

Planning & Zoning Meeting
October 11, 2022

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 Carl McEntarffer, Commissioner Shonna Fraser, and Commissioner Paul Johnson. Also present were Legal Counsel, Ted Larsen, City Planner, Ervina Covcic, and Acting Secretary Bernadette Coderniz. Commissioner Jeff Schroeder, 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 7:01 p.m.

Public Hearing for a request from Dan and Rhonda Chatterton for a Special Use Permit renewal allowing a dog kennel/cat grooming, boarding and pet sales business and service as operators for U-Haul rental business on the property located at Tax 33 of E1/2SE (25-8-16) Jerome Unplatted, more commonly known as 2335 South Lincoln Avenue, Jerome, Idaho.

Staff Report: Ms. Covcic stated the property in question at 2335 South Lincoln Avenue Jerome, ID 83338 is zoned High Density Business (C-3). The proposed use, a dog kennel/cat grooming, boarding and pet sales business and service as operators for U-Haul rental business, requires a Special Use Permit from the Planning & Zoning Commission as detailed in 17.14.010 of the JMC. Regardless of use, setbacks for this property are as follows: front- 25 ft, rear- 10 ft, interior side- 12 ft, and street side- 25 ft.

Title 16 has no bearing on this request.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated this request is in compliance with the Comprehensive plan as it relates to: Chapter 7, Objective 1 – "Provide an environment that encourages expansion of existing businesses and the attraction of new jobs to the community."; and Chapter 7, Policy 8 – "Continue to provide an atmosphere for successful business development."

Ms. Covcic stated the application was renewed in 2017 for five (5) years and they are asking for a renewal.

If approved, Ms. Covcic recommended the following conditions: Comply with Building and Fire department requirements and inspections; Comply with all City, State and Federal requirements; and Special Use Permit shall be allowed for five (5) years, renewable upon expiration.

Applicant Testimony: Dan Chatterton, 66 N 200 W, testified, he and his wife, Rhonda, have owned the business for 16 years. They have grown considerably due to the environment of the City, and they plan to continue. They try to comply with whatever the City requires. Mr. Chatterton stated they do not own the property but rent it. He continued that they recently had an issue with a customer bumping into the gas meter and the fire department told them a safety barrier was required near a gas line. They will take care of any problems or concerns that are brought up.

Neutral Testimony: David Thibault, 621 North College, Twin Falls, stated he purchased 10 ½ acres of property and have noticed the U-Haul trucks are parked on his property and also parked in the approach. Mr. Thibault asked that additional condition be placed to include that trailers be removed if not owned or leased by them. Mr. Thibault provided photos with property lines and trailers parked outside of the property, and vehicles parked long-term. He has vehicular access easement, and the parked trailers keeps him from keeping the right of way clear. He took title of the property this summer, and asked that the condition be added. He suggested that 30-40 days be sufficient to have those trailers removed.

Upon inquiry from Chairman Mink, Mr. Thibault stated there is a vehicle egress/ingress easement for the businesses but it should not be obstructed by trailers.

Rebuttal testimony: Mr. Chatterton stated he was unaware of Mr. Thibault owning the property as he was only aware of the fire service that moved into old Klass Auction property. He didn't know where the property line was and stated that the owner of the property he leases, Lon McDonald, told him there was an agreement for parking. They park trucks there for advertising purposes. They park trailers off to the side, separate from the bakery since that portion of the lane is not used. Mr. Chatterton reviewed the photos that were provided. Mr. Chatterton stated the trucks parked were under agreement with Mr. McDonald. Mr. Chatterton went over the map that was shown and property lines were discussed. He explained the fence line along the training yard for animals. Mr. Chatterton stated he would discuss these issues with the property owner, as he wants to be good neighbors and not encroach on other property.

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:11 p.m.

Consider a request from Dan and Rhonda Chatterton for a Special Use Permit renewal allowing a dog kennel/cat grooming, boarding and pet sales business and service as operators for U-Haul rental business on the property located at Tax 33 of E1/2SE (25-8-16) Jerome Unplatted, more commonly known as 2335 South Lincoln Avenue, Jerome, Idaho- *action item*

Commissioner Johnson inquired from Mr. Larsen what they can put in the conditions. Mr. Larsen stated they can insert anything that impacts the Special Use on neighboring properties. One of the General Standards that needs to be satisfied states that the use not be harmful or impactful on neighboring uses. The commission can ask the applicant to confine use to property leased. They do not need to discuss specific boundaries. Discussion was held on the specific

boundaries and permissions the applicant would need. Mr. Larsen suggested adding the clause “Unless otherwise noted” or something similar, as the agreement would be between the property owners.

Commissioner Johnson made a motion to approve the request from Dan and Rhonda Chatterton for a Special Use Permit renewal allowing a dog kennel/cat grooming, boarding and pet sales business and service as operators for U-Haul rental business on the property located at Tax 33 of E1/2SE (25-8-16) Jerome Unplatted, more commonly known as 2335 South Lincoln Avenue, Jerome, Idaho, with the following conditions: Comply with Building and Fire department requirements and inspections; Comply with all City, State and Federal requirements; Special Use Permit shall be allowed for five (5) years, renewable upon expiration; and confine the use to the leased property.

Second to the motion by Commissioner Fraser and carried.

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

Chairman Mink called the Public Hearing to order at 7:16 p.m.

Public Hearing for a request from Marky’s Supertow LLC for a Special Use Permit allowing a Vehicle Impound Storage on the property located at Lots 2 thru 4 Jerome Townsite (NE 24-8-16), more commonly known as the Eastern Idaho Railroad property on the Northeast corner of South Elm Street and West Avenue B, Jerome, Idaho.

Staff Report: Ms. Covcic stated the property in question is zoned Light Industrial (M-1). According to 17.14.010, automotive storage uses are permitted in Light Industrial (M-1) zone by special use permit only.

Definition of 17.03.090 Automotive Storage: storage of parking towaways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles.

Definition of 17.18.050.O Wrecking yard: Will be completely enclosed by a solid six foot (6’) high or higher sign obscuring fence; Will not result in the storage of automobile, junk or salvage materials that is visible from any public right of way; Will not result in the storage of automobiles that exceed the height of the fence; Will have such landscaping that is appropriate with the surrounding area.

Title 16 has no bearing on this request.

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

Ms. Covcic went over the Special Use Permit staff analysis.

Standard A- Will, in fact, constitute a special use as established in City code for the zoning district involved. Ms. Covcic stated automotive storage requires a special use permit in the Light Industrial (M-1) zone as defined in 17.14.010.

Standard B- Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title. Ms. Covcic stated the application notes that there will be no changes made to property except for weed removal.

Standard C- Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general cavity and that such use will not change the essential character of the same area. Ms. Covcic stated the application notes no changes will be made.

Standard D- Will not be hazardous or disturbing to existing or future neighboring uses. Ms. Covcic state the application notes that the use will not be hazardous to neighboring uses.

Standard E- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. Ms. Covcic stated the application notes that no changes are needed. It can be accessible 24 hours a day for inspection and the public.

Standard F- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. Ms. Covcic stated the application notes that no changes will be needed.

Standard G- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise smoke, fumes, glare, or odors. Ms. Covcic stated the application notes that the lot will be used for storage only.

Standard H- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Ms. Covcic stated the application notes that no changes are proposed. There is an existing driveway.

Standard I- Will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance. Ms. Covcic stated there are no historic or scenic properties on this site and no changes to property are proposed.

Ms. Covcic sent the application out to City Staff and received the following comments: Code Enforcement- The railroad ROW is maintained of any city nuisances within Title 8. Weeds must be maintained, graffiti must be removed and all semi-trailers must be stored within the impound yard.

If approved, Ms. Covcic recommended the following conditions: Junked vehicles must be screened from public view; Maintain sight obscuring fencing; Maintain weeds; Comply with all City, State and Federal requirements; and Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

Commissioner Johnson inquired if this was the first time the SUP was issued. Ms. Covcic stated for this applicant it is. Chairman Mink and Commissioner McEntarffer stated this site has been used before by a different company.

Applicant Testimony: Shane Olson, general manager of Marky's Supertow, 1406 Kimberly Road, Twin Falls, stated they are applying for a Special Use Permit to park cars on the property. They have another yard where they will take the semi-trucks. He stated there was some concerns regarding oil and antifreeze. 99% of the wrecks they pick up are on the freeway, and if the antifreeze drips out, they clean it up with floor dry at the scene and if the fluids are not taken to the yard, all of the floor dry that is used goes into a plastic bag into containers. Upon inquiry from Commissioner Reed inquired about the other 1% of the accidents that are not cleaned up, Mr. Olson stated most of the cars are only parked for 30-60 days. If the fuel tank is leaking, they put a patch on them or drain the fuel out of the vehicles. They only drain the semi tanks since they are usually the ones that get ruptured but the semi's go to another yard. Upon inquiry from Commissioner Reed, Mr. Olson stated after 45 days, the cars that are not claimed go to Jalopy Jungle. There are cars that can sit a little longer but those are pending insurance claims. Upon inquiry from Commissioner Reed, Mr. Olson stated this is not a permanent place for parts, and they do not allow anyone to pull parts as it is an impound yard only. Upon inquiry from Commissioner McEntarffer, Mr. Olson stated there was a SUP but it was expired and he was informed they needed to get a SUP so they stopped using the yard. There is one semi there; the insurance company is supposed to be picking that trailer up but he will move it to the other yard at 174 West Road. Upon inquiry from Commissioner Fraser, Mr. Olson stated there will only be passenger vehicles at this property. He continued they have a six-foot fence that is made of sheet metal. Upon inquiry from Chairman Mink, Mr. Olson stated they do not currently have yard lights but they are thinking about putting some in. Mr. Olson continued that the problem with adding yard lights is that people can see what is in the yard which makes it easier for theft.

Upon inquiry from Commissioner McEntarffer, Ms. Covcic stated she is not aware of any complaints. Mr. Olson stated he has gone to most of the neighbors to let them know what they were wanting to do.

Neutral Testimony: Robert Ellis, residing at 1495 Rainier Dr, inquired if there was an existing fence. He stated he does not want public eyesore, nor junkyard inside City limits.

Rebuttal Testimony: Mr. Olson stated there is a 6-foot fence around the yard right now.

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 7:31 p.m.

Consider a request from Marky's Supertow LLC for a Special Use Permit allowing a Vehicle Impound Storage on the property located at Lots 2 thru 4 Jerome Townsite (NE 24-8-16), more commonly known as the Eastern Idaho Railroad property on the Northeast corner of South Elm Street and West Avenue B, Jerome, Idaho- *action item*

Chairman Mink stated operating hours of the business are 24/7 and bright lighting could be a problem with neighbors. Extensive discussion was held on lighting for the property, and different options for lighting.

Commissioner Reed made a motion to approve a request from Marky's Supertow LLC for a Special Use Permit allowing a Vehicle Impound Storage on the property located at Lots 2 thru 4 Jerome Townsite (NE 24-8-16), more commonly known as the Eastern Idaho Railroad property on the Northeast corner of South Elm Street and West Avenue B, Jerome, Idaho, with the following conditions: Junked vehicles must be screened from public view; Maintain sight obscuring fencing; Maintain weeds; Comply with all City, State and Federal requirements; Can put up lighting at their discretion as long as they do not impact neighboring uses; and Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

Second to the motion by Commissioner Johnson and carried.

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

Chairman Mink called the hearing to order at 7:35 p.m.

Public Hearing for a request from Erendida Godoy C/O EHM Engineers, Inc. Matt Ahrens, E.I.T., for a residential preliminary plat on the property located at Tax 2201296 of NE Jerome Unplatted (NE 18-8-17), more commonly known as 1511 North Fillmore, Jerome, Idaho, approximately 4.785 acres.

