

Planning & Zoning Meeting
April 11, 2023

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:00 p.m. Present were Chairman Rod Mink, Commissioner Benjamin Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Commissioner Paul Johnson. Also present were Legal Counsel, BJ Hess, City Planning, Ervina Covcic, and Acting Secretary, Bernadette Coderniz. Secretary Katie Elliott was excused.

Chairman Mink led the audience in recitation of the pledge of allegiance.

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

Public Hearing to consider a request from Scott & Sandy Welsh, for renewal of a Special Use Permit allowing four (4) horses, on the property located at Tax 2213197 of Lot 4 & SESW Jerome Unplatted (SW 7-8-17), more commonly known as 204 16th Avenue East, Jerome, Idaho.

Staff Report: Ms. Covcic stated the Mr. and Mrs. Welsh have received a special use permit allowing four (4) horses in 2017 and 2019 and it is now up for renewal in 2023. There are no changes in the renewal request. The horses are kept in a fenced area behind the home. The pasture is watered and the manure is disposed of properly.

The property in question, 204 16th Avenue East Jerome, ID 83338 is zoned Residential 1 (R-1). The proposed use, horses, requires a Special Use Permit from the Planning & Zoning Commission as detailed in 17.14.010 of the JMC. Regardless of use, setbacks for the property are as follows: Front: 25ft | Rear: 20ft | Interior Side: 7ft | Side Street 15ft

Title 16 has no bearing on this request.

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

Ms. Covcic reminded the commission stable matter is considered a public nuisance and needs to be properly disposed of.

If approved, Ms. Covcic recommended the following conditions: Horses shall not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Comply with all City, State and Federal requirements; and Special Use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Applicant Testimony: Scott Welsh, 204 16th Avenue East, stated he is here for a renewal and has had these horses for years. Upon inquiry from Chairman Mink, Mr. Welsh stated they have

about 5.44 acres total and water is available. Mr. Welsh stated they are not changing anything from before.

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

Shirley Buttram
313 16th Avenue East

Support the application. No further comments were provided.

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:05 p.m.

Consider a request from Scott & Sandy Welsh, for renewal of a Special Use Permit allowing four (4) horses, on the property located at Tax 2213197 of Lot 4 & SESW Jerome Unplatted (SW 7-8-17), more commonly known as 204 16th Avenue East, Jerome, Idaho - *action item*

Commissioner Fraser stated horses have historically been on that street for years.

Commissioner Fraser made a motion to approve a request from Scott & Sandy Welsh, for renewal of a Special Use Permit allowing four (4) horses, on the property located at Tax 2213197 of Lot 4 & SESW Jerome Unplatted (SW 7-8-17), more commonly known as 204 16th Avenue East, Jerome, Idaho, with the following conditions: Horses shall not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; Comply with all City, State and Federal requirements; and Special Use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Ben Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Commissioner Paul Johnson. NAYE: None.

Chairman Mink called the Public Hearing to order at 7:06 p.m.

Public Hearing to consider a request from Petaluma United Group LLC c/o Edmund Brush, for Special Use Permit allowing a terminal yard, trucking, on the property located at Lot 2 Block 3 Jerome South Industrial Park Subdivision Phase 2 (25-8-16), more commonly known as 237 Nez Perce Avenue West, Jerome, Idaho.

Staff Report: Ms. Covcic stated the applicant requests a special use permit to allow for a terminal yard, trucking. The company plans to have a truck depot and dispatch operations on the property and it is anticipated that permanent structures, perimeter fencing and parking/storage yard areas will be developed on site.

As it pertains to Title 17 of the JMC, the Land Use Ordinance, Ms. Covcic stated the property in question at 237 West Nez Perce Avenue is zoned Light Industrial (M-1). According to 17.14.010, terminal yard, trucking is permitted in Light Industrial (M-1) zone by special use permit only.

Title 16 has no bearing on this request.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated the application is in accordance to Chapter 7, Policy 8 which states to "continue providing an atmosphere for successful business development."

Ms. Covcic went over the General Standards for a Special Use Permit with the commission.

Regarding Standard A - Will, in fact, constitute a special use as established in City code for the zoning district involved. The Planning and Zoning Code allows the use of terminal yard, trucking in the Light Industrial (M-1) zone with an approved Special Use Permit.

Regarding Standard B - Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title. The application notes that utilities are adjacent to the site and that sufficient access is available from Nez Perce Avenue to South Lincoln Avenue.

Regarding Standard C - Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general cavity and that such use will not change the essential character of the same area. The application notes an office permanent structure is planned at the entrance to the site.

Regarding Standard D - Will not be hazardous or disturbing to existing or future neighboring uses. The application notes that the proposed use will be similar to that of neighboring properties includes Rich Thompson Trucking.

Regarding Standard E- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. The application notes that the site is accessed directly from Nez Perce Avenue. The applicant anticipates that waste collection services will be retained to periodically collect garbage generated from the site.

Regarding Standard F- Will not 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 application notes that no excessive additional costs to the public and detriments to economic welfare are identified.

Regarding Standard G- 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 notes that additional truck traffic will be generated. Nez Perce Avenue is an arterial street with access to South Lincoln Avenue, I-84 and USH-93. Noise will be related to diesel powered, combustible engines. Smoke, fumes, glares and odors would be consistent with other motor vehicle uses in the area.

Regarding Standard H- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. The applicant notes that access will be through Nez Perce Avenue West.

Regarding Standard I- Will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance. There are no historic or scenic properties on this site.

Ms. Covcic stated she sent the application out to staff and received the following comment: Engineering- They need to do curb, gutter and sidewalk on Nez Perce Ave as mentioned in the pre-development meeting and either pave the parking lot, or at least pave the approach and drive aisles. Otherwise, this will be a dust nightmare for the offices next door.

If approved, Ms. Covcic recommended the following conditions: Provide dust control of operations from neighbors; Comply with all City, State and Federal requirements; and Special Use Permit shall be permanent.

Upon inquiry from Commissioner Johnson, Ms. Covcic stated the lot is currently empty but a few years back, it stored tires on it.

Applicant Testimony: David Thibault 621 North College Road, representing MOGA Transport, spoke of the property and its location. Applicant is proposing the site layout and expects to comply with all the requirements. They will be paving the vehicle approach and the ADA accessible parking that will be installed. They would like to keep the remaining of parking lot gravel, similar to nearby neighbor lots. Regarding controlling and maintaining dust, MOGA transport won't object to maintain the gravel lot with regular watering, applying magnesium chloride, or putting down a thicker layer of wash gravel with less particulates to help with dust. They would rather not pave entire 5-acre lot. Upon inquiry from Chairman Mink, Mr. Thibault went over the slope of the lot with the commission stating the property slopes North to South. They are proposing a retaining basin. Regarding the approaches, Mr. Thibault stated there is one entrance off of Nez Perce and all response vehicles can be accommodated on that property. Upon inquiry from Commissioner Reed, Mr. Thibault stated they are proposing 70 spaces but not all are trailer length. Mr. Thibault stated he is guessing there will be 30-50 vehicle trips per day estimated starting. He said trips are impactful based on time of day. He stated this property is serving as a depot where the trucks are running for the dairy industry where they will be running around the clock. Upon inquiry from Commissioner Johnson, Mr.

Thibault stated the office area will be around 5,000 square feet. They are not proposing a fueling station at this time. Upon inquiry from Commissioner Fraser, Mr. Thibault stated City Staff determined this use was defined by code as a truck terminal which is parking, depot, and dispatch. If they are operating as similar businesses in the area, they may be having shift drivers and will be running around the clock and may not have too many sitting as one time. Upon inquiry from Chairman Mink, Mr. Thibault stated they will have landscaping running along Nez Perce. They are looking at some trees, and shrubs. He believes there will be lawn also but he has yet to see any formal designs. He believes this landscape is consistent with what is to the east and to the north of the property. Commissioner Johnson inquired where the asphalt would be located. Mr. Thibault stated the asphalt would start with the approach and would run into the ADA parking spaces. He continued they have not got to the exact plans for the building. Commissioner Schroeder inquired about water staying within the property lines. Mr. Thibault stated with industries, their projects are designed for a 50 year/24-hour storm intensity where the code is 1.8" per hour of drainage. Mr. Thibault went over the difference of gravel runoff verses asphalt runoff. He stated they have a rather large retention facility. Upon inquiry from Commissioner Johnson, Mr. Thibault stated this facility will be an open basin.

Testimony in Favor: Ms. Coderniz read the following for the record:

Earl Hargrave, Debbie Hargrave
524 East Ave G, Jerome, ID

Support the application. No further comments were provided.

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:20 p.m.

Consider a request from Petaluma United Group LLC c/o Edmund Brush, for Special Use Permit allowing a terminal yard, trucking, on the property located at Lot 2 Block 3 Jerome South Industrial Park Subdivision Phase 2 (25-8-16), more commonly known as 237 Nez Perce Avenue West, Jerome, Idaho - *action item*

Chairman Mink extensively went over the General Standards with the commission. Discussion was held on the following items: trips in and out of the lot; ware and tear of the roads; some fumes from trucks; and vehicular approach. Commissioner Fraser stated she thinks having gravel would be better with the water going into the ground instead of running off the asphalt. Commissioner Reed stated he would like to see the washed gravel instead of pumice stone gravel to help create less dust.

Commissioner Johnson made a motion to approve a request from Petaluma United Group LLC c/o Edmund Brush, for Special Use Permit allowing a terminal yard, trucking, on the property located at Lot 2 Block 3 Jerome South Industrial Park Subdivision Phase 2 (25-8-16), more commonly known as 237 Nez Perce Avenue West, Jerome, Idaho, with the following conditions: Providing dust control of operations from neighbors, Comply with all City, State and Federal

requirements; Comply will all City of Jerome department requirements; and use washed gravel for the dust control.

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Ben Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Commissioner Paul Johnson. NAYE: None.

Ms. Covcic stated the two following Idaho Milk Products hearings are removed from the agenda at this time.

Consider a Design Review for 716 South Lincoln Avenue, Jerome, Idaho - *action item*

Staff Report: Ms. Covcic stated the zone for this location is General Business (C-2) zone. The design review proposal is regarding a new construction project. Pantera Market is based in Caldwell, Idaho and is expanding to the City of Jerome. The existing structure (the old Napa building) will be demolished.

Ms. Covcic went over the Design Review Guidelines with the commission.

Regarding Guidelines #1, Adjacent Building and Uses, the new construction will match other neighboring structures that are constructed out of concrete masonry unit. Development will include new landscape and a paved parking lot.

Guidelines #2, Preserve Natural Drainage, all drainage will be kept on site.

Guidelines #6, Snow Storage, in the event snow, it will be plowed toward the north end of the proposed building that will minimally interrupt the follow of vehicles and no be an obstacle to the passersby.

Guidelines #7, Roof Design and Snow, the roof will be Thermoplastic Polyolefin TPO system with the proper drainage and overflows designed into it.

Guidelines #8, Use the Sun, the proposed 10ft wide walkway on the west and south ends will be covered with an angled metal roof that will protect employees and customer from snow or rain and will account for sun protection.

Guidelines #9, Screen Service Areas, there will be screening to minimize visual impact of meters and trash enclosure from public view.

Guidelines #11, On Site Parking, there will be no on-street parking. All parking is proposed onsite along with landscape areas to minimize visual impact of vehicles.

Guidelines #12, Circulation Needs, there will be two entries to the site for vehicles. One will be a new access curbing to the south along East Avenue G about 80ft away from the corner radius at the intersection with South Lincoln Avenue, while the other will be through the existing alley way entry on the northwest corner of the site just beyond property lines.

Guidelines #13, Enhance Jerome Classic Styles, the design will compliment surroundings and match aesthetics of the other Pantera Market locations.

Guidelines #16, Roof Lines, the roof will be flat, but the building will have parapet walls all around the perimeter.

Guidelines #17, Mechanical Equipment, parapet walls will hide new roof top equipment from public view.

Guidelines #20, Awnings and Shade Structures, there will be a 10ft wide awning on the south and west side of the building.

Guidelines #21, Exterior Doorways, storefront entries will be facing the street and will welcome visitors.

Guidelines #22, Wall Materials, two-stucco system that will cover the concrete masonry unit and be painted.

Guidelines #23, Shop Front Design, the buildings in the area are also tan, off white or white, so a light color with red details will not be visually overwhelming.

Guidelines #24, Wall Colors, the building will include a color selection that will be simple with a red metal seam roof for the awning, a red coping cap around the top of the parapet walls, and a light creamy color that will compliment its surroundings.

Guidelines #28, Paving and Streetscape, there are upgraded sidewalks proposed along each street along with ADA curbing at the walkway around the building with a designated access to the public sidewalk on the south end. The walkways will provide circulation from the street to the building. Parking will accommodate two-way vehicular traffic from northwest entry and new access on the south end of the site.

Guidelines #29, Landscape, the entire site will be covered with a building, concrete, asphalt and landscape areas. The landscape plan will show deciduous trees, shrubs, grasses, perennials and sod.

Guidelines #33, Utility Installations, utility locations will be in the design development phase but will be placed and screened where least visually distracting.

Guidelines #36, Grading and Drainage, the grading and drainage will have stormwater be retained onsite.

Guidelines #37, Maintenance, the owner will maintain the site with timely trash removal, mowing and trimming, snow and other debris removal from sidewalks and parking areas.

Ms. Covcic stated she sent the application out to City Staff and received the following comments: Building- no comments on design review, but plans are incomplete for building submittal; and Wastewater- A grease interceptor will need to be installed in between the building and the city sewer. Sewer is located along South Lincoln as well as in the alley to the north. The best option for a sewer service would probably be in the alley to the north, otherwise they would have to dig up two lanes of South Lincoln.

If approved, Ms. Covcic recommended the following conditions: comply with all Building and Fire Department requirements and inspections; and comply with all City, State and Federal requirements.

Victor Ferral, representing BRS Architects, stated he has Ernesto Aguilar with him to answer any questions. He stated he went to the site of the property to look around. The owner will be removing the existing structure and redevelop the entire site. They will be adding a new building, paved parking, landscaping, etc. They will be building a mid to large grocery store. It will be 5800-5900 square foot building that will include deli, meat department, merchandise, etc. The color selection will match other locations although other locations are lease, this will be their first start up build, and they are hoping to expand to another new building in Nampa. The new building will help make the area look nice. They understand there are residences nearby and want to create a nice visual area with the proposed landscape and improvements. All of the curb and gutter will be cleaned up. Upon inquiry from Commissioner Johnson, Mr. Ferral stated they have 27 parking spots that will be all asphalt. Ms. Covcic showed the landscape plan to the commission. Mr. Ferral went over that plan with the commission in detail. Upon inquiry from Commissioner Johnson regarding parking, Mr. Ferral stated he expects 27 spots to be adequate for the size of the building and there are a few parking spots that will be along G. This building is smaller than the larger stores in the area. After inquiry from Chairman Mink, Mr. Ferral went over the layout of the site with the commission pointing out where the building will face and where the covered areas will be. Mr. Ferral stated they are trying to match the colors in the other locations with the metal tin roof, Spanish tiles, etc. Upon inquiry from Chairman Mink, Mr. Ferral stated the parking lot will be lit. They are looking at a self-illuminating sign. They also will have wall mounted lighting on the building. Mr. Ferral inquired about the use of solar panels and if they're allowed on the roof. Ms. Covcic stated that would be a question for the building department but believes they can be allowed. Mr. Ferral stated they will have a three-foot parapet wall along the top of the roof to help hide the solar panels, hvac, etc. Upon inquiry from Chairman Mink, Mr. Ferral stated their specialty is Hispanic foods. Chairman Mink stated the Design Review is to make sure the design is consistent and attractive. Mr. Ferral inquired about backing cars into the alley as they leave the premises. Commissioner Schroeder stated his concern is with the alleyway not having improvements as it seems patrons

will use the alley more as an exit than the East Avenue G side. Mr. Carpenter stated the alley is gravel and out of shape. Mr. Ferral spoke of partially paving the alley for a nice entry/exit. Upon inquiry from Commissioner Fraser, Mr. Ferral stated there is not an exit onto South Lincoln. Commissioner Schroeder stated he is concerned with there not being much landscaping. Mr. Ferral stated they will be landscaping and hopes that there will be more in the future from neighboring properties. He stated everything will be new on the site.

Chairman Mink reminded the commission the vote must be unanimous or it would need to go to a public hearing.

Commissioner Johnson made a motion to approve a Design Review for 716 South Lincoln Avenue, Jerome, Idaho, comply with all Building and Fire Department requirements and inspections; and comply with all City, State and Federal requirements.

Second to the motion by Commissioner Schroeder and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Ben Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, 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 March 28, 2023 regular meeting;
- B. Consider/Approve Findings and Conclusions for request from The Scoular Company, for Tower Height Variances for five (5) buildings and support towers on the property located at Lot 1 Block 1 Northside Subdivision (SE 30-8-17), more commonly known as the southwest parcel of land at the end of East Avenue T, Jerome, Idaho, containing approximately 7.39 acres.

FINDINGS AND CONCLUSIONS ON A REQUEST FROM THE SCoulAR COMPANY, FOR TOWER HEIGHT VARIANCES FOR FIVE (5) BUILDINGS AND SUPPORT TOWERS ON THE PROPERTY LOCATED AT LOT 1 BLOCK 1 NORTHSIDE SUBDIVISION (SE 30-8-17), MORE COMMONLY KNOWN AS THE SOUTHWEST PARCEL OF LAND AT THE END OF EAST AVENUE T, JEROME, IDAHO, CONTAINING APPROXIMATELY 7.39 ACRES.

A public hearing at the request of The Scoular Company, for a height variances for five (5) buildings and support towers, to exceed the maximum of 85 feet, on the property located at Lot 1 block 1 Northside Subdivision, commonly known as the southwest parcel of the land at the end of East Avenue T, Jerome was held, pursuant to notice, on Tuesday, March 28, 2023,

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, Ervina Covcic provided a report upon this request. Ms. Covcic stated the Scoular Company requests a variance allowing a tower height that exceeds the maximum of 85 feet set forth in 17.14.020: Schedule of Building Height and Lot Area Regulations. The applicant requests to allow a tower height variance for five (5) buildings: one (1) concrete slip form mill building at 120 feet, bucket elevators at 145 feet, two (2) grain bins at 95 feet; and all other included accessory and support components.

As it pertains to Title 17 of the JMC, the Land Use Ordinance, Ms. Covcic stated the parcel is currently zoned Heavy Industrial (M-2). The Heavy Industrial (M-2) zone is intended to provide major manufacturing, processing, warehousing and major research and testing operations. The setbacks are front 25', rear 25', interior side 25' and street side 20'. The maximum height is 85'.

The Jerome Municipal Code defines a Variance as, "A modification of the requirements of this title as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings or other provision of this title."

Ms. Covcic went over the variance standards with the Commission.

Regarding Standard A- That special conditions and circumstances exist which are peculiar to the lands, structure or building involved and which are not applicable to other lands, structure or buildings in the same district. The application notes that solid rock below grade does not allow for location reclaim equipment below grade. The grain bins are tall in order to achieve capacity and efficiently fill and empty the bins. Higher capacity bins are required due to the amount of grain.

Regarding Standard B- That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title. The application notes that nearby similar structures exceeding 85ft include Idaho Milk Products, Darigold and Emerge. The variances are necessary due to individual processes. Scoular seeks the same consideration for a variance based on process requirements.

Regarding Standard C- That special condition and circumstance do not result from the actions of the applicant. The application notes that the need is based on standard process design requirements.

Regarding Standard D - That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structure or building in the same district. The application notes that a variance request will not create a special

privilege that is denied to others. Nearby businesses enjoy the ability to utilize process requiring equipment/structures that exceed 85 feet.

Ms. Covcic stated she sent out the application to City Staff and did not received any comments or concerns.

If approved, Ms. Covcic recommended the following conditions: (a) Comply with all City, State and Federal requirements; and (b) Comply will all City of Jerome department requirements.

Upon inquiry from Chairman Mink, Ms. Covcic stated each zone has a different height requirement and believes it could be for safety concerns.

Upon inquiry from Commissioner Reed, Ms. Covcic stated Idaho Milk Products and Scoular both have variances for structures that are over 85' height.

Applicant Testimony: Andy Hohwieler, 529 East Ave T, Jerome, Idaho, representing Scoular Inc, appeared and testified before the Commission relative to this new expansion. They will be constructing two (2) grain bins and a concrete building. This expansion will sit next to their existing buildings which some structures are higher.

Upon inquiry from Chairman Mink, Mr. Hohwieler stated the square buildings will be concrete and the grain bins will be steel.

Testimony in Favor: None.

Testimony in Neutral: None.

Testimony in Opposition: Matt Hargrave, 174 Homestead Loop, appeared and testified before the Commission, in opposition to the application. Mr. Hargrave stated he wanted to bring attention to what it is like being Scoular's neighbors. Mr. Hargrave played a recording into the microphone for the Commission. He stated that is noise that can be heard at 2:00 a.m. at his house which is a mile away. He stated they have traced the noise back to Scoular. Mr. Hargrave continued that he has been in contact with J.C. Olsen from Scoular regarding the noise. He stated that the noise is coming from the grain pile that has fans on it and he does not want them to expand without addressing the noise first.

Upon inquiry from Chairman Mink, Mr. Hargrave stated they have a pile of barley where they need to dry the grain to pull the tarp over. He stated that he drives grain trucks and has been to many grain facilities that do not sound like Scoular's, and there are approximately 30 houses that have been impacted with the noise.

Becky Dean, 162 E 200 S, appeared and testified before the Commission, in opposition to the application. Ms. Dean stated they found the opportunity to let Scoular know they are ruining their quality of life. She stated she lives only a half a mile away from the plant and that is what it has sounded like for less than the last year. Ms. Dean stated that she had spoken with someone familiar with the process the plant is doing to the grain. She does not believe Scoular

should be allowed to expand without addressing the noise. She does not believe there is a reason to have their quality of life ruined just because they want to expand and that they have the ability to address the issues but they do not want to. Ms. Dean stated she wants to stop any expansion of the facility until they have addressed the noise issue.

Rebuttal Testimony: Andy Hohwieler provided rebuttal testimony, stating he was glad that Ms. Dean and Mr. Hargrave were taking an active role and letting the company know about the noise. He would be happy to meet with them and hear more about their observations. He wants to be good neighbors and appreciates them letting relaying their concerns.

There being no further testimony, acting Chairman Mink closed the public hearing at 7:13 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Mr. Hohwieler's 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. Lot 1 Block 1 Northside Subdivision (SE 30-8-17), more commonly known as the southwest parcel of land at the end of East Avenue T, Jerome, Idaho, containing approximately 7.39 acres, and is currently zoned Heavy Industrial (M-2).
- B. The M-2 zone pursuant to Title 17 of the City of Jerome Municipal Code, has a height limitation of 85 feet.
- C. The purpose of the variance is to allow a tower height variance for five (5) buildings: one concrete slip form mill building at 120 feet, bucket elevators at 145 feet, two grain bins at 95 feet and all other included accessory and support components.
- D. Granting this variance will not confer any special privileged on the applicant, but rather would allow the necessary standard process design requirements for the expansion.

II. Conclusions

- A. The application is consistent with development standards and objectives for M-2 Zone.
- B. Not granting the variance as requested in the application would result in an unnecessary hardship—as referenced in Title 17 of the City of Jerome Municipal Code—to the applicant.
- C. This variance is granted and contingent upon the following:
 - a. Applicant shall comply with all City, State and Federal requirements; and
 - b. Applicant shall comply with all City of Jerome department requirements.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 11th day of April, 2023, in support of the decision of the Planning and Zoning Commission on the 28th day of March, 2023, to approve the application for a variance is hereby made final this 11th day of April, 2023, subject to appeal by an interested party within the prescribed period under Idaho law.

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

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

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Ben Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Commissioner Paul Johnson. NAYE: None.

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Covcic reminded the Commission of the joint meeting with Council on April 25th at 5:30 p.m. at the library. They will also have the regular meeting afterwards. We will provide food at this meeting. Ms. Covcic stated there will be a few ordinances that will come before the commission soon. The duplex ordinance will go to council soon. We will hear the townhouse ordinance on the April 25th meeting. We will also go over the Title 17 update. Commissioner Schroeder stated he would not be at the April 25th meeting.

Chairman Mink stated he is starting to not like the phrase “better than what’s there now” with minimal improvements. They are pleased with the development of the land from the previous item on the agenda. There have been numerous discussions regarding that building and site.

There being no further discussion, Chairman Mink closed this regular meeting at 7:55 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary