

Planning & Zoning Meeting
October 10, 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 Shonna Fraser, and Commissioner Paul Johnson. Also present Legal Counsel BJ Hess, City Administrator Mike Williams, IS Director Carlos Hernandez, and City Clerk Bernadette Coderniz. Commissioner Jeff Schroeder, City Planner Ida Clark, and Secretary, Katie Elliott were excused.

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

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

Public Hearing for annexation and zoning for the property described in Appendix A, more commonly known as the uncultivated property north of Peters Way, west of Victory Lane and parallel along the east side of Interstate 84 for approximately 375 feet; Jerome, Idaho, containing approximately 3.01 acres.

Staff Report: Mr. Williams stated the City received a request for annexation from Hatch Design Architecture. This Category A annexation is within the Area of City Impact and a request by the property owner for future development. The property consists of approximately 3 acres immediately adjacent to City boundaries with new developments nearby. Staff has been working with a group that has identified this location for their business, Bath Fitter; other locations are throughout Idaho and Utah. The property was recently purchased with the intent to annex, and there will be infrastructure improvements necessary to serve the property including water and sewer. The request was presented to City Council, and the Council recommended the applicant move forward with the Planning and Zoning Commission to ensure conformance with the City's Comprehensive Plan.

The application is requesting to annex one parcel located parallel to I-84 and northwest of Peters Way containing approximately 3.01 acres. The applicant is proposing the land zoned Light Industrial (M-1). The application states the property is currently uncultivated but there is interest in the land being developed. The land is contiguous to the City of Jerome boundary and is within the Area of City Impact. The proposed Area of City Impact map identifies the land as Area of Impact - Industrial. The site can be served by City utilities in the future if the utilities are extended to the site at the owner's expense.

1. Idaho State Code, Section 50-222, defines Category A annexations as, "annexations wherein all private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation".

a. As proposed, the annexation falls under Category A. The property owners have requested and consented to annexation. The applicant requested annexation from the

City Council on September 5, 2023. The City Council has directed the Planning & Zoning Commission to review this request.

2. Per Jerome Municipal Code Title 17.80.12, "Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission as to the compatibility of the comprehensive plan with, and to the proposed zoning for the unincorporated area. The commission and the council shall follow the notice and hearing procedures for zoning ordinance map amendments outlined in Chapter 17.90 of this title and Idaho Code section 67-6511. Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the zoning map and/or this title as required."

- a. The applicant is requesting a zone of Light Industrial (M-1) which allows manufacturing and wholesale business with office and commercial uses as ancillary. The zone is designed to act as a transition use between heavy industrial and other less intense uses.
- b. As proposed the annexation request meets the following items outlined within the City of Jerome's Comprehensive plan;
 - i. Chapter 3 – Our Natural Environment:
 1. Objective 3.3.d Consider the impact on adjacent agricultural businesses (fertilizer production, food processing, shipping, 3.3.i etc.) when reviewing new annexations and development applications.
 - ii. Chapter 4 – Our Built Environment: Enhance our built environment to offer a harmonious blend of land uses that serve our entire community, residents, and visitors, now and in the future.
 - iii. Chapter 6 – Our Quality of Life: Foster a supportive, healthy, and resilient community of residents, rooted in Jerome's rich history, that collaborates to welcome visitors and newcomers, and offers opportunities for everyone to live, work, and play.
 1. Objective 6.2: Diversify the economic base of businesses and industries (through retention, expansion, and recruitment) while preserving Jerome's identity.
3. Chapter 17.110, Jerome Area of City Impact:
 - a. Before the annexation of land into the city, the county and city shall meet and jointly determine the renaming and/or readdressing of any previously named county road. Every attempt to maintain consistency, limit potential confusion, and assist emergency services in providing directions to first responders shall be made by extending the altered name and/or addressing sequence to the nearest intersection or most logical point of termination whenever possible. The county shall continue to be the addressing authority for all properties within its jurisdiction.
 - i. City staff met with Jerome County Planning & Zoning on November 1st, 2022.

After the public hearing at the Planning and Zoning meeting, the Commissioners shall forward a recommendation to the City Council as to the compatibility of the comprehensive plan with, and to the proposed zoning for the unincorporated area.

There was discussion pertaining to access to the property. Topics of the discussion included access off of Peter's Way, a public street; the access easement; Peter's Way and Victory Lane as City to be maintained by the City; access for semi-trucks and the amount of semi traffic; roads built to accommodate semi traffic; land considered for the County Jail at one time; the cost of infrastructure; other applications anticipated in the near future; nearby parcels with separate owners; and, light industrial zoning for the property. Mr. Williams stated it is preferred that the applicant appear to provide additional information if requested by the Commission, and Commissioner Reed stated there was plenty of information in the staff report. Mr. Williams stated the commission could postpone the hearing if uncomfortable with proceeding with a motion. All agreed to proceed as planned as there are no known issues.

There being no other testimony in favor, neutral, or in opposition, Chairman Mink closed the Public Hearing at 7:13 p.m.

Consider a request for annexation and zoning for the property described in Appendix A, more commonly known as the uncultivated property north of Peters Way, west of Victory Lane and parallel along the east side of Interstate 84 for approximately 375 feet; Jerome, Idaho, containing approximately 3.01 acres- *action item*

Commissioner Reed made a motion to recommend to council an annexation and zoning for the property described in Appendix A, more commonly known as the uncultivated property north of Peters Way, west of Victory Lane and parallel along the east side of Interstate 84 for approximately 375 feet; Jerome, Idaho, containing approximately 3.01 acres

Second to the motion by Commissioner Johnson and carried.

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

Upon inquiry by Commissioner Johnson, Mr. Williams stated Bath Fitters is a separate company from Fiber Care.

Chairman Mink called the Public Hearing to order at 7:21 p.m.

Public Hearing for a request from Nestor Aguilar for a setback variance for the property described in Appendix B, more commonly known as 716 South Lincoln Avenue, Jerome, Idaho.

Before proceeding with the new public hearing, Mr. Williams apologized to the applicants of the annexation request. Due to technical issues the applicant was unable to

participate in the hearing and give testimony. However, Mr. Williams advised that the Commission approved the annexation request.

Staff Report:

Mr. Williams spoke of plans to demolish the old “Napa” building for the purpose of building a new “Pantera Market” and the variance request. Staff met with the applicant for pre-development meetings on several occasions regarding the new building 716 S. Lincoln Avenue. Mr. Williams stated the variance request is for the side street setback. The General Business Zone (C-2) zone the front setback is 25’, rear setback is 10’, interior side setback is 12’ and the street side setback is 25’. Due to an error in communication by staff during the pre-development phase of the application, staff advised that the street setback would be 12’. The City Engineer and Planning and Zoning Manager both reviewed the variance request and the validity of the request. Mr. Williams spoke of drainage issues on that property. The applicant’s current design of the project with the 12’ setback as originally advised would allow for control of the water runoff; the drainage and storm water retention would have to be re-evaluated with a 25’ setback. Additionally, utilities (water, sewer and power) are in the alley, and the reduced setback on the street side would allow for simple connections to take place. The properties along S. Lincoln have close to 0’ setbacks

The property in question, 716 South Lincoln Ave., is currently zoned General Business (C-2), as detailed in 17.14.010 of the JMC. Per JMC, 17.03.710: Setback Line, “A line established by this title, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located aboveground except as may be provided herein.”

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. The applicant is requesting a variance on the setback requirement of 25’ feet street side to 13’.

Variance Criteria Staff Analysis

17.70.030: VARIANCES:

The commission shall review the particular facts and circumstances of each proposed variance request in terms of the following standards and shall find adequate evidence showing that the requested variance conforms to the following standards:

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 or buildings in the same district;

- Staff Analysis: The topography of the parcels is unique in that the properties to the north currently drain onto this site. The current design of the property with a 13’ setback factors in a

way to control the run-off in the alley and also keep stormwater on the property. Placing the building at the required 25' setback for the C-2 zone would require a complete reevaluation of the drainage and stormwater retention. The connection to the existing water, sewer, and power comes in from the north of the property through the alleyway. Allowing a reduced setback on the street side allows a more simplistic connection to utilities.