Staff report: Ms. Covic stated the property in question, described as Tax 2201296 of NE Jerome Unplatted (NE 18-8-17) containing approximately 4.785 acres, is currently zoned Residential 1 (R-1). The proposed project includes fifteen (15) single-family residential lots. The proposed project requires a preliminary plat recommendation from the Planning & 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 a single phase. Setbacks for the Residential 1 (R-1) zone: front- 25 ft; rear- 20 ft; interior side- 7 ft; and street side- 15 ft.

The maximum height is 35 ft with the minimum lot size of 6,250 sq. ft.

As it pertains to the Jerome Comprehensive Plan, Ms. Covcic stated the application meets objectives in Chapter 3 – Land Use: Objective 1 – Exploring the growth patterns for the city and plan and prepare for future growth opportunities; Chapter 7 – Economic Development: Objective 2 – Promote the City as an ideal location for new development of residential, commercial and industrial areas; and Chapter 13 – 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 is question as Residential Low.

Regarding the Preliminary Plat criteria, Ms. Covcic stated the applicant has met with the predevelopment team at the City to discuss the proposed project. Mailed notices were sent to adjacent property owners on September 23, 2022 as required by code. The following agencies were sent a notice regarding the proposed subdivision: Idaho Power, Intermountain Gas, School District, Jerome County, Northside Canal Co. and the Post Office. Northside Canal Company (NSCC) submitted a letter that has been sent to the developer and included with this file regarding water shares and irrigation. No comments have been received from other agencies. The applicant shall have one (1) year to file and obtain the certification of the acceptance of the final plat application by the administrator within one (1) year after action by the commission. Failure to do so shall cause all approvals of said preliminary plat to be null and void, unless an extension of time is applied for by the sub divider and granted by the commission.

Regarding 16.28.040: Lot Requirements, as proposed, all lots meet the minimum lot size for the respective zone. Sizes range from 9,927 sq. ft. to 19,195 sq. ft.

Regarding 16.28.050-.051: Streets & Dedication of Streets, the application proposes local streets meeting the City standards. No public interior roadway system is proposed. Lots 1-11 will access from Teton Drive and Glacier Drive. Access to Lots 12-15 will be provided through private, concrete driveway. The driveway meets IFC standards for turnarounds.

Regarding 16.28-052-.053: Street Location & Street Specifications, the streets are located accordingly to serve all proposed lots. The streets meet the required horizontal and vertical geometry and minimum and maximum grades.

Regarding 16.28.054: Street Names, all street names conform.

Regarding 16.28.055: Street Intersections, the streets meet the requirements for angle, sight triangle and vertical alignment.

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

Regarding 16.28.070: Easements, the plat proposes easements in accordance with City standards.

Regarding 16.28.080: Sewage System & 16.28.090: Water Mains, public utilities are to be included within the development. City services include water and sanitary sewer. No sewer main exists beneath Teton Drive and Glacier Drive. It is proposed to extend the sewer main located west of the subject property beneath Teton Drive. A sewer main is present beneath Fillmore Street that is proposed to service Lots 12-15. The water main beneath Teton Drive is outdated and undersized. Replacement of the main by the City prior to/during project construction is being considered at this time.

Regarding 16.28.100: Stormwater Retention/Detention, the property naturally drains to the northwest. Two retention ponds located near the property's natural low points are proposed to contain up to a 25-year, 24-hour storm. Two catch basins along North Fillmore Street capture local storm runoff that is conveyed to the existing NSCC culvert beneath the road.

Regarding 16.28.110: Curb, Gutter & Sidewalk, curb gutter and sidewalk is present along Fillmore Street frontage.

Regarding 16.28.140: Irrigation Lines & Water Stocks, a NSCC M-3 canal runs through the middle of the property and a shareholder ditch runs near the north boundary. It is likely that the M-3 canal and shareholder ditch may be piped and relocated. A new easement would be associated with the NSCC piping. 5.83 NSCC shares are associated with the property and a private pressurized irrigation system is proposed to serve each lot within the development.

Regarding 16.28.150: Required Improvements, Fire hydrants, mailboxes and street lights have been included on the preliminary plat meeting the requirements of code.

If approved, Ms. Covic recommended the following conditions: Comply with all City of Jerome department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; 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 Comply with all City, State and Federal requirements.

Applicant Testimony: Matt Ahrens, 621 North College Rd, Twin Falls, representing EHM appeared before the commission. Mr. Ahrens stated this is a 15-lot subdivision, and the proposed use is single-family residential. There are no private streets. They have a private drive, to serve lots 12-15 but it is only an easement and it meets the requirements for fire truck turn around in accordance with International Fire Code. Mr. Ahrens stated there is no sewer main under Teton and Glacier, and they are proposing to extend from the west end of the property to Fillmore. Lots 1-7 will be served from that main. There is a water main that the City will upgrade during construction. The storm water retention will be addressed at natural low points, accommodating more than what the property currently holds. Mr. Ahrens went into extensive detail on the irrigation system and how they are addressing the NSCC system along

with the pump station they are proposing for the irrigation delivery to the property. Mr. Ahrens stated there are concerns about the specific use on the property. It is proposed to be single-family residential, and he has not heard specifically from the owners that there would be a trailer park or trailer homes on the property. There has been a builder that has been with the applicant and they build standard stick-built homes. He stated he has not heard that trailers would be on lots. Mr. Ahrens stated there is existing curb, gutter and sidewalk on Fillmore but not on Teton or Glacier, so those will be proposed with the construction of the project.

Upon inquiry from Commissioner Reed, Mr. Ahrens stated the skinniest lot is 61.8 feet. Commissioner Reed stated a regular home is typically 50-60 feet, so there is the potential for modular homes. Mr. Ahrens stated he does not have this information, there is nothing to prohibit the owner from putting modular homes there.

Chairman Mink stated the current zoning is R-1, where single wide trailers are prohibited. Commissioner Reed stated there are concerns from the neighbors regarding the homes that are being proposed. Commissioner Reed stated he does live a block away from the property. Commissioner McEntarffer stated these are exceptionally large lots for City code. Mr. Larsen stated a 2300 square foot home fits. Chairman Mink inquired about the big dip in the property. Mr. Ahrens stated it would come down to the lot owner as some of the lower area will stay in place. They are using some of the natural topography for the storm water retention. The retention basins are within the easement so the property owner will not be able to build within that area. There should be at least a five (5') foot cushion from the edge of basin to the easement line. Chairman Mink went over the width and depth of the lots along Teton. Ms. Covcic took measurements from a couple of random parcels in the surrounding area and provided those measurements to the commission, for comparison. Commissioner McEntarffer stated the newer homes to the west are no more than 75 feet wide and about 100 feet deep. They also have the canal in the back of their property.

Testimony in Favor: David Thibault, 621 N College Rd, stated he has been responsible as design professional for Lutheran Heights and Jerome Estates. In Lutheran Heights the lots measured approximately 70x110. This is a product that is sellable and marketable in Jerome, and he encouraged approval of the request. It is not the commission's job to develop and sell property. The lots meet requirements that were given.

Rosalie Dockstader, 1526 North Fillmore, stated she has listened to all issues brought up and agrees with a lot of those concerns. She has lived there 40 years. She has a different view point. The field has been an eyesore. She has been getting a lot of blow over from the field, and the weeds are ugly. Regarding safety, twice there has been a fire at that location. She is tired of the ugliness of the open field. Ms. Dockstader stated she would support having something come in there.

Testimony in Neutral:

Courtney Weir, 613 Teton Drive, stated she lives on Teton and asked about blasting the bumpy property. The neighborhood cats go there, children walk through there on the way

home from school. How will they keep the animals and children safe if they have to blast? Will they lose any services? Will the water be lost for a certain amount of time? She has three children and needs to keep water on for her family. How does this affect the canal? Will they lose road access when Teton is dug up? When will building start? Will her mailbox be removed? She has a hard time getting her mail.

Testimony in Opposition: Ms. Coderniz read the following on the record:

Kirk or Amy Brown
1470 Rainier Dr

Oppose the application

One reason we enjoy our neighborhood is the fact it still has some open space. Seems like homes are closing in on us. Will this be new homes or another trailer park? More information would be nice. We live in an agriculture community- can we keep some of the small acreage for that use?

Amy Brown

Andrew Thompson
519 16th Avenue East, Jerome,

Oppose the application (depending on plats of homes)

Myself and my neighbors that border the north side of this property are not in favor of having houses out our back doors and the possibility of problems arising with the construction of any mobil homes or manufactured homes around the residential area that would drive down home prices in this area. Also there are three lateral ditch lines that need to stay in place for irrigation purposes. Would be willing to negotiate homes on southside of the main ditch for homes along Teton Drive and would be willing to possibly buy property north of main ditch in field that is rock pile to remain pasture.

Glen and Wendy Somerset

Dear Ervina Covcic,

My husband, Glen Somerset and myself oppose the application for the residential preliminary plat on the property located at Tax 2201296 depending on the plots of the homes. We live at 521 16th Avenue East in Jerome ID 83338. We are not in favor of having manufactured homes around the residential homes on areas plotted for approval. This will make it difficult and cause many problems with our ditch water access. We were promised when our property was annexed that we could keep animals and our water shares for irrigating our pasture. In

addition, Glen and I have a new home that was replaced only 4.5 years ago and this would drive down our property values for which we are paying taxes. My home is paid in full and I am retired and Glen works only part-time. We are on a fixed income and our home is our primary asset.

Robert Ellis, 1495 Rainier Drive, showed the commission where he lived on Teton. There was a hearing about three (3) years ago regarding the extension of Teton. His concerns, then, were the traffic. He stated that traffic has been a nightmare. There needs to be traffic control if the plat is considered. There needs to be a stop sign at Rainier and Teton and another stop sign at Glacier and Teton. The road has become a raceway. There is a fairly blind corner and there have been some very close calls. If there is more housing, there needs to be more traffic control. Another concern is the R-1 zoning and having mobile homes. He stated he has strong concerns with safety, traffic control and quality of life. He encouraged the neighbors to stand against the rezoning to allow pre-fabricated homes.

Harvey Gardner, 237 East 16th, stated his water shares come from the smaller ditch; if NSCC wants the ditch piped all the way, he wants his piped all the way. He stated the traffic will get crazier with additional homes. The school buses speed too. He hardly sees an officer on 16th pulling them over. He gets passed driving down 16th. There are kids walking on 16th and he does not want anyone hit. Mr. Gardner stated he opposes the plat because there is enough traffic, but if it passes he wants the ditch piped up.

Marisela Aguirre, 601 Teton, stated she moved into her house in 2016. She loves the area and fell in love with the older established neighborhood. She has seen the increase in traffic. She would like to see a stop sign at the corner of the road whether it passes or not. She loves her property. If a mobile home park comes in she may leave. Her lot is 0.28 acres, and would like to see the development similar to what is already there. She does not want to move and likes to see the pasture. If it happens, have something fit into the area, plat sizes similar to what's in the area. Ms. Aguirre stated she is also concerned about water pressure and what else could change at her home.

Commissioner McEntarffer suggested reading the definition of Residential-1 for the audience. Mr. Larsen stated there are different areas within the code regarding what is allowed in Residential-1. Residential Districts are intended to provide regulations and districts for various residential uses. Centralized water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all residential and other districts. There are four (4) residential districts: R-1, R-2, R-3, and R-M. R-1 is Single-family dwellings. A single-family dwelling is a detached structure intended to house a familial unit. The use table is what says what is allowed in that district. In that use table, it will tell you what is allowed, what is by Special Use Permit, and what is prohibited. Manufactured homes are permitted in the R-1 zone but mobile homes and mobile home parks are prohibited. Commissioner McEntarffer stated when Magic Meadows was put in, they were manufactured homes. These were two-piece homes. Mr. Larsen stated manufactured park is not permitted in the R-1 zone and if there are any Covenants, Conditions & Restrictions (CC&R's) created, it can be addressed at that time.

Commissioner McEntarffer stated he understands the concerns regarding traffic and stop signs but those needs to be addressed with the Public Works department.

George Henderson, 574 Glacier Drive, he stated he agrees with the traffic issue but wants to know about the sewer lines, how they will impact those on Teton and the Mann Subdivision, and what the inconveniences will be. He stated modular homes look the same on the outside. How will the subdivision impact those living there regarding utilities and water? Will there be another meeting for this? Chairman Mink stated this meeting is for the preliminary plat, and the final plat will go before Council. Mr. Henderson stated there are a lot of gray areas, and it is unknown what the actual plan will be for the property. He would like more detail on how they will move forward. How will the easements be impacted?

James Gergens, 519 Teton, inquired about entrance to homes, what is the layout? What is the plan on how it will look when it's finished? Chairman Mink stated they are unsure of the homes that will be built. He continued there will be curb, gutter and sidewalk on the final plats and the driveways will be off of Teton.

Rebuttal Testimony: Chairman Mink listed the concerns noted. Mr. Ahrens stated regarding the blasting, the rock profile is unknown and it will come during construction. Regarding the loss of water service, Mr. Ahrens stated when infrastructure is being installed or replaced there is coordination between the contractor and the city so that services are still provided. Regarding the canal water, Mr. Ahrens state the design does not change how any irrigation water is delivered, it's just re-lined and piped. The building time is unknown as it will be up to the builder. Regarding the mailboxes, Mr. Ahrens stated those are government issued and be up to the post office. Regarding utilities, Mr. Ahrens stated temporary accesses are done. Regarding traffic, Mr. Ahrens stated he does not know the traffic counts on those streets, but there will be a small percentage of increase in traffic. He has no problem with stop signs, and can help with that. Regarding the lot sizes, Mr. Ahrens stated the lots are bigger than neighboring pieces, just skinnier. He lives on 10th and his house is only 35 feet long. The lot is not very wide but still 1600 square feet. Regarding the curb, gutter, and sidewalk, Mr. Ahrens stated it is shown on the plat, and all properties have their own driveway. Regarding the piping of the ditches, Mr. Ahrens stated they would be piping to the boundary of the proposed subdivision. If the home owner wants to take it further than that, they would need to contact NSCC.

Ms. Covcic clarified of restricting use to R-1 zone, and stated there are no requests to change zoning. Mr. Larsen suggested the commission stay close to the five findings that they are required to find as they enter into the discussion.

There being no other testimony in favor, neutral or in opposition, Chairman Mink closed the Public Hearing at 8:39 p.m.

Consider a request from Erendida Godoy C/O EHM Engineers, Inc. Matt Ahrens, E.I.T., for a residential preliminary plat on the property located at Tax 2201296 of NE Jerome Unplatted (NE

18-8-17), more commonly known as 1511 North Fillmore, Jerome, Idaho, approximately 4.785 acres- *action item*

Chairman Mink went over the requirements the commission needs to address regarding the preliminary plat. In determining the acceptance of a proposed subdivision, the commission shall consider the objectives of the following: The conformance of the subdivision with the comprehensive plan; the availability of public services to accommodate the proposed development; the continuity of the proposed development with the capital improvement program of the city; the public financial capability of supporting services for the proposed development; and the other health, safety of environmental problems that may be brought to the commission's attention.

Extensive discussion was held on the following topics: traffic safety; safety regarding the canal; irrigation improvements; concerns with the unknown; concerns with single-wide homes which are not allowed; housing shortage; growth of Jerome; size of lots; use of a vacant lot; getting more information from the builder; the possibility of amending the plat; and the density of homes in an older neighborhood.

Commissioner Johnson made a motion to approve the request from Erendida Godoy C/O EHM Engineers, Inc. Matt Ahrens, E.I.T., for a residential preliminary plat on the property located at Tax 2201296 of NE Jerome Unplatted (NE 18-8-17), more commonly known as 1511 North Fillmore, Jerome, Idaho, approximately 4.785 acres, with the following conditions: Comply with all City of Jerome department requirements pertaining to the needed sewer, water, roads, hydrants, irrigation, construction and any other needed improvements; 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 Comply with all City, State and Federal requirements.

Second to the motion by Commissioner McEntarffer and carried.

After consideration, the motion passed by the following votes: AYE: Commissioner Carl McEntarffer, Commissioner Shonna Fraser, and Commissioner Paul Johnson. NAYE: Commissioner Ben Reed.

Consider a Design Review from Tribal Fire Systems, 2317 South Lincoln Avenue, Jerome, Idaho- *action item*

Jessica Buffalo stated she and her husband are the owners of Tribal Fire Systems at 2317 South Lincoln Avenue. She is requesting to update the building façade. They are wanting to do weed control, put some trees, and eventually put a sign on the front of building. They are still cleaning up the property, and the colors on screen are as presented. Upon inquiry from Commissioner McEntarffer, Ms. Buffalo stated the peak is metal and she would like to do a brown around it to pull the colors together. Upon inquiry from Commissioner Johnson, Ms. Covcic stated the landscape portion was brought into the application because it does fall under that code. Ms. Buffalo stated they have been researching trees and has reached out to a

landscaping business for spring. Upon inquiry from Commissioner McEntarffer, Ms. Buffalo stated they do commercial and residential fire suppression systems. The Commission agreed this is a major improvement.

Commissioner Fraser made a motion to approve the Design Review from Tribal Fire Systems, 2317 South Lincoln Avenue, Jerome, Idaho, with the following conditions: Comply with all Building and Fire Department requirements and inspection; and Comply with all City, State and Federal requirements.

Second to the motion by Commissioner McEntarffer and carried.

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

Consider a Design Review for Java Espresso C/O Kip Guiles, 2715 South Lincoln Avenue, Jerome, Idaho- *action item*

Applicant Testimony: Kip Guiles, 395 S 50 W Burley, stated he just acquired the old Beans & Brews building. They have locations in Burley and Twin Falls. They are wanting to spruce up the outside of the existing building to match franchise colors. Ms. Covcic showed a picture of the proposed update. The new colors of building will be black, red, and beige for Java Espresso.

Commissioner Johnson made a motion to approve the Design Review for Java Espresso C/O Kip Guiles, 2715 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 Fraser and carried.

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

Consent Agenda

The consent calendar consists of items that are considered to be routine in nature and will be enacted in the form of one motion. Any item can be removed from the consent calendar and heard in its regular order at the request of any commissioner or the chairman.

- A. Approve the minutes from the September 13, 2022 regular meeting;
- B. Consider/Approve Findings and Conclusions for a request from Tana Parker for a Special Use Permit renewal allowing a Home Occupation for Catering on the

property located at Lot 16, Block 1 Glen Eagle Sub NE (19-8-17), more commonly known as 913 Glen Eagle Drive, Jerome, Idaho.

**FINDINGS AND CONCLUSIONS ON APPLICATION OF TANA PARKER
FOR A RENEWAL OF THE SPECIAL USE PERMIT ALLOWING CATERING AS A HOME
OCCUPATION ON THE PROPERTY LOCATED AT LOT 16, BLOCK 1, GLEN EAGLE
SUBDIVISION NE (19-8-17), MORE COMMONLY REFERRED TO AS
913 GLEN EAGLE DRIVE, JEROME, IDAHO**

A public hearing on the application of Tana Parker concerning the use of real property located at 913 Glen Eagle Drive, Jerome, Idaho, for a renewal of the special use permit was held, pursuant to notice, on Tuesday, September 13, 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 a brief background and staff report on the application and on the property. Ms. Covcic stated Ms. Parker would like to renew the special use permit allowing a home occupation for catering on the property with a commercial kitchen. The previous request was approved on September 20, 2021. At that time, Wastewater requested the Applicants to install an under the sink grease trap. The property is zoned Residential-1 (R-1) and Home Occupations are allowed by Special Use Permit. The applicant is asking to renew the special use permit allowing a home occupation for a catering on the property with a commercial kitchen.

Title 16 has no bearing on this request.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated this application is in accordance with Chapter 7, Policy 8 – "Continue to provide an atmosphere for successful business development."

If approved, Ms. Covcic recommended the following conditions: (a) Shall comply with any needed building and/or fire permits and inspections; (b) Comply with all City, State and Federal requirements; and (c) Special Use Permit shall be allowed for two (2) years, renewable upon expiration.

Applicant Testimony: Tana Parker, 913 Glen Eagle, Jerome, Idaho, presented and testified before the Commission. Ms. Parker testified, they did install a 40 pound grease trap as required. They will be renewing their license with the Health Department in December along with the Fire Department. They did not add a vertical vent in the

roof liked they had planned before so there was less damage to the roof. Ms. Parker stated there were no other updates.

Upon inquiry from Chairman Mink, Ms. Parker stated the vertical vent was for their oven but because they were not frying food, they did not need it. Instead they steam the food in the oven.

Upon inquiry from Chairman Mink, Ms. Parker stated the grease trap is for the meat that they cook. The grease from the meat goes into the trap where they have hired a plumber to empty that trap every month.

Testimony in Favor: None.

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented by Ms. Parker, and having reviewed the renewal 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. 913 Glen Eagle Drive is in the City of Jerome and is currently zoned Residential 1 (R-1).
- B. The proposed use, a catering service, requires a special use permit to operate in R-1.
- C. JMC 17.60.060 provides the standards for special use permits.
- D. 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.
- 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 appearance of the property or any buildings thereon, with the exception of a small vertical roof cap.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses because it will blend well with neighboring uses.
- G. No additional public facilities will be necessary for the proposed use, with the exception of a small under sink grease trap.
- H. The proposed use will not be detrimental to the economic welfare of the community and will not involve activities materials, equipment or conditions that will create excessive traffic, noise, smoke, fumes, glare or odors.

- I. The vehicles approaching to the property will not create an interference with traffic on surrounding public thoroughfares.
- J. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

II. Conclusions

- A. A renewal of the special use permit is required for the applicant perform a catering service on this lot in the R-1 Zone for the City of Jerome.
- B. A renewal of the special use permit allowing catering service in the R-1 Zone is consistent with the City of Jerome Comprehensive Plan.
- C. The Commission approves the application of Tana Parker for the renewal of the special use permit to conduct a catering service on the property commonly known as 913 Glen Eagle Drive, Jerome, Idaho, subject to the following conditions:
 - a. Shall comply with any needed building and/or fire requirements and inspections;
 - b. Comply with all City, State and Federal requirements; and
 - c. Special Use Permit shall be allowed for two (2) years, renewable upon expiration

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 11th day of October, 2022, in support of the decision of the Planning and Zoning Commission on the 13th day of September, 2022 to approve the renewal application as specified herein is hereby made final this 11th day of October, 2022.

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

- C. Consider/Approve Findings and Conclusions for a request from Efrain Tellez for a Special Use Permit allowing a horse on the property located at Lots 1- 9 Green Acres Subdivision SW (7-8-17), more commonly known as Green Acres Subdivision at 400 16th Avenue East, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF EFRAIN TELLEZ FOR A SPECIAL USE PERMIT ALLOWING HORSES ON THE PROPERTY LOCATED AT LOTS 1-9 GREEN ACRES SUBDIVISION SW (7-8-17), MORE COMMONLY KNOWN AS GREEN ACRES SUBDIVISION AT 400 16th AVENUE EAST, JEROME, IDAHO

A public hearing on the application of Efrain Tellez concerning that parcel commonly known as 400 16th Avenue East, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, September 13, 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 a brief background and staff report on the application and on the property. Ms. Covcic stated the property in question located at Lots 1-9 Green Acres Subdivision SW (7-8-17), more commonly known as Green Acres Subdivision at 400 16th Avenue East Jerome, Idaho, is zoned Residential-1 (R-1). According to 17.14.010, horses, cattle and sheep are allowed in the Residential-1 (R-1) zone by special use permit only. Regardless of use, setbacks for detached accessory structures on the property will not be less than three (3) feet from the rear or side property lines.

Title 16 has no bearing on this request.

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

As it pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Covcic stated according to 8.08.010, manure is considered a public nuisance based on the following definition of Stable Matter as, "All manure and other waste matter normally accumulated in or about a stable, or any animal, livestock, or poultry enclosure and resulting from the keeping of animals, poultry or livestock. (8.08.010)". Ms. Covcic state the manure will need to be properly disposed of to not create a nuisance.

Ms. Covcic went over the General Standards for Special Use Permits with the Commission.

Regarding Standard A, Will, in fact, constitute a special use as established in City code for the zoning district involved. The proposed request, having a horse on the property, does require a special use permit as per 17.14.010.

Regarding Standard B, Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title. The application states that the use will be harmonious and in accordance with all general objectives.

Regarding Standard C, Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general cavity and that such use will not change the essential character of the same area. The application notes that the property will maintain an appropriate appearance.

Regarding Standard D, Will not be hazardous or disturbing to existing or future neighboring uses. The application notes that the use will not be disturbing to neighbors.

Regarding Standard E, Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. The application notes that current essential services are adequately provided.

Regarding Standard F, Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The application notes that the use will not be detrimental to the community.

Regarding Standard G, Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise smoke, fumes, glare, or odors. The application notes that the use will not pose any disturbances on the property.

Regarding Standard H, Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. The application notes that there is already access to the property and no vehicular approaches are necessary.

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

If approved, Ms. Covcic recommended the following conditions: (a) Adequate fencing shall be maintained at all times; (b) Horses will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare; (c) Any accessory structure associated with the horse shall be placed in accordance with the accessory structure setback requirements set forth in the JMC; (d) Comply with all City, State and Federal requirements; and (e) Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

Upon inquiry from Commissioner Johnson, Ms. Covcic stated she is not aware of any other livestock approved for the property with six (6) acres.

Applicant Testimony: Sheyla Zuniga, 400 16th St, Jerome, Idaho, presented and testified before the Commission. Ms. Zuniga testified the property is known as Green Acres Subdivision but they are in the process of vacating the subdivision. Ms. Zuniga stated there is one house but the other lots will be where the horse will be which should be about five acres. They would like to have a horse to eat pasture as well as having him as a therapy horse.

Upon inquiry from both Chairman Mink and Commissioner Johnson, Ms. Zuniga stated there is water and fencing and they will be cleaning up the manure.

Upon inquiry from Commissioner Fraser, Ms. Zuniga stated there was a horse on the property previously.

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

Jose A Contreras, 1803 North Davis, Jerome, Idaho
"Support the application. I'm OK with this application- Thanks"

Ron Tilley, 1823 North Davis, Jerome, Idaho
"Support the application- no other information provided."

Beverly Meyers, 1809 North Davis, Jerome, Idaho
"I received a notice regarding Mr. Tellez wanting to put a horse on his property and it is all right with me. Thank you"

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

Shirley Buttram, 313 16th Ave East, Jerome, Idaho
"Neutral to the application. No further comments were provided."

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented by Ms. Zungia, and having reviewed the renewal 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. 400 16th Avenue East Jerome, Idaho is zoned Residential 1 (R-1), which requires a special use permit for the use contemplated by the instant application pursuant to Section 17.14.010 of the Jerome Municipal Code (JMC).
- B. Title 16 of the JMC has no bearing on this application.
- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., inasmuch as it is compatible with the existing and potential land uses.
- D. A review of Title 8 of the JMC was reviewed and the application complies with the General Standards A through I of Title 8.

II. Conclusions

- A. A special use permit is required for the applicant to be able to allow a horse on the subject property, which property is located in R-1 zone.
- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1.
- C. The Commission approves the application of Efrain Tellez for a special use permit allowing for a horse on that property located at 400 16th Avenue East, Jerome, Idaho 83338, subject to the following conditions:
 - (1) Adequate fencing shall be maintained at all times;
 - (2) Horses will not create odors, excessive noise, nor be detrimental to persons, property or the general welfare;
 - (3) Any accessory structure associated with the horse shall be placed in accordance with the accessory structure setback requirements set forth in the JMC;
 - (4) Comply with all City, State and Federal requirements; and
 - (5) Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 11th day of October, 2022, in support of the decision of the Planning and Zoning Commission on the 13th day of September, 2022 to approve the renewal application as specified herein is hereby made final this 11th day of October, 2022

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

- D. Consider/Approve Findings and Conclusions for a request from Heritage Academy Public Charter School for a Special Use Permit allowing a school, public or private, on the property located at Lot 9 & 10, Block 117 Jerome Townsite NW (19-8-17), more commonly known as 100 East Avenue D, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF ACADEMY PUBLIC CHARTER SCHOOL FOR A SPECIAL USE PERMIT ALLOWING A SCHOOL, PUBLIC OR PRIVATE, ON THE PROPERTY LOCATED AT LOTS 9 AND 10, BLOCK 117, JEROME TOWNSITE (19-8-17), MORE COMMONLY KNOWN AS 100 EAST AVENUE D, JEROME, IDAHO

A public hearing on the application of Heritage Academy Public Charter School concerning that parcel commonly known as 100 East Avenue D, Jerome, Idaho, for a special use permit was held, pursuant to notice, on Tuesday, September 13, 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 a brief background and staff report on the application and on the property. Ms. Covcic stated the property in question is zoned Central Business District (CBD). According to 17.14.010, public or private school uses are permitted in Central Business District (CBD) zone by special use permit only.

Title 16 has no bearing on this request.

As it pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Covcic stated the application is in compliance with Chapter 7, Policy 6 which states to "emphasize cooperation among the city, school district, CSI, Jerome County and other governmental units in the city in order to work towards the betterment of the community."; and Chapter 7, Policy 8 which states to "continue providing an atmosphere for successful business development."

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

Standard A, Will, in fact, constitute a special use as established in City code for the zoning district involved. The application notes that the proposed use will be an extension of the main school building. They have run out of room for offices, staff training facilities, school programs and outreach activities. These will occur in the additional building. Parking, bus routes, total number of students, etc. will not increase as the result of this special use permit request.

Ms. Covcic stated the Central Business District (CBD) zone is meant to encourage further expansion and renewal in the historical core business area of the community. A variety of business, public, quasi-public, cultural, residential and other related uses are encouraged.

Standard B, Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title. The application notes that the proposed use will be similar to the current use, but will transfer ownership to the school. The school will continue outreach activities that have occurred at the church (backpack and school supply give-away, personal finance classes, counseling, etc.). School programs will be less frequent than church services.

Standard C, Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general cavity and that such use will not change the essential character of the same area. The application notes no changes will be made. The current building blends in with the neighborhood and matches the school profile.

Standard D, Will not be hazardous or disturbing to existing or future neighboring uses. The application notes that the use will not be disturbing to neighboring uses.

Standard E, Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. The application notes that no changes are needed. The bus routes, parent pick up area, staff parking and total number of students and staff members will remain the same as what is already approved for the main building. The school has amended its charter and serves a maximum of 250 students.

Standard F, Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The application notes that no changes are needed. The school hopes to meet with the City regarding crosswalks and school zone signs which would be the only potential addition since the church building extends to the next block. Ms. Covcic stated the City Public Works Department has commented that a crosswalk mid-block would not be allowed. It is advised that the applicant works with the Public Works Department to determine possibilities.

Standard G, Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise smoke, fumes, glare, or odors. The application notes that detrimental uses are not proposed with this application.

Standard H, Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. The application notes that no changes are proposed.

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

Ms. Covcic sent the application to City Staff and received the following comments:

Fire- The building is currently classified as an Assembly Group A-3. With a potential change to an Education Group E, we would require fire sprinklers in the entire building if any portion of the basement is to be used for K-12 classroom purposes; and

Public Works- The only concern would be that they mentioned wanting a crosswalk mid-block. This would not be allowed, but that has no bearing on the Special Use Permit. No problem with the Special Use Permit.

If approved, Ms. Covcic recommended the following conditions: (a) Comply with all City, State and Federal requirements; and (b) Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

Upon inquiry from Chairman Mink, Ms. Covcic stated the Fire Department has different groups for the use of buildings which has different requirements

Applicant Testimony: Carroll Cone, 157 East Avenue B, Jerome, Idaho, presented and testified before the Commission. Mr. Cone testified he is the Board Chairman for the Heritage School District. Mr. Cone went over a presentation with the Commission. Highlights of that presentation included the mission of Heritage Academy School District; goal to convert Believer's Church building into a community center to offer support and services to the students, families, and community members; services they would be providing (school uniform exchange, food pantry and backpack program, school supplies, etc.); change the classification of the building (will work with the Jerome Fire Chief); and they are working together to improve the community.

Upon inquiry from Commissioner Schroeder, Mr. Cone stated they already do the activities with the community but they would like to move those activities from the main building to the new building. All of these activities will be for the community and not just the students at the school.

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

Carroll Cone, 157 East Ave B, Jerome, Idaho

"Support the application. I am the Board Chairman of Heritage School District"

Testimony in Neutral: None.

Testimony in Opposition: None.

The Jerome City Planning and Zoning Commission having heard the testimony presented by Mr. Cone, and having reviewed the renewal 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. Lots 9 and 10, Block 111, Jerome Townsite, commonly known as 100 East Avenue D, Jerome, Idaho is zoned Central Business District (CBD), which requires a special use permit for the use contemplated by the instant application pursuant to Section 17.14.010 of the Jerome Municipal Code (JMC).
- B. Title 16 of the JMC has no bearing on this application.

- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., inasmuch as it is compatible with the existing and potential land uses.
- D. A review of Title 8 of the JMC was reviewed and the application complies with the General Standards A through I of Title 8.

II. Conclusions

- A. A special use permit is required for the applicant to be able to allow a school, public or private, on the subject property, which property is located in CBD Zone.
- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1.
- C. The Commission approves the application of Academy Public Charter School for a special use permit allowing a school, public or private, on that property located at 100 East Avenue D, Jerome, Idaho 83338, subject to the following conditions:
 - (1) Comply with any needed Building and/or Fire requirements and inspections;
 - (2) Comply with all City, State and Federal requirements; and
 - (3) Special Use Permit shall be allowed for one (1) year, renewable upon expiration.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 11th day of October, 2022, in support of the decision of the Planning and Zoning Commission on the 13th day of September, 2022 to approve the renewal application as specified herein is hereby made final this 11th day of October, 2022.

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

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

Second to the motion by Commissioner Johnson and carried.

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

CITIZEN CORRESPONDENCE AND ISSUES

None

DISCUSSION PERIOD & STAFF REPORTS

Mr. Larsen stated the commission needs to be careful with making statements that create a bias. Commissioners must make decisions based on information provided in the hearing. He stated when speaking of personal experiences, be careful to not announce bias in a hearing. If needed, a commissioner may recuse themselves from the vote. Discussion was held on when a commissioner would need to recuse themselves from a vote. Commissioner Fraser stated she had a concern when the applicant gave very little information and did not have the answer. Mr. Larsen stated right now they are just creating lots. Commission agreed the application needed to be more forthcoming with information. Ms. Covcic stated she reached out to the engineers and they were not sure what the builder was doing. Chairman Mink stated the owner would have known but was not in attendance. Mr. Larsen stated this project is an infill project. Chairman Mink stated the Lutheran Heights builder helped the developer. Discussion was held on other projects where houses have been placed in places that did not fit within the neighborhood. Commissioner McEntarffer stated they have worked with EHM before and they have quality work. Commissioner Reed stated the downfall was the owner not being in the audience to help explain more of the development.

Ms. Covcic stated they will have a second meeting on 10/25.

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

Rod Mink, Chairman

Katie Elliott, Secretary