

# Planning & Zoning Minutes

March 3, 2011

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

## Commissioners Attending:

Winston Dyer – Chairman  
Dan Hanna           Thaine Robinson  
Marilyn Rasmussen   Jedd Walker  
Scott Ferguson       Cory Sorensen

## City Staff and Others:

Val Christensen – Community Development Director  
Mario Puente – Community Development Intern  
Elaine McFerrin – P&Z Coordinator

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

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

Scott Ferguson, Cory Sorensen, Jedd Walker, Winston Dyer, Thaine Robinson, Marilyn Rasmussen, Dan Hanna

Nephi Allen, Richie Webb, Gil Shirley, and Mary Ann Mounts were excused.

## Minutes:

1. Planning and Zoning meeting - February 17, 2011

**Dan Hanna** motioned to approve the Planning & Zoning minutes of February 17, 2011. **Marilyn Rasmussen** seconded the motion.

None opposed. **Motion carried.**

## Public Hearings: None

## Unfinished/Old Business:

1. Reconsider motion made at February 17, 2011 P&Z meeting regarding parking spaces

**Chairman Dyer** said under Roberts Rules of Order, in order to reconsider a motion, there has to be a motion made by an approver of the subject motion to discuss the issue. **Dan Hanna** had wanted the motion from the February 17<sup>th</sup> P&Z meeting to be reconsidered.

**Dan Hanna** motioned to discuss the motion concerning parking spaces that the Commission recommended to City Council at the February 17<sup>th</sup> P&Z meeting. **Scott Ferguson** seconded the motion.

None opposed. **Motion carried.**

**Chairman Dyer** said this matter is now before the Commission for the possibility of reconsideration. Evidence will be presented, and then considered and debated, which may or may not change the outcome of the original decision.

**Dan Hanna** said he and Val Christensen looked at the recommended parking changes under the assumption that the amount of asphalt was being reduced; it was somewhat of an unintentional bonus and was a more practical approach to the parking standard based on a survey that had been taken. **Mr. Hanna** is asking if there is a need to change the 8 by 16 foot standard. Nine feet is

better, but would it be taking more away than what was intended? The City has had forty percent parking at the 8 foot by 16 foot size. He is not aware of any issues or problems in current student housing to suggest that they need to go to a wider standard.

**Thaine Robinson** said he had expressed in their February 17<sup>th</sup> discussion of this issue that the changes might be problematic for new complexes that are squeezing in spaces. They would be losing spaces and not gaining. The spaces are in rows.

Val Christensen said what was brought out in calculations was that when the 16 feet is added back in, it is also added in the aisle. There is less of a gain than what was originally thought.

**Dan Hanna** said the question is, if something is not broken, does it need to be fixed/changed? Is there something wrong with the 8 foot by 16 foot size space?

**Chairman Dyer** asked what was the driving force for the issue.

Val Christensen said two developers have approached the City about changing parking size percentages.

**Cory Sorensen** said he has never had an issue with the 8 foot by 16 foot parking spaces for his single student housing. There has not been an accident or fender bender.

**Scott Ferguson** asked in terms of attracting developments, is the change worth it?

**Chairman Dyer** said he has long felt that the 8 foot width is too narrow. There can be door dings and no room to maneuver baby seats. For functionality, there are merits to the 9 foot width.

Val Christensen said the Commission could look at having both standards in place, so that the developers can take their pick.

The **Chair** said the standard is an 8 foot width minimum on compact and a 9 foot width minimum for the regular spaces; developers can go wider if they wish. The Commission could look at something such as what is done in the Pedestrian Emphasis Zone (PEZ) – incentives - give something and get something in return.

**Chairman Dyer** clarified that the issue is mainly the width of the parking spaces.

**Dan Hanna** said that was correct. He said changing the standard of 8 foot by 16 foot, which the City has had for years, and with not being aware of any issues with this size in single student housing - does it need to be changed?

**Thaine Robinson** said he is not looking at this issue as a space issue. It is practical to have the 9 foot wide spaces, and it is good planning. He would prefer this size; it is smarter.

**Scott Ferguson** agreed.

**Dan Hanna** said an argument to retain the 8 foot size space is that students do not move cars as often, sometimes leaving them parked for days at a time. The motion that was made almost comes across to developers as being an upgrade and a more stringent requirement than in the past.

Val Christensen asked if the Commission could at least consider putting this space size back as an option.

**Chairman Dyer** said the developers could decide based on the geometry that is available to them in their developments and what works for them. Then the Commission has not cut anybody out or disadvantaged anyone who has come in and developed. Another incentive will have been created that may be beneficial for the greater community.

**Chairman Dyer** asked for input from **Scott Ferguson**, as **Mr. Ferguson** made the original motion. **Scott Ferguson** liked the idea of the incentive. The developer would have the choice.

Val Christensen said his concern with narrower spaces, is that there was staff support for 9 foot spaces, but there is not as much gain as was originally thought. The 8 foot size becomes problematic. He did not think there would be a problem presenting to staff the idea of giving both options.

**Chairman Dyer** noted that there is consensus of the Commission for the concept of allowing the original motion that was made at the February 17<sup>th</sup> meeting to become an incentive, allowing it to be an option for a developer, and staying with the standard. The biggest plus for the public would be the widening of the space.

The **Chair** said that since the Commission voted to bring the issue back up, they are considering the issue anew, so any of the Commissioners can make the motion.

**Thaine Robinson** motioned to leave the current parking space standards (in the Rexburg Development Code 1026) as they are stated, with the P&Z Commission's February 17, 2011 motion as a developer option. **Dan Hanna** seconded the motion.

**Chairman Dyer** said all they are doing by this motion is clarifying that this is being made available as an alternative in return for the incentive of the wider space.

None opposed. **Motion carried.**

*(February 17, 2011 motion: Scott Ferguson motioned to recommend to City Council to hold a public hearing for an ordinance amendment to the Rexburg Development Code 1026, for multiple-family and dormitory housing to have a ratio of eighty per cent (80%) regular size parking spaces (9 foot by 16 foot) and twenty per cent (20%) longer size parking spaces (9 foot by 20 foot); all visitor parking spaces will be the longer space size (9 foot by 20 foot). Dan Hanna seconded the motion. None opposed. Motion carried.)*

## 2. Discussion of 2<sup>nd</sup> East Alternative

**Chairman Dyer** said the Commission came to the conclusion at their last meeting that more time was needed to study the information that they had about the 2<sup>nd</sup> East alternative. The issue is being addressed tonight, in the hopes of getting a consensus recommendation to support the City in what the City has already recommended to Madison County.

In future meetings, there will be the opportunity to talk about other corridors, other bridge locations, etc.

**Cory Sorensen** felt the alternative route should follow a current section line. Keep the grid simple and effective.

**Chairman Dyer** said those thoughts go with the recommendation that the City has given to the County for consideration.

**Marilyn Rasmussen** said it also follows the Keller plan recommendation.

**Thaine Robinson** thought in the best interest of the citizens of Rexburg, the P&Z Commission should make a recommendation of support to follow the City's route choice.

**Dan Hanna** asked for clarification of the City's preferred route.

Val Christensen pointed out on the overhead screen's displayed map what the City recommended as their route choice. The route would be a continuation of University Blvd., going past the L.D.S. Church and past the Founders Square subdivision. What the City recommended to do was what the Keller engineering study recommended. The route would pick up the growth of the area. The river crossing is needed. The City did not want to go further east with the road.

The **Chair** is proposing the Commission make some kind of motion stating they would accept segment 1 connecting to 7<sup>th</sup> South and segment 2 connecting to 7<sup>th</sup> North and 1000 East. The motion should voice strong support and encouragement for the governing bodies and elected officials to move the development of that transportation facility forward with all due haste.

A letter expressing strong support of this choice will be written and signed by each of the P&Z Commissioners.

**Marilyn Rasmussen** said the property owners that are affected need to be spoken with and informed, as a heads up, about the recommendation and the letter, so that they do not feel like someone is behind closed doors deciding what happens to their properties.

**Chairman Dyer** said the point is very well taken. The Commission owes it to those most closely affected and to the public to keep them informed.

**Dan Hanna** motioned that the Rexburg City Planning & Zoning Commission does hereby express and does herewith recommend to the Rexburg City Council to proceed forthwith with haste to develop and construct a road and bridge across the Teton River from 7<sup>th</sup> South to 7<sup>th</sup> North on the 1000 East alignment, referenced on the proposed transportation plan as the Keller Recommendations 1 (one) and 2 (two). **Scott Ferguson** seconded the motion.

None opposed. **Motion carried.**

A letter will be put together and reviewed, to eventually be signed by the P&Z Commissioners.

**Thaine Robinson** said it is good planning to plan another bridge crossing, between 2<sup>nd</sup> East and the bridge crossing mentioned in this motion. They should plan a place - allocate for the future. He feels just west of the Stonebridge subdivision may be the location.

**Chairman Dyer** said the Commission could continue their discussion on planning for other bridge crossings over the Teton River within Rexburg on a coming agenda.

### 3. Discussion of Pioneer Road Concerns

This issue could culminate in the tweaking of existing ordinances and/or a strong recommendation to City Council to act on some of the concerns.

The list of Pioneer Road concerns made at the February 17<sup>th</sup> P&Z meeting were discussed.

1. Fence along the right of way
2. Curb, gutter, and sidewalk
3. Condition of road
4. Pedestrian safety improvement
5. Striped biking path
6. Lighting
7. Landscaping

8. City property clean-up on Main/Pioneer  
**Cory Sorensen** said an LID (Local Improvement District) for Pioneer Road was approved at last night's City Council meeting.

Concerns #1 through #3 would be addressed in this LID.

Val Christensen asked to be given time to research the details of what specifically will be included in the LID for Pioneer Road. He will speak with City engineers John Millar and Keith Davidson.

Val Christensen said there is a conscious effort by the City to have development agreements in place with every new subdivision. Development agreements would prevent the City from ending up with no man's land strips, where a fence may be along a right-of-way, and that strip of land is not being maintained.

**Chairman Dyer** suggested Val Christensen contact planners in other areas about such situations with two points in mind: 1) Address across the board - how to prevent in the future. 2) What have others been able to do with existing problem locations?

Val Christensen will look at where else such no-man's strips exist in the City.

He said the tool the City now has is the development agreement. The City makes a conscious effort to include this agreement to address any problems.

Val Christensen will speak to John Millar about items #4 through #7 of the Commission's list of Pioneer Road concerns - pedestrian safety (#4) improvement, striped biking paths (#5), lighting (#6), and landscaping (#7), to make Mr. Millar aware of the Commission's concerns.

Mr. Christensen will report any information to the Commission.

The **Chair** asked that the Compliance Officer be notified to address concern #8 regarding clean-up of City property on Main/Pioneer Road.

**New Business:** None

**Compliance:**

The Compliance Officer will be informed of two issues.

1. #8 on the Commission's list of Pioneer Road concerns – “City property clean-up on Main/Pioneer” – have the weeds mowed down, clear the property of any junk, make it presentable for the near term.
2. Regarding the temporary sign ordinance, **Thaine Robinson** has observed that it is not being adhered to. Signs/banners are up long past their stay.

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

1. Parliamentary Procedure – Robert's Rules of Order

**Chairman Dyer** wished to defer this issue to a meeting when more Commissioners are present so that everyone will benefit from the information and discussion.

2. Design Review Committee meeting report – David and Lana Chang property - 208 E. 3<sup>rd</sup> South

Val Christensen provided the Commissioners with copies of revised drawings for their input. The project architect had just submitted the drawings to him, after there had been a Design Review meeting to express concerns and give some suggestions.

A Design Review Committee meeting was held yesterday morning, March 2<sup>nd</sup>, regarding the 3<sup>rd</sup> South presentation of the planned 8-plex. Holding this meeting was a condition of approval for the conditional use permit, which was approved by City Council at last night's meeting.

An expressed concern at the rezone and conditional use permit hearings for the property was that the building should look more like a nice home, to help it blend into the neighborhood.

At the Design Review meeting, it was felt that what was presented was a great building, with nice materials, roof line breaks, ins and outs etc., but what was problematic was that the building's symmetry made it look like a very nice apartment building rather than a nice home.

The consensus reached at the Design Review meeting regarding the building's north elevation was: break up the symmetry, and enlarge or emphasize some of the windows.

Additionally, some of the existing landscape, including some large pine trees, will be preserved so that the property maintains its effect of being a gateway into the neighborhood.

New landscaping will also be added.

**Chairman Dyer** said this neighborhood was crying for protection. They want preservation of their neighborhood character and identity. The Commission committed to protecting the neighborhood on the 3<sup>rd</sup> South presentation and also made the commitment to protect the neighborhood from further encroachment.

**Chairman Dyer** said the Commission should resist any micromanaging and should trust in the Design Review Committee.

At the rezone hearing, the Commission made a concerted effort to discuss both sides of the issue. The **Chair** said the Commissioners have given due justice to both the neighborhood and the developer. The Commission has tried to walk the fine line of compromise between property rights and the greater public good. The moral obligations to the community have been met.

The Commission gave their input that the revised drawings on page one or page two are preferred, of the several drawings provided to them by Val Christensen.

Staff will make the decision of which revised drawing to go with.

The Commission requested that staff specify 2 ½ inch to 3 inch caliper trees as part of the new landscaping.

**Report on Projects:** None

**Tabled Requests:** None

**Building Permit Application Report:** None

**Heads Up:**

March 17<sup>th</sup>

1. CUP – 52 & 60 W. 2<sup>nd</sup> S., 165 & 153 S. 1<sup>st</sup> W., and 33 & 29 W. 1<sup>st</sup> S.
2. Rezone – from High Density Residential 1 (HDR1) and Medium Density Residential 1 (MDR1) to Mixed Use 2 (MU2) - Same properties as CUP request
3. Final Plat – Broulim's Plaza

March 31<sup>st</sup> - Joint P&Z Commission meeting – 7:00 pm – Rexburg City Hall Council Chambers

The meeting was adjourned at 9:58 pm.