

# Planning & Zoning Minutes

April 1, 2010

35 North 1<sup>st</sup> East  
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CITY OF  
**REXBURG**  
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## Commissioners Attending:

Winston Dyer – Chairman  
Ted Hill                      Josh Garner  
Mary Ann Mounts        Dan Hanna  
Scott Peterson

## City Staff and Others:

Val Christensen – Community Development Director  
Stephen Zollinger – City Attorney  
Jake Rasmussen – Community Development Intern  
Natalie Powell – Compliance Officer  
Elaine McFerrin – P&Z Coordinator

**Chairman Dyer** opened the meeting at 7:15 pm.

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

Josh Garner, Scott Ferguson, Winston Dyer, Mary Ann Mounts, Dan Hanna, Ted Hill

**Thaine Robinson, Richie Webb, Jedd Walker, Gil Shirley and Nephi Allen** were excused.

## Minutes:

1. Planning and Zoning meeting - March 18, 2010

**Scott Ferguson** motioned to approve the Planning & Zoning minutes of March 18, 2010. **Dan Hanna** seconded the motion.

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

## Public Hearings:

**Chairman Dyer** explained the public hearing process. The applicant or a representative will give a presentation to help the Commission understand the proposal. The Commission may then ask the applicant and staff, if necessary, clarifying questions. Public input will then be taken. The Commission will ask for staff evaluation. They will then begin deliberation and make a decision on the proposal.

7:05 pm – Rezone – Steve Kelly – 325 and approximately 275 North 1<sup>st</sup> East – Light Industrial (LI) and Professional Office (PO) to Central Business District (CBD)

Steve Kelly, 1818 S. 100 W., Orem, Utah, the applicant, presented the proposal. He appreciates the Commission's time for him to come before them. The project would be called Parkview Village. The Preferred Land Use map designates the property as Downtown Commercial. The Power Point presentation displayed photos of the subject property. There are 4.43 acres. He pointed out the

storage units next to the property and the school bus yard that is across the street. They are requesting a zone change from Light Industrial (LI) and Professional Office (PO) to Central Business District (CBD), the only possible zone change allowed under the Downtown Commercial preferred land use designation, and they also want a Conditional Use Permit (CUP) for a mixed-use project with retail on the ground level.

**Chairman Dyer** clarified that tonight the Commission has a zone change application request before them.

Mr. Kelly thought they could do the Conditional Use Permit at the same time as this rezone request. Stephen Zollinger said that tonight the request and public notice is for a rezone only. The applicant would come back with a Conditional Use Permit (CUP) request.

**Chairman Dyer** stated this is a land use decision before them tonight. They will have a development proposal later at the time of a Conditional Use Permit request.

Steve Kelly showed the subject property on the Comprehensive Plan map (Preferred Land Use map). He quoted the Rexburg Vision 2020 Comprehensive Plan document, which states that mixed use developments are encouraged – buildings with ground floor retail and office or residential on upper floors, in the Downtown area. The area should foster a high level of activity. Under the Development Code 1026, the Central Business District (CBD) zone states that the first floor residential uses are conditional uses. Building heights should accommodate higher density residential. The residential dwelling density is not to exceed forty (40) units per acre. Mr. Kelly stated that when he presented this development idea at the February 18, 2010 P&Z meeting, they felt that what they wanted to develop would fit. They have spoken with Stephen Zollinger about it. What they envision for the project is married student housing. He pointed out the accesses (on the north and the east). A site plan was shown on the overhead screen of the layout of buildings, the parking, and green landscaping. The required number of parking spaces would be about 290 spaces.

**Chairman Dyer** reiterated that the issue before the Commission tonight is a land use proposal and not a development proposal. He asked Steve Kelly to please focus on the land uses rather than the specifics of the development's layout. That would be very helpful to the Commissioners.

Steve Kelly said there would be commercial on the ground floor, with the residential above it, based on 40 units per acre.

**Chairman Dyer** asked Mr. Kelly to explain the use of land and how it would affect or impact the surrounding properties.

Steve Kelly stated the building would be very attractive and would maintain the Downtown character. It would benefit the City and would create a pedestrian friendly environment.

**Dan Hanna** said he understood that commercial would be on all of the ground floors for both buildings.

Steve Kelly said retail would be on the first floor facing North 1st East. Residential on the first floor would be a conditional use.

**Chairman Dyer** said when Steve Kelly was before the Commission on February 18<sup>th</sup> with this development idea, there was quite a discussion which included the zoning and the desire on the part of the Commission to change the Comprehensive Plan map in the area. He asked Mr. Kelly to respond to what was said at that time.

Steve Kelly said they feel that based on the current land use designation of the property and the requested zone, they can develop the project as they would like to.

**Chairman Dyer** said in the minutes of that P&Z meeting (February 18, 2010), the Commission had suggested that he speak with Val Christensen together with Stephen Zollinger regarding the Commission's concerns. He asked Mr. Kelly to report on this conversation.

Mr. Kelly said he did not speak with Mr. Christensen, but he and Melvin Rudd, the property owner, did speak with Stephen Zollinger. Mr. Zollinger had indicated they should be able to move forward.

Stephen Zollinger said he visited with Mr. Christensen on the issue, as he was not present at the February 18<sup>th</sup> P&Z meeting. In the end analysis, the project would be allowed, but tonight is a zoning issue only, not a project issue. It was Mr. Kelly's desire to move forward, although he had indicated he might have preferred another zone.

**Chairman Dyer** asked if the Commission were to table or defer this request until such time that the Comprehensive Plan map could be changed, so that the applicant would not have to incur additional fees for a Conditional Use Permit application, is that something Steve Kelly would be interested in? Mr. Kelly answered they would not; they want to move toward their goal of having married housing within walking distance of campus, with a density just short of 40 units per acre.

Mixed Use Zones, which have not yet gone before City Council, lists a density of 30 units per acre at this time.

**Chairman Dyer** asked Steve Kelly if he is aware of an easement on the south part of the subject property. It is an issue regarding parking and future development.

Steve Kelly said he is aware of this easement and has discussed it with the owner.

**Chairman Dyer** asked if staff had any information that would help the Commissioners understand the proposal.

Val Christensen said he did not at this point.

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

**In Favor:**

Melvin Rudd, 1852 North 2190 East, Sugar City. His family owns the subject property. With what the City is planning – a ball diamond and aquatic center near this property, he feels tonight's rezone request would be the best use for the land. He wants to see this improvement in Rexburg. It would significantly increase the land values all around the area. He does not feel the Madison School District office and bus yard will stay in their current location across the street from this subject property. Walmart, K-Mart, the movie theater, eating places, and other stores are all close by. He feels this zone change and future development are good for that area and for Rexburg.

**Neutral:** None

**Opposed:**

Cody Howard, 642 Harvest Drive. He wanted more clarification. He is concerned with infringement on easements with this particular land use change. There is manufacturing going on very close by, which is considered light industrial; he owns property just south of the subject property. His concern would be if this is really the type of zone the subject property should be changed to.

**Rebuttal:** Mr. Kelly was given the opportunity for rebuttal but declined to do so.

**Written Input:** None

**Chairman Dyer** closed the public input portion. He asked for the staff evaluation.

Val Christensen said that staff found that this rezone proposal meets requirements of the Comprehensive Plan. The project is 4.43 acres, which would allow about 40 units per acre. The City Engineer did not have any comments regarding traffic, etc. at this time.

The surrounding area will eventually have the recreational park to the west and now has light industrial to south, with the school district to the east. Staff felt this was an appropriate request based on the Comprehensive Plan, which only allows a zone change to Central Business District, and based on Engineer findings. As far as its proximity to the other uses, that would be the negative aspect.

**Scott Ferguson** asked Mr. Christensen to clarify what was negative.

Val Christensen said the 4 existing buildings at the very front of the property on North 1<sup>st</sup> East near this request, are storage units. There is manufacturing to the southwest.

Mr. Howard clarified regarding his property to the southwest that there is an office and metal manufacturing - large trucks come in and out of the property all of the time. He does not own the storage units.

There is also an existing cabinet shop.

The 4 storage units are individually owned.

The Development Code 1026 at this time identifies that residential in the Central Business District zone can be requested on the ground floor, with a Conditional Use Permit. It was recommended by staff that a change of the Preferred Land Use map to Neighborhood Commercial/ Mixed Use might be a better fit for the area. However, the applicant wished to move forward.

**Ted Hill** asked what was planned for the City-owned property on the west of this requested rezone.

Stephen Zollinger stated the property would be a recreation center, a baseball field, and open grass soccer fields.

**Ted Hill** asked about the easement at the north of the requested rezone.

Stephen Zollinger said the subject property was separated from the easement by a canal.

**Dan Hanna** asked if there were any elevation issues that would affect Cody Howard's property.

Val Christensen said any elevation issues would be looked at during the building permit process.

**Chairman Dyer** said that for a rezone request, the Commission needs to consider the impact to surrounding properties, a change in character to the neighborhood, etc., and that includes some development questions, such as Mr. Hanna's concern about elevations.

Stephen Zollinger clarified that there are no elevation protections for light industrial. There are protections for residential encroachment.

**Chairman Dyer** said there are quite a number of units planned here and two ways out of the property. One egress goes out to 2nd East, which is almost impossible unless a signal is being

considered by McDonald's. The other is south at a four-way stop (East 2<sup>nd</sup> North). This is a concern. He said the Comprehensive Plan map, at this time, contemplates extending the downtown area down this 1<sup>st</sup> East corridor. With that would come commercial, along with increased traffic, etc. It is incumbent on the Commissioners to give this issue their thorough consideration.

Main Street was shown on the overhead map in relation to its distance from the subject property.

Val Christensen said typically the zone in the old part of downtown has taller buildings; they include residential above commercial.

The Comprehensive Plan Map was shown. When the map was redone, the downtown land use designation was extended. Tonight, the zone requested is Central Business District. Some of its attributes are: a developer could bring in commercial without a residential component; there are residential standards of setbacks, but no setbacks standards for commercial. As far as residential being located next to the planned park, that would be good, but the Commission needs to look beyond this point. This area could have straight commercial in this zone if, for example, the project funding failed for a project such as the one shown tonight.

**Chairman Dyer** said the question before them is: shall the zoning of the subject property be changed to Central Business District (CBD) from Light Industrial, and Professional Office (PO)? He reiterated that tonight's rezone request is a land use issue and not a development issue. There is no guarantee that the project would be built once the land use is changed through the zone.

**Scott Ferguson** asked if the property were rezoned to CBD, can the Light Industrial issue be worked out later?

**Chairman Dyer** stated they need to decide if the uses would compete with or be compatible with each other. They have to decide if this is an appropriate zone change for that neighborhood and location.

**Dan Hanna** read from the stated uses permitted in this zone from the Development Code. He feels there is compatibility with the uses and the location.

**Ted Hill** asked if they can approve a land use change/rezone attached specifically to a project.

Stephen Zollinger said they could grant a conditional rezone (conditioned upon) that would be time specific, i.e. after a year the zone could revert back to the original zone.

Under Central Business District (CBD) a developer could put buildings right up to the property line, which would likely be unacceptable to the property owners around it; thus the rezone could be specific.

Val Christensen said the stated density for the Central Business District zone is 40 units per acre (Development Code - Section 3.15.050).

**Chairman Dyer** said at the February 18<sup>th</sup> meeting when this development idea was presented, the Commission was struggling with this area being Downtown Commercial on the Preferred Land Use Map; this designation does not appear to make sense. When they make a land use decision, they need to look at how it affects the area. They would like to solve the problems with the maps.

**Mary Ann Mounts** said if one feels this is not a good land use decision, then it should not be done. She does not agree with conditioning it. She feels the designation of the map is a mistake. She does

not agree with the area being designated as Downtown Commercial on the Comprehensive Plan map. She does not support such a zone change. It could possibly work under a mixed use zone in the future.

**Chairman Dyer** said it is a question of timing. The timing could be better later. If the downtown does start expanding north, then it may be an appropriate use in the future. To go clear to the end of the corridor and change the zone now does not fit. The area needs to be cleaned up, making it more conducive to community planning.

Stephen Zollinger said the Commission could direct Val Christensen to do mixed use in this area consistent with Central Business District (CBD) and with the specified density. They could amend this request to be a mixed use. He clarified that this rezone was noticed as a request to change to Central Business District, but the Commission could recommend the request be for the Mixed Use Zone when the issue comes before City Council for public hearing.

Steve Kelly said commercial will be more viable when development comes to the area surrounding the subject property.

**Mary Ann Mounts** said her issue is not with the project; it is how they are going about it. It is not good planning. She would prefer that the rezone be done smoothly, with everything necessary in place, rather than having to condition it.

**Dan Hanna** said the area is not a strong retail neighborhood. It is a great residential use.

**Josh Garner's** concern is how the zone change may affect surrounding properties.

**Dan Hanna** wanted to discuss possible motions. They could table this zone change, or they could recommend adding the mixed use zones as a choice as an allowable zone under the Downtown Commercial preferred land use designation.

There could be a Comprehensive Plan change (State House has changed the waiting period for Comprehensive Plan Map amendments, most likely effective July 1, 2010).

Steve Kelly asked for clarification that the designated land use could be modified to include a mixed use zone.

The answer was it could be modified to include mixed use zones.

Steve Kelly said one of the issues they have noticed with the mixed use projects (located in Utah) that were pictured in his PowerPoint presentation, was that there is too much commercial space, and much of it is vacant. One reason he feels this disuse is happening is that commercial rental rates are higher than residential, although he is in favor of having commercial. The issue, especially with this planned project is, that commercial will be viable when more development comes to the area, with surrounding existing uses and the planned City recreation area. They want to have their commercial facing North 1<sup>st</sup> East and lower their commercial component to about 7% rather than the specified 10%.

At this point in the meeting, due to the additional applicant input, **Chairman Dyer** reopened public input.

There was no additional public input; public input was closed.

**Chairman Dyer** suggested the Commissioners take the most secure and solid planning approach that they can for the community.

The Commission discussed what the motion might contain.

Stephen Zollinger said the public notice for tonight's meeting was advertised requesting a zone change from Light Industrial and Professional Office to the Central Business District zone. The Commission could allow the application to move forward to City Council for public hearing with a recommendation of it doing so only as it comports with the Mixed Use zone standards as discussed.

**Ted Hill** thought fees that the applicant has already paid should be preserved.

**Mary Ann Mounts** motioned to recommend approval to move the Steve Kelly Rezone request (for 325 and approximately 275 North 1<sup>st</sup> East) forward to City Council for public hearing, on the condition that it be moved forward at such time that the Mixed Use Zones are added to the Downtown Commercial Preferred Land Use designation as an allowed zone choice, to change from the subject property's current Light Industrial (LI) and Professional Office (PO) zones, and that the applicant fees already paid be preserved as part of the process. **Scott Ferguson** seconded the motion.

None opposed. **Motion carried.**

There was a 5-minute break.

**Mary Ann Mounts** was excused from the meeting.

**Unfinished/Old Business:** None

**New Business:**

1. *and* 2. - Preliminary *and* Final Plats – Summerfield L.D.S. Church #2 (Summerfield Subdivision, Division No. 2) – approximately 400 block on the west side of South 12<sup>th</sup> West

Wayne Crow, 380 Spring Creek, Providence, Utah - civil engineer for this project. This proposal is for a simple one-lot subdivision as part of the Summerfield development. This subdivision is 9 acres. The street is to be named Summerfield Lane. It fronts out on South 12<sup>th</sup> West. This is the first platting within the 45-acre parcel. The plat, with the vicinity map, was shown on the overhead screen. The building will be similar to other L.D.S. churches that have been built in Rexburg.

**Chairman Dyer** asked Mr. Crow to address the fact that both the preliminary and final plats are being presented at the same time, as that is unusual.

Wayne Crow stated this subdivision was very simple, so they wanted to present the preliminary and final plats at one time.

Stephen Zollinger said that the City's Subdivision Ordinance allows for small subdivisions such as this one to go forward in one move (tonight the Preliminary and Final Plats are both being presented).

**Chairman Dyer** clarified for **Scott Ferguson** what usually occurs from the Preliminary plat stage to the Final plat stage and what issues are usually addressed. The Preliminary plat gives all of the

engineering detail, such as where utilities will be and where road connections will be, and what improvements may be proposed, so that the Commission can understand the impact to surrounding properties. Staff and the Commission may request changes, or add comments/concerns.

The final plat is brought back addressing those preliminary plat concerns.

**Chairman Dyer** said the plat shows two accesses onto 12<sup>th</sup> West. He asked the separation distance.

Wayne Crow stated that the separation distance is about 200 feet.

**Chairman Dyer** asked if part of this proposal is to build curb and gutter and to donate the necessary right of way.

Wayne Crow said that is part of the proposal.

**Ted Hill** said traffic impact from the church would be primarily on Sunday, so it would not be competing with traffic generated by the schools.

Mr. Crow said they are working with the Engineering department on utilities – sewer, water, etc. The main line of sewer and water is off of 12<sup>th</sup> West. The private property to the north of the subdivision will be buffered by landscaping and fencing. The project architect will come before the Commission when the Conditional Use Permit (CUP) is requested for the church, at the April 15<sup>th</sup> P&Z meeting.

**Ted Hill** asked about storm drains.

Mr. Crow said there will be infiltrators underground (like a drain field), and he pointed out their planned locations.

**Chairman Dyer** asked for the staff input.

Val Christensen said no concerns were expressed by the City Engineer. The Fire department expressed standard concerns regarding fire lanes and hydrant locations. Mr. Christensen's only concern was that the 30% landscaping requirement be met.

Parking will be looked at as part of the building plan review.

**Dan Hanna** motioned to recommend approval to City Council of the Preliminary *and* the Final Plats for the Summerfield L.D.S. Church #2, located approximately in the 400 block on the west side of South 12<sup>th</sup> West, to include that all staff review comments are addressed and that adequate parking is addressed, that landscaping shall be at 30%, and that if there are any deficiencies, that the site be made adequate in size for what is required. **Scott Ferguson** seconded the motion.

None opposed. **Motion carried.**

**Compliance:** None

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

A draft Vendor Regulations Ordinance document was given to the Commissioners. They were asked to read it over and give their input at the next P&Z meeting.

The following proposal (non-permanent vendor) has to do with this ordinance.

1. Sno-Shack proposal – corner of West 2<sup>nd</sup> South and South 3<sup>rd</sup> West - Derik Smith  
Derik Smith, 271 West 2<sup>nd</sup> South. He and his wife live on the southeast corner across from the Carousel. The property is zoned residential (Medium Density Residential 1) and, per his

conversation with Val Christenson, would not usually allow such a business. He is asking if there is a tool or process that could be established to allow them to run a very nice, new Sno-Shack in the side yard of the specified address. The property was shown on the overhead screen. They understand there is a safety issue because it is across the street from the park and would involve children and others crossing to the location. Currently, the closest Sno-Shack frequented by people at Porter Park is down 2<sup>nd</sup> West near the D&L Cleaners, which involves crossing two streets. He is asking permission to have a nonpermanent business at the specified locaiton. They would like to run the business beginning May 1<sup>st</sup> through August. A group of clientele already is there because of the park.

**Chairman Dyer** clarified with Derik Smith that the Commission is being asked permission to have a non-permanent vendor business in a residential zone on the specified property.

Derik Smith said that was correct.

**Chairman Dyer** asked if there is anything in a City ordinance regarding such a situation.

Stephen Zollinger said currently there is nothing written by ordinance to allow such a business in a residential zone.

**Chairman Dyer** asked Natalie Powell if this issue is addressed in this new draft vendor ordinance provided to the Commission.

Natalie Powell said it was addressed, through a business registration/inspection, and through different zone (allowed or not allowed) requirements, for a business that can be moved about every 2 hours.

Val Christensen felt that Derik Smith should come before the Commission with his request because Mr. Smith had observed that similar businesses have been on residential properties across the street from the University in the past.

**Chairman Dyer** said such a business may be alright in high density areas but not in a single family neighborhood.

**Dan Hanna** wondered if it was possible for Mr. Smith to operate the business within the park.

Val Christensen said it was not.

**Mr. Hanna** suggested speaking to Hemming Properties, which owns multiple properties in the D&L Cleaners area.

Stephen Zollinger said the carousel area is a more positive location for such a business, as the people are already gathered there (in the park). However, there is the safety issue and the zone issue.

**Josh Garner** asked what the Commission could do tonight for this request.

Stephen Zollinger said the Commission could make any recommendations regarding such a business and its possible location to be addressed in the draft vendor ordinance they were given tonight. This draft ordinance is the first step in moving forward in helping Derik Smith and other people who have such a business.

**Chairman Dyer** said it needs to be determined if a non-permanent vendor business would be an appropriate use in a medium density zone.

Mr. Zollinger stated that in the draft vendor ordinance the Commission has been given, the City is using a new acronym – IVL – Identified Vending Locations - to identify such vendors in the

Downtown Commercial area. The Commission could designate that an IVL be in a specific location (specifically designating here and not somewhere else).

There could be a specified number of IVLs allowed in an area, i.e. in proximity to Porter Park and Smith Park. The person who owns the property would need to give their permission. Specified IVLs could be filled on a first-come, first-served basis.

Derik Smith said the owners of the subject property have given their permission for this Sno-Shack to be located there if the City allows it.

**Dan Hanna** asked if the issue of litter is addressed in this draft vendor ordinance. He would not want neighboring property owners to be impacted by litter problems.

Natalie Powell said litter is addressed in the draft vendor ordinance. A business and its area (“area” as defined by City staff) must be clean and maintained.

**Ted Hill** feels the business is good idea, but he would want some kind of report from the Traffic Safety Committee on the location. Safety issues are his main concern.

Derik Smith said they are very aware of the safety concerns in regard to this location. They want to do whatever it takes to make the location safer; they had thought of providing orange flags that the children could carry when crossing the street.

**Dan Hanna** asked if the draft vendor document addresses site traffic safety.

Natalie Powell stated that a site plan is required for staff review as part of the business application process. It includes review of parking.

**Chairman Dyer** thought the draft vendor ordinance document should give the option of going to the Traffic Safety Committee for their input on a location.

**Dan Hanna** asked who makes the determination of granting a business license.

Natalie Powell stated that City staff does so.

Stephen Zollinger stated there are no options the Commission can give Derik Smith tonight in regard to permission for this business being at the specified location. He said Mr. Smith is a proponent driving this draft vendor ordinance to be completed. The Commission could give input to this draft ordinance at the next meeting that may be able to help Mr. Smith and other vendors.

The Commissioners determined that litter, traffic safety, and parking should be addressed clearly in this draft vendor ordinance document.

Val Christensen clarified that this document is still in the development stage. Any input from the Commission is welcome.

Stephen Zollinger said City staff was intrigued by Derik Smith’s proposal because they really do see the possibility that directly across the street from the park is not a bad place for a Sno-Shack.

**Josh Garner** asked if the draft vendor ordinance document includes hours of operation for vendors. Hours of operation are stated.

Stephen Zollinger clarified that in the draft document as written vendors that move (about every 2 hours) are allowed in a residential neighborhood. Vendor businesses that cannot move are not allowed.

**Dan Hanna** said he would have a hard time supporting or seeing how the Commission could draft an ordinance that would make things work at this particular location. There are a number of issues – traffic, litter, hours of operation – that could affect a residential neighborhood. He wishes there were a way to have the business on City park property.

**Ted Hill** felt he could not support this proposal in the specified location because of safety concerns of children crossing back and forth.

**Scott Ferguson** asked if putting such a vendor business in the park could be addressed in the vendor ordinance.

Stephen Zollinger stated the City rejected the idea of having such a vendor business in the park. Park supervisors did not want to create areas in the park where people were coming and going to a vendor. City Council did not want to have a lease situation where a particular space was leased. The Parks Department felt the Request For Proposal (RFP) process was too cumbersome. There also is not any place in the park where there is adequate power supply for such a business. There are already concessions in the park run by the people who run the carousel.

**Chairman Dyer** stated that it is the consensus of the P&Z Commission that they would not support such a Sno-Shack business in the specified location, in terms of safety first and foremost. There is also concern with impact on the residential neighborhood. The Commissioners try to use their individual and collective wisdom for the benefit and protection of the community.

It was suggested that Derik Smith approach the people in charge of the carousel to see if he could coordinate supplying Sno-Shack ices, possibly bringing them over to the park from across the street. Hemming Properties could also be approached for a possible location.

## 2. Comprehensive Plan discussion

Dan Hanna and Val Christensen presented the issue.

There are contradictions, inconsistencies, and some errors between the Comprehensive Plan map (Preferred Land Use map) and the Zoning map. An example of the conflict was the Rezone heard tonight.

**Dan Hanna** thought a committee from this Commission could make recommendations and work with City staff, toward changes that eventually results in a work meeting with City Council, to eventually adopt formal changes to the Comprehensive Plan map.

**Chairman Dyer** stated that it is the Commission's job and charter to look at preferred land use in the City of Rexburg. They have made that a very important effort through the years. In the past, over many weeks, they examined existing land uses and looking at other land uses, eventually putting together the past Comprehensive Plan (Preferred Land Use) map. An excellent map was created through much effort, input, and hard work. It was a very workable map. Then, the planning consultants came in to help catch up the written document of the Comprehensive Plan with the map. In the process, the consultants felt a need to change the map (i.e. added the neighborhood nodes) and changed some of the preferred land uses for what they thought was going to be best. These map changes never came before the Commission for discussion or for the Commission to recommend to the City Council. The changes went straight to City Council and got swept in as part of the overall process of adopting other Comprehensive Plan changes.

**Mr. Hanna** suggested the Commission needs to work very hard again to see what is appropriate and best for the City's vision for the future (Comprehensive Plan Map). They could examine parcels and sections of the map very closely.

The older Comprehensive Plan Map and the current Comprehensive Plan Map were projected on the overhead screen.

**Chairman Dyer** commented that the new map looks like a zoning map rather than a preferred land use map. He is concerned with changes being done parcel by parcel. The Comprehensive Plan map should serve as a planning tool for the future, with large areas/neighborhoods taken into account.

Stephen Zollinger said the map needs to be adjusted/fixed as quickly as possible. They want to protect property owners, but as the properties around a property owner start to migrate, what direction do they want it to migrate?

**Chairman Dyer** said a main function of having a strong, well thought out Comprehensive Plan map was that an applicant's proposal would have to be consistent with that Comprehensive Plan map. He suggested they could divide the map into quadrants and work on 1 quadrant at a time, along with staff guidance and input.

The current zoning is higher than the Comprehensive Plan designation in some areas of the City. The designations for density on the old map were different.

Val Christensen could provide a full size current Zoning map and Comprehensive Plan maps (current and 2005) for each of the Commissioners to take home and study.

The consensus was to attempt to schedule a P&Z Commission work meeting specifically on the Comprehensive Plan, on April 22<sup>nd</sup> (the 4<sup>th</sup> Thursday of this month), if all or most of the Commissioners are able to attend it.

**Report on Projects:** None

**Tabled Requests:** None

**Building Permit Application Report:** None

**Heads Up:**

April 15, 2010 – Conditional Use Permit - L.D.S. Church #2 Summerfield

May 6, 2010 – Possible Rezone request

The meeting was adjourned at 10:56 pm.