

Planning & Zoning Meeting
August 24, 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 City Council Chamber 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 Shonna Fraser, Commissioner Paul Johnson, and Commissioner Dave Holley. Commissioner Benjamin Reed was present via zoom. Commissioner Jeff Schroeder was excused. Also present were City Planner, Ida Clark, Legal Counsel, Ted Larsen, and Secretary, Katie Elliott.

Chairman Mink called the Public Hearing to order at 7:00 p.m.

Public Hearing for a request from Steven Makos, for a Special Use Permit renewal for an ATV and Motorcycle Service and Repair shop, on the property described as Tax 1A Lot 1 Block 116 Jerome Township NE (24-8-16), more commonly known as 401 South Lincoln, Jerome, Idaho.

Staff Report: Ms. Clark stated Mr. Makos received a special use permit for an ATV and motorcycle service and repair shop in August 2016 and again in 2018. The application noted Mr. Makos performs work on the ATV's and motorcycles inside the building, therefore, not creating a disturbance to neighboring uses. The type of work performed does not cause excessive production of traffic, noise, smoke, fumes, or odors. A Discharge Approval Application for Wastewater has been completed and is on file. Staff has not received any complaints or concerns regarding the Special Use Permit. Mr. Makos would like to request a renewal of the Special Use Permit with no changes.

The property in question, 401 S Lincoln in Jerome, is currently zoned Central Business District (CBD). The proposed use, an ATV and motorcycle service and repair shop, requires a Special Use Permit from the Planning and Zoning Commission.

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Clark stated, per JMC 08.08.010, bulky waste and hazardous material may become a nuisance but proper care and disposal of parts and liquids will need to be followed to avoid becoming a nuisance.

As pertains to Parking Requirements, Ms. Clark stated 17.26.150 states, automotive repair shop, body shop, or tire shop requires one (1) parking space per 225 feet of floor area plus one (1) per employee. An ATV repair shop is similar in use. There is parking for four (4) vehicles on-

site which meets the code requirement. Ms. Clark showed the commission where the parking is located on the property.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in accordance with Chapter 7 "Economic Development", page 7-5, which addresses the need and objective for business retention and expansion; and Chapter 7, "Economic Development", Policy 8, which is to "continue to provide an atmosphere for successful business development".

Ms. Clark stated she sent the application out to city staff and received the following comment: Fire Department- applicant needs to conduct a fire inspection.

If approved, Ms. Clark recommended the following conditions: Vehicles shall not be in the public right of way; Obtain updated fire inspection; Comply with all city, state and federal requirements; and Special Use Permit shall be allowed for up to five (5) years, renewable upon expiration.

Ms. Clark stated there was an additional condition from his previous permit that states all work must be done inside of the building which the commission may also continue.

Applicant Testimony: Steve Makos, 401 South Lincoln, testified that everything has been going well and he is very happy with what is going on. He does not want to change anything from the previous permit. Chairman Mink commended Mr. Makos for the fence that was installed.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the Public Hearing at 7:05 p.m.

Consider a request from Steven Makos, for a Special Use Permit renewal for an ATV and Motorcycle Service and Repair shop, on the property described as Tax 1A Lot 1 Block 116 Jerome Township NE (24-8-16), more commonly known as 401 South Lincoln, Jerome, Idaho- action item

Commissioner McEntarffer made a motion to approve the request from Steven Makos, for a Special Use Permit renewal for an ATV and Motorcycle Service and Repair shop, on the property described as Tax 1A Lot 1 Block 116 Jerome Township NE (24-8-16), more commonly known as 401 South Lincoln, Jerome, Idaho, with the following conditions: all work must be performed inside the building; vehicles shall not be in the public right of way; obtain updated fire inspection; comply with all city, state and federal requirements; and Special Use Permit shall be allowed for 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 Carl McEntarffer, Commissioner Shonna Fraser, Commissioner Paul Johnson, Commissioner Dave Holley, and Commissioner Benjamin Reed. NAYE: None

Chairman Mink called the Public Hearing to order at 7:07 p.m.

