



**MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING
CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO**

March 7, 2022
6:00 PM

ESTABLISH A QUORUM

Chairperson Kristopher Wallaert noted a quorum present and called the March 7, 2022, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members Nancy Brletic, Mark Sauerwald, Kristopher Wallaert, William Roeder and Travis Eikeness.

Staff members attending were Community Development Director Brock Cherry, Administrative Assistant, Brenda Ellis, Public Works Director Rich Urquidi and Attorney Geoff Schroeder.

MINUTES

- *February 7, 2022
- *February 11, 2022
- *February 22, 2022
- *February 24, 2022

Commission Member Mark Sauerwald made a motion to approve the minutes for February 7, February 11, February 22, and February 24, 2022. Commission Member Nancy Brletic seconded the motion. The vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Sauerwald; aye, Commission Member Roeder; aye. Motion passed by a majority vote. Chairperson Wallaert did not vote.

RECOGNIZING PERSONS NOT ON THE AGENDA – Moved to below new business - None

PUBLIC HEARING AND ACTION

***Action Item – Annex and Zone R-4 Residential**

Applicant – Copium Investments in care of Mason & Associates

A request to Annex & Zone to R-4 Residential a parcel of land approximately 4.09 acres and the entirety of West 12th South Street that fronts this parcel, located at what is currently addressed as 370 West 12th South Street. (RP03S06E363830)

Application: PZ-22-06

Brock Cherry gave the Staff Report.

The request to annex and zone is for approximately 4.22 acres. The property currently has two single family dwelling units. The current zoning map shows residential development around it and is zoned residential per the Future Land Use Map. The requested zoning designation R-4 is high density residential. The purpose for annexation is to allow for the future development of a manufactured home

park. There is a Conditional Use Permit hearing that will follow this item on the agenda. Staff believes it meets all standards regarding the annexation and zoning request. Isaac Whiteman came forward to speak regarding the application.

Public Hearing Opened
Public Hearing Closed

Commission Member Travis Eikeness made a motion that the Planning and Zoning Commission hereby recommends to the City Council to approve the application to annex and zone R-4 a single parcel of land approximately 4.22 acres located at 370 West 12th South Street. Commission Member William Roeder seconded the motion. vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Sauerwald; aye, and Commission Member Roeder; aye. Motion passed by a majority vote. Chairperson Wallaert did not vote.

***Action Item – Conditional Use Permit – Mobile Home Park**

Applicant – Copium Investments in care of Mason & Associates

A request for a Conditional Use Permit to establish a new mobile home park to be located at what is currently addressed as 370 West 12th South Street. (RP03S06E363830)

Application: PZ-22-11

Brock Cherry gave the Staff Report.

The R-4 district zoning requires a conditional use permit for a manufactured home park. The park would consist of thirty-eight manufactured mobile home spaces, and a 9200 square foot recreation area. Per the Code there are specific design standard applicable to this use. The applicant is asking to deviate from the fenced storage area requirement for RV's and boats. Staff believes this application meets all of the minimum requirements the ordinance calls for. Staff and the Public Works Director, believe a Traffic Impact Study was not necessary, as 12th Street is a collector road which should facilitate the majority of the traffic.

Isaac Whiteman came forward to speak regarding the application. The manufactured home community goal is twofold, one being an attractive family friendly community for the area, and two, to be affordable. There is a large landscape common area in the center with a playground. The remaining landscaping will be drought tolerant. There was a neighborhood meeting on the 23rd with no one voicing concern. This will be a nice improvement to the neighborhood. Given the demographic of people that will be living in the community, we ask to deviate from the storage facility as we do not see there being much of a need for it, and it will offer more spaces for units, which will allow for lower rental costs.

Public Hearing Opened

Jane Cook, 1434 Edward Street, came forward to speak. She feels storage space is important when residing in a manufactured home.

Dave Ascuenta, 4020 S. Main, on behalf of the Mountain Home Irrigation District. He informed the applicant there is a water delivery pipe belonging to the Irrigation District buried under the eastern boundary of the property. They cannot be destroying it or altered unless approved by the District.

Public Hearing Closed

It was clarified that the units were mobile homes and not manufactured homes. Each lot is approximately thirty-one feet wide. There are twelve off street parking spaces near the recreation area. Each lot will be designed to provide two off street parking spaces. To be clear the storage deviation request is for RV storage not household type storage units. Codes states that the parking of RV's and boats shall not be parked beside the manufactured or mobile home.

There will be community guidelines that will follow City Code, saying you can't park a boat or RV in the off street parking space. There will be lot rent, but the homes will be owned by the resident. There will be a dumpster area on the northern side. The street width of thirty feet wide will be sufficient for fire apparatus. The plan has been reviewed by the Fire Marshal. Storm water retention will be held on site in the recreation area. Design plans will be submitted later to reflect the storm water plan. The applicant is also asking to deviate from the permanent storage area with the minimum of forty square feet of floor area for each mobile home space as well as the RV/boat storage. There was discussion regarding the need of the additional household storage. The forty square feet per Code is designated to each space. The applicant can designate a lot and designate it to be a shared common storage area or each space can have a 6x6 shed. The applicant clarified they are only asking for the exception for the RV and boat storage as opposed to the personal storage. There was discussion as to how to make the motion regarding the storage space options. 9-15-5 is the portion of the Code that requires storage.

There was discussion regarding a letter from Mr. Freer, an adjacent property owner, requesting a solid screening fence between the property lines, due to the density of the proposed project. There is nothing in the Code that requires a fence to separate residential uses. The applicant had no plan to put up any fencing. A virtual site visit was done via Google showing the parcels and general surrounding area. Being this is a Conditional Use Permit the request can be made. There is existing fencing in the area, but not necessarily screening fencing. The surrounding properties are single family in nature. There is nothing in the Code that makes this a requirement. It was mentioned it may be better suited that the applicant and the adjacent owner have that conversation. Per the Comprehensive Plan and the CUP criteria, a higher impact/higher density type use, it can make sense that the fence be a condition.

The applicant understands that there is an irrigation pipe that runs along the property and does not anticipate any development issues. It will be addressed in the construction/development plans. The applicant understands any disruption or changes made to the pipe will need approval via the Mountain Home Irrigation District.

Commission Member William Roeder made a motion that the Planning and Zoning Commission hereby recommends to the City Council to approval of the conditional use permit to allow a manufactured home park on property located at 370 West 12th South Street. The subject property is proposed to be zoned R-4 Residential single family/high density dwellings, and subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards and The applicant shall be allowed to deviate from the Manufactured Home Park Design Requirement as found in 9-15-5 which mandates a twenty-foot (20') common fenced area shall be provided on-site for the storage of recreational vehicles such as boats, vacation trailers, and campers owned by park residents. Commission Member Nancy Brletic seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Sauerwald; aye, and Commission Member Roeder; aye. Motion passed by a majority vote. Chairperson Wallaert did not vote.

***Action Item – Preliminary Plat – Autumn Park Subdivision**

Applicant – GA Haan Development

A request for a Preliminary Plat approval for the proposed Autumn Park Subdivision. The plat contains forty-eight total lots that includes, forty-five multi-family residential lots consisting of thirty-nine duplex lots, two tri-plex lots, four four-plex lots and three common lots. (The northerly ten acres of parcel number RPA3S06E354850)

Application: PZ-22-17

Brock Cherry gave the Staff Report.

The ten acre site is just west of Rolling Hills Avenue and abuts the Autumn Avenue Roadway. This plat will provide for up to one hundred residential units, a community building and a park. The property is

zoned R-4 and the applicant is not requesting any special deviations. A traffic impact study has been completed, and the traffic study does not incorporate Autumn Road. There is availability of public services to accommodate the proposed development. It is zoned residential and zoned residential per the Comprehensive Plan. The request meets the minimum requirements of the Zoning Ordinance and the Comprehensive Plan. Autumn Road is not a dedicated public right-of-way. The access to this subdivision would only have access from local City Roads. Concerned area citizens inquired how the traffic would be stopped from accessing Autumn Road and staff has suggested mitigation efforts to avoid that. Autumn Road should be looked at in the future as a right-of-way, but should not be considered with this application.

Chuck Christianson with Quadrant Consulting came forward to speak on behalf of the applicant.

A type three barricade would be used to permanently block access to Autumn Road to Autumn Park Subdivision until a right-of-way agreement is reached. The applicant is aware of this issue. There was discussion regarding the potential future dedication of Autumn Road after the proposed Autumn Park Subdivision was finalized and who would be responsible to put in the right-of-way infrastructure in then.

Public Hearing Opened.

Dan Jacobs, 780 Highway 51, came forward to speak. Autumn Road, while a private road is utilized by the public to get from Smith Road to Airbase Road. The subdivision will have 100 families in this ten acres and will create parking issues. He believes not having an exit off of the project will get people trapped in emergency situations such as fire. He feels he and the adjacent property owners are willing to work together with the developer to dedicate the road as public. He did not know when the land was split originally, but it is obvious it lacks easement rights. The Mountain Home Highway District put in Autumn Road without landowner permission, and he has found no mention of Autumn Road at the County. He feels it needs to be made a road, but there needs to be an agreement for road maintenance.

Debbie Wickham, 2616 E. Brace Drive, Meridian, came forward to speak. She is speaking on behalf of a friend that owns ten acres in the vicinity. She has a deed showing an easement on the east forty feet of their property and they are willing to cooperate to dedicate it as a City road and share information with the neighbors.

John Paul and Kristine Lee, 1025 SW Autumn Avenue, came forward to speak. Many of us don't want a road there. We do want to have improvements because the public does use and the road and it's a mess. People travel at excessive speeds and it is a concern for animals and children safety. They feel that subdivision will impact them negatively. They had concerns about the sewage pond at another site and the smell from it. They wanted to know what the setback would be. If Autumn Road is forced to be in will they still be able to meet setback requirements. They wanted to know if these were single or bi-level homes on Autumn Road. The maximum height is 30' feet so they could be two-story. Knowing that the corner of Smith Street and Autumn Road will eventually be developed they wanted to know what the possible width of Autumn Road would be.

Shane Stevenson, 1255 SW Rolling Hills, came forward to speak. He was concerned about all the traffic from Autumn Park Subdivision coming out of one road and creating a hazard. He feels a single family home subdivision would make more sense in that area then such a dense development.

Barry Peterson, 1111 Poplar Drive, came forward to speak. He owns property that abuts the project area. He verified the property is zoned R-4. He does not agree with the density. He believes screening is a good idea. He farms and irrigates that land and has concerns that without a screening fence the weed killers used could overspray to adjacent properties, even though he takes great care to be precise. Whatever happens there a screening fence should be required. He would like limitations on trees to the front yard since he farms the property he owns and those trees will shade his land.

David Ascuena came forward to speak. He spoke about herd district boundaries.

Dennis Bishop, 2166 SW Smith Road, came forward to speak. His property does abut Autumn Road. They are concerned with the speed of the traffic coming off of Smith Road, and to pave Autumn Road would probably create the same issue of speeding and create a hazard. Garbage is also an issue.

Jane Cook, 1434 Edward Street, came forward to speak. She wanted to know if Black Rock Asset Management Corporation was involved in this endeavor and if anyone has considered the burrowing owls in that area and they should be aware of it.

There was a question regarding if this was government low income subsidized housing.

Kristine Lee wanted to know if the Traffic Impact Study was available for public record.

Dennis Bishop was also concerned about subsidized housing and the type of fencing that would be going up.

Public Hearing Closed.

Chuck Christianson came back for further conversation.

He did not know if it was government subsidized but did not believe so. Regardless of type of funding it is not a consideration of approval. The applicant would be willing to comply with whatever decision is made regarding Autumn Road. The City has no jurisdiction over Autumn Road and should not be a consideration for approval. The Traffic Impact Study should be referred to to see if the local roadway infrastructure can satisfy the existing and proposed developments. The barrier can be considered to deter traffic from Autumn Road. This development according to the Traffic Study anticipates 819 daily trips, with 69 at peak a.m. and 84 at peak p.m. with 75% going to Airbase Road. The grade specification was guessed to be at an acceptable level of service and no worse than level B. Emergency response time should be acceptable. It is important to note that the study was based on 116 units and the development actually only has 100 units and would reduce the net new trips by about 15%. The density concern was considered but the Code does allow that type of use in that zone. There will only be four four-plexes which meet the 30' height and all units will be built to R-4 Zoning standards. No variances are being requested. While we are maximizing efficiency with this development it also impacts the landscape of the community with the additional traffic. This area is all single family houses and alters the character of the surrounding area. This item is a subdivision request and does not have any zoning or rezoning requests and requires compliance with the zoning district. A subdivision doesn't necessarily implicate the Comprehensive Plan and if you rely on it to add standards that don't exist beyond those in the zoning code or subdivision ordinance it puts us in an area that may subject us to a takings analysis. The current zoning map shows this area as R-4 and the surrounding single family homes are also in the R-4 Zone.

The preliminary plat Commission review states that part of the review is the other health, safety, or environmental problems that may be brought to the Commissions attention. One concern was the density with the potential harm of the increased traffic. The Traffic Study addressed the traffic issues and the increase in traffic due that subdivision is no different than an increase in traffic due to anything else. The developer has the risk regarding the environment concern of the presence of burrowing owls. The City allows for a 7' fence to be built. It is up to each homeowner or developer to decide the quantity and extent of fencing needed.

Commission Member Nancy Brletic made a motion that the Planning and Zoning Commission hereby recommends to the City Council to approval the Autumn Park Subdivision preliminary plat, consisting of approximately ten acres located west of SW Rolling Hills Avenue, abutting Rolling Hills #5 Subdivision and just east of Autumn Avenue, with the following conditions of approval:

1. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
2. All future development will comply with the uses and bulk & coverage controls of the R-4 Zoning District.
3. All future development shall adhere to the R-4 Residential Development Design standards as found in 9-19 Article B of Mountain Home City Code.

4. Prior to submission of building permits, the applicant shall provide the following with either the Final Plat or Development Plan Applications:
 - a. Landscape Plan, including:
 - i. Outdoor spaces shall be screened when located adjacent to dumpster enclosures, loading/service areas, or other incompatible uses.
 - ii. All outdoor spaces shall be landscaped.
 - b. Building Plans, including:
 - i. Structures shall incorporate pitched roof forms having slopes between two to twelve (2:12) and fifteen to twelve (15:12) or greater (not applicable to porches and dormers). Flat roofs with parapets shall also be allowed.
 - ii. Windows shall be provided in building facades facing streets.
 - iii. Buildings shall include modulation along the building facades facing and visible from public rights of way and private access driveways and roads. Flat blank walls are discouraged.
 - iv. When garage doors are facing the street or private driveways, they shall be set back at least twenty feet (20') from the property line or sidewalk or edge of pavement of private street.
5. There will be a type 3 barricade preventing access to Autumn Road.

Commission Member Travis Eikeness seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Sauerwald; aye, and Commission Member Roeder; aye. Motion passed by a majority vote. Chairperson Wallaert did not vote.

NEW BUSINESS

***Action Item** - Extension Request – Conditional Use Permit

Applicant – Crystal Rogers – Daycare

Crystal Rogers is seeking an extension on an approved Conditional Use Permit regarding the condition of paving of the parking lot.

Crystal Rogers came forward to speak.

The original CUP granted a year to pave the parking lot and expires March 25, 2022. Due to costs, weather and unavailability of contractors she has not yet been able to complete the parking lot. She has currently received a reasonable bid and has a tentative time for paving no later than the end of July.

Discussion was had regarding a reasonable extension timeframe. Asphalt plants generally open in March and close down in October.

Commission Member Mark Sauerwald made a motion to approve the applicant Crystal Rogers extension request of the Conditional Use Permit seeking an extension to the last day of October 2022 to satisfy the paving of the parking lot. Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Sauerwald; aye, Commission Member Roeder; aye. Motion passed by a majority vote. Chairperson Wallaert did not vote.

OLD BUSINESS

*Accessory Dwelling Unit Ordinance further discussion will be the March 21st Agenda.

DEPARTMENT HEAD ITEMS

*Monthly Building Permit Report-February 2022-None

*Monthly Code Enforcement Report-February 2022-None

*Notification changes for hearing notice letters-packet build out.-None

ITEMS REQUESTED BY COMMISSION/STAFF - None

ADJOURN

Chairperson Wallaert adjourned the meeting at 8:45 p.m.

Chair

A handwritten signature in blue ink, consisting of several loops and strokes, positioned above a horizontal line.