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;

- Staff Analysis: A literal interpretation to comply with the current 25' setback would require a complete redesign of the proposed project. This would be at the cost of the applicant. The building meets and even exceeds the interior and the front setbacks. The current design complies with the required parking requirement per JMC 17.26: Off-Street Parking and Loading. If the application is required to comply with the 25' setback, a variance for parking would be required as a redesign would eliminate five parking places. The ADA parking spaces would also have to be relocated to the middle of the parking lot.

C. That special conditions and circumstances do not result from the actions of the applicant;

- Staff Analysis: The application notes there are no special conditions or circumstances resulting from the actions of the applicant. The applicant designed the building to the standards that the City staff had confirmed. The applicant has not changed the topography of the parcels or the connection of utilities.

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.

- The application notes granting the variance will not confer any special privilege on the applicant as other businesses on South Lincoln.

Variance has nothing to do with the use of the property.

The application was sent to City Staff and the following comments were received from the Engineering Department. Engineering has reviewed the topography of the site and surrounding areas. We concur that the topography is such that site design needs adequate space north of the building in order to properly address stormwater runoff from the alley and adjacent properties. The variance will allow the needed space to address runoff concerns and keep runoff water away from the building while staying within the applicable site design requirements including access, ADA accessibility, and parking.

Mr. Williams stated revitalized buildings and new growth are welcomed in the City, but many of the buildings were not built for consideration to parking. Staff believes deviation from the side street variance should be allowed given the topography and natural flow of water.

If approved, Mr. Williams recommended the following conditions: The street side setback on East Ave G shall be reduced to a minimum of 13' with all other setbacks conforming to the C-2 zone as currently designed; and Comply with all City, State, and Federal requirements.

Upon inquiry by Commissioner Johnson, Mr. Williams stated the last approval for this project was for the site plan. Commissioner Reed further stated the variance remedies the error in communication. Mr. Williams noted the Commission has the authority to grant the variance with reasons to justify the variance. Chairman Mink inquired about the home behind the property, and Mr. Williams could not confirm if the house was set back 25'; a 0 setback would obstruct the view for that resident.

Applicant Testimony:

Ivan Aguilar, brother of the applicant, currently residing at 17568 N. Franklin, Nampa, joined the meeting via Zoom and stated that Mr. Williams gave an excellent presentation regarding the need for the variance request. He stated the applicant is not looking for special consideration, but that the variance be allowed based on the miscommunication because the project was designed with the setbacks as provided by staff in early pre-development meetings.

Julie Benintendi with BRS Architects, 1010 S. Allante, Suite 100, Boise Idaho, also joined the meeting via Zoom and stated to redesign would add a large financial burden to the applicant (redesign grading, etc.). Her staff created a site that would allow good flow for traffic, (customers, deliveries, etc.) with little impact on nearby residents. Ms. Benintendi further stated that much consideration went into the design of the property.

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:43 p.m.

Consider a request from Nestor Aguilar for a setback variance for the property described in Appendix B, more commonly known as 716 South Lincoln Avenue, Jerome, Idaho - *action item*

Commissioner Johnson made a motion to approve a request from Nestor Aguilar for a setback variance for the property described in Appendix B, more commonly known as 716 South Lincoln Avenue, Jerome, Idaho, with the following conditions: the street setback on E. Avenue G shall be reduced to a minimum of 13' with all other setbacks conforming to the C-2 as currently as design, and comply with all city, state and federal requirements.

Second to the motion by Commissioner Fraser and carried.

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

Mr. Williams thanked the applicant for their investment, and Mr. Aguilar expressed appreciation for the opportunity to invest in Jerome. Commissioner Johnson inquired about a time frame, and Mr. Aguilar stated they are working with construction companies to begin the bidding process.

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 September 12, 2023 regular meeting.
- B. Findings and Conclusions for Heritage Academy for a renewal of a Special Use Permit allowing a school, public or private, on the property located at Lots 9 & 10 Blk 117 Jerome Townsite (NW 19-8-17), more commonly known as 100 East Avenue D, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF HERITAGE ACADEMY PUBLIC CHARTER SCHOOL FOR A RENEWAL OF A SPECIAL USE PERMIT ALLOWING A SCHOOL, PUBLIC OR PRIVATE, ON THE PROPERTY LOCATED AT LOTS 9 & 10, BLOCK 117, JEROME TOWNSHIP (NW19-8-17), MORE COMMONLY KNOWN AS 100 EAST AVENUE D, JEROME, IDAHO.

A public hearing on the application of Heritage Academy Public Charter School, concerning the use of real property located at 100 East Avenue D, Jerome, Idaho, for a renewal of the special use permit was held, pursuant to notice, on Tuesday, September 12, 2023, at City Council Chambers with all members of the public, in a format allowing participants to hear the meeting, including all deliberations by commissioners and other speakers addressing the commission, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda. The physical meeting was held at 100 East Avenue A, Jerome, Idaho.

Staff Report: City Planner, Ida Clark, provided a brief background and staff report on the application and on the property. Ms. Clark stated Heritage Academy Public Charter School received a Special Use Permit allowing a public school on September 13, 2022, for one (1) year. The location is used for staff offices and training, school programs, and parent/social work support. They have worked with both the building and fire departments to complete the required changes for occupancy. City staff has been provided an opportunity to comment on the renewal application. They have remained compliant with the General Standards for review of a special use permit.

Ms. Clark stated the property in question is zoned Central Business District (CBD). According to 17.14.010, public or private school uses are permitted in the Central Business District (CBD) zone by special use permit only.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the use is in compliance with Chapter 5, Provide exemplary public services and educational opportunities for our community; and Chapter 5, Objective 5.7.d. encourage integration of charter and other private schools in community activities.

Ms. Clark stated she sent the application out to City Staff and received a comment from Code Enforcement. They have asked that the weeds, specifically goat heads, be cleaned up around the school property.

If approved, Ms. Clark recommended the following conditions: (a) comply with all City, State, and Federal requirements; and (b) Special Use Permit shall be allowed for seven (7) years, renewable upon expiration.

Applicant Testimony: Shaila Tate, 151 East 500 South, Jerome, Idaho, appeared and testified before the Commission. Ms. Tate testified she is a member of the Heritage Community School Board and would like to have the Commission grant a permanent Special Use Permit. Ms. Tate went over a slide show with the Commission. Topics that were discussed were the Heritage Academy School District mission; goals of the Falcon Community Center; services they provide for the community; and the accomplishments they have completed.

Upon inquiry from Commissioner Reed, Ms. Tate stated the building is Americans With Disabilities Act (ADA) compliant.

Upon inquiry from Commissioner Schroeder, Ms. Tate stated the food pantry has been mostly for students and staff, but they are willing to reach out to the community.

Upon inquiry from Commissioner Mink, Ms. Tate stated the use and goals have not changed from the initial permit.

Commissioner Schroeder stated he is glad weeds have been addressed as he had previously walked past the property and noticed weed issues. He stated they also seemed to be recently cut down and thanked the board for that.

Testimony in Favor: Carol Cone, 157 East Ave B, testified they have had issues with the contractor who was hired to take care of the weeds. They have made a correction and it should be resolved. He stated he was not aware of goat heads at the community center and that the building has been open to the community. They have Wi-Fi available to the public

Ms. Elliott read the presented letter for the record, as follows:

Richard Goetsch, 213 East Avenue D, Jerome, Idaho 83338

“Support the application.” No other comments were provided.

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the renewal application, Ms. Clark's report, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. 100 East Avenue D is in the City of Jerome and is currently zoned Central Business District (CBD).
- B. The proposed use, public school, requires a special use permit to operate in CBD. A special use permit was entered in 2022. This is a renewal of the special use permit presently in place for this property.
- C. JMC 17.14.010 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that charter or other private schools are needed in the community.
- E. The proposed use 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 of the building.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses.
- G. No additional public facilities will be necessary for the proposed use.
- H. The applicant has remained compliant with the General Standards for review of a special use permit.

II. Conclusions

- A. A special use permit is required for the applicant to allow a school in a CBD zone for the City of Jerome.
- B. A special use permit promoting diverse residential options is consistent with the City of Jerome Comprehensive Plan.
- C. The Commission approves the application of Heritage Academy Public Charter School for a renewal of the special use permit for a school located at 100 East Avenue D, Jerome, Idaho subject to the following conditions:
 - a. Comply with all city, state, federal requirements; and
 - b. Special use permit shall continue so long as Heritage Academy Public Charter School owns the property.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 10th day of October, 2023, in support of the decision of the Planning and Zoning Commission on the 12th day of September, 2023 to approve the application as specified herein is hereby made final this 10th day of October, 2023.

ROD MINK, Chairman of the Board

Jerome City Planning and Zoning

- C. Findings and Conclusions for Angel's Construction Custom Homes, LLC for approval on a preliminary plat of Angel's Subdivision, located at Tax 2210182 Block A-220 Jerome Townsite (NW 18-8-17), more commonly known as the empty field on the East side of North Buchanan Street between 10th Avenue East and Glacier Drive, Jerome, Idaho, containing approximately 1.9 acres.

**FINDINGS AND CONCLUSIONS ON PUBLIC REVIEW OF ANGEL'S CONSTRUCTION
CUSTOM HOMES, LLC, FOR A RESIDENTIAL PRELIMINARY PLAT OF ANGEL'S
SUBDIVISION, ON THE PROPERTY COMMONLY KNOWN AS
THE EMPTY FIELD ON THE EAST SIDE OF NORTH BUCHANAN BETWEEN 10TH
AVENUE EAST AND GLACIER DRIVE, JEROME, IDAHO, CONTAINING
APPROXIMATELY 1.9 ACRES.**

A public review was held, pursuant to notice on Tuesday, September 12, 2023, at City Council Chambers, 100 East Avenue A, Jerome, Idaho, on the preliminary plat of Angel's Construction Custom Homes, LLC, for a residential preliminary plat on the property commonly known as the empty field on the East side of North Buchanan Street, between 10th Avenue East and Glacier Drive, Jerome, Idaho, and more particularly described on **Exhibit A**.

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 herein, containing approximately 1.9 acres, is currently zoned Residential 2 (R-2). The proposed project includes nine (9) single-family residential lots. The proposed project requires a preliminary plat recommendation from the Planning & Zoning Commission. The applicant is requesting preliminary approval on the complete plat with the development of the subdivision in a single phase. Setbacks for the Residential 2 (R-2) zone: front 25 ft, rear 20 ft, interior side 7 ft, and street side 15 ft. Minimum lot size is 5,000 sq. ft.

As it pertains to the Jerome Comprehensive Plan, Ms. Clark stated the application meets objectives in Chapter 4 – Our Built Environment; Objective 4.3: Diversify the variety of housing types within the City, while protecting existing neighborhoods; and Objective 4.4: Support development of affordable housing for a full range of employees and residents (retirees, families, etc.). The Comprehensive Plan Map designates the property in question as Residential Medium.

Regarding Title 16.16.050 regarding the Preliminary Plat, Ms. Clark stated the applicant has provided a complete subdivision application with adequate information to review the preliminary plat. A mailed notice was sent to adjacent property owners on August 25, 2023, as required by code. The following agencies were sent a notice regarding the proposed subdivision: (1) Idaho Power; (2) Intermountain Gas; (3) School District; (4) Jerome County; (5) Northside Canal Company; and (6) the Post Office. The Northside Canal Company did send a response that they had no concerns.

Ms. Clark stated she sent the application out to City staff and received the following comments: Fire- Concern with deep lots, in excess of 150 ft. There is a possibility of structures being built on the back ends of the lots exceeding our 150 ft. hose reach from a fire apparatus access road as listed in IFC Sec. 503; and PW – One additional fire hydrant will need to be installed and shown on the construction plans. The applicant shall have one (1) year to file and obtain the certification of the acceptance of the final plat.

Regarding 16.28.040: Lot Requirements, Ms. Clark stated as proposed, all lots meet the minimum lot size for the respective zone. The lots range in size from 8,686 sq. ft. to 9,263 sq. ft.

Regarding 16.28.050-.051: Streets & Dedication of Streets, Ms. Clark stated the application is not proposing streets as all lots will have access from North Buchanan Street.

Regarding 16.28-052-.053: Street Location & Street Specifications, Ms. Clark stated they are not proposing any new streets.

Regarding 16.28.060: Alleys, Ms. Clark stated the application does not propose any alleys due to the configuration of the lots and street layout.

Regarding 16.28.070: Easements, Ms. Clark stated the plat proposes easements in accordance with City standards. The existing irrigation and sewer lines are within the proposed easements.

Regarding 16.28.080: Sewage System & 16.28.090: Water Mains, Ms. Clark stated the lots will be serviced by municipal water and sewer.

Regarding 16.28.100: Stormwater Retention/Detention, Ms. Clark stated the preliminary plat proposes that each lot will be developed to retain stormwater on-site.

Regarding 16.28.110: Curb, Gutter & Sidewalk, Ms. Clark stated the preliminary plat proposes installing curb, gutter, and attached sidewalk.

Regarding 16.28.140: Irrigation Lines & Water Stocks, Ms. Clark stated pressurized surface irrigation will be provided to all lots. There will be irrigation improvements made by the City and the applicant.

Regarding 16.28.150: Required Improvements, Ms. Clark stated one fire hydrant will need to be installed. Mailboxes and streetlights have been included on the preliminary plat meeting the requirements of code.

Ms. Clark went over the Commission's action for this application. She stated the Commission shall consider the objectives of this title and at least the following: (1) The conformance of the subdivision with the comprehensive plan; (2) The availability of public

services to accommodate the proposed development; (3) The continuity of the proposed development with the capital improvement program of the city; (4) The public financial capability of supporting services for the proposed development; and (5) The other health, safety of environmental problems that may be brought to the Commission's attention.

Ms. Clark stated she went over a few options with the applicants and the fire department, in regards to the deeper lots as there are some exceptions. The City owns the property behind the subdivision where the fire department can potentially have access. The fire department also has additional hose if needed. Ms. Clark stated if additional hose is needed, time to the response of the fire department is added too. She stated with the rear setback being 20 feet, if they move the structures five (5) feet forward, they would meet the fire requirements.

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

Upon inquiry from Commissioner Mink, Ms. Clark stated the additional hydrant would need to be shown on the final construction plans. Ms. Clark stated the applicant would be installing curb, gutter and sidewalk along the east side of Buchanan.

Commissioner Johnson stated essentially the homeowners would have a larger sized backyard.

Upon inquiry from Commissioner Reed, Ms. Clark stated the width of the property is 53 feet. She is not sure what the average width of the surrounding properties are. Commissioner Johnson stated these would be larger lots.

Upon inquiry from Commissioner Fraser, Ms. Clark believes they would be for single-family homes. She continued that the average lot size is 9,263 square feet with one (1) lot being slightly smaller.

Upon inquiry from Commissioner Reed, Ms. Clark stated the 10th Street well is on the city owned property. Mr. Carpenter, City Engineer, confirmed the city is building a water tank on the property.

Upon inquiry from Commissioner Reed, Mr. Carpenter stated the fire department would have drivable access to the property but the roads would not be built for fire trucks to drive on all the time.

Chairman Mink stated the city property is not under consideration. Discussion was held on different scenarios regarding the setback and the length of the fire hoses, and moving structures five (5) feet forward.

Applicant Testimony: Matt Ahrens, representing EHM, 621 N College Rd St 100, Twin Falls, Idaho, appeared and testified before the Commission. Mr. Ahrens testified the length of the lot can be addressed when the building permit is pursued. He stated there are other solutions that can address those concerns.

Regarding the stormwater, Mr. Ahrens testified this is also involved in the building permit. The small amount each lot would need to retain would be around 200 cubic feet but would vary with each homeowner. There will be a small widening of the street so the stormwater will be captured with the curb, gutter, and sidewalk.

Mr. Ahrens clarified the subdivision would have gravity irrigation services with the option for the homeowner to install a pump at the gravity inlet.

Mr. Ahrens stated the concern for the extra hydrant is not with the cover but for the fire flow delivery. He continued that the current fire hydrant may be fed by a four-inch water main off 11th Avenue East. If the hydrant is fed off of the eight-inch main from North Buchanan, they would not need an additional hydrant. He stated his surveyor noticed a valve that may connect the current hydrant with the eight-inch main.

Mr. Ahrens stated the City intends to install a new sewer main on North Buchanan which would service most of the lots. He stated Lots 8 and 9 would be serviced off of an existing line.

Commissioner Reed stated the City needs to look into the water line issue. He also has a concern with an accessory building being in the back of the property.

Commissioner Johnson stated accessory buildings still have setbacks. Ms. Clark stated the concern is where people are living.

Upon inquiry from Commissioner Reed, Ms. Clark stated the Public Works Director recommended the additional fire hydrant. Mr. Ahrens stated he believes an additional fire hydrant would be installed if necessary. Ms. Clark stated Public Works would be working with the applicant regarding the hydrant.

Testimony in Favor: Ms. Elliott read the following onto the record:

Bily E. Trujillo, 405 Glacier Drive, Jerome, Idaho
"Support the application." No other comments were provided.

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the residential 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 residential preliminary plat is complete;
- B. The subdivision preliminary plat as presented is complete pursuant to Jerome Comprehensive Plan, consistent with Chapter 3, Objective 1; Chapter 7, Objective 2; and Chapter 13, Objective 3 of the Comprehensive Plan as described in Ms. Clark's report;
- C. 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;
- D. Based upon the Staff Report, lot requirements meet the City requirements;
- E. Based upon the Staff Report, street locations and specifications meet the City requirements;
- F. Based upon the Staff Report, all easements meet with the City requirements;
- G. Based upon the Staff Report and applicant's testimony, water and sewer connections are available for the plat and will connect from current systems;
- H. Based upon the Staff Report, stormwater retention/detention meets with City requirements;
- I. Based upon the Staff Report, sidewalks with curb and gutter are proposed within the plat;
- J. Based upon the Staff Report, irrigation lines and water stock will be utilized within the plat and comply with the City specifications.

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 residential preliminary plat, commonly known as the empty field on the East side of North Buchanan Street, between 10th Avenue East and Glacier Drive, Jerome, Idaho, and more particularly described on Exhibit A, is approved on the following conditions:
 - 1. Comply with all City of Jerome department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction, and any other needed improvements;

2. A final plat or any part thereof shall be submitted for review and approval by the City Council prior to recording with the County; and
3. Comply with all City, State and Federal requirements.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 10th day of October, 2023, in support of the decision of the Planning and Zoning Commission on the 12th day of September, 2023 to approve the application as specified herein is hereby made final this 10th day of October, 2023.

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 Reed and carried.

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

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Mr. Williams reminded the Commission of an additional meeting to be held on October 24th, and he requested that they reach out to staff if they are unable to make the meeting as a quorum will be required. Business discussions will include renewals and applications.

There being no further discussion, Chairman Mink closed this regular meeting at 7:48 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary