

Planning & Zoning Meeting
February 9th, 2021

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:00 p.m. The meeting was held by teleconference along with the Jerome County Courthouse Conference room 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 Carl McEntarffer, Commissioner Jeff Schroeder, Commissioner Paul Johnson, and Commissioner Dave Holley. Also present were City Planner, Ida Clark, Legal Counsel, Ted Larsen, IT Director, Carlos Hernandez, and Secretary, Katie Elliott.

Chairman Mink called the Public Hearing to order at 7:01 p.m.

Public Hearing for a request from Dareck & Brittany Williams, allowing a Special Use Permit for six (6) hen chickens and ducks, on the property located at Lot 14, W ½ Lot 15, Block 147 Jerome Townsite (NE 24-8-16), more commonly known as 310 West Avenue G, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 310 West Avenue G, in Jerome, is currently zoned Residential 3 (R-3). The proposed use, the possession of chicken or poultry, requires a Special Use Permit. 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 this allows six (6) chickens, poultry or fowl and roosters are prohibited.

As pertains to the City of Jerome's Comprehensive Land Use Plan, the request follows the Comprehensive Plan as relates to Rural Residential Land Uses requiring Special Use Permits in Section 3.1.1

Ms. Clark reminded the Commission of the nuisance ordinance that defines stable matter as a nuisance. Manure 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 or poultry in the R-3 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17. The application states, yes, it will be harmonious with

the intended character. The application states the chickens and ducks will be kept in a fully enclosed coop and run in the backyard. The backyard is also fenced. The application states they would like the chickens and ducks for fresh eggs, bug control and meat. The applicant currently has chickens and was made aware they needed a permit. Staff has not received any complaints. 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 and ducks will create excessive additional requirements at public cost. Chickens can cause odors and noise. The applicant will need to keep the coop and run properly cleaned. There are no changes proposed to the vehicular approaches to the property. It does not appear that the chickens or ducks 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 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.

Ms. Clark showed the site plan to the commissioners.

Applicant Testimony: Dareck Williams, 310 West Avenue G, testified, they are wanting to raise chickens and ducks. They are wanting them for food and pest control. Last year they had earwigs and is hoping to cut them down with the chickens. He also would like to provide his children with some responsibility. Upon inquiry from Chairman Mink, Mr. Williams stated the chicken run is 7 ½ feet wide and 29 feet long with mesh netting around the edge. Upon inquiry from Commissioner McEntarffer, Mr. Williams stated they have four (4) chickens and two (2) ducks.

Testimony in Favor: none

Testimony in Neutral: Ms. Clark read the following for the record:

Arthur Roy Brown

323 West Ave G, Jerome, Idaho

Neutral to the application.

As long as the chickens and ducks are kept in cages I do not have any opposition or further comment.

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the Public Hearing at 7:07 p.m.

Consider a request from Dareck & Brittany Williams, allowing a Special Use Permit for six (6) hen chickens and ducks, on the property located at Lot 14, W ½ Lot 15, Block 147 Jerome Townsite (NE 24-8-16), more commonly known as 310 West Avenue G, Jerome, Idaho - action item

Commissioner McEntarffer, Commissioner Holley, and Commissioner Johnson all had no comments or concerns with the application.

Commissioner Johnson made a motion to approve the request from Dareck & Brittany Williams, allowing a Special Use Permit for six (6) hen chickens and ducks, on the property located at Lot 14, W ½ Lot 15, Block 147 Jerome Townsite (NE 24-8-16), more commonly known as 310 West Avenue G, Jerome, Idaho with the following conditions: Chickens and ducks will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any coop or accessory structure associated with the use 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 years, renewable upon expiration.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner David Holley, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None

Chairman Mink called the Public Hearing to order at 7:09 p.m.

Public Hearing for a request from Idaho Milk Transport; c/o Robert Brice, allowing a truck washing facility, on the property located at Jerome Unplatted Tax 41C of S1/2NW (31-8-17) AC Annexed into Jerome City 2008, more commonly known as 325 Farmore Road, Jerome, Idaho.

Staff Report: Ms. Clark gave a brief background on the project. Idaho Milk Transport is a carrier of food grade liquid products throughout the United States, Canada and Mexico and was established in 1986. Corporate headquarters are located in Burley with two other terminals located in Washington and another in California. The applicant was granted a Special Use Permit (SUP) in December of 2019 for a truck terminal yard. There have been no concerns or complaints. The applicant is now requesting a SUP to build a permanent facility allowing truck washing. They currently have two tank wash locations in Burley and Yakima, WA.

The property in question, is currently zoned High-Density Business (C-3). The proposed use, truck washing facility, is not listed in JMC code. As detailed in 17.41.010, "Provided, however, that if a proposed use of property is not specifically listed in the official schedule of district regulations, the use shall be prohibited, unless the Administrator determines that the proposed use is equivalent to a permitted or special use. In making

said determination, the Administrator shall consider the following:” The impacts on public services, and activities associated with the proposed use, are substantially similar to any of the permitted or special uses listed for the application district; The proposed use shall not involve a higher level of activity or density than any of the permitted or special uses listed for the applicable district; The proposed use is consistent with the purpose of the district in which the use is proposed to be located; and The proposed use is in substantial conformance with goals and objectives of the Comprehensive Plan. Should the use be determined to be equivalent to a use that requires a special use permit, the application shall be required to follow the procedures set forth for special use permits. Staff has determined the intensity of the use would be to that of a Truck and Equipment Repair and Sales, which is allowed with a special use permit in the C-3 zone. The use is consistent with the purpose of the district and conforms with the goals and objectives of the Comp Plan.

Regardless of use, setbacks for this property are as follows: Front- 25’; Rear- 10’; Interior Side- 12’; and Street Side- 25’.

Title 16 has no bearing on this Special Use Permit request.

As pertains to the City of Jerome’s Comprehensive Land Use Plan, the request is in accordance with Chapter Seven, Economic Development: Objective 2 - Promote the City as an ideal location for new development of residential, commercial and industrial areas; Objective 3 – Maintain and expand public/private partnerships to demonstrate the community’s commitment to and support for economic expansion; and Policy 8 – Continue to provide an atmosphere for successful business development.

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning code allows truck washing facility as determined by the Planning & Zoning Administrator in the C-3 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17. The applicant is proposing to build a permanent building for truck washing and a small office. The applicant will make infrastructure improvements to the parcel. The land the north and east are bare, there is a proposed hydraulic repair business to the west and Rocky Mountain Pipe is to the south. The use of the property for a truck washing facility appears to be harmonious and appropriate for the area and will not change the essential character. The application states the facility will run 24/7 with most activity between 6 am - 10 pm. While this facility will run 24/7, it will not change the intended character of the area. The application states the facility will be designed and operated to not be hazardous or disturbing to existing or neighboring uses. Dust may become an issue and will need to be carefully monitored to not be hazardous to the existing and future neighboring uses. The facility is required and the plans show the appropriate containments for oil, solids, and sludge to protect our wastewater plant. The City’s Industrial Pre-Treatment Coordinator has reviewed their application and has given approval to move forward with the application for the SUP. The applicant is aware that

water and sewer will need to be extended to provide service to the facility. All services are available and adequate for this development. There is no indication that this use will create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The applicant notes it will not be, regarding Standard G. Truck traffic will be produced but it will not be detrimental. Farmore Road is not a through road and only serves as an access road for the existing lots. The trucks carry food grade liquid and will be washed at the facility. The facility is indoors helping to reduce noise and any possible odors. This site is currently accessed by Farmore Rd. There is an existing access point that protects the L-11 canal that will remain. The current access point does not interfere with other traffic. There is no indication this use would result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The Wastewater Department has received and approved the required industrial pre-treatment application and SDS sheets. They have no further comment. North Side Canal Company commented that NSCC has no issue with the Special Use permit. As stated with the SUP for the truck parking, Idaho Milk Transportation should be made aware that the L-11 canal runs through a pipeline that is adjacent and parallel to Farmore Road on the north side of the property. They will need to continue to be mindful in design to ensure protection of the pipe.

If approved, Ms. Clark recommended the following conditions: Gravel the road and truck parking area or other uses be implemented to reduce dust; Maintain adequate cover and maintenance of the L-11 canal to support truck traffic; Comply with all City of Jerome Department requirements pertaining to needed improvements and construction; Receive all required building and/or fire department permits, inspections, and occupancy permits; Comply with all city, state, and federal requirements; and Special Use Permit shall be permanent.

Ms. Clark showed the commission the site plan for the application and explained where the site plan proposes the building. Chairman Mink inquired if there was an “in” and “out” for the property. Ms. Clark suggested having the applicant answer that question as she is not certain. Upon inquiry from Commissioner Johnson, Ms. Clark stated there is a stormwater retention that is part of the development plan. Ms. Clark showed the commission where the retention pond is on the map. Upon inquiry from Commissioner Schroeder, Ms. Clark stated Farmore Road is a public road which dead ends at Farmore Pipe. Upon inquiry from Commissioner Johnson, Ms. Clark confirmed the applicant has a SUP for truck parking on the property and are now requesting the washing facility to clean out the trucks.

Applicant Testimony: Jennifer Thornton, representing Idaho Milk Transportation, 325 Farmore Rd, testified, they received the SUP for the truck traffic last year. This Special Use Permit is to wash the trucks that come into the yard. She explained that it is hard to find a facility to wash tankers in Jerome. They have been driving the trucks down to

Burley. Upon inquiry from Chairman Mink, Ms. Thornton stated they do not have plans in the near future to expand the washing services to other businesses or companies but may look into it at a later time if needed. Upon inquiry from Commissioner Holley, Ms. Thornton stated she is not certain of the amount of water used and would refer that question to Mr. Brice. Ms. Thornton stated they will service around 10 trucks at this facility. Upon further questions from Commissioner Holley, Ms. Thornton stated the used water will be contained to the building in holding tanks where the water will then go into the sewer system. Commissioner Holley stated his concern is where the water will go when the water is not contained or they have a blockage. Ms. Thornton stated they have safeguards for those incidents. The water will be held in storage tanks. They are not reclaiming the water.

Robert Brice, 745 West Bedke Blvd, Burley, stated they recently purchased the Brockman property and house to the east of the current property. They do not have any plans to develop that property at this time. Mr. Brice explained they have had the Burley truck wash since 2000. He does not recall a time where the water backed up and escaped the building, not to say that it won't ever happen. He stated the water goes into the storage tanks where it will then go into the sewer system. The water is a single pass system. They wash around 10 trucks and each truck uses 150-200 gallons of water for an internal wash. For an external wash, each truck uses approximately 40 to 50 gallons.

Ms. Clark reminded the commission the Industrial Pre-treatment coordinator and the water department have both reviewed the application and they are comfortable with the applicant moving forward. Upon inquiry from Chairman Mink, Ms. Clark stated the North Side Canal Company has had the opportunity to review the application and requested the applicant be mindful in design to ensure the continued protection of the pipe.

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the Public Hearing at 7:27 p.m.

Consider a request from Idaho Milk Transport; c/o Robert Brice, allowing a truck washing facility, on the property located at Jerome Unplatted Tax 41C of S1/2NW (31-8-17) AC Annexed into Jerome City 2008, more commonly known as 325 Farmore Road, Jerome, Idaho - action item

Commissioner Holley stated he did not have any concerns. Discussion was held on the possibility of the business opening to the public and if public use would change the

Special Use Permit. Commissioner Holley inquired of the commission, if they had any issues if the applicant opened to public. Commissioner Johnson stated he had no concern. Commissioner McEntarffer stated the closest truck wash is at the Flying J. Chairman Mink stated Amos has a truck wash for his trucks on the south side of Twin Falls. Discussion was held on stormwater drainage. Commissioner Holley stated his preference would be recycling of the water.

Commissioner Holley made a motion to approve the request from Idaho Milk Transport; c/o Robert Brice, allowing a truck washing facility, on the property located at Jerome Unplatted Tax 41C of S1/2NW (31-8-17) AC Annexed into Jerome City 2008, more commonly known as 325 Farmore Road, Jerome, Idaho with the following conditions: Gravel the road and truck parking area or other uses to be implemented to reduce dust; Maintain adequate cover and maintenance of the L-11 canal to support truck traffic; Comply with all City of Jerome Department requirements pertaining to needed improvements and construction; Receive all required building and/or fire department permits, inspections, and occupancy permits; Comply with all city, state, and federal requirements; and Special Use Permit shall be permanent.

A question was proposed to Mr. Larsen about opening the facility to the public. Mr. Larsen stated as long as the use did not violate the general standards, the use would be permitted. If the use violated those standards, they would be in violation of the SUP and the applicant would have to come back to the commission.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner David Holley, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None

Chairman Mink called the Public Hearing to order at 7:33 p.m.

Public Hearing for a request from Rennison Design represented by Brian Liquin, allowing multi-family housing, on the property described as:

A portion of Block A-170, Jerome Townsite and a portion of the Vacated Miner & Northside Railroad lying between Blocks A-169 and A-170, in said Jerome Townsite, all within Government Lot 3 and the Northeast Quarter of the Southwest Quarter of Section 19, Township 8 South, Range 17 East, Boise Meridian, City of Jerome, Jerome County, Idaho:

Commencing at the centerline intersection of Lincoln Avenue and East Avenue "I", which is monumented with a Brass Cap imprinted "Idaho State Highway Right of Way"; Thence South 89 Degrees 42 Minutes 43 Seconds East, along the centerline of said East Avenue "I" a distance of 40.00 feet, to a point of intersection with the East line of the 40-foot right-of-way called out in Highway Right of Way Deed Instrument Number 107595; Thence North 00 Degrees 18 Minutes 23 Seconds East, along said East line a distance of 35.00 feet, to a point of intersection with the North Right-of-Way of said East Avenue "I", which is monumented with a 5/8-Inch Rebar surmounted with a yellow plastic cap imprinted "LS 884"; Thence South 89 Degrees 42 Minutes 43 Seconds East, along said North Right-of-Way a distance of 191.65 feet to a point, which is monumented with a 1/2-Inch Rebar surmounted with a purple plastic cap imprinted "SLS PLS 13762" and is the Point of Beginning:

Thence North 00 Degrees 18 Minutes 23 Seconds East, a distance of 190.00 feet, to a point, which is monumented with a 1/2-Inch Rebar surmounted with a purple plastic cap imprinted "SLS PLS 13762";
Thence North 43 Degrees 03 Minutes 15 Seconds West, a distance of 54.67 feet, to a point, which is monumented with a 1/2-Inch Rebar surmounted with a purple plastic cap imprinted "SLS PLS 13762";
Thence North 00 Degrees 18 Minutes 23 Seconds East, a distance of 70.00 feet, to a point of intersection with the North Line of the Property Described in Warranty Deed Instrument Number 981650 and the South Line of the Land Described in Warranty Deed Instrument Number 981747, which is monumented with a 1/2-Inch Rebar surmounted with a purple plastic cap imprinted "SLS PLS 13762";
Thence South 89 Degrees 45 Minutes 25 Seconds East, along said North and South Lines a distance of 164.00 feet, to a point of intersection with the Westerly Line of said Block A-169, Coinciding with the Easterly Right-of-Way Line of said Vacated Miner & Northside Railroad, which is monumented with a 1/2-Inch Rebar surmounted with a purple plastic cap imprinted "SLS PLS 13762";
Thence South 19 Degrees 59 Minutes 23 Seconds East, along said Coinciding Lines a distance of 319.70 feet (formerly 319.84), to the Southwest Corner of said Block A-169, lying on said North Right-of-Way of said East Avenue "I", which is monumented with a 1/2-Inch Rebar surmounted with a purple plastic cap imprinted "SLS PLS 13762";
Thence North 89 Degrees 42 Minutes 43 Seconds West along said North Right-of-Way, a distance of 429.01 feet to the Point of Beginning, containing approximately 1.33 acres, and

more commonly known as 122 East Avenue I, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 122 East Ave I, in Jerome is currently zoned General Business (C-2). The proposed use, multi-family dwellings, requires a Special Use Permit from the Planning and Zoning Commission as detailed in 17.14.010 of the JMC. Regardless of use, setbacks for this property are as follows: Front- 25'; Rear- 10'; Interior Side- 12'; and Side Street- 25'. There is no minimum lot size; however, all dwellings must meet setbacks. Maximum height is 50'.

Title 16 has no bearing on this Special Use Permit request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, the request is in accordance with: Chapter 13, Objective 2, "Provide for areas of different residential densities and uses"; Chapter 13, Objective 3, "Encourage residential developments that are well planned and encourage the development of various housing types to meet the needs of the citizens of Jerome"; Chapter 13, Objective 5, "Encourage the development of fair and affordable housing"; and Chapter 13, Policy 6, "Promote a wide range of housing types and housing diversity to meet the needs of Jerome's diverse population".

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows multi-family dwellings in the C-2 zone with an approved special use permit. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code and the Comprehensive Plan. This parcel is currently bare. The application states this multi-family project will be designed, constructed, and maintained to be harmonious and appropriate for the area. There is housing to the north and east with Ridley's grocery store and retail to the south. The project is 30 units in two, three-story buildings with a community center, tot lot, covered picnic area, dog area, landscaping, and other lot improvements including curb, gutter, sidewalks, and street lighting. The Rennison Group will work with the Jerome Urban Renewal Agency

(URA) on an agreement for improvements like streetscape including sidewalk, curb, gutter and landscaping along East Ave I and improved street lighting and landscape along South Lincoln. It is not anticipated that the proposed residential use will be hazardous or disturbing to existing or future neighboring uses. Sidewalk, curb, gutter and street lighting will be added along the north side of East Ave I which doesn't currently exist. The main access point will be from East Ave I with an emergency vehicle drive-through access to and from South Lincoln. The perimeter of the property will have a six-foot vinyl fence with trees and shrubs. As stated before, the application proposes a paved emergency vehicle access from South Lincoln. The drive isle is 26' with the turning radius of 28' meeting code for fire access. There is a refuse dumpster in an enclosure that will match the building. The applicant is currently working with staff on gravity irrigation and stormwater to be properly maintained. City water and sewer connections are available in East Ave I. There is no indication that the residential use will create excessive additional requirements at public cost. As the application states, they will be improving the land. Also, the agreement with URA will ensure this project is not detrimental to the welfare of the community. It is not anticipated that the residential use will be detrimental to any persons, property or the general welfare. There will be an increase in traffic that is normal for any multi-family development. East Ave I is a collector street. Collector streets direct traffic from neighborhoods to the arterial systems like South Lincoln and Tiger Drive. There will be an increase in noise; however, the project includes fencing and landscaping to help minimize noise. The application shows one main approach located on East Ave I with an emergency access only from South Lincoln. This is designed to create flow and will not interfere with traffic. There is no indication that the residential use will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding 17.26: Off Street Parking, per the Jerome Municipal Code this project shall comply with section 17.26 as follows: 17.26.150: Schedule of Parking Requirements: Multi-family dwellings with two or more bedrooms shall have 2 parking spaces with .25 for guest parking. "Adjacent on street parking on a local street may be credited towards the guest parking". This project is required to have a total of 68 parking spaces. The application shows 61 spaces onsite with seven on-street parking. The parking area must be paved with drainage provided. The application shows the parking area paved and drainage will be calculated with their stormwater. Compact spaces, "A maximum of thirty percent (30%) of the total spaces provided may be designed, designated, and used for compact size vehicles". Compact spaces shall be located along the perimeter of the parking lot or in those areas most distant from the structure. The application is requesting a 30% use for compact vehicles. The application shows the compact spaces located along the perimeter and are the most distance from the structures. The compact vehicle request does require approval from the Planning & Zoning Commission.

Regarding the landscape requirements, this project is located in C-2 district and in the Design Review Overlay District. A multi-family project within either of these districts is required to comply with the landscape requirements set forth in 17.18.070. The

application includes a landscape plan meeting requirement including interior landscape planters for the parking lot.

Ms. Clark sent the application out to the City departments. Fire, Engineering, Building, Wastewater, and Streets Departments have all reviewed and do not have any comments at this time.

If approved, Ms. Clark recommended the following conditions: Comply with all City of Jerome Department requirements pertaining to the construction and needed improvements; Receive any and all required building and/or fire department permits, inspections, and occupancy permits; Comply with all city, state, and federal requirements; and Special Use Permit shall be permanent.

Ms. Clark pointed out the entrance for the complex and went over the site layout with the Commission. Upon inquiry from Chairman Mink, Ms. Clark stated the main entrance is 26 feet wide. Upon inquiry from Commissioner Holley, Ms. Clark stated once the property is developed, they will provide seven parking stalls along East Ave I. It is considered public parking which they can use in their total.

Testimony in Favor: Brian Liquin, 410 East State Street, Suite 120, Eagle, testified this is an exciting project for the community. Mr. Liquin went over the two companies that are working on this project, Pacific and Rennison Companies, and gave a brief background on each company. He stated the Pacific Companies owns and operates their projects long term with a manager who lives onsite. He commented how the City of Jerome has been fantastic to work with. He also stated D.L. Evans has also been great to work with. Mr. Liquin briefly went over the design with the commission. They have carefully designed this property and have maximized the usable space. There are 11 mature trees that will act as a buffer between the bank and the housing project to the west. Mr. Liquin went over the green space and parking for the project. He stated he understands the compact parking stalls as most people drive pickups but they are trying to work with everyone. Mr. Liquin stated the emergency access will be paved with a gate into the property that will match and blend with the perimeter fence that will run along the perimeter of the property. He stated this project will create lots of visual interest. This project is closely patterned with a project in downtown Eagle. This will be a quality, affordable environment that will create a sense of pride for the community. Upon inquiry from Commissioner Mink, Mr. Liquin stated he believed the reason why there is not a pedestrian gate by the emergency access was due to wanting to encapsulate the project and not encumbering upon the banks usable space unless there is an emergency. They may explore different avenues at a later time if there is a concern. Upon inquiry from Chairman Mink, Mr. Liquin stated he was not sure why the pedestrian walk way was not included and will look into it. Upon inquiry from Commissioner Johnson, Mr. Liquin stated the topography goes mostly north to south and the stormwater will be on the southern portion of the property under the parking lot. Upon inquiry from Commissioner Schroeder, Mr. Liquin stated they had a

commitment with the bank and with the City to update the landscaping along South Lincoln. Mr. Liquin gave a brief description of the update on South Lincoln that included adding benches, larger cobble stones, and green light poles. Upon inquiry from Commissioner Schroeder, Mr. Liquin stated he was not aware what the prices for the apartments would be. This is a low- income tax credit project. He stated they were awarded tax credits for this project. Upon inquiry from Commissioner Johnson, Mr. Liquin stated the property will be fenced all the way around besides the front entrance. There will also be grass, a tot lot, pergola with built in barbeque stations, and a dog park that will be screened along with a chain link fence. Commissioner Holley stated the project looked nice. Upon inquiry from Commissioner Holley, Mr. Liquin stated he believed one of the stipulations would be that no junked vehicles be allowed. He stated there should be a section in the lease that will not allow the junked vehicles along with RV's and trailers. Discussion was held on the landscape to the north of the emergency access. Mr. Liquin stated they will speak with the bank about developing that portion of the property. Mr. Liquin handed out a detailed packet for the commission to review. The commission went over the plans with Mr. Liquin regarding the requirements for parking spaces. Upon inquiry from Commissioner Johnson, Ms. Clark stated the building code regulates ADA requirements for parking and access to the buildings. Ms. Clark reminded the commission this Special Use Permit was for the multi-family housing unit and the Design Review would be heard next. Upon inquiry from Chairman Mink, Mr. Liquin stated parking spaces are always tight for apartment complexes. They have noticed, there is additional parking along the south side of East Avenue I that does not seem to be utilized as often so they may be able to use that for overflow parking.

Testimony in Favor: Randy King, 980 S. Lincoln, testified he was manager of D.L. Evans Bank and has recently relocated to Meridian. He wanted to speak in favor of this project. He has had several conversations with the developers and thinks this project will be a great addition with the other development coming to the area. He stated he was able to look at their other developments in the Treasure Valley and noticed they are well maintained, clean, and quality built. He continued, they are nice, fit into the community very well, and there is a pride of ownership on both the owners and the residents. They have had discussion with the bank and he believes that if there is not some kind of a barrier along the north side of the emergency access, vehicles and trucks will tear, whatever is planted in the area, apart. He continued the bank owns that parcel north of the bank and believes it is a buildable lot and will have parking on that lot. He stated he wants to encourage the commission to look at this project as he believes it will be a great asset to the community.

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the Public Hearing at 8:19 p.m.

Consider a request from Rennison Design represented by Brian Liquin, allowing multifamily housing, as described in the agenda and more commonly known as 122 East Avenue I, Jerome, Idaho - action item

Ms. Clark reminded the commission to address the compact approval in the final motion. Chairman Mink stated the full-sized parking stalls are not as big as they used to be. Discussion was held on the development of the piece of land to the north of the emergency easement, access for the property to the north of the bare land north of the bank, and the agreement with the URA for assistance with the landscape and lighting along South Lincoln and East Ave I. Chairman Mink reviewed the General Standards with the commission. The commission did not have any concerns with the General Standards. Commissioner Johnson made a motion to approve the request from Rennison Design represented by Brian Liquin, allowing multifamily housing, on the property described in the agenda and more commonly known as 122 East Avenue I, Jerome, Idaho with the following conditions: Compact parking plan as presented; Comply with all City of Jerome Department requirements pertaining to the construction and needed improvements; Receive any and all required building and/or fire department permits, inspections, and occupancy permits; Comply with all city, state, and federal requirements; and Special Use Permit shall be permanent.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner David Holley, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None

Consider a Design Review for 122 East Avenue J, Jerome, Idaho - action item

Ms. Clark stated the proposed buildings will be located to the east of South Lincoln Avenue with access from East Ave I. The property is zoned General Business (C-2). The design review proposal is for two, three story multi-family dwelling buildings including a community center. The proposal also includes a tot play area, covered picnic area with a barbeque station, trash receptacles, fenced dog park, and bike racks. The current parcel is bare. The proposed project includes extensive landscape and modern architecture that will blend and improve the community of Jerome.

Ms. Clark went over the Design Review Guidelines that should be considered.

This project is proposing two separate, three-story buildings set back from South Lincoln. D.L. Evans Bank is to the west of this project. The plans propose siding and neutral colors that will blend well with existing buildings in the area. The application states the site will maintain existing drainage patterns including preserving gravity irrigation. Snow storage is provided on site. The site plan shows off-street parking. There

are 68 proposed parking spaces. Sixty-one spaces on-site with seven off-street. The site plan meets parking as required by City code. This project has a 26' drive isle with meandering sidewalks. The onsite sidewalks will connect to new sidewalks on East Ave I for pedestrian safety.

Regarding Section 5.2 Architecture, the application notes the buildings will be contemporary craftsman with a variety of natural colors and materials. While the buildings are three story, color changes and different types of material including lap siding and grooved fiber cement add visual interest and de-mass the structures. The elevations show varying roof lines and walls breaking up the façade to provide visual interest. The application states the exterior walls consist of fiber cement shingle, panel, and lap siding with some ledgerstone, exposed wood, and composite shingle for the roof. The exterior color palette uses natural colors in grays and browns. Darker browns and the ledgerstone are used as accent with lighter colors used as primary.

Regarding Section 5.3 Landscaping and Site Design, the application notes the project is compatible with and preserves the character and integrity of development. These improvements or modifications may include but shall not be limited to the placement or orientation of buildings and entryways, parking areas, and the addition of landscaping. The project includes extensive landscaping on the interior, along East Ave I and some improvement to South Lincoln. An irrigation system is included with the landscape design. There will be an agreement with URA for improvements. Some noted improvements will be at least two, if not three, new street lights located on South Lincoln followed by additional lighting on East Ave I. Lights are proposed at the entrance and sidewalk along East Ave I. Interior lighting is also proposed throughout the development. The site plan shows a fully-fenced dog park, along with the perimeter of the site wrapped with a six-foot tall vinyl fence. Landscape including a wide array of shrubs, grasses, trees and some lawn areas are proposed. Varieties of maple, ash, honeylocust, and chokecherry will be planted along with nine varieties of shrubs and five grasses. The grasses and shrubs will accent the perimeter, fencing, and sidewalks. Utilities that can be installed underground will be. The parking area includes planter islands as required in the City landscape code. Meandering sidewalks are planned on the interior with the addition of new sidewalk along East Ave I. East Ave I connects to South Lincoln via existing sidewalks and the walking path.

Ms. Clark reminded the commission that regarding design reviews, the application must be approved by a unanimous vote of the members present. If no unanimous vote is obtained, a public hearing shall be required on the application for design review permit at a meeting of the commission.

Ms. Clark showed the commission the drawings, colors and landscape plan to the commission. Mr. Liquin showed the commission the Cottonwood project located in Eagle. He went over the different materials that would be used, along with the design of the roof lines, different elevations, walkout patios for each apartment, and the balance

of the project. Site amenities are included in the landscape plans. Trees, bushes, shrubs, grass, planters, ground mounted AC units, and parking spaces are included in the landscape design. All of the elements will be screened from view. They will keep in contact with the bank to make sure they are working together. Mr. Liquin spoke about the compact parking stalls. Discussion was held on different ways to add more parking by moving some landscaping around and other minor adjustments they could make. Ms. Clark stated the landscape code allows for waivers that would be determined by her and the building official. Discussion continued on adding more parking spots and where they could have the landscaping and dividers. Commissioner McEntarffer stated he did not have any concerns regarding the colors and materials that were being proposed. Commissioner Schroeder agreed but had a concern with a big asphalt slab without any landscape to break up parking. Upon inquiry from Commissioner Holley, Mr. Liquin stated the monument sign is 8' by 6' and will not be illuminated unless they put a light in the flower bed. The sign will be at the entrance off of East Avenue I. The rock on the sign will match the rock on the building. Upon comment from Commissioner Schroeder, Mr. Liquin stated they will have a concrete pad for the trash containers to sit on. Commissioner Johnson stated this will be a nice improvement to the community. Upon inquiry from Commissioner Schroeder, Mr. Liquin stated they would like to have two properties in Jerome and they are still looking at another property within the city limits. Upon inquiry from Commissioner Johnson, Mr. Liquin stated they would like to start on the project as soon as they can.

Commissioner McEntarffer made a motion to approve the Design Review for 122 East Avenue J, Jerome, Idaho as presented.

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner David Holley, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None

Chairman Mink called the Public Hearing to order at 9:08 p.m.

Public Hearing for a request for AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME REVISING TITLE 17 CHAPTER 10.040 OF THE JEROME MUNICIPAL CODE AMENDING THE SCHEDULE OF DISTRICT USE REGULATIONS FOR "DWELLING MULTI-FAMILY (THREE TO FOUR UNITS)", "DWELLING MULTI-FAMILY (FIVE OR MORE UNITS)"; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Report: Ms. Clark reminded the commission of the previous discussions regarding this ordinance. Current code language allows multi-family housing in certain zones without a special use permit. The definition for Apartments was removed due to conflicting definitions with multi-family. When Apartments was removed from the schedule of district regulations, it left certain zones with housing not permitted. That

was not the intent of the last code update in May 2020. Upon inquiry from Commissioner Johnson, Ms. Clark stated the amendment must come to Planning and Zoning as a Public Hearing and if it is approved by the Planning and Zoning Commission, it will be recommended before the City Council for final approval.

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the Public Hearing at 9:12 p.m.

Consider a request for AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME REVISING TITLE 17 CHAPTER 10.040 OF THE JEROME MUNICIPAL CODE AMENDING THE SCHEDULE OF DISTRICT USE REGULATIONS FOR “DWELLING MULTI-FAMILY (THREE TO FOUR UNITS)”, “DWELLING MULTI-FAMILY (FIVE OR MORE UNITS)”; AND PROVIDING FOR AN EFFECTIVE DATE - action item

Commissioner McEntarffer made a motion to approve and recommend to City Council AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME REVISING TITLE 17 CHAPTER 10.040 OF THE JEROME MUNICIPAL CODE AMENDING THE SCHEDULE OF DISTRICT USE REGULATIONS FOR “DWELLING MULTI-FAMILY (THREE TO FOUR UNITS)”, “DWELLING MULTI-FAMILY (FIVE OR MORE UNITS)”; AND PROVIDING FOR AN EFFECTIVE DATE.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner David Holley, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None

Consent Agenda

The consent calendar consists 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 January 26th, 2021 regular meeting;
- B. Consider/Approve Findings of Facts for Cook Realty, Inc. for approval on a residential preliminary plat for Stauffer Estates Subdivision No. 2, described as a portion of the West Half of the Northwest Quarter, Section 17, Township 8 South, Range 17 East, Boise Meridian, Jerome County, ID more commonly known as the farmland at the

southeastern corner of North Tiger and East Mountain View Drive, Jerome, ID, containing approximately 40.97 acres.

**FINDINGS AND CONCLUSIONS ON PUBLIC HEARING OF THE SUBDIVISION
PLAT APPLICATION SUBMITTED BY COOK REALTY, INC., FOR APPROVAL OF A
RESIDENTIAL PRELIMINARY PLAT FOR STAUFFER ESTATES SUBDIVISION NO. 2,
COMMONLY KNOWN AS FARMLAND AT THE SOUTHEASTERN CORNER OF NORTH
TIGER AND EAST MOUNTAIN VIEW DRIVE, JEROME, IDAHO**

A public hearing was held, pursuant to notice, on Tuesday, January 12, 2021, by teleconference at the Jack Nelson conference room in the County Courthouse on North Lincoln 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 300 North Lincoln Ave., Jerome, Idaho, to allow for social distancing due to Idaho being in Stage 2, on the subdivision preliminary plat for Stauffer Estates Subdivision No. 2, described as a portion of the West Half of the Northwest Quarter, Section 17, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the farmland at the southeastern corner of North Tiger and East Mountain View Drive, Jerome, Idaho, containing approximately 40.97 acres.

Staff Report: The review began with a staff report and brief background from Planning and Zoning Administrator, Ida Clark. Ms. Clark stated the property in question, described in the agenda, contains approximately 40.97 acres and is currently zoned Residential 1 (R-1), as detailed in 17.14.010 of the Jerome Municipal Code (JMC).

The proposed project, a one hundred sixty-four (164) lot residential subdivision with three (3) parcels owned and maintained by the homeowner's association for stormwater retention, irrigation, and utility access, requires a preliminary plat recommendation from the Planning and Zoning. The applicant is requesting preliminary approval on the complete plat with development of the subdivision in several phases.

The setbacks for the Residential 1 zone are: Front- 25', Rear- 20', Interior Side- 7', and Side Street 15'. Maximum height is 35 feet and minimum lot size is 6,250 square feet.

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. The application meets the following objective of within Chapter Seven-Economic Development: Objective 2 - Promote the City as an ideal location for new development of residential, commercial and industrial areas. The application also meets the following objectives within Chapter Thirteen – Housing: Objective 3 - Encourage residential developments that are well planned and encourage the development of various housing types to meet the needs of the citizens of Jerome.

The Comprehensive Plan Map designates the property in question as residential.

Ms. Clark stated the applicant has met with the pre-development team to discuss the proposed project. The subdivision application was deemed complete and scheduled for the next available meeting date which would allow staff to review the application, take comments from other agencies and properly notice for the public hearing. Mailed notice was sent to adjacent property owners on December 21, 2020, as required per code. The following agencies were sent a notice regarding the proposed subdivision: Idaho Power; Intermountain Gas; School District; Jerome County; North Side Canal Company; and the Post Office. The NSCC met with the Rex Harding and NSCC comments have been addressed with Parcel 3 allowing access for irrigation. No comment was received from other agencies. City departments including Building, Engineering, Fire, Water and Wastewater were also given the opportunity to comment on this application. The comments have been addressed and are included in the preliminary plat. It is noted there will be a homeowner's association with requirements on home size and other characteristics.

Regarding lot requirements, Ms. Clark stated as proposed, all lots meet the minimum lot size for the respective zone ranging from approximately 7,237 to 13,176 square feet.

Regarding streets, the application proposes local streets meeting the 56-foot right-of-way. East 10th Street will be constructed from North Tiger Drive as a main access point. East 9th street will also be construction along with Kennedy, Lyndon, McKinley, Monroe, and Nixon extending from East Mountain View Drive. The application notes all streets will be dedicated to public use and be constructed to meet City standards. The streets are located accordingly to serve all proposed lots. It is noted North Tiger Drive (100 East) is classified as a minor arterial. It is noted there is no driveway access onto North Tiger Drive.

The application does not propose any alleys due to the configuration of the lots and the street layout. The application proposes a 15-foot utility easement along streets. There is an easement for the irrigation along the south and east portion of the subdivision along with a 15-foot utility easement for sewer labeled Parcel 2. Water and sewer models will need to be prepared before a "Will Serve" letters can

be issued. The sewer and water will connect and extend from Mountain View Drive East. New water and sewer mains will be constructed. The southern portion of the property will connect to an existing sewer line on 8th Ave East. Water lines will be looped. The materials show the retention pond on the northwest corner of the development. Stormwater retention/detention has been calculated to meet City of Jerome requirements. The development proposes a six (6) foot wide sidewalk along North Tiger Drive that will correspond with the current Stauffer Estates Subdivision to the north. A five (5) foot sidewalk with curb and gutter will be constructed within the subdivision. Pressurized surface irrigation will be provided to all lots. They have acknowledged per municipal code; water shares will be transferred to the City for delivery of irrigation. Fire hydrants, mailboxes, and streets lights have been included on the preliminary plat meeting the requirements of code. Regarding landscape and fencing, Ms. Clark stated landscape including grass, small ornamental trees, and shrubs are planned along North Tiger Drive. White vinyl fencing is also included along North Tiger Driver.

Ms. Clark briefly explained the Commission's action for a Preliminary Plat explained in JMC 16.16.050. In determining the acceptance of a proposed subdivision the commission shall consider the objectives of this title and at least the following: (a) the conformance of the subdivision with the comprehensive plan; (b) the availability of public services to accommodate the proposed development; (c) the continuity of the proposed development with the capital improvement program of the city; (d) the public financial capability of supporting services for the proposed development; and (e) the other health, safety or environmental problems that may be brought to the Commission's attention.

If approved, Ms. Clark recommended the following conditions: (1) comply with all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; (2) a final plat or any part thereof, shall be submitted for review and approval by the City Council prior to recording the plat at the County; and (3) comply with all City, State and Federal Requirements.

Ms. Clark provided the proposed plat to the commission.

Applicant Testimony: Following Ms. Clark's testimony and staff review, Rex Harding, representing TD&H Engineering, 161 5th Ave S, Twin Falls, testified. Mr. Harding stated the staff report provided most of the information. He further stated the property is zoned R-1 where the minimum lot size is 6250 square feet. He stated lot sizes ranged from 7,044 to 13,176 square feet, making an average lot size of 8,012 square feet. He stated the covenants are requiring house size must be a minimum of 1600 square feet. Mr. Harding stated there will be some public improvements with this project. Some of those improvements are the roads on East Mountain View Drive that were previously stubbed out will be connected, they will

widen Tiger Drive 21.5 feet from the center line, and they will have sidewalk, curb and gutter along the property. He stated since the power line and the pressurized irrigation system run along the property line, they will not be able to have a detached sidewalk which is a requirement for a minor arterial road, but it will have an attached sidewalk which will not be a hazard. They will also have landscaping that will be between the sidewalk and the fencing along Tiger Drive. Mr. Harding explained where the pressurized irrigation line currently feeds irrigation to Stauffer Estates No. 1 and where the irrigation and pond will be for Stauffer Estates No. 2. He also explained how the water run off would drain into the appropriate ponds on the property.

Mr. Harding stated there were a number of comments that were received from concerned neighbors. Most of the concerns were in regard to lot size. He stated the minimum lot size is 6250 square feet and the lots in the subdivision were bigger than the minimum requirements. He also stated the home size will be 1600 square feet at a minimum. He looked into the Stauffer Estates No. 1 homes, due to the comments received, where he found the home size ranged from 1200 square feet to 4000 square feet. He reiterated that the CC&R's for the subdivision are requiring homes to be 1600 square feet at the minimum. Mr. Harding stated some of the comments were referencing homes on 50 North as a comparison. Those lots are classified to be located in the County of Jerome, and are not on Jerome city services. He stated those lots, on 50 North, have to be at least one (1) acre. He does not think the comparison is equal to those within city limits.

Another concern that was brought up to Mr. Harding was the traffic. He went over the traffic impact statement with the Commission, different ideas regarding the school traffic (i.e. walking to school, busing, etc.), and peak traffic times. He continued that he believed most traffic will stay on North Tiger. McKinley traffic may increase minimally as most people take the most direct route. He stated the speed limit will be 25 mph throughout the subdivision and believes Stauffer Estates No. 1 is also 25 mph. He understands the concerns with the 4-way stop that backs traffic up but once the street has been improved, the street should be able to handle the traffic with the additional right-of-way that will be given to the City of Jerome.

Another concern, Mr. Harding read in the comments, were property values. He stated the homes are proposed to be 1600 square feet or larger. He stated he has seen the larger homes being built out in the county and that the larger lots are sitting vacant longer than the smaller lots. Mr. Harding gave the example of the Glenn Eagle Subdivision where some of the larger lots had been vacant and the developer sold the property to the School District.

He thanked the Commission for their time and asked for any questions. Upon inquiry from Chairman Mink, Mr. Harding explained that a catch basin was a

grate with a concrete basin underneath the grate to catch water that is then piped to a predetermined place. Mr. Harding showed the Commission where the low spots were and where they would have catch basins located. Upon inquiry from Commissioner Schroeder, Mr. Harding stated the retention pond was approximately six (6) feet deep and it will meet the requirements. Upon inquiry from Commissioner Johnson, Mr. Harding stated the basins will drain into the retention pond where it will go back into the ground. He continued they typically over excavate the pond and put rock in the bottom so there is not any standing water. Upon inquiry from Commissioner King and Commissioner Holley, Mr. Harding stated the retention pond will be fenced.

Testimony in Favor: The following persons appeared and testified in favor of the application:

Joe Cone, 1432 Spring Court, inquired when the Comprehensive Plan was updated. Ms. Clark stated it was updated in 2010. Mr. Cone inquired if the proposed subdivision was included in the Comprehensive Plan. Ms. Clark stated the Comprehensive Plan included the property in question and the current use of Residential. Mr. Cone inquired if a traffic study had been conducted on North Tiger. Ms. Clark stated a traffic study had not been conducted. Mr. Cone inquired if a study would be accomplished before construction begins. Chairman Mink stated that question would be referred to the developer. Mr. Cone inquired about the widening of North Tiger if it would be on the east side. Chairman Mink affirmed the widening would be on the east side of the road. Mr. Cone stated the drain at the northwest corner of 10th Street by the chain link fence, does not work and he has asked to have it fixed for a while and he hopes this will fix the problem. Mr. Cone inquired if they would be eliminating truck traffic that goes on North Tiger. Chairman Mink stated he is not aware if they would be able to stop trucks. Mr. Cone inquired if the County would be doing improvements or if it was just on the City. Chairman Mink stated these improvements would be from the City. Mr. Cone stated with three schools, this will add more traffic to the roads and inquired if there would be a four-way stop at 10th Street. Chairman Mink stated the City would have to look at it later in the development. He continued that the School District purposely put schools in the area where development is happening. Mr. Cone inquired why there was not an access off of 8th Street, as it would help with traffic. Ms. Clark stated they will have the developers address those comments.

Jason Peterson, 1600 N Kennedy, stated the property to the south is owned by Denny Stauffer so there is not access from the property onto 8th Street. Mr. Peterson explained that water collects in the south east corner of North Tiger and Mountain View Drive because that was where the second phase was supposed to put their drainage pond. He stated he is happy to see the subdivision going in and being developed. He is excited to have someone who is from Jerome develop the area. He stated this development fits in the plan.

Ms. Clark read the following comments in favor of the application for the record:

Dave Verbrugge, 1301 14th Ave East, Jerome, ID 83338

“Support the application. Overall I support the application for the development of the land. I am hoping the City is receiving feedback and funds for the additional traffic, additional kids @ the local schools and additional demands on the infrastructure/ city services. The small 2 lane Tiger Rd. will be very busy driving commute hours and school drop off and pick up times.”

Diane Stauffer, 122 E 50 N, Jerome, ID 83338

“Support the application.” No other comment was provided.

Rick Bernsen, 1505 N Kennedy, appeared via Zoom. Mr. Bernsen testified he is in favor for the development. He agreed with prior testimony and would like to see the road connect with 8th Street. He would also like to recommend photoelectric cells on the porch lights to have them automatically come on at night. He stated that would help with safety.

Testimony in Neutral: Ms. Clark read the following comments on the record:

“Dear Council,
2021

Jan

We are asking the planning and zoning board, the city council and the developer to modify their proposed development of Stauffer Estates Subdivision #2 located in Residential 1 District. We understand that land development is a business and that those invested want to make money, but we ask you to take in consideration the following proposals:

1. Adding additional turning lanes into Horizon to help with the increased traffic.
2. Keeping the average home size and style more consistent with the surrounding neighborhoods (with a minimum of 1,800 sq. ft. and a similar architectural structure as Stauffer Estates #1).
3. Keeping lot sizes closer in equivalency to Stauffer estates #1 at 10,000-11,000 sq. ft.
4. Adding more water drainage ponds to alleviate future water issues due to increased water volume.

Our reasoning is as follows:

#1- Traffic and safety are a major concern. This is one of the largest subdivision that has been proposed in city limits. Adding 166 new homes means

adding approximately 332 cars going up and down Tiger Drive (assuming most households have at least 2 cars). Traffic jams in the north and south of Horizon Elementary are already an issue due to parent drop-off and pick-up. Cars are frequently backed up from the north waiting to turn right to get in line to pick up their children after school. High School traffic is a concern as well, especially immediately after school heading north. Often times traffic is backed up 2-3 blocks at the 4-way stop sign near Forsythe Park.

In addition to traffic jams, we are also concerned for the safety of children that often cross this street. As indicated in your impact statement, if each unit produces 9.52 vehicle trips per day (which is a lower estimate), the resultant increase in traffic will be 1,561 trips per day. Most of that traffic will flow through Tiger Drive. That is a significant increase of cars in an already highly trafficked road.

#2- The proposed development is not compatible with the surrounding area. The proposed lot and home sizes are inconsistent with the neighborhoods around this development. Most of the surrounding homes up 50 N are 3,000 to 6,000 sq. ft. with 43,560 sq. ft. lots. Average home size for Stauffer Estates #1 is 2,800 sq. ft. (with multiple homes at 4,000+ sq. ft.) and lot sizes average between 10,000-11,000 sq. ft.

The proposed average dwelling size suggested in Stauffer Estates #2 is 1,600 sq. ft. The proposed lot sizes for Stauffer Estates #2 is between 9,000 sq. ft. (for homes closer to Stauffer Estates #1) down to 7,000 sq. ft. (for homes closer to the 8th Street/50 N road). There are 6 lots proposed for even lower square footage (6,900 sq. ft.) near 8th street/50 N road.

These lot sizes are not consistent with the surrounding neighborhoods.

#3- Water is a potential problem. The pond in Stauffer Estates #1 is a huge issue due to a landscaping error in the slope at the park at 16th. Canal water consistently backflows into the Stauffer Estates pond, causing an accumulative increase of over 2 feet of sediment. There is a \$15,000 price tag to have the sediment removed and the slope graded to prevent this.

In years past, the pond water has been 5-8 ft. deep. In addition to being an unsightly landscaping issue, this is also a child safety hazard. Adding more homes (and more children) to this area would amplify this issue if corrective measures are not taken beforehand. Environmental impact studies need to address these concerns and also determine if the increased water volume will cause problems with the pipe running underneath Horizon. The surrounding neighborhoods need to know that the proposed water management systems are adequate for the dramatic increase of water volume, and that there is a reliable contingency plan in place for when these ponds fill to capacity.

We are not opposed to development. We know growth is good for the community, but to keep up with growth we are going to need more schools, more sidewalk, bigger streets, reliable water management plans, and more traffic control. We are asking the developers of Stauffer Estates #3 to make these proposed modifications to their plans to more adequately address the concerns of the existing neighborhoods.

Thank you for your time and service.

Alan & Staci Leavitt

135 E 50 N

Jerome, ID 83338”

“Dear Council,

I am writing in regards to the subdivision preliminary plat for Stauffer Estates #2. I am asking the planning and zoning board, city council, and developer to consider the proposal and the impact it has on the surrounding subdivision residents, as well as the school district and the public that utilize Tiger Drive when commuting to Horizon Elementary and Jerome High School. There are 3 main concerns that I have:

1-Average lot & home size proposed, in comparison to surrounding area home & lot sizes

2-Added traffic to an already busy area of commuting

3-Warer drainage/run off

Regarding my concern with average lot & home sizes proposed-

I live on 15th Ave E- a quite dead-end neighborhood with some larger homes, located near Stauffer Estates #1 subdivision and Tiger Hills Subdivision. The homes in these 3 neighborhoods, as well as the homes on 50 N, are fairly large homes with fairly large lot sizes. The proposed lot and home sizes are not consistent with these existing homes. A majority of the existing homes in these areas range from 2800-6,000 st ft, with lot sizes varying from 10,000-11,000 sq feet (even up to 43,000 + sq feet on 50 N). The proposed average sq ft size for a new home in Stauffer Estates #2 is 1,600 sq feet, with the proposed lot size being between 7,000-9,000 sq ft. This is not a consistent size of home for surrounding existing homes in the area.

Regarding my concern with added traffic-

As a parent of children who attend JHS and Horizon Elementary, I am often in the traffic jam of heavy traffic with these two schools during drop off/pickup. I have included photos that I took yesterday afternoon, 1/7/2021, from the time of 3:00

pm-3:25 pm. This is during school pickup in the afternoon. The photos show the road of 10th Ave E, towards Horizon Elementary, as well as North Tiger Drive, near 10th Ave. E. The traffic is lined up along the road from the entrance of the school pickup lane, along the fence line to North Tiger Drive, about halfway to Stauffer Estates #1. This is already a highly concentrated traffic space- adding additional traffic of 166 homes (approx 332 more cars) would make this impossible to travel through. Turning south onto Tiger Drive from our street, 15th Ave E, is already a difficult task in the morning drop off and afternoon pickup because of the 4 way stop on North Tiger Drive and 16th Ave E, along with several buses and bus stops, and traffic.

Regarding my concern with water drainage and run off-

Our road meets kitty corner to the drainage pond on 16th Ave E and Tiger Drive in Stauffers Estates #1. That is a heavily foot trafficked area for young children that walk home from school, or go to the nearby Becker Park. That drainage pond is often at dangerously high levels, sometimes 5-8 ft high, and is not fenced or guarded for children's safety. I would request that with the safety of nearby children, that any drainage ponds added to Stauffer Estates #2 be fenced/appropriately guarded for the safety of local children. The pond in #2 has proven to not be an effective way to deal with drainage/ run-off, and as we live downhill to the north of the proposed new subdivision, I have concerns that our homes will largely be affected by draining water and/or water run off, even with the proposed 3 added drainage ponds. My request would be that environmental impact studies to be conducted to further investigate how to prevent future water issues and damage that may be a result of the proposed subdivision.

Thank you for taking my concerns into your consideration.

Jessica Burke
825 15th Ave E
Jerome, ID
208-320-0189"

"Hello! Hoping this reaches you well.

I'd like to voice some very real concerns with this new subdivision.

The home size:

Jerome has a very large already established starter home population. We don't need more starter homes but have a need of medium to larger homes....they are hard to find & sought after. Several homes in Stauffer Estates have built on additions to compensate & accommodate. I'd suggest larger than 2,000 sq ft.

Less homes:

It's proposed 164 homes....that's 200-300 cars.

Lot size:

Larger than 10,000 sqft and/or appropriate for the home size.....not the smallest postage stamp they can sell for the most money. We are growing our great city & need to be careful. Once it's built; it's done. Prior proper planning....

Tiger drive impact:

With 200-300 more cars pouring onto Tiger drive we have a big problem. Tiger has a lot of feeder streets, high residential population & 2 large schools. It's already highly trafficked especially around school begin & release times (8am & 3 pm). Cars are lined up and down 10th & onto tiger backed up both north & south bound lanes for Horizon ; it's the same with the High School down Tiger drive. (On the side but still related note id love to re-explore the option to place an exit onto HWY 25 from the south east parking lot at the HS....it may help relieve the congestion on Tiger).

All neighbors on all sides of proposed phase 2 are concerned about property values as well.....as they would pull us all down in value.

Please consider these changes & I'd also like to be in attendance to every meeting I can on this issue. Many in the neighborhood are concerned with the impact.

Thank you!

Jolyne Dickinson

208-316-6422"

Jolyne Dickinson, 115 8th Ave East, appeared via Zoom. Mrs. Dickinson inquired where the 18 homes, that will be located on the southern portion of the property, would be getting their water. She stated they already have to take turns in regards to watering and would like to know how it would affect everyone else. Ms. Clark stated the question has been noted and will have the developer address it.

Testimony in Opposition: The following persons appeared and testified in opposition of the application:

Mark Coppin, 1509 N McKinley, appeared via Zoom. Mr. Coppin testified he thinks he is more neutral but is in favor of the development but does share some of the other concerns that have been brought up. He stated his big concern is traffic. He stated he does not agree with Mr. Harding regarding drivers not using McKinley to get to 100 North as he has seen drivers come off of Tiger and go up McKinley and proceed to 100 North. He stated his concern is safety and is not sure what the

appropriate resolution would be. He stated he had spoken with neighbors regarding the plat and they suggested maybe having the second phase McKinley ending in a cul-de-sac. Mr. Coppin also suggested having four-way stops on Mountain View Drive and possible on McKinley and 15th Street. He also stated there was a suggestion for having a no right hand turn on McKinley and 100 North which may not be a popular idea. He stated there are many children on McKinley and it would be a long straight shot, with wide, deep setbacks and no trees. He believes it would be a concern with safety. Mr. Coppin stated McKinley Street comes to a crest around 1509 and believes there may be some sight line issues. He stated he is opposed to the plat as it is proposed but is excited to see the development and the city grow. He stated safety is his major concern.

Ms. Clark read the following comments on the record:

“Regarding the public hearing on January 12, 2021 for Cook Realty, Inc. for approval on a residential preliminary plat for Stauffer Estates Subdivision No. 2.

We, Terry A LaFleur and Sondra T LaFleur, OPPOSE the application.

Upon reviewing the Preliminary Plat Plan View information submitted by TD&H Engineering for Stauffer Estates Subdivision NO. 2, we find that the lot sizes are too small and thus the number of homes being developed are too many in number. The number of proposed homes to be built on this section of land will cause an undue increase of road traffic along Tiger Rd. which will increase hazards to children in the community. High density housing will increase the population and strain to the local elementary schools.

In addition to the increased traffic and safety concerns, the high-density homes will cause a decrease in our property values and a potential rise in local crime rate.

We will only support the new home if the lots and homes are equal to those of the existing Stauffer Estates No. 1 and similar HOA standards are in place.

Sincerely,
Terry & Sondra LaFleur”

“David Moore, 1204 East Mountain View Dr

Oppose the application.

Lot sizes need to be equal or greater, not smaller, than existing lots in Stauffer Estates. All regulations need to be compliant with the CCR’s and HOA Standards for Stauffer Estates, ie. Square footage requirements, vinyl only fences, no

street lighting. We are concerned about the direct impact of this development to our property value. We want to make sure that our direct neighbors are held to the same standards that we are, to keep our property values from falling. If you do not take our concerns into advisement, then please make sure that we have no street lights on our road and vinyl fences are required.”

“Jacob Wood, 1504 N Lyndon Street, Jerome, ID 83338

Oppose the application

The development plan that has been put forth for Stauffer estates phase two consist of to may new dwellings. With the plan for 166 new dwellings in this area it is going to create many more challenges. The addition of this many home in this area will cause significant traffic and safety risk on Tiger drive. Tiger drive was not planned out to be able to handle the amount of traffic that this development would create. The size of the homes and the amount of the homes that are being planned to be built in this development will also effect the surrounding areas value. This development will consist mostly of starter homes, which means a higher turnover rate of home owners, this in turn means homes will not be cared for as much and the overall appearance and value of the neighborhood will go down. This area that is being developed needs to be comparable to Stauffer Estates phase one with fewer homes and larger lots”

“Alan and Janice Bakes, 1505 N McKinley St, Jerome, ID 83338

Oppose the application

We oppose the proposed development as it currently exists. We worry about the high density of the development and the direct impact it will have on traffic flow. We are especially concerned about the potential of McKinley St. becoming a major exit for the development since it is the only subdivision street to connect to 100 N. As currently platted, McKinley and Mountain View will become major exits.”

“Maxine T Bell, 1222 Mountain View Dr

Oppose the application

I believe increased residential activity by the purposed subdivision can become a concern for safety. Sharing Tiger Drive with residential areas is a soccer complex, park, and Horizon Middle School. Several blocks along the same artery lies our High School. Much of the year, there are over 600 children coming and going, and the activity of over 1200 High School students. At this time, the road looks more like a parking lot. Prior to any more uses, this needs a study of those who use it now.”

Rebuttal Testimony: Rex Harding, thanked the residents for the comments and concerns, and wants to make sure they are all addressed to the best of his ability.

- The lots size and homes will be similar in size;
- He stated the Comprehensive Plan shows areas and not subdivisions;
- He stated there were a lot of concerns regarding the water runoff and drainage. Regarding the draining for the pipe that goes under Horizon, this will be a smaller amount as most of the water will go to the ponds instead of along Tiger Drive. The subdivision drainage and the water from Mountain View Drive will go to the retaining pond;

- Regarding the traffic, Mr. Harding stated with the expansion of 21.5 feet to the east from the center line of North Tiger Drive, there will be enough pavement for three lanes of traffic. He stated the City will be able to add a lane. There will not be any parking allowed on North Tiger Drive but he believes there will be some improvements for traffic;

- Regarding the water, Mr. Harding stated the original plan was to share water off of the pressurized irrigation from phase 1, with the purchase of the property, the property has its own water rights and they will turn those water rights over to the City. They will have their own watering system so the water pressure should get better for the residence of phase 1 as the wheel lines will not be on the same system as them. Mr. Larsen stated the irrigation question came up from a resident that lives on 50 North. Mr. Hardy explained how the irrigation company delivers the water to the head gate. He stated the new subdivision will not be sharing the system with those houses on 50 North as it will be a separate system;

- Regarding the traffic on McKinley, Mr. Harding stated there will be people that will use McKinley. The subdivision will be built in phases and not built all at once. With the improvements that come with the development, he believes it will help the traffic on Tiger Drive. Mr. Harding spoke on streets and how arterial roads are meant to take traffic to a larger road and the less entrances onto those streets and lining up the intersections help with traffic safety;

- Regarding streetlights, Mr. Harding stated streetlights are required for the City and they will be placed accordingly. Chairman Mink stated when the first phase of Stauffer Estates was built, there was not a lighting ordinance but now they have an ordinance for street lighting;

- Mr. Harding stated regarding the lot sizes, when the first phase was built, the larger lots were not sold for a while and when they were sold they were cheaper than what they were originally priced. He stated the average lot in this subdivision is larger than the minimum lot size required;

- Upon inquiry from Commissioner Schroeder, Mr. Harding stated there will be CC&R's, an HOA, and the homes will be built by different builders. Upon inquiry from Chairman Mink, Mr. Hardy stated the HOA should be similar to the existing Stauffer Estates as there were certain requirements when the property was sold to the developer. Upon inquiry from Commissioner Holley, Mr. Harding stated

he was not aware of the average lot size that is built in the surrounding area but he is seeing all lot sizes are in demand. He has noticed that bigger homes are being built out in the county where they have more room. He stated that there is nothing stopping a buyer from buying two lots and building a home as long as they get approval from the City to combine the lots;

- Upon inquiry from Commissioner McEntarffer, Mr. Harding stated they will have an overflow for the catch basin which will be on Tiger Drive;
- Upon inquiry from Chairman Mink about traffic safety, Mr. Harding stated off-setting streets creates a safety hazard and they will be adding stops signs along Mountain View Drive. He also stated the 9.25 trips per vehicle per home comes from the national trip manual. Mr. Harding stated he is not sure if there is a typical peak hour for traffic in Jerome as there are different shifts worked in the Jerome community.

There being no further testimony, Chairman Mink closed the public hearing at 8:21 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the preliminary plat application, 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. The application for a preliminary plat is complete.

B. The subdivision preliminary plat as presented is consistent with Chapter 3, Objective 1; Chapter 7, Objective 2; and Chapter 13, Objective 3 of the Comprehensive Plan as described in Ms. Clark's report. No evidence contradicting Ms. Clark's report was presented. And, the project, as described by Ms. Clark and by the applicant does in fact appear to promote the objectives and policies of the Comprehensive Plan in the manner described by Ms. Clark.

C. Based on the Staff Report and based on the applicant's testimony regarding the sewer and his assurance to follow engineering requirements for the sewer and water for the proposed subdivision, the Commission finds that there is availability of public services to accommodate the proposal.

D. The Commission discussed concerns regarding public services, traffic and other health, safety and environmental issues. Concerns from the public included concerns about waste water run-off and traffic on both North Tiger Drive and through the existing Stauffer Estates Subdivision. The Commission finds that the evidence presented regarding waste water run-off adequately addressed the concerns raised. It was explained by the applicant that when the retention basin is constructed, it will collect much, if not all of the water that is currently collecting in the southwest corner of the subdivision. Regarding traffic, the Commission

acknowledges adding 164 homes to the vicinity will increase traffic. The Commission finds; however, the widening of Tiger Drive will help with current and future congestion on Tiger Drive. Regarding the congestion on Tiger and in the existing portions of the subdivision, The Commission finds all evidence offered in that regard to be speculative and merely conjecture. The Commission also relies upon the information provided by City Engineer, Tyson Carpenter, that the City will take all reasonable measures to accommodate an increase in traffic as required. The Commission finds that the pending revisions to the City's Master Traffic Plan and ongoing review of that plan over the coming years will adequately address the perceived additional traffic pressure put on the vicinity by the addition of 164 more homes. The Commission notes 164 homes will not be added in the coming year or several years but rather the increased pressure will be over a lengthy period of time, allowing the City to take reasonable and appropriate measures to address problems created by added traffic.

II. Conclusions

A. The proposed preliminary plat is in accordance with and satisfies the requirements of Title 16, Chapter 16 of the Jerome Municipal Code.

B. The preliminary plat for Stauffer Estates Subdivision No. 2, described as a portion of the West Half of the Northwest Quarter, Section 17, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more commonly known as the farmland at the southeastern corner of North Tiger Drive and East Mountain View Drive, Jerome, Idaho, containing approximately 40.97 acres, is approved on the following conditions:

1. Comply with all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements;
2. A final plat or any part thereof, shall be submitted for review and approval by the City Council prior to recording the plat at the County; 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 9th day of February, 2021, in support of the decision of the Planning and Zoning Commission on the 12th day of January, 2021 to approve the application as specified herein is hereby made final this 9th day of February, 2021.

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

- C. Consider/Approve Findings of Facts for Valley Wide Cooperative, allowing petroleum storage, on the property located at Tax 1 of A-269 Jerome Townsite 172' X 340.31' (NW 24-8-16), more commonly known as 230 West Blvd, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF VALLEY WIDE
COOPERATIVE, ALLOWING PETROLEUM STORAGE, ON THE PROPERTY LOCATED AT
TAX 1 OF A-269 JEROME TOWNSITE 172' X 340.31' (NW 24-8-16), MORE COMMONLY
KNOWN AS 230 WEST BLVD, JEROME, IDAHO.**

A public hearing on the application of Valley Wide Cooperative, represented by Tom Daniels, Regional Energy Manager for Valley Wide Cooperative, concerning a parcel commonly known as 230 West Blvd, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, January 12, 2021, by teleconference at Jerome County Courthouse, Jack Nelson Conference Room 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 300 N. Lincoln, Jerome, Idaho to allow for social distancing due to Idaho being in Stage 2.

Staff Report: Planner, Ida Clark, provided the staff report on the application. Ms. Clark stated this is a large parcel with one storage building. Valley Wide Cooperative recently purchased the property and has been storing petroleum products in the building. The application is requesting a Special Use Permit to store packaged and bulk antifreeze, diesel exhaust fluid and lubricants.

The property in question, is currently zoned Light Industrial (M-1), as detailed in 17.14.010 of the JMC. The proposed use, Petroleum Storage, requires a Special Use Permit from the Planning and Zoning Commission.

As pertains to the City of Jerome's Comprehensive Land Use Plan, the request is in accordance with Chapter Seven, Economic Development: Objective 3 – Maintain and expand public/private partnerships to demonstrate the community's commitment to and support for economic expansion; and Policy 8 – Continue to provide an atmosphere for successful business development.

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning code allows petroleum storage in the M-1 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 states this building has been here for over 30 years. In previous years, the property has been used for various types of storage. Valley Wide owns the parcels to the north and east that are used to store fuel and propane outside. There is a cellar, storage units, and vacant property to the west with residential homes to the south. The application states

it will not be hazardous or disturbing. The Building and Fire departments met with the applicant to review storage and safety plans. The building is equipped with containment for the bulk storage tanks. There are no drains in the building reducing the hazardous impact if liquids are spilled. The applicant has noted it will be served by existing services. This is a storage building with no offices. This use does not require any additional services. There is no indication that this use will create excessive additional requirements at public cost. The applicant notes no it will not be detrimental. The operation hours will be Monday thru Friday from 7 am to 7 pm. There will be loading and unloading of trucks but it should not be excessive. The diesel fluid, oil, and antifreeze are stored in bulk tanks minimizing any odors and fumes. Ms. Clark stated her report stated diesel "fuel" would be stored but corrected that diesel "fluid" is the correct term. No fuel will be stored inside. The storage is for Valley Wide Cooperative, therefore there is no access to the general public reducing the amount of traffic to the property. The current access point from West Blvd. will remain. There is no access from West Ave B. There is no indication this use would result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Ms. Clark reminded the commission of the landscaping requirement. She stated in 17.18.070: LANDSCAPING REQUIREMENTS: A. Applicability, it states "This article shall apply to all new development and to any change of use of an existing building, structure or parcel of land in the following zoning districts within the City of Jerome (M-1 zone included)." The use of this building has always been storage therefore there is no change in use. However, some type of landscaping is encouraged along the West Ave B property line. The zoning and uses on the parcels to the south are Residential.

Ms. Clark stated in her comments both the Fire and Building departments met with Valley Wide Cooperative on January 12, 2021, and they were able to go over some of the items that would be stored and the Fire department were provided with the MSDS sheets. Both the Fire and Building departments did not have any concerns with the application. Applicant will be submitting engineered plans that will satisfy the requirements for the Fire and Building Departments.

If approved, Ms. Clark recommended the following conditions: (a) Landscape along the property line of West Ave B; (b) Comply with all Building and Fire Department inspections and requirements for occupancy; (c) Comply with all city, state, and federal requirements; and (e) Special Use Permit shall be allowed for two (2) years, renewable upon expiration. Ms. Clark stated she recommended the two years but after meeting with the applicant today, they are making an investment to the building. They do have some requirements they must meet so the commission could extend the expiration if desired. Upon inquiry from Chairman Mink, Ms. Clark stated there is not a berm around the property.

Applicant Testimony: Tom Daniels, 3986 N 3610 E, Kimberly, Regional Energy Manager for Valley Wide, testified on this application. Mr. Daniels states this will be a

central distribution warehouse for the area. He stated regular business time is 8 a.m. to 5 p.m. but he is not exactly sure on the truck hours which is why they chose 7 a.m. to 7 p.m. They currently do not have any outside lighting but they do have some on the other property that is close by at the service station. He stated they will do some landscaping on the south side and will be moving security fencing. He is still meeting with the landscaper as they do not want to tear up a ditch that the City of Jerome may own. Ms. Clark stated the ditch runs along the south side of the property and she will be confirming with the Public Works Department if the ditch is a waste ditch or not.

Upon inquiry from Commissioner Holley, Mr. Daniels stated they will have both prepackaged oil and bulk storage on the property. They will be retail ready for the prepackage oil. There will not be any empty containers that will be returned to the warehouse.

Upon inquiry from Commission King, Mr. Daniels stated the fence is currently on the east side of the property.

Upon inquiry from Commissioner Schroeder, Mr. Daniels stated they are trying to purchase more product to distribute to the stores around the area.

Chairman Mink stated the main concern with this kind of use is with the neighbors, but the building has been around for a while. He continued they want to make sure there are no concerns with the use.

Upon inquiry from Commissioner King, Mr. Daniels stated there will prominently be one truck that will come in a few times during the day. As for the bulk deliveries, it will be one truck around three or four times a month.

Upon inquiry from Commissioner Schroeder, Mr. Daniels stated the front half has been graded and they have brought gravel in. He stated they are still looking into doing more on the south side of the parcel.

Testimony in Favor: None.

Testimony in Neutral: None.

Testimony in Opposition: None.

There being no further testimony, Chairman Mink closed the Public Hearing at 9:05 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Mr. Daniels' 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. The property, 230 West Blvd., Jerome, Idaho, is within the City of Jerome and is currently zoned Light Industrial (M-1).

B. The proposed use, petroleum storage, requires a special use permit to operate in M-1.

C. JMC 17.60.030 provides the standards for special use permits.

D. The proposed use is harmonious with the general objectives of the comprehensive plan in that allowing a business such as this one promotes economic development and growth. Moreover, it is an industrial use in an area designated for the growth of industrial uses.

E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that the general vicinity consists of property occupied by heavy industrial uses.

F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses. The applicant has provided testimony of the property being a central distribution warehouse.

G. No additional public facilities will be necessary for the proposed use. The area has been adequately developed through the Urban Renewal Agency and no additional infrastructure is needed.

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. No manufacturing will occur on property. Thus, the proposed use will not involve the creation of smoke, fumes, glare or odors. Lastly, the traffic and noise will be consistent with noise expected to be produced by an industrial use such as this.

I. There is no evidence the vehicle approaches to the property will create an interference with traffic on surrounding public thoroughfares.

J. There is no evidence the proposed use will result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

II. Conclusions

A. A special use permit is required to allow the applicant to store petroleum within a Light Industrial (M-1) zone for the City of Jerome.

B. A special use permit allowing petroleum storage in the M-1 Zone is consistent with the City of Jerome Comprehensive Plan.

C. The Commission approves the application of Valley Wide Cooperative, represented by Tom Daniels, the Regional Energy Manager for Valley Wide Cooperative, for a special use permitting petroleum storage on the property commonly known as 230 West Blvd., Jerome, Idaho, subject to the following conditions:

1. Landscaping along the property line of West Ave B and West Blvd. with staff acceptance;
2. Comply with all Building and Fire Department inspections and requirements for occupancy;
3. Comply with all city, state and federal requirements;
4. Dust abatement as needed to avoid aggravating the neighbors; and
5. Special Use Permit shall be allowed for two (2) years and renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 9th day of February, 2021, in support of the decision of the Planning and Zoning Commission on the 12th day of January, 2021, to approve the application as specified herein is hereby made final this 9th day of February, 2021.

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

- D. Consider/Approve Findings of Facts for Brandt and Crystal Powell, allowing a home occupation, online furniture sales, on the property located at Lot 7 Block 6 Glen Eagle Subdivision (NE 19-8-17), more commonly known as 817 Owl Court, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF BRANDT AND CRYSTAL POWELL FOR A SPECIAL USE PERMIT ALLOWING A HOME OCCUPATION OF ONLINE FURNITURE SALES, ON THE PROPERTY LOCATED AT LOT 7 BLOCK 6 GLEN EAGLE SUBDIVISION (NE 19-8-17), MORE COMMONLY KNOWN AS 817 OWL COURT, JEROME, IDAHO.

A public hearing on the application of Brandt and Crystal Powell concerning that parcel located at Lot 7 Block 6 Glen Eagle Subdivision (NE-19-9-17) more commonly known as 817 Owl Court, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, January 26, 2021, 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 the staff report on the application of Mr. and Mrs. Powell. Ms. Clark stated the property in question is currently zoned Residential 1 (R-1), as detailed in 17.14.010 of the Jerome Municipal

Code (JMC). The proposed use, a home occupation, requires a Special Use Permit from the Planning and Zoning Commission. In this case, the Powell's would like to have online furniture sales, which constitutes a home occupation. In accordance with JMC 17.18.050, a home occupation is defined as "The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall be conducted entirely within a dwelling unit or accessory structure." In JMC 17.18.050 (I): Any use which changes or may change the character of the neighborhood will not be permitted. The following uses shall not be permitted as home occupations in residential zones: (h) On-site retail sales. Ms. Clark stated the applicant is asking for on-line sales.

As pertains to the City of Jerome's Comprehensive Land Use Plan, the request is in accordance with Chapter 7, "Economic Development", Policy 8, which is to "continue to provide an atmosphere for successful business development".

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows home occupations in the R-1 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17. The applicant states the home occupation is conducted within an area of the attached garage. Sometimes furniture is placed outside to take pictures and then moved inside. This does not appear to change the essential character of the area. There is no indication that online furniture sales as a home occupation would be hazardous or disturbing. The residence is already adequately served and this home occupation will not require any additional services. There is no additional requirement at public cost for this home occupation. Regarding Standard G, which states, "the application will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors"; the application states, no. The application states, there will be a small amount of traffic related to this use; however, Mr. Powell also delivers the furniture and vehicles can park in their driveway. The influx of traffic may not be considered excessive but the parcel is located within a residential cul-de-sac. It is noted they have been operating the home occupation. Staff has not received any concerns or complaints relating to traffic or noise. The Powell's were made aware of the process for having a home occupation and are complying with City Ordinance. This request will not impact vehicular approaches. It does not appear that this home occupation will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the Home Occupation Standards, "Standard 1- No more than one person other than members of the family residing on the premises shall be engaged in such occupation;" Mr. Powell states he is the only one involved in the occupation. Sometimes Mrs. Powell may assist if Mr. Powell is at work.

“Standard 2- The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall be conducted entirely within a dwelling unit or accessory structure. A detached accessory structure shall be located in the rear or side yard;” The applicant states this is their residence with the home occupation being conducted in the attached garage which allows for storage.

“Standard 3- Not more than four hundred (400) square feet of the floor area of the dwelling unit or accessory structure shall be used in the conduct of the home occupation;” The applicant states the area used in the garage does not exceed 400 square feet.

“Standard 4- The appearance of the dwelling unit or accessory structure shall not be altered;” The application states there have not been and there will not be any change to the dwelling. Regarding traffic, there is some traffic associated with the sales as buyers may pick up the furniture. The applicant states they make deliveries as well to reduce the amount of traffic in the residential area.

“Standard 5- No significant traffic shall be generated by such home occupation and a home occupation shall have adequate parking spaces available to compensate for any parking needs generated. Parking shall not be allowed in the front yard;” The applicant notes same as above and increased traffic would not be significant. The driveway is large enough to accommodate vehicles parking in the driveway instead of on the street.

“Standard 6- No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference;” The applicant states no. On-line furniture sales, will not cause any visual or auditory interference.

“Standard 7- No storage of materials or supplies outdoors;” The applicant states all storage is inside the garage.

“Standard 8- A home occupation shall not involve the use of signs and/or structures other than those permitted in the zone in which the property is located;” The applicant is aware there will be no signage in violation of the code.

If approved, Ms. Clark recommended the following conditions: (a) customers shall park in the drive-way; (b) time of operations; and (c) special use permit shall be allowed for up to two (2) years, renewable upon expiration.

Applicant Testimony: Brandt Powell, 817 Owl Court, appeared before the Commission and testified upon his application. Mr. Power testified he previously

built custom furniture for himself and then started building for friends. Now he is buying liquidated loads of furniture to sale. Once he found out he was not allowed to sale without a permit, he called the City to get a permit. He stated he has been speaking with Ms. Clark to get things right. He stated he understands there are two oppositions to the application, 933 Glen Eagle and 1017 Glen Eagle. Mr. Powell pointed out the two residents on the map. He stated last year, he held five (5) yard sales. He stated they have some valid complaints for the traffic on the days he did the yard sales. He continued that both 929 Glen Eagle and 1009 Glen Eagle held four (4) yard sales last year. He did not realize he was not supposed to do that. He is trying to supplement money for his children's college. He does to most of the deliveries so traffic is very minimal unless he has a yard sale. He may only have a couple of cars every couple of weeks.

Upon inquiry from Commissioner Holley, Mr. Powell stated he started out doing custom furniture and still has the tools that are stored in a shed. He stated he has not been able to do those since he had a back and knee injury.

Upon further inquiry from Commissioner Holley, Mr. Powell stated East Avenue H runs behind his house and his tool shed is accessed by a gate in the back yard.

Mr. Powell stated he advertises on Facebook but he has had some buyers come to the house and pay for the furniture. He will not become a major retail store. He stated hours of operation would be 8:00 a.m. to 6:00 p.m.

Upon inquiry from Chairman Mink, Mr. Powell stated he goes and picks the furniture up with his truck and trailer and brings the furniture to his house. He sometimes takes pictures of the furniture in his driveway before he takes it into his garage.

Commissioner McEntarffer stated, regarding the yard sale complaints, this is the same as any other yard sale in the City. He continued that Commissioner Holley already addressed his other concerns.

Ms. Clark stated in the JMC, it allows a resident to have up to six (6) yard sales in one calendar year. Mr. Larsen stated the applicant must comply with the subdivision's HOA. Mr. Powell stated he spoke with the HOA and was told he could continue. Ms. Clark stated the City could not enforce the CC&R's in the subdivision, but when she looked at his subdivision, the business falls within their guidelines.

Testimony in Favor: None.

Testimony in Neutral: Ms. Clark read the following comment for the record:

City of Jerome Planning & Zoning
152 East Ave A
Jerome, ID 83338

RE: Brandy & Crystal Powell Hearing

As per the HOA CCR's it does allow an in home business that doesn't have employee's or foot traffic. I do not believe this qualifies. All summer it operated as a long term yard/garage sale. Now there are Facebook listings with the items in the driveway. This is a small subdivision and I do not want the extra people and vehicle/truck traffic.

Sincerely,
Dan Glodowski, 1017 Glen Eagle Dr, Jerome, Idaho 83338

Testimony in Opposition: Ms. Clark read the following comments for the record:

Emily Briseno, 933 Glen Eagle Dr, Jerome, Idaho 83338

Oppose the application; I would have to say I do not approve this is a family subdivision not a business there is kids playing all the time and as it is this house has right now a mess out in there drive way when I bought my property it was that everyone is to have a clean property with not a lot of cars parked out on the road and yards looking clean now been here for almost 5 years and some homes don't follow the rule now they want to put a business I don't approve there is properties for them to rent if they want to sale furniture this is not a commercial property this is family property and people need to follow and pay the yearly due as some of us do right on time and have our property looking good as expected.

Testimony in Rebuttal: Mr. Powell offered rebuttal testimony. He stated he does not want to cause a problem. He stated his direct neighbors were not opposed to the application. He also has kids that play in the street and the last thing he would want, is to have someone hurt. He believes the resident at 933 Glen Eagle is describing her direct neighbor to the right of them. He takes great pride in his yard. He has had previous issues with the residents at 933 Glen Eagle. Regarding the traffic, drivers already cut through the subdivision to get from Tiger Drive to East Ave H. He stated he has only had two cars every couple of weeks so he does not see too much of an increase in traffic. He stated he does not want to cause problems for the neighbors and understands the complaints. He will press making deliveries for customers and believes it can be a better option.

There being no further testimony, Chairman Mink closed the public hearing at 7:23 p.m.

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. The property described in the heading herein is in the City of Jerome and is currently zoned Residential 1 (R-1).

B. The proposed use, home occupation, requires a special use permit to operate in R-1.

C. The application is consistent with the General Standards for Special Uses as stated in the JMC.

D. The application appears to be harmonious with the objectives of the Comprehensive Plan and Title 17.

E. The application meets the Home Occupation Standards 1-8.

II. Conclusions

A. A special use permit is required for the applicant to be able to use the above described property for a home occupation in the R-1 zone for the City of Jerome.

B. A special use permit promoting a home occupation is consistent with the City of Jerome Comprehensive Plan.

C. The Planning and Zoning Commission allows home occupations in R-1 zones by Special Use Permit.

D. The Commission approves the application of Brandt and Crystal Powell for a home occupation located at the above described real property subject to the following conditions:

1. No on-site furniture sales;

2. No warehouse for customers to peruse or shop product inside;

3. Any sales for pick up, must be conducted in the driveway and not on the public street;

4. Hours of operations will be from 8:00 a.m. to 6:00 p.m.;

5. No signs in the yard or windows; and

6. This special use permit shall be allowed for up to two (2) years from the date of this decision, and shall be considered for renewable upon expiration by application to the Commission.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 9th day of February, 2021, in support of the decision of the Planning and Zoning Commission on 26th day of January, 2021 to approve the application as specified herein is hereby made final this 9th day of February, 2021.

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

- E. Consider/Approve Findings of Facts for Angela Devers, allowing six hen chickens, on the property located at Lot 7 Block 1 Kerri Sub #1 (SW 19-8-17), more commonly known as 414 East Avenue J, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF ANGELA DEVERS FOR A SPECIAL USE PERMIT ALLOWING SIX (6) CHICKENS, ON THE PROPERTY LOCATED AT LOT 7 BLOCK 1 KERRI SUBDIVISION #1 (SW 19-8-17), MORE COMMONLY KNOWN AS 414 EAST AVENUE J, JEROME, IDAHO

A public hearing on the application of Angela Devers concerning that parcel located at Lot 7 Block 1 Kerri Subdivision #1 (SW 19-8-17) more commonly known as 414 East Avenue J, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, January 26, 2021, 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 the staff report on the application of Ms. Devers. Ms. Clark stated the property in question, 414 East Ave J, in Jerome, is currently zoned Residential 2 (R-2), as detailed in 17.14.010 of the Jerome Municipal Code (JMC). The proposed use, 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, F. Chicken, Poultry and Fowl, no household or parcel of property shall keep more than six (6) chickens, poultry or fowl, and roosters are prohibited.

As pertains to the City of Jerome's Comprehensive Land Use Plan, this request follows the Comprehensive Plan as relates to Rural Residential Land Uses requiring Special Use Permits in Section 3.1.1.

Ms. Clark reminded the commission of the nuisance code regarding stable matter. Manure 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. The application shows the chickens are kept in a small coop within their fenced backyard. The applicant has ordered a larger coop with an enclosed run that can house six chickens. The application states they like the fresh eggs and for their children to learn to care for other animals. The applicant currently has two chickens and would like to have four more. The application noted they have ordered a larger coop to better fit and care for the chickens. 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 properly cleaned. 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: (a) Any chicken coop shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; (b) Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; and (c) Special Use Permit shall be allowed for up to two (2) years, renewable upon expiration.

Applicant Testimony: Angela Devers, 414 East Avenue J, Jerome, appeared before the commission via zoom and testified on her application. Ms. Devers stated she used to be scared of birds and thought this would be good for her kids to not be scared of animals. She also wants her kids to take care of the different animals and she likes the fresh eggs. Upon inquiry from Chairman Mink, Ms. Devers stated the coop will be in the back yard. Upon inquiry from Commissioner Johnson, Ms. Devers stated she understands the setback requirements. Upon inquiry from Chairman Mink, Ms. Devers stated part of the yard is fenced and she will not allow the chickens to run around the yard. Upon inquiry from Commissioner Holley, Ms. Devers stated she presently only has two (2) chickens.

Testimony in Favor: Ms. Clark read the following comment for the record:

Dwight Rarick, 526 East Ave. J Jerome, Idaho 83338
Support the application; As long as they are in a coop and it is cleaned regularly. I'm fine raising their own food.

Testimony in Neutral: Ms. Clark read the following comment for the record:

Dean Larsen, 409 E. Ave. I Jerome, Idaho 83338

Neutral with no other comments.

Testimony in Opposition: Ms. Clark read the following comment for the record:

Kirslynn Moser, 311 East Ave J Jerome, Idaho 83338

Oppose the application; I would like to oppose the application. There are a lot of dogs & cats in this area, I would hate to see one or all get loose and eaten by someone else's pet. Along with the fact that we are within city limits, I don't think chickens are needed within a small area such as ours. I just moved away from roosters in a small area, I'm chickened out and we work nights and need sleep. Thank you.

Testimony in Rebuttal: Ms. Devers offered rebuttal testimony. She stated the chickens will not be running around and she will not have any roosters.

There being no further testimony, Chairman Mink closed the public hearing at 7:44 p.m.

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. 414 East Avenue J, Jerome, Idaho is zoned Residential 2 (R-2), which requires a special use permit for the proposed use, allowing six (6) laying chickens on the property.

B. Title 16 of the JMC has no bearing on this application.

C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., and inasmuch as it is compatible with the existing and potential land uses in the surrounding area.

D. The Commission finds the General Standards for Special Uses as outlined in JMC 17.60.030, are satisfied as follows:

1. As mentioned, the proposed use does constitute a special use as defined in JMC;
2. The use is harmonious with and in compliance with the general objectives of the Comprehensive Plan relating to the objectives of Rural Residential Land Uses;
3. The proposed use will be designed, constructed and maintained in harmony and appearance with the existing and intended character of the general vicinity by maintaining proper enclosures for the chickens, avoiding roosters, and keeping their enclosures clean.
4. While there is potential that the use could be disturbing to existing and future neighboring uses, this threat is mitigated by the condition that the enclosures

be well maintained and that this permit is good for a limited time. If the use proves disturbing to neighboring uses, the permit will be revoked;

5. Pursuant to comment from City staff it is evident adequate infrastructure and services are available to accommodate the proposed use;

6. There was no evidence that the proposed use would create any additional requirements or public facilities or services, nor that it would be detrimental to any persons, property or the general welfare. There will likely be the production of some dust, noise and/or odors but the permit is conditioned to mitigate those harms;

E. The vehicular approaches are not an issue and there is no indication the proposed use will impact any natural, scenic or historic feature of major importance.

II. Conclusions

A. A special use permit is required for the applicant to be able to allow six (6) laying chickens on the herein described property.

B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1. and with JMC 17.60.030.

C. The Commission approves the application of Angela Devers a special use permit allowing no more than six (6) laying chickens, on that property located at Lot 7 Block 1 Kerri Subdivision #1 (SW-19-8-17), more commonly known as 414 East Avenue J, Jerome, Idaho, 83338 subject to:

i. Any chicken coop shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code;

ii. Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; and

iii. Special Use Permit shall be allowed for up to two (2) years, renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 9th day of February, 2021, in support of the decision of the Planning and Zoning Commission on 26th day of January, 2021 to approve the application as specified herein is hereby made final this 9th day of February, 2021.

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

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

Second to the motion by Commissioner Holley and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner David Holley, Commissioner Jeff Schroeder, and Commissioner Paul Johnson. NAYE: None.

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Clark stated there will not be a second meeting in February. The next meeting will be on March 9th. There will only be one meeting in March since the second meeting is during Spring Break. She stated if needed, there is a 5th Tuesday in March they could use. Chairman and Ms. Clark will be holding interviews for the two vacancies that are on the commission. If they choose to have those two candidates move forward, the candidates will be recommended to the Mayor and Council for approval. Ms. Clark stated since Idaho has moved to Stage 3, they will now meet in the Council Chambers.

There being no further discussion, Chairman Mink closed this regular meeting at 9:17 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary