

Planning & Zoning Meeting
April 9th, 2018

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:06 p.m. Present were Chairman Rod Mink, Commissioner Sheryl Gibbons, Commissioner Bill Allred and Commissioner Carl McEntarffer (via phone). Commissioner Randy King and Commissioner Dave Holley were excused. Also present were Human Resource Manager Ida Clark, Legal Counsel Ted Larsen, and Secretary Katie Elliott.

PUBLIC HEARING for a renewal request from Beatriz Delgado, representing Las Maracas Banquet Hall, for a Special Use permit allowing a commercial entertainment facility (indoor) on that parcel described as Lots 20 & 21, Block 75 Jerome Townsite, SE 13-8-16, more commonly known as 250 West Main Street, Jerome, Idaho.

Staff Report: Ms. Clark stated the original special use permit approved July of 2014, was in Shannon Perez' name, operating as Blue Galaxy Event Center. The permit was transferred to Ms. Delgado in June 2018. Previously, under Ms. Perez, there were concerns about noise and clean-up after events; however, we have not received any complaints via phone or in person since the transfer of the permit to Ms. Delgado.

Ms. Clark stated the property in question, 250 West Main Street, is currently zoned Central Business District (CBD). The proposed use, commercial entertainment facility (indoor), requires a Special Use Permit.

Ms. Clark stated the request is in compliance with the Comprehensive Plan. She stated that the permit was approved in 2014, and the commission has had many discussions on parking in the downtown area. She stated that in the Comprehensive Plan, downtown parking is addressed and it states most buildings downtown do not have adequate off-street parking. However since this use has previously been approved and Ms. Delgado is not changing the use, the current parking would be approved.

Ms. Clark stated she did not receive any concerns with the renewal from staff. Fire did state a fire inspection would need to be conducted.

If approved, Ms. Clark recommended the following conditions: Comply with all required Building and/or Fire Department permits and inspections; Comply with the City's noise ordinance; Complete a parking lot inspection within 24 hours of an event; Comply with all city, state and federal requirements; and Special use permit shall be allowed for up to two years, renewable upon expiration.

Applicant Testimony: Beatriz Delgado, 250 West Main, testified, she is asking for the renewal of the permit. She is new in town and just bought the property. She received the letter to renew the permit. She stated she came from California and appreciates what the commission can do

for her. Upon inquiry from Chairman Mink, Ms. Delgado stated the previous owner and the realtor stated there were not any problems with the parking as there was parking across the street. She stated she has not had any events because she just got the beer and wine permit and then she had some leaks which she has fixed. She stated she has done what has been asked by everyone. She stated if she has any events, she would make sure she goes and cleans up the parking lots. She stated she was not sure what her occupancy was but thought it was around 200 people. Upon inquiry from Commissioner Allred, Ms. Delgado stated she did not go over the permit with the previous owner. Ms. Clark stated Ms. Delgado was given the same conditions that the previous owner was provided when the permit was transferred over, and she is recommending the same conditions as before.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:15 p.m.

CONSIDER a request from Beatriz Delgado, representing Las Maracas Banquet Hall, for a Special Use Permit allowing a commercial entertainment facility (indoor) on that parcel described as Lots 20 & 21, Block 75 Jerome Townsite, SE 13-8-16, more commonly known as 250 West Main Street, Jerome, Idaho. – action item

Upon inquiry from Chairman Mink, Mr. Larsen stated you can transfer from one owner to the next but you cannot transfer the lots of the Special Use Permit. Commissioner Allred stated he wanted to make sure Ms. Delgado knew about the conditions and was okay with those conditions.

Commissioner Allred made a motion to approve a request from Beatriz Delgado, representing Las Maracas Banquet Hall, for a Special Use permit allowing a commercial entertainment facility (indoor) on that parcel described as Lots 20 & 21, Block 75 Jerome Townsite, SE 13-8-16, more commonly known as 250 West Main Street, Jerome, Idaho with the following conditions: Comply with all required Building and/or Fire Department permits and inspections; Comply with the City's noise ordinance; Complete a parking lot inspection within 24 hours of an event; Comply with all city, state and federal requirements; and Special use permit shall be allowed for up to two years, renewable upon expiration.

Second to the motion by Commissioner Gibbons and carried.

Unanimous "ayes"

PUBLIC HEARING for a request from Scott and Sandy Welsh for a Special Use Permit allowing four (4) horses on the property located at Tax 28 Lot 4 & SESW Jerome Unplatted SW 7-8-17, more commonly known as 204 16th Avenue East, Jerome, Idaho.

Staff Report: Ms. Clark stated Mr. and Mrs. Welsh received a special use permit for four (4) horses in April of 2017. The application noted the horses will not be hazardous or disturbing as the property is approximately five (5) acres. The horses are kept in a fenced area behind the home. The pasture is watered and the manure is disposed of properly. Mr. and Mrs. Welsh would like to request a renewal of the special use permit. The property in question, 204 16th Avenue East, is currently zoned Residential 1 (R-1) which does require a Special Use Permit.

Ms. Clark stated the request is in compliance with the Comprehensive Plan and reviewed the definition of manure with the commission.

Ms. Clark stated she did not received any comments or concerns with the renewal from staff.

If approved, Ms. Clark recommended the following conditions: Horses shall not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Comply with all city and state requirements; and Special Use Permit shall be allowed for up to four years, renewable upon expiration.

Applicant Testimony: Scott Welsh, 204 16th Avenue East, testified, there is nothing that has changed since before. They now have three horses but two of them are old and do not do anything. Upon inquiry from Commissioner Gibbons, Ms. Clark stated they have not had any complaints. Mr. Welsh showed the commission his property on the map that was provided. Upon inquiry from Commissioner Allred, Mr. Welsh stated he is aware of how to dispose of the waste. He stated he spreads the manure thin where the grass grows through it. He stated he has had to mow the other grass that the horses have not had a chance to pasture. He stated he is trying to get the horses over to the other pasture safely to keep the grass down. He also stated he has been trapping the flies.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:25 p.m.

CONSIDER a request from Scott and Sandy Welsh for a Special Use Permit allowing four (4) horses on the property located at Tax 28 Lot 4 & SESW Jerome Unplatted SW 7-8-17, more commonly known as 204 16th Avenue East, Jerome, Idaho – action item

Chairman Mink went over the conditions. Commissioner McEntarffer stated it is a good use of the land as it would be a weed problem if they didn't have any horses and there is no issue with horses as it is on the edge of town.

Commissioner Gibbons made a motion to approve a request from Scott and Sandy Welsh for a Special Use permit allowing four (4) horses on the property located at Tax 28 Lot 4 & SESW Jerome Unplatted SW 7-8-17, more commonly known as 204 16th Avenue East, Jerome, Idaho, with the following conditions: Horses shall not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Comply with all city and state requirements; and Special use permit shall be allowed for up to four years, renewable upon expiration.

Second to the motion by Commissioner Allred and carried.

Unanimous "ayes"

PUBLIC HEARING for a request from Tyler Norris for a zoning map amendment, changing the zone from Central Business District (CBD) to Light Industrial (M-1), on that parcel described as Lots 22 thru 31, Block 96, Jerome Townsite NE 24-8-16, more commonly known as 112 West Avenue B, Jerome, Idaho.

Staff Report: Ms. Clark stated these lots are part of the original Jerome townsite. The application indicates they would like the rezone to build a small warehouse and have other permitted uses. The uses are currently legal nonconforming as a warehouse and storage are not permitted in the Central Business District. She stated the adjacent land to the north, south and east are existing business and to the west is industry/processing. The existing zoning to the north, south and east are Central Business District (CBD) and Light Industrial (M-1) to the west. The Comprehensive Plan land use map designates the site as industry, surrounded by both industry and commercial. Existing land use is commercial and industry.

The parcels involved are currently zoned Central Business District (CBD). The proposed rezone, Light Industrial (M-1), would allow for automotive repair, storage, warehousing, and other processing as detailed the Jerome Municipal Code (JMC). Depending on the zone, all land use regulations as detailed in Title 17 of the JMC will apply to the property, including but not limited to setbacks, building height restrictions, sign restrictions, and use restrictions.

Ms. Clark reminded the commission, they must determine if the rezone meets the following: Is in accordance with the Comprehensive Plan; Will create a demand for public infrastructure that is not currently available, including municipal sewer and water services; Is compatible with the zoning uses in the surrounding areas and no non-conforming uses will be created.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in accordance with the following chapters: Chapter 1, Property Rights, There is no "taking" and the request does not require property owners to dedicate any portion of property; Chapter 3, Land Use, Objective 1, "explore the growth patterns of the city and plan and prepare for

growth opportunities.” The Commission must consider that if the proposed rezone is approved, this development must comply with Chapter 2, Section 4, “Land Use Component,” Objectives 5 and 6. These objectives state that any land use decision must consider “Protecting the character of single-family neighborhoods” while at the same time, “Developing a variety of densities that support a mixed land use.” Meets Chapter 5, “Community Design”, and Chapter 7, “Economic Development”. The application notes they would like to sell four lots to Jimenez Auto Repair to allow him to expand his business in the existing building.

As pertains to the demand for public infrastructure that is not currently available, including municipal sewer and water services, Ms. Clark stated there will be no demand of public infrastructure that is not already available. The warehouse will be used for storage. As pertains to the compatibility with the zoning uses in the surrounding areas: As mentioned, the property in question has businesses to the north, industry and processing to the west. It appears that the proposed zone change to Light Industrial (M-1) would be compatible with the surrounding areas. As pertains to the creation of non-conforming uses, the property in question has an automotive repair shop that does have a current Special Use Permit. Automotive repair is a permitted use in the Light Industrial zone. The current use of storage is legal, non-conforming in the CBD zone; however, a rezone to Light Industrial would allow storage as a permitted use. No non-conforming uses would be created with the rezone. Title 16 has no bearing on this request.

Ms. Clark stated she sent the application out to the departments and received the following comments: Engineering, Building, Water and Wastewater all had no concerns with the rezone; Streets - any trucks used for loading or unloading should not be parked on South Lincoln but on the property; and Fire -no concerns with the rezone; however, they will need to make additional comments for any new buildings and the expansion of the automotive repair facility into the existing buildings.

Ms. Clark showed the commission the property on the map. Upon inquiry from Chairman Mink, Ms. Clark stated the current use of the property is an auto body repair shop and they have a nonconforming use of storage.

Applicant Testimony: Tyler Norris, 320 South Lincoln, testified, Jimenez Auto Repair is renting the building that is currently on the property and is renting two of the bays. He stated Mr. Jimenez was on a trial run and has now brought in his two sons and they are outgrowing the two bays they are renting. He stated they do not have parking for the cars they are working on or for their customers. He stated the initial deal would be to sell four city lots closer to Alder Street and they would build a new shop. Now he is are looking to sell the building and he would build a new warehouse for storage of cars and appliances. He stated the property is fully fences. He stated he wants to change to M-1 so the warehouse would be permitted. He stated he also would like to get Mr. Jimenez more parking. Mr. Norris stated if he is able to rezone the property and build his warehouse, he would sell the lots that the building is set on plus one other city lot for parking. He stated Mitch owned the property before his dad and it was auto repair and then there was storage and now it went back to auto repair. He stated they have not used the property for CBD businesses but are closer to the M-1 businesses. Upon inquiry from

Commissioner Allred, Ms. Clark stated there are 10 individual city lots that make up the property. Mr. Norris state he would be using six city lots and he would sell four lots to Mr. Jimenez. Upon inquiry from Chairman Mink, Mr. Norris stated there used to be rocks but they covered them with dirt which is why there is a hill on the western side of the property. Commissioner McEntarffer stated his concern was to make sure that all of the cars stay in the fence and off of the street. Mr. Norris stated the reason why they are trying to rezone is for the car problem. He wants to be able to have them park behind the fence and out of the road. They will not be parking in the alley. He stated he spoke with the neighboring businesses and a majority their concerns were with the parking and that is why they are trying to rezone.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:43 p.m.

CONSIDER a request from Tyler Norris for a zoning map amendment, changing the zone from Central Business District (CBD) to Light Industrial (M-1), on that parcel described as Lots 22 thru 31, Block 96, Jerome Townsite NE 24-8-16, more commonly known as 112 West Avenue B, Jerome, Idaho – action item

Commissioner Gibbons stated she has thought about what they need. Commissioner Allred stated he has always be troubled by Jerome’s old townsite design. Ms. Chavez stated the city code defines a lot is a single lot of record or a combination of lots of record. She stated that if a property owner owns multiple lots and are contiguous, they are allowed to build over the lot lines as long as the setbacks are met on the exterior lots. She stated the benefit of combining the lots would be for tax purposes and they can come and do the lot combination at any time. Discussion was held on the size of the lots in Jerome.

Commissioner Allred made a motion to recommend to City council a request from Tyler Norris for a zoning map amendment, changing the zone from Central Business District (CBD) to Light Industrial (M-1), on that parcel described as Lots 22 thru 31, Block 96, Jerome Townsite NE 24-8-16, more commonly known as 112 West Avenue B, Jerome, Idaho.

Second to the motion by Commissioner Gibbons and carried.

Unanimous “ayes”

PUBLIC HEARING for a request from Chris Barber for a lot split on the property located at Tax 44 SESE Jerome Unplatted 18-8-17, more commonly known as 868 East Main Street, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, a parcel of land described at Tax 44 SESE Jerome Unplatted 18-8-17, in the City of Jerome, Idaho, containing .85 acres, more or less, is currently zoned General Business (C-2). The proposed project, a lot split requires approval from the Planning and Zoning Commission. Regardless of use, setbacks for this property are as follows: Front - 25', Rear - 10', Interior Side - 12', Side Street - 25'.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the application meets Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; Objective 4 – Maintaining and developing convenient access and opportunities for services and employment; and Objective 6 – Developing a variety of densities that support mixed land use.

Ms. Clark went over the pre-application procedure with the commission. The applicant submitted a pre-application with a copy of the sketch plan. The applicant has provided proof of ownership. She stated the commission needs to consider the following: the applicant is looking to split one lot into two (a “lot split”); the proposed lot split will not have a substantial impact on present or proposed public utilities, streets and parks; is consistent with the Comprehensive Plan; both resulting lots will meet minimum size and minimum lot size requirements for the relevant zone; and each lot has a minimum of twenty-five (25) feet of street frontage.

Ms. Clark stated the application is proposing to split one lot into two. The north lot will be approximately 2.33 acres or 101,494.8 square feet, more or less. The south lot will be approximately .85 acres or 37,026 square feet, more or less. There is no minimum lot size requirement for the General Business (C-2) zone. The application notes the request for a lot split is to allow the current business building to remain and allow the north lot to be rezoned and developed for residential housing. The application states there will not be a substantial impact to public utilities as water and sewer are already established for the south lot. Water and sewer connections are available to the east for the north lot. The south lot will have access from East Main Street. The north lot will have access from North Hayes Street. Each lot will maintain the minimum 25' of street frontage required per the Jerome Municipal Code. The applicant understands that the lots must continue to meet the setbacks, height, and frontage requirements outlined in the Jerome Municipal Code in the future. As previously mentioned, the request is in Compliance with Section three of the Comprehensive Plan. Any future divisions of land will require subdivision review and approval. A notice regarding the proposed lot split was sent to local taxing districts. No comments were received from the agencies.

Ms. Clark stated she sent the application to all of the departments in the city and there were no concerns from any of those departments.

If approved, Ms. Clark recommended the following conditions: The lot split shall meet all City of Jerome Engineering, Public Works, Wastewater, Building and Fire Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements.; and comply with all city, state and federal requirements.

Upon inquiry from Chairman Mink, Ms. Clark stated the lot sizes would be .85 acres and 2.33 acres.

Applicant Testimony: Chris Barber, 868 East Main Street, testified, he is trying to split the property. He stated this hearing is combined with the next hearing. He stated it is self-explanatory. Chairman Mink stated it would keep commercial in the commercial area and residential in the residential area. Mr. Barber stated it does not fit now, and it will, if it is split and rezoned. Upon inquiry from Commissioner Allred, Mr. Barber showed the commission the boundary of the two properties on the map provided. Mr. Barber stated EHM is doing the engineering on the project.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:58 p.m.

CONSIDER a request from Chris Barber for a lot split on the property located at Tax 44 SESE Jerome Unplatted 18-8-17, more commonly known as 868 East Main Street, Jerome, Idaho – action item

Chairman Mink stated the building, what they refer to as the old Fish and Game building, to remain and the property to the north would be residential. Commissioner Gibbons stated the building looks great.

Commissioner McEntarffer made a motion to approve a request from Chris Barber for a lot split on the property located at Tax 44 SESE Jerome Unplatted 18-8-17, more commonly known as 868 East Main Street, Jerome, Idaho, as presented.

Second to the motion by Commissioner Gibbons and carried.

Unanimous “ayes”

PUBLIC HEARING for a request from Chris Barber for a zoning map amendment, changing the zone from General Business (C-2) to Residential 2 (R-2) on the parcel described as the following:

Being a portion of the SE ¼ SE ¼ Section 18, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said SE ¼ SE ¼ of Section 18;

Thence, along the West Boundary of said SE ¼ SE ¼ of Section 18, North 00°06'23" West 67.59 feet to a point on the North Right-of-Way Boundary of State Highway 25;
Thence, along said North Right-of-Way Boundary, South 88°36'11" East 130.00 feet;
Thence, leaving said North Right-of-Way Boundary, North 00°06'23" West 189.35 feet along a line parallel with said West Boundary and being the REAL POINT OF BEGINNING;
Thence, continuing along said parallel line, North 00°06'23" West 35.65 feet;
Thence, North 88°36'11" West 130.00 feet along a line parallel with said North Right-of-Way Boundary to a point on said West Boundary;
Thence, along said West Boundary, North 00°06'23" West 291.00 feet;
Thence, leaving said West Boundary, South 88°36'11" East 325.00 feet along a line parallel with said North Right-of-Way Boundary;
Thence, South 00°06'23" East 326.65 feet along a line parallel with said West Boundary;
Thence, North 88°36'11" West 195.00 feet and being the REAL POINT OF BEGINNING;
Containing approximately 2.33 acres.

Staff Report: Ms. Clark stated the property was annexed into the City in 1973 and zoned "business". There is no record of any other rezones to this parcel. The application indicates the rezone is necessary to allow building of residential units. The application states the rezone will encourage growth to occur where appropriate at infill locations. This property is undeveloped. Ms. Clark stated the land uses and zoning table for the adjacent property are as follows: to the North is Residential with the zoning being R-2; to the south is Residential/Agriculture with the zoning being Area of Impact Residential; to the East is Residential with the zoning being R-1; and to the West is Residential with the zoning being R-2.

Ms. Clark continued the Comprehensive Plan land use map designates the land as Public. The Comprehensive Plan map designates the surrounding land as Residential Medium, Residential Low and Commercial. Existing land use adjacent to the area is residential, agriculture, and some commercial.

Ms. Clark stated the parcels involved, are currently zoned General Business (C-2), which allows automotive repair, car wash, banks, convenience stores, and other uses as established in the Jerome Municipal Code (JMC). The proposed zone, Residential 3 (R-3), would allow for apartments, single, two and multi-family dwellings, and manufactured homes as detailed in 17.14.010 of the JMC. Depending on the zone, all land use regulations as detailed in Title 17 of the JMC will apply to the property, including but not limited to setbacks, building height restrictions, sign restrictions, and use restrictions.

Ms. Clark stated the commission will need to determine if the request: is in accordance with the Comprehensive Plan; will create a demand for public infrastructure that is not currently available, including municipal sewer and water services; is compatible with the zoning uses in the surrounding areas; and no non-conforming uses will be created.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in accordance with the following chapters: Chapter 1 "Property Rights," Chapter 13

“Neighborhoods”, Objective 2 which addresses the need for providing “areas of different residential densities.” She continued the Commission must consider that the proposed rezone, if approved, must comply with Chapter 13, Policy 1 which states that “When multi-family dwellings are to be located adjacent to single family dwellings, consideration must be given to the amenities of the single-family uses so that the higher densities will not adversely affect the existing uses”. She also stated the Commission must consider that if the proposed rezone is approved, this development must comply with Chapter 2, Section 4, “Land Use Component,” Objectives 5 and 6. These objectives state that any land use decision must consider “Protecting the character of single-family neighborhoods” while at the same time, “Developing a variety of densities that support a mixed land use.”

As pertains to the demand for public infrastructure that is not currently available, including municipal sewer and water services: Engineering, Streets, Water, Irrigation, and Wastewater did not have any concerns with the rezone and possible development at this time. Fire did comment on the road width which will be addressed when building plans are submitted. As pertains to the compatibility with the zoning uses in the surrounding areas, Ms. Clark stated as previously mentioned, the property in question is adjacent to single family residential to the north and east with multi-family residential to the west. It appears that the proposed zone change to Residential 3 (R-3) would be compatible with the surrounding areas. As pertains to the creation of non-conforming uses, the property in question is not developed. Therefore, no non-conforming uses would be created with the rezone. As pertains to Title 16 of the JMC, the Subdivision Ordinance; at this time, the proposal is only for a rezone. The applicant has indicated they will pursue a residential subdivision in the future.

Ms. Clark stated she sent the application to all of the department and received the following comments: Building, Engineering, Streets, Fire, Wastewater and Water all commented that they do not have any concerns about the proposed re-zone. Any construction would be subject to the building code and land use requirements.

Upon inquiry from Chairman Mink, Ms. Clark stated the request is for Residential 2 (R-2) and not Residential 3 (R-3). Mr. Barber stated to the north of the property, the zoning is also R-2. Ms. Clark stated she apologized and stated the applicant is requesting R-2. Discussion was held on what qualified in R-2. Ms. Clark showed the commission the property on the map provided.

Applicant Testimony: Chris Barber, testified there is R-2 to the north and west of the property. He stated there is R-1 to the east of the property. He stated the Heritage Apartments are also to the east of the property. He stated the property is currently a bare piece of property and would like to rezone the property. He stated the correct use for the property is residential and not commercial. He stated the long term plan is to build townhomes in the area. Upon inquiry from Commissioner Gibbons, Mr. Barber stated there will be plenty of room for children to play. Mr. Barber stated they are only looking to building nine homes on that property and they will be built professionally. Ms. Clark stated she received one comment. Commissioner McEntarffer stated it makes sense to approve rezone the property as there are houses all the way around.

Testimony in Favor: none

Testimony in Neutral: Chairman Mink read the following letter onto the record:

As the representative of the Housing Authority of the City of Jerome, which is the property located directly adjacent to the west, I would base the support of the zoning change & development upon the installation of a 6' privacy fence-preferably vinyl, to run the length of the perimeter between the two properties. Our properties house vulnerable adults and feel that the fence would be in the best interest. Thank you, Leanne Trappen, Executive Director Jerome Housing Authority, 3-15-19

Rebuttal testimony: Mr. Barber stated they are welcome to build a fence. He stated he intends on building a fence. Chairman Mink stated this application is not a Special Use Permit so it does not allow the commission to add conditions to the approval. He stated most people that build houses build fences around their property. Mr. Barber stated he owns the property to the north and there is a chain link fence there. He stated he will separate his property from the Housing Authority's property. Commissioner Gibbons stated there is vinyl fencing between them and the gas station to the south.

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 8:13 p.m.

CONSIDER a request from Chris Barber for a zoning map amendment, changing the zone from General Business (C-2) to Residential 2 (R-2) on the parcel described as the following:

Being a portion of the SE ¼ SE ¼ Section 18, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said SE ¼ SE ¼ of Section 18;
Thence, along the West Boundary of said SE ¼ SE ¼ of Section 18, North 00°06'23" West 67.59 feet to a point on the North Right-of-Way Boundary of State Highway 25;
Thence, along said North Right-of-Way Boundary, South 88°36'11" East 130.00 feet;
Thence, leaving said North Right-of-Way Boundary, North 00°06'23" West 189.35 feet along a line parallel with said West Boundary and being the REAL POINT OF BEGINNING;
Thence, continuing along said parallel line, North 00°06'23" West 35.65 feet;
Thence, North 88°36'11" West 130.00 feet along a line parallel with said North Right-of-Way Boundary to a point on said West Boundary;
Thence, along said West Boundary, North 00°06'23" West 291.00 feet;
Thence, leaving said West Boundary, South 88°36'11" East 325.00 feet along a line parallel with said North Right-of-Way Boundary;

Thence, South 00°06'23" East 326.65 feet along a line parallel with said West Boundary;
Thence, North 88°36'11" West 195.00 feet and being the REAL POINT OF BEGINNING;
Containing approximately 2.33 acres – action item

Commissioner Gibbons stated it will make the property look nice. Chairman Mink agreed with Commissioner Gibbons and it will be a better use.

Commissioner McEntarffer made a motion to recommend to City Council a request from Chris Barber for a zoning map amendment, changing the zone from General Business (C-2) to Residential 2 (R-2) on the parcel described as the following:

Being a portion of the SE ¼ SE ¼ Section 18, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said SE ¼ SE ¼ of Section 18;

Thence, along the West Boundary of said SE ¼ SE ¼ of Section 18, North 00°06'23" West 67.59 feet to a point on the North Right-of-Way Boundary of State Highway 25;

Thence, along said North Right-of-Way Boundary, South 88°36'11" East 130.00 feet;

Thence, leaving said North Right-of-Way Boundary, North 00°06'23" West 189.35 feet along a line parallel with said West Boundary and being the REAL POINT OF BEGINNING;

Thence, continuing along said parallel line, North 00°06'23" West 35.65 feet;

Thence, North 88°36'11" West 130.00 feet along a line parallel with said North Right-of-Way Boundary to a point on said West Boundary;

Thence, along said West Boundary, North 00°06'23" West 291.00 feet;

Thence, leaving said West Boundary, South 88°36'11" East 325.00 feet along a line parallel with said North Right-of-Way Boundary;

Thence, South 00°06'23" East 326.65 feet along a line parallel with said West Boundary;

Thence, North 88°36'11" West 195.00 feet and being the REAL POINT OF BEGINNING;

Containing approximately 2.33 acres, as presented.

Second to the motion by Commissioner Gibbons and carried.

Unanimous “ayes”

CONSIDER a Design Review for Natalie Cortez for 306 South Lincoln, Jerome, Idaho – action item

Staff Report: Ms. Clark stated the property is located at 306 South Lincoln Avenue and is an existing building. The applicant is proposing to change the façade. The business is located in the Central Business District (CBD). The application proposes a façade facelift that will provide new wall material and a color update to the building. The application notes the current drive-thru will be removed and a cement patio with a pergola roof will be added. Most of the existing façade will be covered by stucco in a light brown tone with some existing brick exposed on the vertical posts. The application states this is an exterior façade update at this time.

Regarding the Design Review Guidelines, Ms. Clark stated Guideline #22 Wall Materials- Buildings should be constructed of wall materials that are similar in texture and finish to those found in Jerome. The use of natural materials as wood, logs and stone is encouraged. Wall materials should convey a sense of human scale and warmth. Stones should be laid in a manner that conveys the appearance of a structural element rather than a veneer facing.

The building structure will remain as is with the drive-thru removed and a new cement patio with a pergola roof added. Stucco will be applied to the entire outside structure of the building in a light natural brown tone. The existing red metal roof will remain with some red brick exposed on the vertical posts. There will be two distinct colors with the red metal roof and light brown stucco. Colors represent warm earth tones and the construction of the new patio and stucco will be done in a professional manner and workmanship.

Ms. Clark stated the application noted they will also do a face change to the existing sign. The sign does meet the sign design review guidelines. Upon inquiry from Chairman Mink, Ms. Clark stated they are not currently asking about the sign face change but the old Burnt Lemon Grill sign is currently on display but it will be updated later.

Natalie Cortez, 306 South Lincoln, presented the colors of the building to the commission. Red roof, brown painted brick, lighter color will be the upper stucco with the darker color being the bottom stucco color. She is wanting to keep the red roof on the building but will add stucco. The lighter stucco will be on the top. The brown will be on the brick. She stated the darker stucco will be on the bottom portion of the building. She stated they are currently working on cement on the outside and they will reassess the drive thru after the summer. Upon inquiry from Commissioner Gibbons, Ms. Cortez stated the patio will be to the northeast of the building in the back. Ms. Clark stated there is plenty of property to the east of the building for the patio.

Commissioner McEntarffer stated his concern is with parking. Ms. Clark stated since Ms. Cortez is not changing the use, they would not be considering parking. Ms. Cortez stated the occupancy is 49 and they have enough parking. Commissioner McEntarffer stated it will be a great addition to the building and thinks it will create a great look. Commissioner Gibbons stated she thinks it will look great and will be a nice change. Chairman Mink stated parking is always a concern but since it has always been a restaurant, they cannot consider the parking as they are just considering the design review for the building. He stated the colors are a good contrast.

Commissioner McEntarffer made a motion to approve the Design Review for Natalie Cortez for 306 South Lincoln, Jerome, Idaho, as presented.

Second to the motion by Commissioner Gibbons and carried.

Unanimous "ayes"

CONSIDER a Design Review for the North Park Committee for 300 East Main Street, Jerome, Idaho – action item

Staff Report: Ms. Clark stated the property is located at 300 East Main Street, more commonly known as North Park. The park is already existing with a skate park located in the northwest corner and a shelter/picnic area in the southeast corner. The Glodowski's approached the City about proposed upgrades to North Park. The North Park Committee was soon established and within one year, a design and funding was obtained. The proposal is adding an amphitheater, splash pad, small play area adjacent to the splash pad, pump track, expansion of the skate park, and additional picnic areas with benches and lighting.

Regarding the Design Review Guidelines, Ms. Clark stated there no new buildings are planned. This is already an established park surrounded by parking and sidewalks. There are cross-walks at the intersections of Main and Buchanan and Main and Cleveland Streets. They will also be redoing the parallel parking on Cleveland Street. All equipment for the splash pad will be in an enclosed mechanical shed. The shed's wall material will be red stone. The picnic shelters will have a red brick wall and the mechanical equipment shed will be red stone. A few new light fixtures will be installed around the splash pad area. The lights will match the current lights already installed around the City. There will not be any fence installed anywhere in the park. Small decorative walls will be installed around the picnic shelters. Five trees will need to be removed to allow room for the splash pad and amphitheater; however, ten new trees will be planted. There will also be some landscaping located at the southeast corner behind the amphitheater and on the southwest corner of the park. Tree species will be approved by the City Arborist and plants will be native to the area. The park is not surrounded by native vegetation. The addition of the new items to the park will reduce the lawn area. Trees and grasses will be placed strategically creating an informal design. All utilities will be placed underground. The current watering system will be updated and moved to accommodate the new additions to the park. The committee did consider a system to repurpose water to water the lawn areas and landscaping; however, it was not feasible. Plans have been reviewed and approved as required for grading and drainage. The City will provide maintenance for the irrigation systems as part of the parks program. The park is already surrounded by existing sidewalks. The Bike Path is not applicable.

Ms. Clark stated new signs will be installed towards the completion of the park.

Ms. Clark showed a picture of the park and went over the design with the commission. Commissioner Gibbons stated her family is excited for the new splash pad. Chris Barber commended Commissioner McEntarffer's brother who is with Stanley and Associates. He also commended the City of Jerome and the Public Works department for the help. Ms. Clark stated they have a full time contractor to make sure every deadline is getting met. More discussion was held on the design of the park. Commissioner McEntarffer stated this will be a wonderful change to downtown. He stated the stage will be an open air stage and will have landscaping behind to help push the sound toward the middle of the park. Ms. Clark stated the park is in the Design overlay and they wanted to make sure the brick was okay. Commissioner McEntarffer

stated the brick came from the mason and is the same as the Idaho Central Credit Union building. Ms. Clark stated the City is looking into installing cameras in the park to help deter vandalism along with more lighting.

Commissioner Gibbons made a motion to approve Design Review for the North Park Committee for 300 East Main Street, Jerome, Idaho as presented.

Second to the motion by Commissioner Allred and carried.

Unanimous “ayes”

Consent Agenda

The consent calendar consist of items that are considered to be routine in nature and will be enacted in the form of one motion. Any item can be removed from the consent calendar and heard in its regular order at the request of any commissioner or the chairman.

- A. Approve the minutes from the March 12th, 2019 regular meeting
- B. Consider/Approve Finding and Facts for Jerry Higley for a Special Use permit renewal, allowing automotive sales, on that parcel described as Tax 1 Lot 5, Block 3 Jerome South Industrial Subdivision Phase II 25-8-16, more commonly known as 1575 South Lincoln Avenue, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF JERRY HIGLEY
FOR A RENEWAL OF HIS SPECIAL USE PERMIT ALLOWING
AUTOMOTIVE SALES ON THAT PARCEL DESCRIBED AS TAX 1 LOT 5,
BLOCK 3 JEROME SOUTH INDUSTRIAL PARK SUBDIVISION
PHASE II 25-8-16, MORE COMMONLY KNOWN AS
1575 SOUTH LINCOLN AVENUE, JEROME, IDAHO**

A public hearing on the application of Jerry Higley concerning that parcel commonly known as 1575 South Lincoln Avenue, Jerome, Idaho, for the renewal of a special use permit was held, pursuant to notice, commencing at 7:15 p.m. on Tuesday, March 12, 2019 at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Ida Clark, Human Resource Manager, gave a report on Mr. Higley’s application for a renewal of a special use permit. Ms. Clark stated Mr. Higley received a special use permit for automotive sales March 2018. The application noted Mr. Higley uses the permit primarily for the sale of their commission fleet vehicles and will have approximately one to four (1-4) vehicles on the lot at any time. This is in a business area, therefore, not creating a disturbance to neighboring uses. There is no signage or change to vehicular approaches. Mr. Higley would like to request a renewal of the special use permit. The property in question, 1575

South Lincoln Ave, is currently zoned General Business (C-2). This request is in compliance with the Comprehensive Plan. She stated she spoke with several city departments and they had no concerns from this special use in the last year.

Ms. Clark reminded the commission of the definition of an abandoned, wrecked or junked vehicle. With reference to vehicles, an unsightly motor vehicle which meets any one of the following qualifications: It does not carry a current and valid state registration and license plate; and it cannot be safely operated under its own power. Ms. Clark stated that vehicles placed on the property shall not be wrecked or junked.

If approved, Ms. Clark recommended the following conditions: Maximum of ten (10) vehicles for sale at any given time; All vehicles placed on the property shall not be wrecked or junked; Comply with all City, State, and Federal requirements; and Special use permit shall be allowed for up to three years, renewable upon expiration. She stated she had not received any comments or concerns from the public.

Applicant Testimony: Josiah Higley, 1575 South Lincoln, testified they are wanting to stay the same as before but would like to ask for a three year renewal. He stated they are still wanting to visually improve the area with paving the parking lot and improving the sign. He stated they would like to have a lighted sign that is visible for customers to see from the north and south directions. Upon inquiry from Chairman Mink, Mr. Higley stated the office is in the building directly to the south of the property

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Mr. Higley testimony, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. 1575 South Lincoln Avenue, Jerome, Idaho, and is currently zoned General Business (C-2).
- B. The proposed use, car dealership/automotive sales lot, requires a special use permit to operate in C-2 zones.
- C. JMC 17.60.060 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community and provide convenience in a residential zone.

- E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that there is no proposal to modify the appearance of the property or any buildings thereon.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because it will blend well with neighboring uses.
- G. No additional public facilities will be necessary for the proposed use.
- H. The proposed use will not be detrimental to the economic welfare of the community and will not involve activities materials, equipment or conditions that will create excessive traffic, noise, smoke, fumes, glare or odors.
- I. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

II. Conclusions

- (1) A special use permit is required for the applicant to be able to put a car lot business in the C-2 zone for the City of Jerome.
- (2) A special use permit allowing a used car lot in the C-2 zone is consistent with the City of Jerome Comprehensive Plan.
- (3) The Commission approves the application of Jerry Higley for the renewal of a special use permit to conduct business as a car lot, on the property commonly known as 1575 South Lincoln Avenue, Jerome, Idaho, subject to the following conditions:
 - a. There shall be a maximum of ten (10) vehicles for sale at any given time;
 - b. All vehicles placed on the property shall not be wrecked or junked;
 - c. The applicant shall comply with all City, State and Federal requirements for a car lot; and
 - d. This permit is valid for a period of three years from the date of this decision, at the conclusion of such time, Petitioner must present himself for consideration of renewal of this special use permit.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 12th day of March, 2019, in support of the decision of the Planning and Zoning Commission on the 9th day of April, 2019, to approve the application as specified herein is hereby made final this 12th day of March, 2019.

ROD MINK,
Chairman Jerome City P&Z Commission

Commissioner McEntarffer made a motion to approve the consent agenda as presented.

Second to the motion by Commissioner Allred and carried.

CITIZEN CORRESPONDENCE

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Clark stated the next meeting will be on April 23rd as there are five public hearings. She stated there is a Jerry Mason training that will be held on April 17th 1 p.m. - 4 p.m. in Twin Falls. She stated she needs to know who will be in attendance. Ms. Chavez wanted to inform the commission that Ms. Clark would be taking over the Planning and Zoning Department. She thanked the commission for serving with her for four years.

There being no further discussion, Chairman Mink closed this regular meeting at 8:43 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary