

Planning & Zoning Minutes

January 21, 2016

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CITY OF
REXBURG
America's Family Community

Commissioners Attending:

Jedd Walker -Chairman Mark Rudd
Rory Kunz Gil Shirley
Heidi Christensen Melanie Davenport
John Bowen Steve Oakey

City Staff and Others:

Val Christensen- Community Development Director
Elaine McFerrin – P&Z Coordinator
Mark Daniel – Community Development Intern

Community Development Director Val Christensen opened the meeting at 7:00 pm. At the last P&Z meeting, Chairman Thaine Robinson resigned because he has moved out of the City of Rexburg. A new P&Z Commission Chairman will be chosen tonight.

Welcome:

1. Newly Appointed P&Z Commissioners Heidi Christensen and John Bowen

Val Christensen welcomed the new Commissioners. The City is excited to have them on the Commission. Mayor Richard Woodland had good things to say about each of them and was very happy they accepted the appointments.

Elect New P&Z Commission Chairman:

Val Christensen called for nominations for the position of Chairman of the Rexburg P&Z Commission.

Steve Oakey motioned to nominate Melanie Davenport.

Gil Shirley motioned to nominate Jedd Walker.

Mr. Christensen called for a vote on each nominated person.

Jedd Walker was elected as the new P&Z Commission Chairman by a majority vote.
Motion carried.

Chairman Walker asked the new Commissioners to tell a little about themselves.

Heidi Christensen stated she has lived in Rexburg for twelve years. She has two children. She occasionally teaches a class at the University, and she has taught art at her childrens' elementary school for the last 8 years. She is glad to be here.

John Bowen stated he has lived in Rexburg all of his life. He has 3 children. His wife passed away about ten years ago, and he remarried. He used to have a music business on Main Street. He also was the developer of Indian Hills Estates and the Summerwood subdivision, and condominiums near the golf course. He is very familiar with Rexburg and loves this city. He is thrilled to be on the Commission.

Chairman Walker thanked the new Commissioners and welcomed them.

Roll Call of Planning and Zoning Commissioners:

Attending: Steve Oakey, John Bowen, Gil Shirley, Rory Kunz, Mark Rudd, Jedd Walker, Heidi Christensen, and Melanie Davenport.

Bruce Sutherland and Richard Smith were excused.
City Council Liaison Brad Wolfe was excused.

Minutes:

1. Planning and Zoning meeting – January 7, 2016

Rory Kunz motioned to approve the Planning & Zoning minutes of January 7, 2016. **Mark Rudd** seconded the motion.

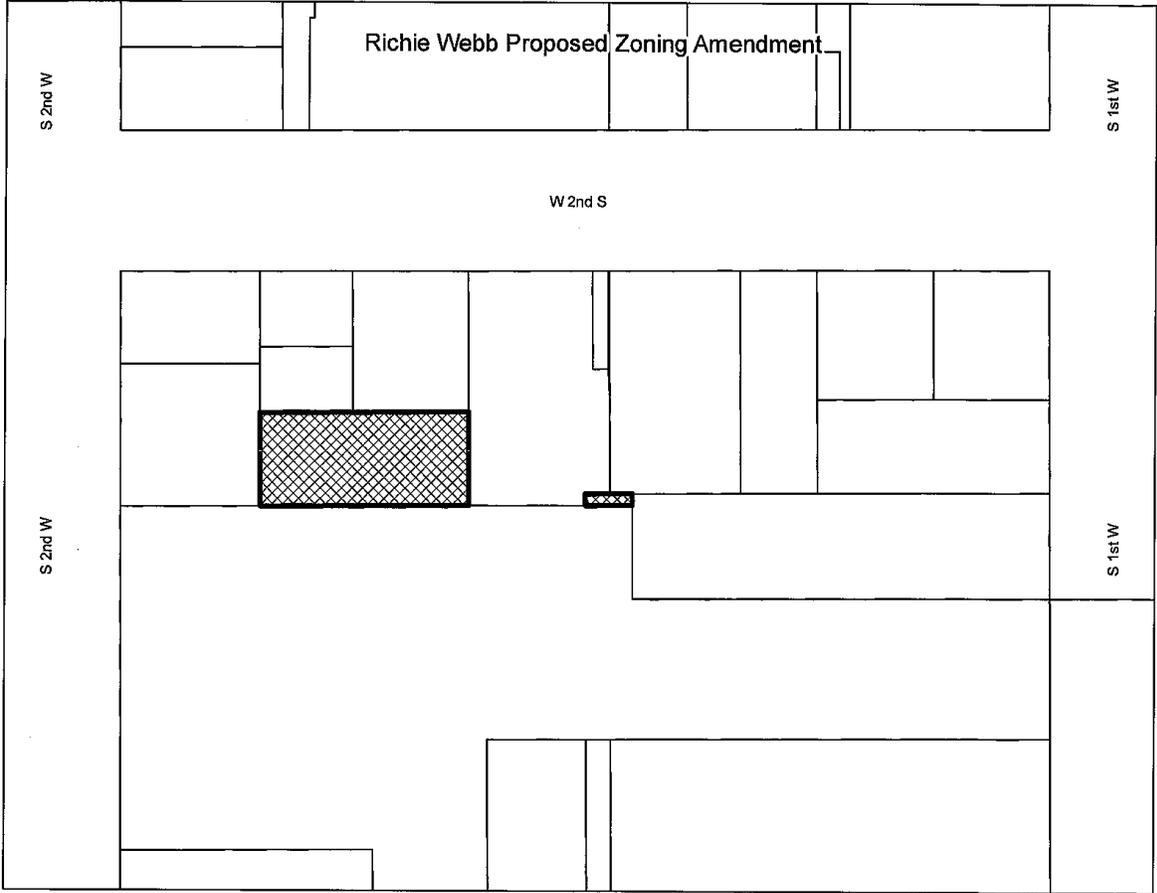
Jedd Walker and Steve Oakey abstained for having not been present.
None opposed. **Motion carried.**

Public Hearings:

1. 7:05 pm – Rezone – Approximately 157 West 2nd South -High Density Residential 1 to Hemming PRO (Project Redevelopment Option) Zone

Richie Webb, representing Hemming Corporation, 680 Wheatland Drive.

He is requesting a rezone for the specified property that Hemming Corporation is in the process of acquiring from Horizon Realty Advisors, who have agreed to sell the property. Hemming wants to add the land to the Hemming PRO Zone for the purpose of future development.



Mr. Webb presented a PowerPoint of Hemming Village to remind the Commissioners of what has been accomplished in Phase 1. He pointed out developments, including the Hemming Village main building, the Willows Apartments, Deseret Book, Gator Jack's, and Jimmy John's.

Phase 2 of Hemming Village is now where they are headed.

Possible renderings were shown of the property they want to develop, including the new Cedars development. They will also be taking down 4 homes. The site plan is only in the development phase. There will be shops on the ground level, offices on the second level, and community or married housing on the third level. Nothing is exact at this time.

Without the requested rezone land, the flow and how the property would function would be disrupted, even though they might be able to develop without it; the addition of this property is very important.

Richie Webb clarified that the Pines Apartments would stay. To the south of the main Hemming Village building, the homes and the Cedars Apartments would be taken down for the project.

Mark Rudd clarified the Hemming PRO Zone is already zoned correctly; they wish to add this one subject piece to it. Richie Webb said that was correct.

John Bowen asked how many stories the parking structure would be.

Richie Webb said they would like to build a 6-story parking structure similar to the structure at Mountain Lofts Apartments but not quite as big.

The **Chair** asked if staff had any clarifying information on the rezone request.

Val Christensen briefly explained the PRO Zone, especially for the benefit of the new Commissioners. There is a section in the Rexburg Development Code Ordinance No. 1115 that fully explains this zone. It is a tool for a developer who wants to be creative that allows the developer to present a uniquely designed zone to the P&Z Commission and the City Council. The Hemming Pro Zone was created and approved several years ago. It is a stand-alone zone.

From Development Code Ordinance No. 1115:

The purpose of the Project Redevelopment Option (PRO) zone is to create a regulatory tool that permits initiative and flexibility in creating well-planned, architecturally –designed development that meets the needs of the community.

It was clarified that the request would be part of Phase 2 of the Hemming Village development. Phase 1 has reached 100 per cent build-out.

Melanie Davenport stated that when Windsor Manor was built, there were some sewer problems. Regarding tonight's rezone request, is the City prepared for this growth? The City should be proactive.

Val Christensen said there are no concerns from Public Works regarding this rezone request, which is a land use action. Any issues would be addressed during the building permit/inspection review process.

Chairman Walker stated that the question before the Commission is, should the subject property be changed from High Density Residential 1 to the Hemming PRO Zone?

The Chair opened the public input portion of the hearing.

In Favor: None

Neutral: None

Opposed: None

Written Input:

1. Email letter from Eric Conrad, representing BYU-Idaho- in favor of the proposal - read by Chairman Walker for the record:

Elaine McFerrin

From: Conrad, Eric <conrade@byui.edu>
Sent: Thursday, January 21, 2016 5:43 PM
To: Elaine McFerrin
Subject: RE: January 21, 2016 P&Z Agenda - re: Rezone - Approximately 157 West 2nd South

I am not going to be able to make this, so sorry, torn meniscus in my knee. BYU-I is in favor of the Hemming project and rezone if this comes up and anyone wants to know our position.

Thanks, Eric

From: Elaine McFerrin [mailto:Elaine.McFerrin@rexburg.org]
Sent: Wednesday, January 13, 2016 2:43 PM
To: Conrad, Eric <conrade@byui.edu>
Subject: January 21, 2016 P&Z Agenda - re: Rezone - Approximately 157 West 2nd South

Eric,

For your information, the P&Z agenda for next week's Thursday, January 21st P&Z meeting is attached.

The rezone which I sent you the notice on (in the email below on Dec. 29th) is scheduled under *Public Hearings*. The meeting begins at 7:00 pm.

Thank you,
Elaine

From: Elaine McFerrin
Sent: Tuesday, December 29, 2015 8:45 AM
To: conrade@byui.edu
Subject: Notice of Public Hearing - Rezone - Approximately 157 West 2nd South

Eric,

I am sending you the *Notice of Public Hearing* for a rezone request that is scheduled for Public Hearing at the January 21st P&Z meeting. It is to rezone property at approximately 157 West 2nd South from High Density Residential 1 to the Hemming PRO (Project Redevelopment Option) Zone.

1. The University is on the mail list to get a hearing notice, which I will be mailing out next week.
2. As we had discussed some time ago, I am emailing you the notice for your information because of the University being on the mail list of property owners in the 300 foot buffer that will receive notices.

I will send you an agenda a few days before the meeting date. Let me know if you have any questions.

Thanks,
Elaine

Elaine McFerrin
P&Z Coordinator
City of Rexburg
208.359.3020 ext. 2334

Richie Webb pointed out that when the Hemming PRO Zone was established, the ordinances of the City were far different than they are now. Heights of the buildings have changed dramatically. They are working with Val Christensen to make some changes to the Hemming PRO Zone Ordinance to get it more consistent with the other changes the City has made.

Chairman Walker closed the public input portion of the hearing and asked for the staff evaluation and recommendations.

Val Christensen stated the size of the rezone request is 0.22 acres. All the Commissioners are likely familiar with the property. The City Engineer did not have concerns.

From Mr. Christensen's staff report:

"If the Planning and Zoning Commission determines that the change is in the best interest of the City of Rexburg and the adjoining neighborhoods are not adversely affected, Staff requests that the Planning and Zoning Commission recommend that the City Council process the requested zone change."

Steve Oakey asked why BYU-Idaho is commenting on this project. Will they be doing so for every housing project in the future?

P&Z Coordinator/Secretary Elaine McFerrin explained that Eric Conrad gave input regarding the University's position on this rezone because BYU-I was in the official mailing buffer of notices of the public hearing that are sent to those who own property within 300 feet of the rezone request.

Gil Shirley felt that this rezone proposal makes sense.

John Bowen motioned to recommend approval to the City Council of a rezone from High Density Residential 1 to Hemming PRO (Project Redevelopment Option) Zone, for the property located at approximately 157 West 2nd South. **Gil Shirley** seconded the motion.

None opposed. **Motion carried.**

Chairman Walker asked if the Commissioners had any other issues they wished to address.

Steve Oakey had a comment. It is an unnecessary expense for the city to provide food for this meeting except for water. He proposed that just having water is sufficient.

There was discussion. There was consensus of the Commissioners that they will leave it up to the P&Z secretary's discretion as to whether additional food would be purchased, perhaps for a longer meeting.

Melanie Davenport had a comment. She noted two books, Walkable City by Jeff Speck, and The Death and Life of Great American Cities by Jane Jacobs, that she reads in preparation for Planning & Zoning. Walkable City brought up that generally traffic studies are conducted by engineers, and reviewed by engineers. The input can be manipulated to get an outcome.

Looking to the future, are there others who look at the studies in addition to engineers?

Val Christensen said the people who are trained and have degrees may review it, but it does not mean it is a perfect science. The industry has adopted standards regarding highway and city traffic.

Chairman Walker said there could be a peer review of the data. When it comes to solutions, there could also be a peer review for other considerations.

Melanie Davenport is mainly concerned about possible manipulation of data. She would feel more comfortable if they talk about the issue in advance.

Chairman Walker clarified for the Commission that Mrs. Davenport was referencing the Horrocks Engineering traffic study that was done for the City of Rexburg about a year ago. Val Christensen said the study was completed with some recommendations from Horrocks Engineers. It has not yet been accepted by the City Council.

The Chairman said part of the Horrocks study recommendation addresses 2nd East. The traffic study found most destination trips were to 2nd East. Projecting out to future years, the street would be so congested that the solutions recommended would be to greatly widen the street or to use couplets.

Steve Oakey said Horrocks Engineers may come again to present the study. If so, he suggested the Commission should come to City Council when the presentation is made. He thought the past presentation was on the City's website if Commissioners wanted to review it.

Val Christensen said he did not know if another presentation was going to be made. He said he could email the Horrocks presentation to the Commissioners so they could review it for a future discussion.

Chairman Walker asked for a report on the Zoning Task Force, for the new commissioners, to explain what the task force is doing.

Steve Oakey explained that the Zoning Task Force was established several months ago. Val Christensen generated a list of potential zoning changes to the Development Code that could be amended or extracted. Several have been extracted. The idea is to reduce the size of some of the zoning chapters in the Development Code to make it easier. In the course of discussion, bigger issues have been brought up, which will be examined in the future.

This body recently requested that the task force look at alternative housing when their current issues are completed.

The task force is comprised of Val Christensen, Melanie Davenport, Jedd Walker, Steve Oakey, Scott Johnson, Craig Rindlisbacher, and several others.

Chairman Walker explained that once the Zoning Task Force has completed its work, it will come before the P&Z Commission for a final discussion. The Commission will then make a recommendation to the City Council to adopt the changes.

Unfinished/Old Business: None

New 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:

February 4, 2016 P&Z meeting - no items are scheduled

Steve Oakey motioned to cancel the February 4, 2016 P&Z meeting unless an issue comes up that would need the Commission to meet. **Rory Kunz** seconded the motion. None opposed. **Motion carried.**

The meeting was adjourned at 8:00 pm.