Heads Up:**

The meeting was adjourned at 9:48 pm.