Public Hearing for a request from Tyson Cook, for a front yard setback variance, on the property located at Tax 17A of A-182 Jerome Townsite (NE 19-8-17), more commonly known as 709 East Avenue D, Jerome, Idaho.

Staff Report: Ms. Clark gave a brief background on the property. There are three structures on this parcel. Building records show the northern most structure as a four-plex. There are no building records for the southern structure, a single-family dwelling, or the garage to the southeast. There is a letter from the Building Department, attached, stating the four-plex is non-conforming and any changes would be required to meet current City code. In March of this year, the four-plex caught on fire. The parcel is zoned Residential 2 (R-2) which allows single family dwellings and duplexes. The applicant can remodel the northern structure to a duplex in compliance with City code and continue the use of the single-family dwelling. The applicant is requesting a front yard setback variance from the required 25' to 7.9' for the southern single-family dwelling. The variance request is required to move forward with a lot split.

The property in question, 709 East Avenue D, is currently zoned Residential 2 (R-2). Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 20', Interior Side- 7', and Side Street- 15'.

Ms. Clark 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 provisions of this title affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest.

Ms. Clark reviewed the four standards in the variance process. Standard A, That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures to buildings in the same district. Ms. Clark stated the application notes all dwellings were existing when they purchased the property. Staff notes, there are no special conditions or circumstances peculiar to these structures that are not applicable to other structures. There are several parcels in the City, where under previous City code, multiple dwellings were allowed in the R-2 zone. These parcels and dwellings are allowed to continue as would this parcel and existing dwellings. 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. Clark stated a literal interpretation of title would not deprive the applicant of any rights enjoyed by other properties. The applicant can remodel the northern dwelling to a duplex and keep the single-family dwelling use on the existing parcel. Standard C, That special conditions and circumstances do not result from the actions of the applicant. Ms. Clark stated the request for a front yard setback variance is a direct result from the actions of the applicant as they are requesting a variance on a parcel to move forward with a lot split. The variance is only needed because the applicant would like to have two lots instead of one lot. As the current dwellings sit on the lot, the existing southern dwelling cannot meet the current City code for a front yard setback if the lot is split into two. 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, structures or buildings in the same district. Ms. Clark stated variances are typically granted when the applicant proves undue hardship because of the characteristics of the site and that the variance is not in conflict with the public interest. While the variance is not in conflict with public interest, the applicant has not proven an undue hardship. The applicant can continue to utilize the property and both dwellings under current City Code.

Ms. Clark stated she sent the application to City Staff and received the following comments: Engineering and Public Works recommend the variance request be denied as there are no special conditions or circumstances that are peculiar to the land or structures.

Ms. Clark stated in order for the lot split to occur, they would need a variance for the front yard setback for the southern proposed lot. Ms. Clark showed the proposed lot to the commission. They tried to make the most eastern side the front yard, but due to the unattached garage, code does not allow garages in the front yard. Upon inquiry from Commissioner Johnson, Ms. Clark went over the background of the property regarding access. She stated there is no other access for the most southern portion besides East Avenue D. There must be at least 25 feet of street frontage for the lot split and reminded the Commission that the variance is what is in front of them tonight.

Applicant Testimony: Tyson Cook, 28 Horseshoe Circle, testified both lots will meet square footage. Mr. Cook gave a brief background on the property. There are three structures, first one was a triplex, back structure is a single-family dwelling, and there is also a detached garage. Due to a cigarette, there was a fire in March of 2021 in the back of the first structure. To create space, they have removed the back covered porch from the first structure. The home is was built back in 1946 and is currently zoned for single family homes and duplexes. They have been working with the City and they are wanting to remodel all of the structures. Mr. Cook stated they would like to have both homes as single-family dwellings on separate lots. He stated there is no way they could meet 2021 setbacks as the houses currently sit which is why they have started the variance process. Mr. Cook went into great detail on several reasons to grant the variance and a detailed discussion took place. Topics of discussion included: maximum street frontage; interpretation of where the lot line is measured for front setback; the consistency of interpretation of code; no negative impact for owner/neighbors; seller wins as they sell two

separate lots with one dwelling instead of one lot with multiple dwellings; public wins as there will be less parking and traffic with two single-family dwellings; reduced parking on a narrow road that will soon be developed with a new school; win for the city as the property will be maintained better with someone who owns the property instead of tenants; two homes will blend better in the neighborhood than a duplex and a single family home; no one benefits if the variance is not approved; city does have the right to grant the variance if the applicant does not meet all of the standards because it will not set a precedence for future applicants; reducing density not adding density; where parking would be located; why they would like the variance; demands for housing in the area; and access for southern portion of the property.

Ms. Clark noted city code states setbacks are measured from the foundation of the home to property line in a straight line. She stated the intent of the code was to not allow a home to be built against a street. Discussion was held on where to measure the setbacks from, setbacks for the rear of the property, and splitting the difference between the two houses for the setbacks.

Mr. Larsen stated this is a unique property. He stated setbacks are checked by building and speaking with the Building Inspector, he has consistently used the straight line method as long as he has been inspecting.

Mr. Cook inquired if there would be a problem if they took the code and setbacks out of the process. Ms. Clark stated she was not giving an opinion. She has to look at code. Upon inquiry from Commissioner McEntarffer, Ms. Clark stated if the foundation of the home was more towards the east side of the property, the variance would not be needed.

Mr. Cook stated this is a prime situation where the variance should be allowed. Upon inquiry from Commissioner Holley, Mr. Cook stated there is a 19-foot concrete pad on the back of the front home. The back property line would be about a foot south of the pad. Mr. Larsen stated the variance could be approved with the amendment of the front setback the hearing was noticed as a variance and not specific on the footage. Discussion was held on the fence being on the concrete pad and allowing the front yard setback to be flexible. Mr. Larsen reminded the commission the variance was before the commission and not the lot split.

Testimony in Favor: Mike Lenker, 725 East Ave D, recently purchased the home to the east of the property. He stated there have been many people moving in and out of the property and would like to see more permanent housing. He thinks the parking would be beneficial with the narrow streets. He believed that having two smaller homes may make the housing affordable. Urged the committee to approve the variance and believes this may possibly effect lives in a positive way.

Testimony in Neutral: none

Testimony in Opposition: none

Chairman Mink closed the Public Hearing at 8:01 p.m.

Consider a request from Tyson Cook, for a front yard setback variance, on the property located at Tax 17A of A-182 Jerome Townsite (NE 19-8-17), more commonly known as 709 East Avenue D, Jerome, Idaho - action item

Chairman Mink went over the variance requirements with the commission. Extensive discussion was held on the following: other properties that have multiple houses on the property; where to measure setbacks from; width for a fire truck to fit; splitting the difference of the backyard of one property and the front of the proposed property; consistency in applying the code to applications; setting a precedence; and possibly approving a range of feet for the setback variance to be set when the applicant comes back for a lot split.

Commissioner Holley made a motion to approve the request from Tyson Cook, for a front yard setback variance, on the property located at Tax 17A of A-182 Jerome Townsite (NE 19-8-17), more commonly known as 709 East Avenue D, Jerome, Idaho, with a setback of twelve feet (12') with the condition to successfully apply and obtain a lot split, provided; however, that if during such lot split process, the resulting northern lot has less than five thousand (5,000) square feet minimum, than this variance can be reduced to no less than ten feet (10') in order to accommodate minimum square footage for the northern resulting lot.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Chairman Mink, Commissioner Carl McEntarffer, and Commissioner Dave Holley. NAYE: Commissioner Shonna Fraser, and Commissioner Paul Johnson

Commissioner Benjamin Reed recused himself from the vote due to audio difficulties.

Chairman Mink called a five minute recess at 8:32 p.m.

Chairman reopened the meeting at 8:36 p.m.

Chairman Mink called the Public Hearing to order at 8:36 p.m.

Public Hearing for a request from Clayton Jones representing L Squared, LLC, for a two lot commercial preliminary plat, on the property described as Lot 4 Walmart Stores NW (31-8-17), more commonly known as 2700 South Lincoln, Jerome, Idaho.

Staff Report: Ms. Clark stated the property in question, 2700 South Lincoln Ave., Jerome, Idaho is currently zoned High-Density Business (C-3). The proposed project, a replat for a two lot commercial subdivision requires a preliminary plat recommendation from the Planning and Zoning Commission as detailed in Chapter 16.16 of the Jerome Municipal Code. Regardless of use, setbacks for this property are as follows: Front- 25', Rear- 10', Interior Side- 12', and Side

Street- 25' with the maximum height of 50'. There is no minimum lot size for the C-3 zone. Ms. Clark stated there is no business proposed at this time.

As pertains to Jerome Comprehensive Plan, Ms. Clark stated the plat is in compliance with the following objectives of Chapter Three – Land Use: Objective 1 – Exploring the growth patterns of the city and plan and prepare for future growth opportunities; Objective 4 – Maintaining and developing convenient access and opportunities for services and employment; and Objective 6 – Developing a variety of densities that support mixed land use.

Regarding the Subdivision, Preliminary Plat, Ms. Clark stated the applicant met with the City of Jerome staff for a pre-application meeting to discuss the proposed project. The applicant has provided proof of ownership. Water shares do not exist so potable water will be used for irrigation. Ms. Clark stated curb, gutter and landscaping are already existing as they were extended down from Carl's Junior.

Regarding the Preliminary Plat, Ms. Clark stated the applicant has adequately provided a complete subdivision application with adequate information to review the preliminary plat. This is a replat of Lot 4 of the Wal-Mart Stores Subdivision. Carl's Junior restaurant is on the northern portion of the parcel leaving a larger undeveloped area to the south. The applicant would like to replat the existing lot into two lots for further development on the southern portion. The 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. The following agencies were sent a notice regarding the proposed subdivision: Idaho Power, Intermountain Gas, School District, Jerome County, North Side Canal Company with no comments returned. City Departments including Building, Engineering, Fire, Public Works, and Wastewater were also given the opportunity to comment on this application. The preliminary plat was resubmitted with corrections as requested by staff.

Regarding the Lot Requirements, the site is zoned High Density Business (C-3). There is no minimum lot size requirement; however, structures must meet the C-3 setbacks. As proposed, Carl's Junior on Lot 1, meets setbacks for the zone.

Regarding Streets, all lots have access from a private drive north of Lot 1 and through easements on Lot 1 and Jack in Box to the south.

Regarding the Dedication of Streets, the application notes the existing street is and will continue to be private and will not be dedicated to the City.

Regarding Alley, the application does not propose any alleys due to the configuration of the lots.

Regarding Easements, the application materials propose easements along of lots lines as needed. The existing utility and access easements remain.

Regarding the Sewer and Water, the City Wastewater and Water Departments have reviewed the proposed subdivision and have no comment at this time. The sewer and water connections have been stubbed for connection on lot 2.

Regarding Stormwater, due to this being a commercial subdivision, there are no proposed structures at this time for lot 2. Stormwater retention plans shall be submitted to the City for review and approval as part of the building permit application process.

Ms. Clark again stated there is existing curb, gutter and sidewalk on South Lincoln. As the commercial lot is developed, any required improvements will be applied and reviewed during the building plan review.

If approved, Ms. Clark recommended the following conditions: Comply with all City Department requirements pertaining to needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; A final plat shall be submitted for review and approval by the City Council prior to recording the plat at the County; and Comply with all City, State and Federal Requirements.

Ms. Clark went over the layout of the property with the commission. Upon inquiry from Commissioner Holley, Ms. Clark stated since the property is already part of a subdivision, to create a lot split, they have to replat the subdivision, and in the C-3 zone, a new building would have to meet setbacks as there is no minimum lot size. This gives Carl's Junior the ability to sell the property if they would like.

Applicant Testimony: Joshua Jantz, 5725 Discovery Way, Boise, representing Clayton Jones from KM Engineering, testified via-zoom, this is a one lot subdivision with the southern half currently vacant. They would like to subdivide the property into two lots so it will give them the flexibility to develop the southern half. The water and sewer already have access to the southern half. They also have a 24-foot easement that will go across the property from the Wal-Mart easement to the Loudon easement.

Testimony in Favor: none

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the Public Hearing at 8:46 p.m.

Consider a request from Clayton Jones representing L Squared, LLC, for a two lot commercial preliminary plat, on the property described as Lot 4 Walmart Stores NW (31-8-17), more commonly known as 2700 South Lincoln, Jerome, Idaho- action item

Commissioner Holley made a motion to approve the request from Clayton Jones representing L Squared, LLC, for a two lot commercial preliminary plat, on the property described as Lot 4 Walmart Stores NW (31-8-17), more commonly known as 2700 South Lincoln, Jerome, Idaho, with the following conditions: Comply with all City Department requirements pertaining to needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; A final plat shall be submitted for review and approval by the City Council prior to recording the plat at the County; and Comply with all City, State and Federal Requirements.

Second to the motion by Commissioner Johnson and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Dave Holley, Commissioner Shonna Fraser, Commissioner Paul Johnson, Commissioner Carl McEntarffer, and Commissioner Benjamin Reed. NAYE: None

Consider a Design Review request for 1410 #A South Lincoln Avenue, Jerome, Idaho – *action item*

Ms. Clark stated this is a suite in an existing multi-tenant building. Suite A faces South Lincoln. The property is located in the Design Review Overlay District, falling within the 150 feet of the right-of-way of Lincoln Avenue as defined in Jerome Municipal Code Chapter 17.10.020, M. The application states they would like to update their signage by placing the new signs on galvanized metal. The sign and metal are separate. The galvanized metal would cover both the south and west fascia of suite A. Ms. Clark stated they initially requested to have signs on both sides of the suite, however, city code does not allow a sign to be placed on a side of the building that does not have street frontage. Tonight's request is for the commission to approve the placement of the galvanized metal on the west and south facing façade of their suite.

If approved, Ms. Clark recommended the following conditions: Obtain necessary building permit(s) prior to installing the fascia and signs.

Upon inquiry from Commissioner Holley, Ms. Clark stated the metal will be 20' x 4' and the sign will be 10' x 3' in size. Upon inquiry from Commissioner Holley, Ms. Clark stated she does not believe there will be a glare from the metal that would affect traffic. Upon inquiry from Commissioner Holley, Justin Sims, representing Lytle Signs, stated there will be no problem with reflection. Mr. Sims stated they also coat the metal with aluminum paint so they should not be seeing any rust. Discussion was held on the sign and how the metal will overlap and be placed on the building. Upon inquiry from Commissioner Holley, Mr. Sims stated his client, does not own the building and wanted to rebrand his business. Chairman Mink stated the new design matches the inside brand of the business.

Commissioner Fraser made a motion to approve the Design Review for 1410 #A South Lincoln Avenue, with the following conditions: Obtain necessary building permit(s) prior to installing the fascia and signs.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Dave Holley, Commissioner Shonna Fraser, Commissioner Paul Johnson, Commissioner Carl McEntarffer, and Commissioner Benjamin Reed. NAYE: None

Consider a Design Review request for 201 North Lincoln Avenue, Jerome, Idaho – *action item*

Ms. Clark stated the property is located on the northwest corner of North Lincoln and 1st Ave West. It is an existing apartment building. The building is located in the Design Review Overlay District, falling within the 150 feet of the rights-of-way of Lincoln as defined in Jerome Municipal Code Chapter 17.10.020, M. The façade will remain the same material with newly added paint in the colors of Dovetail Gray with Pure White as an accent and the doors painted Luxe Blue. The current color of the building is a soft green with faded white as the trim. Ms. Clark noted current code states that if an applicant is using mute colors such as beige and gray, they should only be used if paired with at least one, and preferably two, accent colors.

The applicant states they would like to update the façade with paint. The application shows a neutral gray color, Dovetail Gray, accented with white trim. The application also proposes painting the doors in blue adding two accent colors to the main color of gray. The painting will be done in a professional manner and workmanship.

If approved, Ms. Clark recommended the following conditions: Painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Jonah Leavitt, 607 East Ave B, stated he believes the main doors will all be blue. But he is not sure if the other access doors will be white or blue. He stated they would hire the same painters that helped with the Towels Motel. He believed this would be a big improvement for the area.

Commissioner Holley made a motion to approve the Design Review for 201 North Lincoln Avenue, with the following conditions: all main entrance doors will be painted blue at the minimum; painting will include those paints that were presented, dovetail gray, pure white, and Luxe Blue; and painting of a façade must be done in a professional manner and workmanship, using two coats or more of paint where needed.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Dave Holley, Commissioner Shonna Fraser, Commissioner Paul Johnson, Commissioner Carl McEntarffer, and Commissioner Benjamin Reed. 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 13th, 2021 regular meeting;
- B. Consider/Approve Findings of Facts for Tensco, Inc, - Gerald Martens, for a residential preliminary plat of Becker Subdivision, on the property located at Tax 11A in S1/2SW Jerome Uplatted, more commonly known as the farmland starting to the east of Becker Park at 1200 16th Ave East going north approximately 1,300 feet, then following the City limits approximately 1,870 feet east, then approximately 1,300 feet back to 16th Ave East in Jerome, Idaho, containing approximately 57 acres.

FINDINGS AND CONCLUSIONS ON PUBLIC REVIEW OF THE SUBDIVISION PLAT APPLICATION SUBMITTED BY TENSCO, INC., REPRESENTED BY GERALD MARTENS FOR THE APPROVAL ON A PRELIMINARY PLAT OF BECKER SUBDIVISION, ON THE PROPERTY LOCATED IN THAT PORTION OF TAX 11A IN S1/2SW JEROME UPLATTED, JEROME COUNTY, IDAHO.

A public review was held, pursuant to notice, commencing at approximately 7:00 p.m. on Tuesday, July 13, 2021 at City Council Chambers, 100 East Avenue A, Jerome, Idaho, on the subdivision preliminary plat of Becker Subdivision, with respect to a parcel of real property Located at Tax 11A in S1/2 SW Jerome Unplatted, more commonly known as the farmland to the east of Becker Park at 1200 16th Avenue East, going North approximately 1,300 feet, the following the city limits approximately 1,870 feet East, the approximately 1,300 feet back to 16th Ave East in Jerome, Idaho, containing approximately 57 acres.

The meeting was held on the subdivision preliminary plat for Tensco, Inc. represented by Gerald Martens for preliminary approval of a residential subdivision, on the foregoing referenced property.

Staff Report: The review began with a staff report and brief background from City Planner, Ida Clark. Ms. Clark stated the property in question described as a portion of the Tax 11A in S1/2SW Jerome Uplatted, more commonly known as the farmland starting to the east of Becker Park at 1200 16th Ave East going north approximately 1,300 feet, then following the City limits approximately 1,870 feet east, then approximately 1,300 feet back to 16th Ave East, containing approximately 57 acres, is currently zoned Residential 1 (R-1), as detailed in 17.14.010 of the JMC. The property was annexed into the City and R-1 in April, 2006.

The proposed project, a one hundred ninety-four (194) lot residential subdivision with a large parcel that will be owned and maintained by the homeowner's association for stormwater retention, requires a preliminary plat approval from the Planning and Zoning Commission as detailed in Chapter 16.16 of the Jerome Municipal Code. The applicant is requesting preliminary approval on the complete plat with development of the subdivision in several phases. The actual

number of residential lots will be reduced below one hundred ninety-four (194). The developer and City staff have agreed to an average lot size of 8,000 square feet for all lots East of Bennett Street. Approximately 12 acres, as outlined, will be donated to the Jerome Recreation District for future development of open space. Setbacks for an R-1 zone are: Front- 25', Rear- 20', Interior Side- 7', and Side Street- 15'. Maximum height is 35' with the minimum lot size of 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; and meets the following objective 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 meets the following objectives within Chapter Ten- Parks and Recreation, Objective 1- Provide and maintain parks to serve all neighborhoods; and Objective 9- Work with the Recreation District to obtain additional green space for the expansion of programs. 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.

Regarding Title 16, Ms. Clark stated the applicant has met with the pre-development team to discuss the proposed project. Mailed notice was sent to adjacent property owners on June 24th, 2021, 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. North Side Canal Company responded with a letter that has been sent to the developer and included with this file regarding an easement for the M-4 canal. No other comments have been received from other agencies. City departments including Building, Engineering, Fire, Water and Wastewater were given the opportunity to comment on this application. Due to the uniqueness of this plat, further review will be conducted upon submittal of a final plat.

Regarding Lot Requirements, Ms. Clark stated as proposed, all lots meet the minimum lot size for the respective zone. A letter from Mr. Martens, dated June 22, 2021 was included in the application and discussed the increased lot size for lots east of Bennett Street. All lots will remain as shown on the preliminary plat west of Bennett Street. Lots east of Bennett Street will be an average of 8,000 square feet. This will reduce the number of lots. The application proposes local streets meeting the 56-foot right-of-way. The application notes all streets will be dedicated to public use and be constructed to meet City standards. Access to the subdivision will come from 18th and 20th Avenues East. There are also two accesses proposed from 16th Avenue East; Bennett Street and the half mile road. The northern portion of 16th Ave East will be constructed as the subdivision is built out. It is noted with the donation of the southern portion; Rachel Way will not be developed through the donated lots. The streets are located accordingly to serve all proposed lots. The streets meet the required horizontal and vertical geometry and minimum and maximum grades. It is noted there is no driveway access onto 16th Avenue East. Most proposed street names conform. A couple streets may align with the City's grid and will need to be changed. The name updates can be done during the final plat. The plat

proposes the required front and rear easements. 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 18th and 20th Avenues East. There is also water stubbed at N McKinley and 16th Avenue East. The materials show the retention pond on the southwest corner of the development. Stormwater retention/detention has been calculated to meet City of Jerome requirements. The development proposes a five foot (5') wide sidewalk along 16th Avenue East. A five-foot (5') 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. The preliminary plat is showing a four-foot (4') landscape strip between the sidewalk and right of way.

Ms. Clark reminded the Commission on what their action is 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 attention of the Commission.

If approved, Ms. Clark recommended the following conditions: (i) Comply with all City of Jerome Department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; (ii) Final plat will be in conformance with the letter sign by Mr. Martens, dated June 22, 2021; (iii) The northern portion of 16th Avenue East will be constructed by the developer; (iv) 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 (v) Comply with all City, State and Federal Requirements.

Chairman Mink inquired where the donated property was located. Ms. Clark showed the commission where the property was located on the map.

Applicant Testimony: Gerald Martens, 11 E 500 S, testified, representing the Becker family who was also present in the room. He stated the Becker family has been in the Jerome area for a long time and also dedicated the adjacent park property within the City in the past. They are wanting to make sure the Recreation Department has enough property for a park in the area. Mr. Martens went over the preliminary plat with the commission in great detail. Discussion topics were phases of the subdivision, water service to the subdivision, pump station location, HOA responsibility for the maintenance of the pump station and landscaping throughout the subdivision, storm water location for the development, street placement in the subdivision, fire department requirements, lot requirements, fences along the boundary of the parks and housing, and irrigation for the park.

Testimony in Favor: None.

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

Dave Verbrugge, 1301 14th Ave E, Jerome

“I am neutral on the growth of Jerome. All cities experience it. However, I am concerned about the effect this new development (along with several others) will have on the infrastructure of the City. i.e. police, fire, ems, city services, etc.

With an unknown number of residential units and specifically single family, on High density housing. Traffic will increase and we need more retail from community development.”

Testimony in Opposition: None.

There being no further testimony, Chairman Mink closed the public hearing at 7:24 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 complete pursuant to JMC 16.16.050 and consistent with Chapter 3, Objective 1; and Chapter 7, Objective 2 of the Comprehensive Plan as described in Ms. Clark’s report.
- C. The application further met the requirements of Chapter 10, Objective 1 and Objective 9; and Chapter 13, Objective 3.
- D. 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.
- E. Based upon the Staff Report and applicant’s testimony, water and sewer connections are available for the subdivision and will connect from current systems.
- F. Based upon the Staff Report a retention pond will be constructed in the southwest corner of the development.
- G. Based upon the Staff Report, stormwater retention/detention meets with City requirements.
- H. Based upon the Staff Report, sidewalks with curb and gutter will be constructed within the subdivision
- I. Based upon the Staff Report, fire hydrants, mailboxes and street lights are included in the preliminary plat.

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 a commercial subdivision, on the property located at Tax 11A in S1/2SW Jerome Uplatted, more commonly known as the farmland starting to the east of Becker Park at 1200 16th Ave East going north approximately 1,300 feet, then following the City limits approximately 1,870 feet east, then approximately 1,300 feet back to 16th Ave East in Jerome, Idaho, containing approximately 57 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. Final plat will be in conformance with the letter sign by Mr. Martens, dated June 22, 2021;
 - 3. The northern portion of 16th Avenue East will be constructed by the developer;
 - 4. 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
 - 5. 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 24th day of August, 2021, in support of the decision of the Planning and Zoning Commission on the 13th day of July, 2021 to approve the application as specified herein is hereby made final this 24th day of August, 2021.

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

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

Second to the motion by Commissioner Fraser and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Dave Holley, Commissioner Shonna Fraser, Commissioner Paul Johnson, Commissioner Carl McEntarffer, and Commissioner Benjamin Reed. NAYE: None.

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Ms. Clark stated Mr. Makos recently painted his building which had been approved several years ago. She stated she has been trying to get a hold of the property owners at Jerome Wheel as they have updated their façade from white and orange to white and blue. She stated the building looks nice but they need to come before the Commission. Upon inquiry from Commissioner Holley, Ms. Clark confirmed the Commission gave permission to the building next to the furniture store on West Main to be painted a few months ago. Ms. Clark stated she spoke with the fruit business on South Lincoln and they have removed the cardboard signs and have had someone come in and paint their windows. Ms. Clark stated the next meeting will be on September 14th with four public hearings. Upon inquiry from Commissioner Fraser, regarding the building on the 200 block of East Main, Ms. Clark stated they will be moving forward on the façade update but they are waiting to fix some of the stucco before they paint. Commissioner McEntarffer stated Joe Mama’s was a success with around 300 cars and 24 vendors for the event.

There being no further discussion, Chairman Mink closed this regular meeting at 9:11 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary