

Planning & Zoning Meeting
July 26, 2022

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:00 p.m. Present were Commissioner Benjamin Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Commissioner Paul Johnson. Chairman Rod Mink, Commissioner Carl McEntarffer were excused. Also present were Legal Counsel, Ted Larsen, City Planner, Ervina Covcic, Human Resource Manager, Esmeralda Chavez, and Secretary Katie Elliott.

Acting Chairman Johnson led the audience in recitation of the pledge of allegiance.

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

Public Hearing for a request from Milk Specialties Global/ Kyle Kramer, for a Tower Height Variance, on the property located at Tax 55 of NENW, and Tax 2 Lots 9 & 10, Block 2 Jerome SE Industrial Park Phase III (30-8-17), more commonly known as 1756 South Buchanan Street, Jerome, Idaho.

Staff Report: Ms. Covcic stated Milk Specialties Global/Kyle Kramer requests a variance allowing a tower height that exceeds the maximum of 85 ft. The applicant requests to allow a tower height of 95' 1 7/8". 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 as follows: front- 25', rear- 25', interior side- 25' and street side- 20'. The maximum height is 85'.

Ms. Covcic stated 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 affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

Regarding variances, Ms. Covcic went over the 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, Ms. Covcic stated the application notes that the property is at a higher elevation than surrounding buildings.

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, Ms. Covcic stated the application notes that this is for the processing at Milk Specialties Global plant for the milk dryer.

Regarding Standard C, that special condition and circumstance do not result from the actions of the applicant, Ms. Covcic stated the application notes that a variance is being requested for the M-2 zone to build the tower to 95' 1 7/8" from a finished floor of 0'.

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, Ms. Covcic stated the application notes that a variance request will not convey any special privilege and that there are other towers in the zone that have been granted a variance over the 85'.

Ms. Covcic stated she sent the application to city staff and no comments or concerns were addressed.

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

Applicant Testimony: Richard Julien, 512 Little Rock Creek Rd, Cook, Washington, representing Milk Specialties Global, testified, designed the building for 95 feet but his client did not know the limit was 85 feet. He stated they went over the code and was not able to see where the height was measured from. The property sits a little bit higher than the surrounding properties so they did not know if that would affect their measurements. He continued that they wanted to do this correctly to get the variance. Mr. Julien went over where the tower would be located on the property. He stated the dryer tower is under the 85 feet requirement but the stack and the steer tower push it over that requirement. Upon inquiry from Acting Chairman Johnson, Mr. Julien stated they need the tower for the business. They are working with Magic Valley Quality Milk (MVQM). He stated he met with Mr. and Mrs. Burgess and received all of the required signatures for the applications. He stated they went over some of the Burgess' concerns regarding MVQM and his clients have been trying to rectify some of those concerns. They have applied dust control and they are putting the head row back on the property to help collect the trash that is being blown over. Mr. Julien continued that they will be putting in irrigation to help keep the head row alive. He continued that they have removed the light that was being seen on their property. Upon inquiry from Commissioner Schroeder, Mr. Julien stated they have put a tackifier down and they will continue to maintain that. Once the building is built, they will hardscape a portion of property around that building. They will also be taking out a foot of the gravel and putting down new gravel in its place which they will put tackifier down on also.

Testimony in Opposition:

Ms. Elliott read the following on the record:

Kathleen Burgess
47A East 100 South, Jerome

Oppose the application

We have been visiting with Richard Julien of the Whiting-Turner Company and have voiced our concerns about the dust abatement, light pollution, noise and odor control. He has promised us that these concerns will be addressed. To his credit, measures have been taken to control the dust. We have yet to see anything in writing that would promise ongoing efforts by this company to address these issues in the event he is no longer there. What measures can be taken to avoid having a company like Jerome Cheese who allows such putrid odors to degrade our quality of life? Until there are written and enforceable measures in place, we will oppose this application.

Dave Burgess
47 E 100 S, Jerome, Idaho

Oppose the application

I oppose the height variance. This milk plant has been very poor neighbors due to lack of dust control in their truck parking areas. We live on the east side of the plant, we have a farm next to their parking lot. Also we have a problem with trash and debris blowing on our property along with truck horns each time they pull into the yard. If you approve this variance I would hope you will encourage pavement of parking area, green buffer on property line and a chain link fence to catch all of their trash that blows on our farm ground.

Dave Burgess, 47A E 100 S, Jerome, testified, he has met with Richard Julian and he told him he was not going to sign the paperwork unless they honor their word and follow through. He would like the commission to add from enforcement. He stated Mr. Julian has promised the stars and the moon to Mr. Burgess. He continued that there is a lot of garbage that is blowing onto their property as the truck drivers wait until the wind blows to cleanout their trucks. He stated they raise dairy alfalfa and the plastic lock tabs from the tankers get into the alfalfa where they green chop it. He stated the trash problem needs to be addressed. Mr. Burgess continued that Mr. Julian has stated that they will address the problems. Mr. Burgess inquired what came out of the stack. Mr. Burgess stated they have asked to have the property paved to keep the dust down. He stated he spoke with Dave Richey regarding the dust problem, about six months ago, he was told that Mr. Richey spoke with the property owners and they were working on it. Mr. Burgess stated this spring was horrible for dust and this is the first time he has seen anyone working on the problem. He also would like to know how often the tack strip would be applied. He asked if the variance was approved, there is some wordage addressing the dust issue. He continued that he has asked about having the company put up an irrigated green barrier. When the Diehl Company first built the plant, they were required to put up a green barrier which has died because it was never watered. They also sprayed a sterilizer which has made about 40 feet of just dirt on the property. He stated it was never enforced so this has made a dust problem even though they have sprayed a tack strip where the trucks drive. Mr. Burgess stated after speaking with Mr. Julien, he believes this company will be a good neighbor but would like to have something in writing from the company regarding the problem. He

opposes this variance because he would like to see some improvements to the property as they are a multi-million dollar company and should be able to do these improvements.

Rebuttal Testimony: Richard Julien inquired if the City has a dust control ordinance. Mr. Larsen stated it would fall under the nuisance ordinance. Mr. Julien stated he went to the Burgess' and asked them what their concerns were. He stated his client is not MVQM, it is Milk Specialties. He believes his client has gone above and beyond for the Burgess'. He continued they have put tack down, had crews cleaning up the garbage, moved the light, and have a design for a green barrier with irrigation. He stated he has tried to find anything in writing regarding the barrier and has not found anything but they are taking Mr. Burgess word and putting in that barrier. Mr. Julien stated the variance is for the building and he will be building it but it would not be safe for the employees as they would have to go up a ladder. He stated he did not want to go backwards with the design as his company has employees ready to get to work. They will be bringing in about 30 new jobs to the area. He is not sure if anything can be in writing as there is the nuisance ordinance already for that. Mr. Julien stated he is not sure what is coming out from the dryer but believes it is steam and does not believe it smells. He stated he will continue to keep his word to the Burgess and his client is committed to being a good neighbor.

Sean Remington- 469 Park Ave, Twin Falls, representing Milk Specialties Global, testified they are making evaporate milk. There will be steam from evaporating milk down to a powder. They have 12 plants within the US and they have not had any odor complaints from the stacks. He stated he is the maintenance guy for the business but knows that they are using fresh milk that is being brought in each day. Upon inquiry from Commissioner Schroeder, Mr. Larsen stated that odor is controlled under the nuisance code anything that makes surrounding properties unlivable or affect the quality of life is considered a nuisance. Mr. Remington stated they have to apply for an air permit and follow all EPA standards for emissions. Commissioner Fraser stated it is her understanding that the commission is to address the tower variance but they cannot deviate from that. She appreciates all the good information that was brought up. Upon inquiry from Commissioner Reed, Mr. Larsen stated there is not anything written in the code that shows where the height is taken from and default from where the building sits. Commissioner Reed stated there is a grey area regarding this and is concerning.

There being no other testimony in favor, neutral or in opposition, Acting Chairman Johnson closed the Public Hearing at 7:28 p.m.

Consider a request from Milk Specialties Global/ Kyle Kramer, for a Tower Height Variance, on the property located at Tax 55 of NENW, and Tax 2 Lots 9 & 10, Block 2 Jerome SE Industrial Park Phase III (30-8-17), more commonly known as 1756 South Buchanan Street, Jerome, Idaho-
action item

Mr. Larsen stated 17.03.140, states Building Height- the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the top of the peak for gable, hip and gambrel roofs. Discussion was held on the tower height and what the

commission can do. Commissioner Schroeder does not have an issue with the request. Commissioner Fraser also does not have an issue with the request. Acting Chairman Johnson stated if there is a problem or concern, there are ways to have it brought up to staff to address. Mr. Larsen stated nuisances are both privately enforceable and publicly enforced. There is a private enforcement mechanism built into every nuisance ordinance and code. Commissioner Schroeder stated this is not the first time these issues have been brought up but stated that dust is an issue in our community as a whole and does not know how we can make one person do more than anyone else. He would like to see staff be more assertive with enforcement.

Commissioner Schroeder made a motion to approve the request from Milk Specialties Global/ Kyle Kramer, for a Tower Height Variance, on the property located at Tax 55 of NENW, and Tax 2 Lots 9 & 10, Block 2 Jerome SE Industrial Park Phase III (30-8-17), more commonly known as 1756 South Buchanan Street, Jerome, Idaho, with the following conditions: Comply with all City, State and Federal requirements; and Comply will all City of Jerome department requirements.

Second to the motion by Commissioner Fraser and carried.

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

Consider a Design Review from Rite Stuff Foods located at 2155 South Lincoln Avenue, Jerome, Idaho - *action item*

Ms. Covcic stated Rite Stuff Foods at 2155 South Lincoln Avenue is located in a Light Industrial (M-1) zone. The design review proposal is regarding a 5,100 SQFT addition to the front (eastside) of the building to be used for a new oven and an 8,127 SQFT addition to the back (westside) of the building to be used for storage.

Ms. Covcic went over the following Design Review Guidelines should be considered with the Commission.

Guideline #1 Adjacent Buildings & Usage, the application notes that the building additions will have no change on property usage. Guideline #2 Preserve Natural Drainage, the application notes that existing site drainage will remain the same. Guideline #3 Cluster Buildings, the application notes that the buildings are clustered on the south end of the site. Future buildings are to also be clustered behind the existing structures. Guideline #4 Street Alignment, the application notes that the approach and driveway into site will not be altered. Guideline #6 Snow Storage, the application notes that the side provides adequate space for snow storage at the north boundary. Guideline #7 Roof Design & Review, the application notes that the oven building addition will be designed with a flat roof and parapet. The storage building roof will be relatively flat. Guideline #8 Use the Sun, the application notes that the site will be open to sunlight. Guideline #9 Screen Service Areas, the application notes that there will be no change to utility meters and garbage receptacles are stored behind the main buildings and not visible

from access roadway. Guideline #10 Off-Street Parking, the application notes that the oven building addition will remove some parking stalls at the front. Therefore, the parking layout is being expanded. In total, there will be 130 standard parking stalls with five (5) ADA stalls. The parking will be paved with painted lines to delineate stalls. The storage building will not affect parking requirements. Per 17.26.150 – Schedule of Parking Requirements, Manufacturing facilities and processing plants: 1 per 500 sq. ft. gross area used for manufacturing/processing; plus 1 per 300 sq. ft. office or sales area. Warehousing: 1 per 1,000 sq. ft. gross area up to 20,000 sq. ft. Rite Stuff Foods: 50,000 sq. ft. manufacturing/processing space; 6,000 sq. ft. office space; 8,127 sq. ft. storage space, this would require 129 spaces. Guideline #11 On-Site Parking, the application notes that forward entry and exit is provided for onsite parking. The two access points for ingress and egress from the site are to remain the same. Guideline #12 Circulation Needs – Pedestrian & Vehicles, the application notes that pedestrians are able to access the site from the main entrances on South Lincoln Avenue. Guideline #13 Enhance Jerome Classic Styles, the application notes that the proposed additions will keep with the existing style of the building. The same color scheme and siding material is to be used. The addition will provide extra height in the front of the structure. Guideline #14 Minimize Scale, the application notes that the proposed additions have been designed to add some depth to the existing flat building face. The exterior finishes of the building provide relief and contrast. Guideline #15 Building Additions, the application notes that the building additions have been designed to match the existing structure's look. Guideline #16 Roof Lines, the application notes that the oven building addition is designed with a parapet to match existing buildings. The storage building will not have parapets and will have flatter slopes. Guideline #17 Mechanical Equipment, the application notes that mechanical equipment for the storage building will be located on the ground behind the main building, not visible from the road. The oven building will not include any additional mechanical equipment on the roof or ground. Guideline #21 Exterior Doorways, the application notes that the main entrance door is to remain the same. Guideline #22 Wall Materials, the application notes that the wall materials are to match the existing building. Guideline #23 Shop Front Design, the application notes that the front design will pop out from the existing structure and provide a taller profile for a more modern look. Guideline #24 Wall Colors, the application notes that colors are to match the existing structure to blend in well with the surrounding buildings. Guideline #25 Light Fixtures, the application notes that exterior light fixtures will include site lighting and building lighting. Guideline #26 Fences & Walls, the application notes that there will be no changes to site fencing. Guideline #28 Paving & Streetscape, the application notes that the current site development includes an asphalt parking lot with concrete sidewalks. This design complies with the industry standard. Additionally, asphalt parking surface with striped parking stalls will be provided for the building additions. Guideline #34 Screen Parking Lots, the application notes that existing trees and grass help to screen the parking lot from the street. Guideline #35 Irrigation System Required, the application notes that an automatic irrigation system is present. Guideline #36 Grading & Drainage, the application notes that positive drainage away from the building is provided in the site design and meets code. Guideline #37 Maintenance, the application notes that maintenance has been accounted for in planning. Guideline #38 Sidewalks, the application notes that an asphalt concrete sidewalk exists at the site along South Lincoln Avenue. No

changes are proposed. Guideline #39 Bike Paths, the application notes that this development will not inhibit the Jerome Recreation District Bike Path Master Plan.

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.

Kahler Neild, EHM Engineers, stated his office was retained by Rite Stuff Foods and they are seeking design approval for both the oven and storage buildings. They are looking to expand their business. The oven building will be located on the east side of the plant. This is the side that faces South Lincoln. The storage building will be located on the rear of the building which is on the west side of the plant. Mr. Neild stated they will continue with the architecture that is existing. They will be complying with all City, State and County code. They have received some comments from City Staff which they have been addressing. Mr. Neild stated if the Design Review is approved, they will seek a building permit.

Acting Chairman Johnson reminded the commission that an approval must be unanimous.

Commissioner Reed made a motion to approve Design Review from Rite Stuff Foods located at 2155 South Lincoln Avenue, Jerome, Idaho, with the following conditions: 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 Benjamin Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Acting Chairman Paul Johnson. NAYE: None

Consider a Design Review from Smiles4Kids located at 311 Rose Street East, Jerome, Idaho-
action item

Ms. Covcic stated the address for this project will be changing once the building is built as it is a vacant lot. She stated Smiles 4 Kids will be located on the bare ground that is in General Business (C-2) zone. The design review proposal is regarding the site development of the Smiles 4 Kids dental office facility at 3,592 sq. ft.

Ms. Covcic went over the following Design Review Guidelines should be considered with the Commission.

Guideline #1 Adjacent Buildings & Usage, the application notes that surrounding buildings and uses include Les Schwab Tire Center, Intermountain New Holland, Pro Flame Propane, Pioneer Federal Credit Union and other multi-tenant office buildings. Exterior architectural finishes for the proposed building include metal panels and siding, fiber cement board, glazing and split

faced concrete masonry units. Guideline #2 Preserve Natural Drainage, the application notes that the existing site is relatively flat and slopes from east to west at an approximate 1.6% slope. The site has been laid out to naturally work with the existing contour and drainage of the property. Guideline #3 Cluster Buildings, the application notes that future use of this lot will include two buildings. However, at this time only the building fronting South Lincoln Avenue will be constructed. Guideline #4 Street Alignment, the application notes that the approach and driveway into the site will be centrally located. Guideline #6 Snow Storage, the application notes that the site provides adequate space for snow storage at the south boundary. Guideline #7 Roof Design & Review, the application notes that the building will be equipped with gutters and snow clips to minimize stormwater runoff and snow fall. The building has been designed to limit snow and rainfall from the roof at the front door. The building will be designed to meet all snow load requirements. Guideline #8 Use the Sun, the application notes that the site will be open to sunlight. Guideline #9 Screen Service Areas, the application notes that utility meters will be blended in with site landscaping. The trash receptacles will also be screened with a fence that accents the architecture of the building. Guideline #10 Off-Street Parking, the application notes that all parking will be on site according to Planning & Zoning requirements. Parking is buffered from South Lincoln with landscaping and the building. It is also buffered from Rose Street with a 14ft landscaping buffer. Per 17.26.150 – Schedule of Parking Requirements are as follows: Offices, Medical and Dental: 1 per 200 sq. ft. of gross floor area. Smiles 4 Kids: 3,592 sq. ft.; 19.96 spaces needed; 25 provided. Guideline #11 On-Site Parking, the application notes that forward entry and exit is provided for onsite parking. Guideline #12 Circulation Needs – Pedestrian & Vehicles, the application notes that pedestrians can access the site from the main entrance on Rose Street and South Lincoln Avenue. Guideline #13 Enhance Jerome Classis Styles, the application notes that the proposed building will include a modern design with single sloped roof and a variety of complementing colors and finishes on exterior walls. Guideline #14 Minimize Scale, the application notes that the proposed addition has been designed to be a prominent building yet still provide human scale to its features. Guideline #15 Building Additions, the application notes that the proposed building will be newly constructed. Guideline #16 Roof Lines, the application notes that the building will be constructed using ridge roof and single sloped roof lines. Guideline #17 Mechanical Equipment, the application notes that mechanical equipment will be located in a mechanical closet mezzanine. The few exterior AC units will be located to where appearance will be diminished and screened with landscaping. Guideline #21 Exterior Doorways, the application notes that the main entrance door of the building is located on the east side of the building and swings out. Required exit doors are provided at other locations. The primary entrance is on the east side. Guideline #22 Wall Materials, the application notes that wall materials include metal siding, stucco and faux wood siding. Guideline #23 Shop Front Design, the application notes that the front design of the building and entry provide a clean, classy and modern look. Guideline #24 Wall Colors, the application notes that the proposed building uses natural grey, cool colors with the complementing natural wood components and siding. Guideline #25 Light Fixtures, the application notes that exterior light fixtures will include site lighting and building lighting. Guideline #26 Fences & Walls, the application notes that development of the property does not include fencing walls. Guideline #28 Paving & Streetscape, the application notes that the site development includes an asphalt parking lot with concrete sidewalks. This design complies with

the industry standard and will be completed to JMC. Guideline #29 Landscape Plan, the application notes that the landscape plan will include a blend of deciduous and evergreen trees and will include a variety of perennial shrubs and plants. The plan also includes landscaping rock and turf grass to provide harmony. It will be located primarily between the building and South Lincoln Avenue and the building and Rose Street. Guideline #30 Site Conditions for Landscaping, the application notes that the site will include a mix of landscaping rock and turf grass and will have drought resistant plants. Guideline #31 Lawn Areas, the application notes that lawn areas will be minimized on the site due to the layout of the building and parking lot. Guideline #32 Plants as Screening, the application notes that landscape screening will be placed in a natural manner to provide screening of the parking lot and mechanical units. Guideline #33 Utility Installations, the application notes that utilities, cables, phone lines and electrical will be placed underground. Guideline #34 Screen Parking Lots, the application notes that frontage landscaping will limit the visual impact of parking lots. Trees and shrubs are placed in a manner to improve the appearance of the development. The building will also screen a portion of the parking from South Lincoln Avenue. Guideline #35 Irrigation System Required, the application notes that an automatic irrigation system will be provided to irrigate the site's landscaping. Guideline #36 Grading & Drainage, the application notes that positive drainage away from the building is provided in the site design and meets code. Guideline #37 Maintenance, the application notes that maintenance has been accounted for in planning. A weed barrier will be installed under rock mulch to help limit noxious weed growth. Future maintenance could include weeding, herbicides and insecticides. Guideline #38 Sidewalks, the application notes that an asphalt concrete sidewalk exists at the site along South Lincoln Avenue. No changes proposed. Guideline #39 Bike Paths, the application notes that this development will not inhibit the Jerome Recreation District Bike Path Master Plan.

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

Kahler Neild, representing EHM, stated they came last October and was successful getting a Design Review for the same property but with a different building layout. Once they received their plans back, they realized it would be too expensive so they came back with these plans. This is just a smaller building layout and is a little bit more exciting that the previous design review. This is similar to a building they just built in Burley. The owners are excited to have a professional building. Upon inquiry from Acting Chairman Johnson, Mr. Neild stated they will not be adding on to this building but they have another pad at the east of the property. He continued they did not change anything to the site plan from the last Design Review. The landscaping and drainage will all be the same.

Commissioner Fraser made a motion to approve the Design Review from Smiles4Kids located at Lot 1 Block 2, Jerome, Idaho, with the following conditions: 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 Benjamin Reed, Commissioner Jeff Schroeder, Commissioner Shonna Fraser, and Acting Chairman 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 July 12, 2022 regular meetings;
- B. Consider/Approve Findings and Conclusions for Tyler Norris for a Special Use Permit renewal allowing a car dealership, on the property located at Lots 13, 14, & 15, Block 104, Jerome Townsite (NW 19-8-17), more commonly known as 320 South Lincoln, Jerome, Idaho, (car dealership office is located on the east end of “appliance ETC” building with the entrance door facing the Maverick Country Store/gas station and car lot will be located on the east side of “Appliances ETC.”

FINDINGS AND CONCLUSIONS ON APPLICATION OF TYLER NORRIS FOR THE RENEWL OF A SPECIAL USE PERMIT ALLOWING AUTMOTIVE SALES, ON THE PROPERTY LOCATED AT LOTS 13, 14, & 15, BLOCK 104, JEROME TOWNSITE (NW 19-8-17), MORE COMMONLY KNOWN AS 320 SOUTH LINCOLN, JEROME, IDAHO

A public hearing on the application of Tyler Norris concerning that parcel located at 320 South Lincoln, Jerome, Idaho, specifically located at the east end of the “Appliance ETC” building with the entrance door facing the Maverik Country Store/gas station and the car lot located on the east side of “Appliance ETC”, for the renewal of a special use permit was held, pursuant to notice, on Tuesday, July 12, 2022, 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, Ervina Covcic, provided the staff report and brief background on the renewal application. Ms. Covcic stated the property in question, 320 South Lincoln Ave. Jerome, Idaho, is zoned Central Business District (CBD). The proposed use, automotive sales, requires a Special Use Permit from the Planning & Zoning Commission. Regardless of use, setbacks for this property are as follows: front – 0’, rear – 0’, interior side – 0’, and side street – 0’. All signs for any operations at this location must conform to the sign regulations set forth in Title 17 and with the Design Review Ordinance.

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 defined in the following sections: Chapter 7.3, addresses Business Retention, Expansion and Recruitment which states, "The city should develop an atmosphere to retain, expand, and create business development."; Chapter 7 Objective 1, which states that the city will plan to "Provide an environment that encourages expansion of existing businesses and the attraction of new jobs to the community."; and Chapter 7, Policy 8, which states, "Continue to provide an atmosphere for successful business development."

If approved, Ms. Covcic recommended the following conditions: (a) Comply with all City, State, Federal requirements; and (b) Special use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Applicant Testimony: Tyler Norris, 320 South Lincoln, Jerome, Idaho, appeared before the Commission and testified on his application. Mr. Norris testified, selling used cars used to be his main project, but now it is more of a second job since he has now gone into real-estate. He stated he is down to about one (1) car every couple of months. He stated nothing has changed besides the number of cars on the lot.

Commissioner Fraser stated the company has been around for a while. Mr. Norris stated his business has been around for 10 years.

Upon inquiry from Chairman Mink, Mr. Norris stated he has to renew his license every year and one of the requirements is to have an office for customers to come to.

Testimony in Favor: None.

Testimony in Neutral: None.

Testimony in Opposition: None.

There being no further testimony, Chairman Mink closed the public hearing at 7:06 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, including the testimony of Mr. Norris, and having reviewed the application, Ms. Covcic'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 Central Business District (CBD).

- B. The proposed use, automotive sales, requires a renewal of the special use permit to operate in an CBD zone.
- C. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community.
- D. The proposed use and renewal is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that there is no proposal to modify the exterior appearance of the property or any buildings thereon.
- E. No additional public facilities will be necessary for the proposed use.
- F. The renewal application appears to be harmonious with the objectives of the Comprehensive Plan at Chapter 7.3; Chapter 7, Objective 1; and Chapter 7, Policy 8.

II. Conclusions

- A. A renewal of the special use permit is required for the applicant to continue to use the above described property for automotive sales in the Central Business District (CBD) zone for the City of Jerome.
- B. A renewal of the special use permit allowing for automotive sales is consistent with the City of Jerome Comprehensive Plan.
- C. The Planning and Zoning Commission allows automotive sales in CBD zones by Special Use Permit.
- D. The Commission approves the renewal application of Tyler Norris allowing automotive sales located at the above-described real property subject to the following conditions:
 - 1. Applicant shall comply with all city, state and federal requirements; and
 - 2. This special use permit shall be allowed for five (5) 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 26th day of July, 2022, in support of the decision of the Planning and Zoning Commission on 12th day of July, 2022 to approve the application as specified herein is hereby made final this 26th day of July, 2022.

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

- C. Consider/Approve Findings and Conclusions for Wes Hall for a Special Use Permit renewal allowing a home occupation, repair and maintenance of sewing machines, on the property located at Tax 11, Block A-183 JT (NE 19-8-17), more commonly known as 605 East Avenue D, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF WES HALL FOR THE RENEWL OF A SPECIAL USE PERMIT ALLOWING A HOME OCCUPATION, FOR THE REPAIR AND MAINTENANCE OF SEWING MACHINES, ON THE PROPERTY LOCATED AT BLOCK A-183, JEROME TOWNSITE (NE 19-8-17), MORE COMMONLY KNOWN AS 605 EAST AVENUE D, JEROME, IDAHO

A public hearing on the application of Wes Hall concerning that parcel located at 605 East Avenue D, Jerome, Idaho, for the renewal of a special use permit was held, pursuant to notice, on Tuesday, July 12, 2022, 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, Ervina Covcic, provided the staff report and brief background on the renewal application. Ms. Covcic stated the property in question at 605 East Ave D. Jerome, Idaho is zoned Residential-2 (R-2). The proposed use, a home occupation, requires a Special Use Permit from the Planning & Zoning Commission. In this case, Mr. Hall would like to continue conducting repair and maintenance of sewing machines out of his home, which constitutes a home occupation per JMC 17.18.050.

Title 16 has no bearing on this special use permit 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 defined in the following sections: Chapter 7, Policy 8 which states, "Continue to provide an atmosphere for successful business development."

If approved, Ms. Covcic recommended the following conditions: (a) Customers shall park in the driveway; (b) Comply with all City, State, Federal requirements; and (c) Special use permit shall be allowed for two (2) years, renewable upon expiration

Applicant Testimony: Wes Hall, 605 East Avenue D, Jerome, Idaho, appeared before the Commission and testified on his application. Mr. Hall testified he would like to renew his permit for five (5) years if possible. He stated he came about two (2) years ago for the initial application and has appreciated the ability to work from home. He has a tax ID number and pays sales tax. Mr. Hall stated this is a second income so there is not more than one (1) customer at a time at his home.

Upon inquiry from Chairman Mink, Mr. Hall stated the does have packages delivered to his home on occasion. At the busiest time, he had five (5) machines in a week, and tries to have a quick turnover rate. Mr. Halls stated his business is in the basement. He continued that 2020 was the busiest year for him. Mr. Hall stated his main income is a teacher and a coach, so this is a second job.

Testimony in Favor: Ms. Elliott read the following letter for the record:

John Ross, 602 E Avenue C, Jerome

“Sence Mr. Hall has been repairing at this home, I don’t see why he shouldn’t continue to do so.”

Testimony in Neutral: None.

Testimony in Opposition: None.

There being no further testimony, Chairman Mink closed the public hearing at 7:17 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, including the testimony of Mr. Hall, and having reviewed the application, Ms. Covcic’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 2 (R-2).
- B. The proposed use, home occupation, requires a renewal of the special use permit to operate in an R-2 zone.
- C. The proposed use is harmonious with the general objectives of the comprehensive plan in that businesses serve a need of the community and provide convenience in a residential zone.
- D. The renewal application appears to be harmonious with the objectives of the Comprehensive Plan, Chapter 7, Policy 8.
- E. The application meets the Home Occupation Standards.

II. Conclusions

- A. A renewal of the special use permit is required for the applicant to continue to use the above described property for a home occupation in the R-2 zone for the City of Jerome.
- B. A renewal of the 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-2 zones by Special Use Permit.
- D. The Commission approves the renewal application of Wes Hall for a home occupation of repair and maintenance of sewing machines, located at the above-described real property subject to the following conditions:
 - 1. Customers shall park on the property, in the designated driveway;
 - 2. Applicant shall comply with all city, state and federal requirements; and

3. This special use permit shall be allowed for five (5) 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 26th day of July, 2022, in support of the decision of the Planning and Zoning Commission on 12th day of July, 2022 to approve the application as specified herein is hereby made final this 26th day of July, 2022.

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

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

Second to the motion by Commissioner Reed and carried.

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

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Commissioner Reed inquired about Bennett's. Ms. Elliott stated Code Enforcement is working with Law Enforcement. Ms. Covcic stated there was an oversight with the residency clause for the Planning and Zoning Commission, so there is an opening for Dave Holley's seat. If anyone knows someone who would be interested, please let Ms. Covcic know. Ms. Covcic stated the next meeting will be August 23rd. There will be two annexations, one lot split, one Special Use Permit and one Design Review. Upon inquiry from Commissioner Schroeder regarding antennas, Ms. Covcic stated there is a separate section regarding antennas in the Jerome Code. She clarified the Variance tonight was for a tower and not an antenna.

There being no further discussion, Acting Chairman Johnson closed this regular meeting at 7:58 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary