

Planning & Zoning Meeting
August 25th, 2020

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:03 p.m. The meeting was held by teleconference along with the Council Chambers being open to the public. The video conference was conducted via Zoom and was made available to all members of the public in a format that allowed all participants to hear the meeting, including all deliberations by members of the Planning and Zoning board and other speakers addressing the board, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda, email, and notices at council chambers and on the city's website.

Present were Chairman Rod Mink, Commissioner Dave Holley, Commissioner Randy King, Commissioner Carl McEntarffer, and Commissioner Paul Johnson. Commissioner Bill Allred joined the meeting at 7:12 p.m. Commissioner Jeff Schroeder was excused. Also present were City Planner Ida Clark, Legal Counsel Ted Larsen, and Secretary Katie Elliott.

Chairman Mink called the Public Hearing to order at 7:04 p.m.

CONTINUATION of a PUBLIC HEARING for a request from Molly Kay, for a Special Use Permit allowing six chickens, on the property known as Lot 2B, Blk A-180, Jerome Townsite, NE 19-8-17, more commonly known as 518 East Avenue F, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 518 East Avenue F, in Jerome, is currently zoned Residential 2 (R-2). The proposed use, the possession of chicken or poultry, requires a Special Use Permit from the Planning and Zoning Commission. Regardless of use, setbacks for detached accessory structures on the property will not be less than three (3) feet from the rear or side property lines.

As pertains to Chapter 17.18.050: Unique Land Uses, Ms. Clark stated that only six (6) hens are allowed.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in compliance with the Comprehensive Plan as relates to Rural Residential Land Uses requiring Special Use Permits in Section 3.1.1

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Clark reminded the commission that stable matter can be considered a nuisance. She stated stable matter must be properly disposed of to not create a nuisance.

Regarding the General Standards for Special Uses, Ms. Clark stated, the Planning and Zoning Code allows up to six (6) chickens in the R-2 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17 of the Jerome Municipal Code. The application shows the chickens will be kept in a small coop

with a chicken run in their fenced backyard. The application states they would like to have chickens for personal use for eggs and meat. If properly cared for, the chickens should not be hazardous or disturbing. There is no indication that additional services will be needed to serve this use. It does not appear the chickens will create excessive additional requirements at public cost. Chickens can cause odors and noise. The applicant will need to keep the coop clean. There are no changes proposed to the vehicular approaches to the property. It does not appear that the chickens will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Clark recommended the following conditions: Any permanent chicken coop shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; and Special Use Permit shall be allowed for up to two (2) years, renewable upon expiration.

Upon inquiry from Commissioner Johnson, Ms. Clark stated Ms. Kay is aware she is only allowed up to six chickens and not the nine that was requested.

Applicant Testimony: Molly Kay, 518 East Ave F, testified, she would like to raise chickens for eggs and meat. Upon inquiry from Chairman Mink, Ms. Kay explained where the coop would be located. She stated the coop would be in her yard and will meet the required setbacks. Upon inquiry from Commissioner Holley, Ms. Kay stated her backyard is fenced. She stated she would be taking them out to the country for butchering.

Testimony in Favor: Ms. Clark read the following:

Neal L Biggs
606 South Eisenhower St, Jerome, Idaho
Marked they supported the application with no further comment.

Russell Blight
509 East Avenue D, Jerome, Idaho
Marked they supported the application with no further comment.

Ronald and Georgia North
701 South Davis St, Jerome, Idaho

Support as long as no roosters.

Testimony in Neutral: none

Testimony in Opposition: Ms. Clark read the following:

Steve Hoffman

504 East Avenue H, Jerome, Idaho

Opposes the application.

How many chickens do we allow in an area? Already some ½ a block from this address.

Rebuttal Testimony: Ms. Kay said the chickens have been in the neighborhood for a while. She stated she has not been bothered by them.

There being no further testimony, Chairman Mink closed the public hearing at 7:16 p.m.

CONSIDER a request from Molly Kay, for a Special Use Permit allowing six chickens, on the property known as Lot 2B, Blk A-180, Jerome Townsite, NE 19-8-17, more commonly known as 518 East Avenue F, Jerome, Idaho— action item

Commissioner McEntarffer stated he did not have any issues with the application.

Commissioner King made a motion to approve a request from Molly Kay, for a Special Use Permit allowing six chickens, on the property known as Lot 2B, Blk A-180, Jerome Townsite, NE 19-8-17, more commonly known as 518 East Avenue F, Jerome, Idaho, with the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any permanent chicken coop shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; and Special Use Permit shall be allowed for up to two (2) years, renewable upon expiration. Maximum of six hens.

Second to the motion by Commissioner Johnson.

Commissioner Holley suggested adding a maximum of six (6) chickens, hens to the motion. Commissioner King agreed.

After consideration, the motion passed by the following votes: AYE: Commissioner Bill Allred, Commissioner Dave Holley, Commissioner Randy King, Commissioner Carl McEntarffer, and Commissioner Paul Johnson. NAYE: None.

Chairman Mink called the Public Hearing to order at 7:19 p.m.

CONTINUATION of a PUBLIC HEARING for a request from Matt Reider, representing Maverik, Inc. for a Sign Variance, on the property described as follows: A part of the Southeast Quarter of Section 36, Township 8 South, Range 16 East, Boise Meridian, U.S. Survey in Jerome County, Idaho: Beginning at a point on the Southwesterly Line of Bob Barton Road and also the West Line of Golf Course Road as widened to 40.00 foot half-width located 723.87 feet South 0°19'50" West along the Section Line; 33.62 feet North 89°37'13" West; and 30.37 feet North 11°47'52" West along said Southwesterly line of Bob Barton Road from the East Quarter Corner of said Section 36; and running thence South 0°19'50" West 405.47 feet along said West Line of Golf Course Road; thence North 89°40'10" West 255.99 feet; thence North 0°19'50" East 588.44 feet; thence South 89°40'10" East 216.67 feet to the Southwesterly Line of Bob Barton

Road; thence South 11°47'52" East 187.15 feet along said Southwesterly Line to the point of beginning. Containing approximately 3.375 acres; more commonly known the Southwestern corner of Bob Barton Road and Golf Course Road.

Staff Report: Ms. Clark went over the information that was requested from the July 28th, 2020 meeting. She stated Maverik confirmed they will not be located in the Idaho Transportation Department (ITD) jurisdiction, so they will need to only comply Jerome City Code. Maverik and CAT Scales will be located on one parcel. Therefore, they can conform to Title 17.32.050, H. High Rise signs in the Interstate Sign Overlay District, specifically: "...and a maximum of seven hundred (700) square feet for two (2) or more businesses on a single parcel of real property. Each parcel of real property within the district may only have one high rise sign". Ms. Clark stated with the updated plans from Maverik, the proposed signage is 600 square feet, which is below the maximum square footage. Ms. Clark stated the note from Maverik on the sign illumination meets Title 17.32.040, Q, 4, as it does address the nit rating of 500 from dawn until dusk.

Ms. Clark went over a couple of county sign specifications with the commission. Regarding the Valley Wide Country Store/Phillips 66 sign located at Exit 173 in Jerome County, she stated the sign is roughly 97 feet tall and approximately 346 square feet. Regarding the Mr. Gas/Sinclair sign located at Exit 165 in Jerome County, she stated the sign is 85 feet tall and approximately 790 square feet. Since both of these signs are in the county, they may fall into the ITD jurisdiction.

Upon inquiry from Chairman Mink, Ms. Clark stated with the two businesses, they meet the code so a variance is not required. Chairman Mink stated they are only concerned with the sign height. Mr. Larsen stated the height of the sign falls within what the variance is all about. He continued that the applicant is not responsible for how the land currently looks. He stated this application represents what a variance is for.

Ms. Clark went over the requirements for variances with the commission. She stated the four areas are that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district; That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title; That special conditions and circumstances do not result from the actions of the applicant; and That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.

Applicant Testimony: Matt Reider, representing Maverik, testified based on the previous hearing, he went back to the design team and came up with the updated sign. To maintain scale, they are looking at a 602 square foot sign. He stated they will be leasing a portion of their property for a CAT scale which helps them meet the code for a larger sign. Mr. Reider reminded the commission that they are only asking for a variance for the height of the sign to 95 feet due

to the property being below the freeway grade. He stated his discussion with ITD was very helpful with the signage and also with coordination of the future plans for the ITD interchange.. Mr. Reider thanked the commission for their time.

Upon inquiry from Commissioner Johnson, Mr. Reider stated the sign designer understands the nit ratings better but as he understands, the nit rating conforms to the city code. Commissioner Holley thanked Mr. Reider for the presentation. He stated his concern is with the height. He continued, he understands the unique situation, but his concern is with the next property or owner down farther who may ask for a 105 foot tall sign; and he is not sure where they stop with the variance. But based on the current unique situation, he would be in favor of the variance.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

Chairman Mink noted there were letters read in the previously held meetings.

There being no further testimony, Chairman Mink closed the public hearing at 7:31 p.m.

CONSIDER a request from Matt Reider, representing Maverik, Inc. for a Sign Variance, on the property described as follows: A part of the Southeast Quarter of Section 36, Township 8 South, Range 16 East, Boise Meridian, U.S. Survey in Jerome County, Idaho: Beginning at a point on the Southwesterly Line of Bob Barton Road and also the West Line of Golf Course Road as widened to 40.00 foot half-width located 723.87 feet South 0°19'50" West along the Section Line; 33.62 feet North 89°37'13" West; and 30.37 feet North 11°47'52" West along said Southwesterly line of Bob Barton Road from the East Quarter Corner of said Section 36; and running thence South 0°19'50" West 405.47 feet along said West Line of Golf Course Road; thence North 89°40'10" West 255.99 feet; thence North 0°19'50" East 588.44 feet; thence South 89°40'10" East 216.67 feet to the Southwesterly Line of Bob Barton Road; thence South 11°47'52" East 187.15 feet along said Southwesterly Line to the point of beginning. Containing approximately 3.375 acres; more commonly known the Southwestern corner of Bob Barton Road and Golf Course Road—
action item

Commissioner McEntarffer stated the property does sit lower than the freeway. Chairman Mink stated the commission previously discussed the height of the sign regarding the current grade or fill, Commissioner King stated he agrees with the variance as long as they meet the 85' from grade.

Commissioner McEntarffer made a motion to approve the request from Matt Reider, representing Maverik, Inc. for a Variance on the height of the freestanding sign, on the property described herein located in Jerome, Idaho with the following conditions: Sign shall not exceed a

maximum of 95 feet high measured from the existing ground; Comply with all City Sign Ordinances; and Comply with all City, State, and Federal requirements.

Second to the motion by Commissioner King and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Bill Allred, Commissioner Dave Holley, Commissioner Carl McEntarffer, Commissioner Randy King and Commissioner Paul Johnson. NAYE: None

Ms. Clark asked Chairman Mink to move discussion item #7 before #6, as the applicant for #7 was present.

CONSIDER a request for a Design Review from 267 East Main Street, Jerome, Idaho—
action item

Staff Report: Ms. Clark stated the property is located at 267 East Main St., otherwise known as The Towels Motel. It is an existing brick building. The business is located in the Design Review Overlay District, falling within the 150 feet of the rights-of-way of East Main Street as defined in Jerome Municipal Code. The façade remains the same material with newly added paint in the colors of Elephant Ear and white trim.

Regarding the Design Review Guidelines, Ms. Clark stated the color scheme should avoid the extremes of inoffensive and drab on the one hand, and garish on the other; At least two distinct colors should be used; and painting of the façade should be done in a professional manner and workmanship.

Ms. Clark stated the applicant stated they wanted to update the paint as the old paint was flaking off due to weather. They selected a neutral color, Elephant Ear, and accented with white trim. The painting was done in a professional manner and workmanship. Ms. Clark stated the applicant was unaware of the design review requirements and is now aware of the process for the future. Ms. Clark stated there is one portion of the building that was missed, but they are aware of it and will have it fixed. She stated the color is in the neutral family. She also stated that there must be a unanimous vote from the commission.

Applicant: Jonah Leavitt, 607 East Ave B, stated he manages this motel along with the Holiday Motel and was not aware of the process. He stated he now knows they are both in the Design Review Overlay. He stated they hired professional painters and he has contacted them to fix the corner that was missed. He stated they painted the building to help make the building look better.

Commissioner McEntarffer stated the building looked great and looks clean.

Commissioner Johnson made a motion to approve the Design Review request 267 East Main Street, as presented.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Bill Allred, Commissioner Dave Holley, Commissioner Carl McEntarffer, Commissioner Randy King, and Commissioner Paul Johnson. NAYE: None

Ms. Clark stated the applicant for the following Design Review is not present. She stated she has been in contact with the applicant and is not sure why they did not show up. Ms. Clark stated it is a similar situation as the previous applicant as they have already painted the building. She inquired if the commission would still like to hear the request or if they would like to continue it until the next meeting for the applicant to be present.

Commission agreed to move forward with the request.

CONSIDER a Design Review request from 2152 South Lincoln Avenue, Jerome, Idaho—
action item

Staff Report: Ms. Clark stated the property is located at 2152 South Lincoln Ave. in Jerome, otherwise known as Spears Manufacturing Company. It is an existing building. The business is located in the Design Review Overlay District, falling within the 150 feet of the rights-of-way of South Lincoln as defined in Jerome Municipal Code Chapter 17.10.020, M. The façade remains the same material with newly added paint in the color of white with blue trim.

Ms. Clark stated the application states the security station for Spear Manufacturing was deteriorating. They had the dry rot and eaves repaired. The station was then repainted white with blue trim. The blue trim does match one of the blue colors in the Spears Manufacturing Company logo. The painting was done in a professional manner and workmanship. Ms. Clark stated Chapter 17.10.020, M, 3. States, "... Additionally, a design review permit shall be obtained by any person prior to painting or modifying the exterior facade of any structure or building facing Main or Lincoln Streets, or altering any sign, which sign faces either Main or Lincoln Streets within the Design Review Overlay District." Since the security station is facing Lincoln and falls within the Design Review Overlay District, the painting needs approval or denial from the Planning & Zoning and Commission.

Ms. Clark stated she spoke with the applicant regarding the painting of the larger building, and they did not have any plans as of right now, but may be looking to update the building in the future. She stated the blue color does match the color in their logo. She continued that a unanimous vote is required. She stated the applicant would understand if the colors needed to be changed. Ms. Clark showed the commission a

picture of the building. Commissioner McEntarffer stated he has got use to the color. Commissioner Johnson stated the color matches with their logo as other businesses have done. Ms. Clark stated the manager is now aware that they must come before the commission to paint the manufacturing building. Discussion was held on the difference with the Napa blue and the Spears blue; and the size of the building in relation to the color.

Commissioner King made a motion to approve the Design Review request 2152 South Lincoln Avenue, as presented.

Second to the motion by Commissioner Holley and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Bill Allred, Commissioner Dave Holley, Commissioner Carl McEntarffer, Commissioner Randy King, and Commissioner Paul Johnson. NAYE: None

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 July 28th, 2020 regular meeting
- B. Consider/Approve Finding and Facts for Rennison Companies, Inc. for a zoning map amendment, changing the zone from Central Business District (CBD) to General Business (C-2), on the property described as the following:

Beginning at the Northeast corner of Lot 1, Block 136 in Jerome Townsite, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East Boise Meridian, Jerome County, Idaho, and THE REAL POINT OF BEGINNING;
Thence South 0°17' West, 270.00 feet along the East side of Block 136 to a point;
Thence North 89°43' West, 300.00 feet along the South side of Block 136 to a point;
Then North 0°17' East, 235.28 feet along a line between Lots 5 and 6 extended Northward to a point the East side of Lot 2;
Thence Northwesterly along the East side of said Lot 2, 43.32 feet along a curve to the left having a Delta Angle of 1°22'16", a Radius of 1810.10 feet, a Tangent of 21.66 feet and a Long Chord of 43.32 feet that bears North 36°25'38" West to a point;
Thence South 89°43' East, 325.90 feet along the North side of said Block 136 to a point, THE REAL POINT OF BEGINNING, more commonly known as 120 West Avenue F, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF
RENNISON COMPANIES, INC., FOR A ZONING MAP AMENDMENT,
CHANGING THE ZONE FROM CENTRAL BUSINESS DISTRICT (CBD) TO
GENERAL BUSINESS (C-2)**

A Public Hearing at the request from Rennison Companies, Inc., for a zoning map amendment, changing the zone from Central Business District (CBD) to General Business (C-2) on the property commonly known as 120 West Avenue F, Jerome, Idaho, and more particularly described as follows:

Beginning at the Northeast corner of Lot 1, Block 136 in Jerome Townsite, and lying in the NE¼ of Section 24, Township 8 South, Range 16 East Boise

Meridian, Jerome County, Idaho, and THE REAL POINT OF BEGINNING;

Thence South 0°17' West, 270.00 feet along the East side of Block 136 to a point; Thence North 89°43' West, 300.00 feet along the South side of Block 136 to a point; Then North 0°17' East, 235.28 feet along a line between Lots 5 and 6 extended Northward to a point the East side of Lot 2; Thence Northwesterly along the East side of said Lot 2, 43.32 feet along a curve to the left having a Delta Angle of 1°22'16", a Radius of 1810.10 feet, a Tangent of 21.66 feet and a Long Chord of 43.32 feet that bears North 36°25'38" West to a point; Thence South 89°43' East, 325.90 feet along the North side of said Block 136 to a point, THE REAL POINT OF BEGINNING

Containing approximately 1.85 acres

(hereinafter referred to as the "Property") was held, pursuant to notice, commencing at 7:01 p.m. on Tuesday July 28, 2020, by teleconference at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ida Clark, gave a brief background on the application. Ms. Clark stated the property in question, known as the old car wash, contains approximately 1.85 acres and has been bare since August of 1993, according to Google historical images. The property was once zoned "Townhouse" which specifically allowed townhouse development per the Jerome Municipal Code. The property was rezoned to business and then

to Central Business District (CBD) in April of 2010 with the Title 17 rewrite. Today the property remains bare. The request is to rezone from CBD to the General Business (C-2) District to allow for more uses.

Ms. Clark went over the surrounding zoning and uses; to the North, the uses are FastFood Restaurant and Auto Sales, with the zoning being Central Business District; to the South, is the Idaho Power Facility, with the zoning being General Business; to the East, the uses are Restaurants and Hair Salons, with the zoning being Central Business District; and to the West, the use is Residential, with the zoning being Residential 3.

Ms. Clark stated the Comprehensive Plan Land Use Map designates this area as Commercial with Residential High directly west and Industrial south. The existing land use is bare surrounded by single-family homes and commercial uses.

Ms. Clark stated the parcels involved, as described above, are currently zoned Central Business District (CBD). As detailed in 17.10.020, the definition of the General Business Zone (C-2) is: To permit the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones. Uses that complement rather than compete with the uses allowed within the CBD zoning district shall be encouraged.

The proposed zone, C-2, allows permitted uses like; banks, clinics, convenience stores, restaurants, offices and professional services. The C-2 zone also allows uses like multi-family and group dwellings with an approved Special Use Permit. 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. Regardless of use, setbacks for property zoned C-2 are as follows: Front- 25', Rear- 10', Interior Side- 12', and Side Street- 25'.

As required by 17.80.040, GENERAL PROCEDURES FOR AMENDMENTS, Ms. Clark stated the application for a rezone shall be reviewed by the Commission 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, the request is in accordance with the following chapters: Chapter 1, Property Rights; and Chapter 3, Land Use.

Ms. Clark reminded the commission that they need to consider that if the proposed rezone is approved, it must comply with Chapter 3, 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.” It is noted the intended use is for multi-family housing which would not have an impact on single-family neighborhood to the west. If this proposed use is does not come to fruition, the rezoning to C-2 would still support “a mixed land use”. The application notes the Comp Plan desires to redevelop rundown properties and enhance the Lincoln gateway. This potential project would bring landscaping, contemporary architecture, sidewalks, and right of way improvements.

As pertains to the demand for public infrastructure that is not currently available, including municipal sewer and water services, Ms. Clark stated the property can be served by municipal water and sewer. Water can be accessed from West Ave E or F. The sewer line runs through the middle of the property. The application notes the design of buildings will need to be around the sewer line or request the line be rerouted. It is noted this property is the Urban Renewal District (URA). The applicant can work with the URA on the feasibility of rerouting the sewer line.

As pertains to the compatibility with the zoning uses in the surrounding areas, Ms. Clark stated as mentioned, the property in question has single-family dwellings to the west. The surrounding property is zoned business comprised of several restaurants and professional services. A rezone to C-2 would allow compatible uses in the area. It appears that the proposed zone amendment to C-2 would be compatible with the surrounding area.

As pertains to the creation of non-conforming uses, Ms. Clark stated the property is currently bare. No non-conforming uses would be created by this rezone.

Ms. Clark stated Title 16 has no impact on this request.

Ms. Clark stated she sent the application out to city staff, and she received the following comment: Water- Water has the infrastructure to support a development at this location with a 12” water on Lincoln and 6” on F and E.

Upon inquiry from Chairman Mink, Ms. Clark stated the property is currently zoned CBD but is requesting to be rezoned to C-2. Upon inquiry from Commissioner Allred, Ms. Clark stated the applicant is looking to propose a multi-family development. She continued that with the requested

rezone, they would have other options besides the multi-family development. She stated the other uses allowed could be banks, clinics, convenience stores, restaurants, offices and professional services. The C-2 zone also allows uses like multi-family and group dwellings with an approved Special Use Permit. She reminded the commission that the application is for the rezone of the property.

Applicant Testimony: Brian Liquin, 410 East 8th St, Eagle Idaho, representing Rennison Company, thanked the commission for hearing the application and thanked city staff for helping with the process. Mr. Liquin gave a brief background on the Rennison Company that is based in Eagle Idaho, and the projects they have done. He stated they are not a big developer that will move on after the project is complete. He stated they typically own and manage the properties long term. He continued they have a lot of pride in their projects and are looking forward to working with the City. Mr. Liquin stated they are looking into an affordable housing project that will be a very nice quality project. He stated this project would be a great addition to the area. He stated the reason why they chose the C-2 zone, is because they are adjacent to the zone and it provides the city with great flexibility in regards to uses. Mr. Liquin stated they are looking forward to a project that will help beautify the area and hopefully bring people to Jerome. He continued the project will help with walkability in the Jerome area. Upon inquiry Chairman Mink, Mr. Liquin stated he is aware of setbacks for the C-2 zone and has been planning accordingly. He stated he has been in contact with the Engineering Department and Ms. Clark. Upon inquiry from Commissioner McEntarffer, Mr. Liquin stated there will be sidewalks on all the adjacent side streets along with South Lincoln. Upon inquiry from Chairman Mink, Ms. Clark stated in regards to the railroad right of way, the maps still show the original railroad, everything is okay.

Testimony in Favor: Ms. Clark stated she received one letter in support:

Ruby Reed, 200 West Ave G

Ms. Reed checked she was in support of the application. No other comments were given

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, Ms. Clark's

report, and the other documents and material in the file, enters its findings and conclusions as follows:

I. Findings

- A. The Property in question is currently zoned Central Business District (CBD).
- B. The Application seeks to amend the Property to be zoned General Business (C-2).
- C. The Property in question is surrounded by the following land use/zoning: the property in questions as single family dwelling to the West. The surrounding property is zoned business comprised of several restaurants and professional services.
- D. Rezoning CBD to C-2 would be compatible with the surrounding area.
- E. The proposed use of the parcel will not create any non-conforming uses.
- F. The Comprehensive Plan of the City of Jerome promotes providing areas of different residential densities and the development of various types to meet the needs of the citizens of the City of Jerome.

II. Conclusions

- A. Taken as a whole, the application complies with the Comprehensive Plan of the City of Jerome and will not adversely affect the character of area where the property is located.
- B. The Commission recommends to the Jerome City Council that the application of the Rennison Companies, Inc., for the Property described above, from Central Business District (CBD) to General Business (C-2) be approved.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 28th day of July, 2020, in support of the decision of the Planning and Zoning Commission on the 25th day of August, 2020 to recommend approval of the application to the Jerome City Council, the decision to recommend the approval of the application is hereby made final this 28th day of July, 2020.

ROD MINK, Chairman of the Board
Jerome City Planning and Zoning.

- C. Consider/Approve Finding and Facts for Matt Reider, representing Maverik, Inc. for a lot split, on the property described as follows: Township 8 South, Range 16 East, Boise Meridian, Jerome County, Idaho Section 36: NE¼SE¼, Excepting therefrom a parcel deeded to the State of Idaho by deed recorded September 24, 1963 in Book 173 Page 517 as Instrument Number 156281, Jerome County records. And that part of the SE¼SE¼ lying North of the N Canal of the North Side Canal Company LTD. as presently constructed, more commonly known as 267 Golf Course Road, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF MATT REIDER,
REPRESENTING MAVERIK, INC. FOR A LOT SPLIT ON THE
PROPERTY
LOCATED AND COMMONLY KNOWN AS 267 GOLF COURSE
ROAD, JEROME, IDAHO**

A public hearing on the application of Matt Reider, representing Maverik, Inc., concerning the use of real property located at Township 8 South, Range 16 East, Boise Meridian, Jerome County, Idaho Section 36: NE¼SE¼, Excepting therefrom a parcel deeded to the State of Idaho by deed recorded September 24, 1963 in Book 173 Page 517 as Instrument Number 156281, Jerome County records. And that part of the SE¼SE¼ lying North of the N Canal of the North Side Canal Company LTD. as presently constructed, commonly known as 267 Gold Course Road, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, July 28, 2020, by teleconference at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ida Clark provided a report upon this application. Ms. Clark stated the property in question, a parcel of land more commonly known as 267 Golf Course Road (S. Lincoln) containing approximately 41.9 acres, more or less, is currently zoned High-Density Business (C-3). 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', and Side Street- 25'. Maximum height of 50' with no minimum lot size but they must comply with setback requirements.

As pertains to Title 16 of the JMC, the Subdivision Ordinance, Ms. Clark stated the lot split is subject to Section 16.16.045, an analysis is attached.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the application meets the following objectives within Chapter Three - Land Use: Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; and Objective 6 – Developing a variety of densities that support mixed land use.

Regarding the Lot Split Criteria, Ms. Clark stated they have submitted a pre-application with a copy of the sketch plan. The applicant has provided proof of ownership.

Regarding Title 16 of the JMC Section 16.16.45, Ms. Clark stated the administrator may, in his or her sole discretion, submit the pre-application to the Planning and Zoning Commission for approval without a plat. If, after public hearing, the commission finds that the proposed subdivision is 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. The application is proposing to split one lot into two. One lot will contain 3.377 acres and be developed by Maverik. The remaining 38.286 acres will remain for future development. The C-3 zone does not have minimum square feet per lot; however, any permanent structures are required to meet setbacks. The application notes the request for a lot split is to allow Maverik to build a convenience store with fuel pumps. The application states there will not be a substantial impact to public utilities. Each lot can connect to water and sewer which is located on the east side of South Lincoln Ave. Each lot will exceed the minimum 25’ street frontage requirement per the Jerome Municipal Code. The survey shows a 30’ access easement from S. Lincoln, across from East Frontage Rd. S. for the smaller lot. The remaining acreage has several hundred feet of access from S. Lincoln Ave. The applicant understands all lots must continue to meet setbacks. The request is in compliance with Chapter Three – Land Use of the Comprehensive Plan. Any future divisions of land will require subdivision review and approval.

Ms. Clark stated that a notice regarding the proposed lot split was sent to local taxing districts to which we received comment back from the North Side Canal Company. The letter is included in the file and has been sent to Mr. Hawkins and Maverik.

Ms. Clark stated she sent the application out to City Staff and the only comment she received back was from Engineering regarding the survey and those comments have now been addressed.

If approved, Ms. Clark recommended the following conditions: An agreement with the City, NSCC, and the land owner on the delivery of irrigation; The lot split shall meet all City of Jerome 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.

Ms. Clark went over the map of the proposed lot split with the Commission. Upon inquiry from Commissioner Holley, Ms. Clark stated the City usually gets the water rights from the property due to the property using the city water. But this agreement will allow the property to use the irrigation and will later turn the water rights over to the City. She stated they wanted to make sure there was a date on the agreement. Mr. Larsen stated there is not an agreement with the NSCC but an understanding that the small lot will not have irrigation shares and they will irrigate their landscaping with city water. The larger remaining parcel, will keep all of the water shares. Once the remaining property is developed, those water shares will be turned over to the City to help irrigate that property. Ms. Clark stated they would like an agreement before this is approved.

Applicant Testimony: The Applicant, Matt Reider, 185 South State Street, Salt Lake City, Utah, representing Maverik, testified. He stated Maverik is seeking a site for a convenient store with fueling stations. He stated in December of 2019, they presented a Design Review to the commission for the property. He stated this lot will provide room to build a convenient store and a vendor passenger car fueling island. Mr. Reider stated on the other side of the 30-foot access road, there will be a storm water retention area and a fueling island for commercial vehicles. He stated he is excited about the location and are excited on being a neighbor in Jerome. Upon inquiry from Commissioner Holley, Mr. Reider stated this store will provide area for trucks to move and turn in the parking lot but they will not be a truck stop. He stated parking will be temporary and will be along the storm water retention area or in the fueling island.

Testimony in Favor: Ms. Clark stated she received one written comment.

“As Maverik’s nearest neighbor, we would go on record of supporting the lot split. I am the General Partner of Con Paulos Family Limited Partnership, the owner of the real estate across Golf Course Road from their proposed new location and the partnership supports these changes.

Respectfully- Con Paulos- President Con Paulos Chevrolet, 251 East Frontage Road.”

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 and the other documents and material in the file, and having heard the report given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. The property described above is in the City of Jerome and is currently zoned High Density Business (C-3).
- B. The proposed lot split will divide one lot into two lots.
- C. The request is harmonious with Chapter 3 Land Use of the Jerome Comprehensive Plan: Objectives 1 and 6.
- D. It does not appear that the proposed lot split will have a substantial impact on present or proposed public utilities, streets and parks. Access will be provided to the lots by a minimum of 25 feet in width, of street frontage requirement.
- E. The applicant has shown that one lot will contain 3.377 acres and be developed, the remaining 38.286 acres will remain for future development.

II. Conclusions

- A. The Commission holds this lot split to be appropriate pursuant to JMC 16.16.045.
- B. The Commission approves the application of Matt Reider, representing Maverik, Inc., for a lot split of the property described herein, subject to:
 - 1. An agreement is required between the City of Jerome, North Side Canal Company, and the land owner for delivery of irrigation water;
 - 2. The lot split shall meet all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; and
 - 3. Comply with all city, state and federal requirements.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 28th day of July, 2020, in support of the decision of the Planning and Zoning Commission on the 25th day of August, 2020 to approve the application as specified herein is hereby made final this 28th day of July, 2020.

ROD MINK, Chairman of the Board

Jerome City Planning and Zoning

- D. Consider/Approve Finding and Facts for Alpha 86, LLC for a renewal of a Special Use Permit, allowing a residential use, on the property described as Lots 12-16 Block 75 Jerome Townsite SE 13-8-16, more commonly known as 249 1st Avenue West, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF ALPHA 86 LLC,
FOR THE RENEWAL OF A SPECIAL USE PERMIT ALLOWING A RESIDENTIAL
USE, ON THE PROPERTY LOCATED AT LOTS 12-16 BLOCK 75 JEROME
TOWNSITE SE 13-8-16, MORE COMMONLY KNOWN AS 249 1ST AVENUE WEST,
JEROME, IDAHO**

A public hearing on the application of Alpha 86, LLC concerning the use of real property described herein within the City of Jerome, Idaho, for a renewal of the special use permit was held, pursuant to notice, on Tuesday, July 28, 2020, by teleconference at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho.

Staff Report: Ida Clark, City Planner, provided a staff report regarding the application. Ms. Clark stated Alpha 86, LLC received a Special Use Permit allowing a residential use in August of 2019. This property has previously been used as a residence and office space. There were no changes to the vehicular approaches or the exterior façade. Off-street parking meets municipal code to accommodate two vehicles. Staff has not received any complaints or concerns on this property during the last year. Alpha 86, LLC is asking for a renewal of the Permit with no changes.

Ms. Clark stated the property in question, 249 1st Avenue West, is currently zoned Central Business District (CBD). The proposed use, residential, requires a Special Use Permit from the Planning and Zoning Commission.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the application is in compliance with Chapter 13, Objective 2, Objective 6 and Policy 6.

If approved, Ms. Clark recommended the following conditions: Receive required building and/or fire department occupancy permits prior to using the space as a residence; Maintain driveway for vehicles to park; Any alterations to the structure must receive building permits and meet the building and/or zoning

code; Comply with all city, state, and federal requirements; and Special use permit shall be allowed for seven (7) years, renewable upon expiration. .

Applicant Testimony: Susan Harris, property manager for Alpha 86 LLC, 414 North Carmen, Shoshone, ID testified, they are currently using the property as commercial but would still like the opportunity to use the property are residential if needed. Upon inquiry from Chairman Mink, Ms. Harris stated there are three commercial bays on the south side of the building. She stated it was previously used as a church where they have done extensive remodeling to allow residential or commercial use.

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, Ms. Clark's report, 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. 249 1st Avenue West is in the City of Jerome and is currently zoned Commercial Business District (CBD).
- B. The proposed use, residential, requires a special use permit to operate in CBD.
- C. The renewal application is consistent with the City of Jerome's Comprehensive Land Use Plan, specifically Chapter 13, Objectives 2 and 6, and Policy 6.

II. Conclusions

- A. A renewal of a special use permit is required for the applicant to be able to continue with a residential dwelling in the CBD zone for the City of Jerome.
- B. A special use permit promoting diverse residential options is consistent with the City of Jerome Comprehensive Plan.
- C. The Commission approves the renewed application of Alpha 86, LLC for a special use permit for residential use of the property located at 249 1st Avenue West, Jerome, Idaho, subject to the following conditions:
 1. Receive any and all required building and/or fire department permits, inspections, and occupancy permits prior to using the space as a residence;

2. Maintain some form of driveway for vehicles to park;
3. Any alterations to the structure must receive building permits and meet the building and/or zoning code;
4. Comply with all city, state, and federal requirements; and
5. Special use permit shall be allowed for up to seven (7) years, renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 28th day of July, 2020, in support of the decision of the Planning and Zoning Commission on the 25th day of August, 2020 to approve the application as specified herein is hereby made final this 28th day of July, 2020.

ROD MINK, Chairman of the Board
Jerome City Planning and Zoning

- E. Consider/Approve Finding and Facts for Susan Harris representing Alpha 86, LLC for an Off-Premise Sign, on the property described at Lots 17-19, Block 75 Jerome Townsite SE 13-8-16, more commonly known as 252 West Main Street, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF SUSAN HARRIS, REPRESENTING ALPHA 86, LLC, FOR A SPECIAL USE PERMIT ALLOWING AN OFF PREMISES SIGN ON THAT PARCEL DESCRIBED AS LOTS 17-19, BLOCK 75, JEROME TOWNSITE SE 13-8-16, MORE COMMONLY KNOWN AS 252 WEST MAIN STREET, JEROME, IDAHO.

A public hearing on the application of Alpha 86, LLC concerning an off-premises sign on property located at 252 West Main Street, Jerome, Idaho was held, pursuant to notice, on Tuesday, July 28, 2020, by teleconference at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho.

Staff Report: Ida Clark, City Planner, provided a staff report regarding the application. Ms. Clark stated Alpha 86 owns storage units on 1st Ave West northeast of 252 West Main St., they would like to place an off-premises sign for advertisement for the storage units. The property for the off-premises sign

is zoned Central Business District (CBD). Section 17.32.075 of the Jerome Municipal Code allows off-premises signs in the CBD district by special use permit only. Each property may have a maximum of two (2) off-premises signs, not to exceed eight (8) square feet per sign. The application proposes one 2'x4', totaling eight square feet, freestanding sign on the property at 252 West Main St. advertising for First Ave. Storage located at 249 1st Ave West. Off premises signage combined with on premises signage shall not exceed total allowed sign area per property. The current property has one building sign approximately 3'x3', totaling nine square feet. There are no freestanding signs. The total sign area will be approximately 17 square feet. If the off-premises sign is approved, they will not exceed total sign area as allowed in 17.32.050 which is 213 square feet.

Regarding the General Sign Provisions: 17.32.040, D, Ms. Clark stated it states "No sign shall be installed near intersections of public streets within the city so as to provide a proper line of sight and avoid unreasonable obstructions to operators of motor vehicles approaching the intersection such that a clear view of the intersection is unobstructed between three feet (3') and eight feet (8') from the ground. Applicant will place the sign as not to interfere with the line of sight and the bottom of the sign will not be lower than eight feet from the ground"

Special Restrictions for Signs by Zone, Ms. Clark stated JMC states 17.32.050, E, "Each property may have one freestanding sign facing each adjacent road of not over one hundred (100) square feet and not over twenty-five feet (25') in height. Freestanding signs must be at least ten feet (10') from any adjacent property." There are no other freestanding signs on this property. The sign square footage is eight and the applicant is aware of the requirements to install a freestanding sign.

Regarding the General Standards for Special Uses, Ms. Clark stated the Jerome Municipal Code allows off premises signs with an approved special use permit in the CBD zone. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code as well as the Comprehensive Plan. The application notes the design of the sign will be constructed to fit into a freestanding frame. The building sits back from Main Street allowing room for a freestanding sign. There are other freestanding signs located on Main Street. This freestanding sign will not change the essential character of the area. The application states no it will not be hazardous. The building sits back from Main Street allowing the freestanding sign to be installed completely within their property boundaries. The sign will not block the line of site for vehicles at the corner of Alder and West Main. Both the property owner and applicant have agreed to the sign being freestanding and

installed in a permanent manner to withstand the weather. The sign will not require public facilities or services. As proposed, the off premises sign will not create additional requirements at public cost for public facilities nor be detrimental to the economic welfare of the community. This sign request will not be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. The sign will not be illuminated, therefore, reducing any glare. There is no change to the vehicular approaches to the property. The sign is being placed on the west corner which allows cars to come into the service doors located to the east of the building as shown in the picture. There is no indication that the sign will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Design Review Guidelines, Ms. Clark stated the freestanding sign will be the appropriate height and material. The applicant is aware the sign must be professionally manufactured and installed. The sign will be constructed of permanent material. The proposed sign will display in English.

If approved, Ms. Clark recommended the following conditions: Obtain any building permits before installing the sign; Sign will be placed within the property boundary and not in the City ROW or block visibility at the intersection of Alder St. and West Main; and Comply with all City sign requirements.

Ms. Clark showed the commission a picture of what the sign may look like. Upon inquiry from Commissioner Holley, Ms. Clark stated the final sign rendering will come before city staff but not before the commission. She stated the freestanding sign will be like All About Autos and the glass business that is across the road from All About Autos.

Applicant Testimony: Susan Harris, testified she would like to have the sign in a north and south orientation, near the property line on the west side of the property. She stated the main purpose is to direct traffic to the storage facility due to it being a little hidden. She stated they would like to have a simple sign. Upon inquiry from Commissioner Holley, Ms. Harris stated the sign will be about 10 feet tall.

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, 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. The subject property is located in the Central Business District (CBD) zone, Jerome, Idaho, which requires a special use permit for off premises signs.
- B. The proposed sign is an off premises sign located at 252 West Main Street, Jerome, Idaho.
- C. The proposed request to have an off premises sign which requires a Special Use Permit from the Planning and Zoning Commission as detailed in 17.32.075 *et seq.* of the Jerome Municipal Code.

II. Conclusions

- A. A special use permit is required for the applicant to install an off premises in the CBD zone in the City of Jerome.
- B. The Planning and Zoning Commission allows off premises signs by special use permit, so long as the following standards are met:
 - a. Each property may have a maximum of two (2) off premises signs, not to exceed eight (8) square feet per sign and
 - b. Off premises signage combined with on premises signage shall not exceed total allowed sign area per property.
- C. The Commission approves the application of Susan Harris, representing Alpha 86, LLC, allowing an off premises sign located at the common address of 252 West Main, Jerome, Idaho 83338, subject to the following conditions:
 - a. That the necessary building permit be obtained prior to modification of the off premises sign subject to this Special Use Permit;
 - b. That the off premises sign shall comply with all city, county, state and federal rules and regulations, including City sign requirements; and
 - c. Sign will be placed within the property boundary and not in the City right-of-way or block visibility at the intersection of Birch St. and West Main.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 28th day of July, 2020, in support of the decision of the Planning and Zoning Commission on the 25th day of August, 2020, to approve the application as specified herein is hereby made final this 28th day of July, 2020.

ROD MINK, Chairman of the Board
Jerome City Planning and Zoning.

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

Second to the motion by Commissioner King and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Bill Allred, Commissioner Dave Holley, Commissioner McEntarffer, Commissioner Randy King, and Commissioner Paul Johnson. NAYE: None.

CITIZEN CORRESPONDENCE

None

DISCUSSION PERIOD & STAFF REPORTS

Commissioner Holley inquired about the sign at the old Harley building just south of the Maverik on South Lincoln. Ms. Clark stated the applicant came before her for a sign change and they did appear before the commission for the color of the roofing and sign pole. Commissioner Holley stated the building looks great. Commissioner Johnson inquired about the old Napa building. Ms. Clark stated the owner contacts her quite often. She stated it is supposed to be painted and has asked for a timeline. The owner now wants to open the business, but is not allowed to get an occupancy permit until the building is painted. Ms. Clark stated she is in contact with the owner but has not been able to get anywhere.

Ms. Clark stated there will be a meeting on September 8th. The meeting has a preliminary plat, variance request, and a SUP for chickens, cattle, and goats. She stated there may be a second meeting in September but will try and only have one meeting in October, November and December. She stated there are a few pending projects but will try to get those into a couple of meetings.

Ms. Clark stated there are various cities that have list of colors that have been pre-approved by the commission. She stated the applicants would still need to have the colors approved by the commission. She stated the Operation Facelift colors were only approved for that specific

project. Commission held a discussion on a color list. Ms. Clark asked if the commission would like her to put together a list to bring back to the commission. Chairman Mink stated it would be helpful.

There being no further discussion, Chairman Mink closed this regular meeting at 8:09 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary