



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

April 4, 2022
6:00 PM

ESTABLISH A QUORUM

Chairperson Kristopher Wallaert noted a quorum present and called the April 4, 2022, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members Nancy Brletic, Mark Sauerwald, Kristopher Wallaert, Commission Member Travis Eikeness, and William Roeder.

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

MINUTES

*March 21, 2022

Commission Member William Roeder made a motion to approve the minutes for March 7, 2022. Commission Member Travis Eikeness seconded the motion. The vote is as follows: Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Roeder; aye. Motion passed by a majority vote.

RECOGNIZING PERSONS NOT ON THE AGENDA

Removed from agenda

PUBLIC HEARING AND ACTION

***Action Item – Comprehensive Plan Amendment - Impact Fee**

Applicant – City of Mountain Home

Application: PZ-21-68

Comprehensive Plan Amendment of the City of Mountain Home, Idaho, (PZ-21-68) by:

The addition of the City of Mountain Home Police, Fire, Parks and Streets Departments' Impact Fee Studies and Capital Improvement Plans ("Capital Improvements Plan") as Appendix "N".

Community Development Director, Brock Cherry gave an overview and turned it over to Anne Wescott of Galena Consulting who gave the presentation of the fees via Zoom.

The last time Impact Fees were updated was in 2015. They should be updated every five years. The rate of growth and pattern of development has changed. Construction cost have changed. Impact Fees are only paid by new development. These fees only support capital infrastructure. The fees are calculated to cover proportion share of the capital cost of growth. We identify specific portions of capital needed because of growth and incorporate those into the development impact fees. The Planning & Zoning is to ensure the

Capital improvement plan that is proposed is consistent with the Comprehensive Plan. The seven questions to encapsulate the entire process are, understanding who currently serve, How many people, households and non-residential square feet are in Mountain Home, what is the current service level, How much capital is required to facilitate the current level of service, and calculate how much existing residents have paid in. The next three questions are the Impact Fee Study that identifies the amount of growth we anticipate to come, how many households, single and multi-family, and how much non-residential square footage. The departments identify in the CIP what needs to be built or bought to continue the current level of service as we grow. The numerator of what needs built or bought divided by who is coming is the full cost recovery. The growth projections show the City of Mountain Home growing by 1% a year from 2010 to 2019, and then 10% from 2019 to 2020 and we extrapolate for two more years on top of that. We feel confident of an annual 4% growth rate, by factoring in what is in the current pipeline for development applications. The projections are looked at every year. Over the next ten years there is a projection of adding 7,000 people, about 2500 new households, primarily single-family, and another million and a half square feet of non-residential land use.

The CIP for police identifies how many officers there are per thousand in population. Adding 7,000 more people based on the current level of service the City will need to higher another ten officers over the next ten years to keep the same ratio of officer per population. The 1.7 Million projection will pay for a substation or an expansion of current space. New patrol vehicles, weapons, and radios for new officers are impact fee eligible. 2.2 million in the CIP are impact fee eligible.

Anne explained the calculation for the police impact fee at \$663 per residential and .37¢ per non-residential square foot that by taking of the 2.2 million and dividing it by the 2559 new households and the 1.5 million non-residential square feet. So 75% of the 2.2 million goes to residential and 25% goes to non-residential and the total amount is divided out 75 by 25 and divided by the 2500 new homes and the 1.5 million non-residential and that is how you end up with the calculation.

The CIP for fire does not only factor in number of stations but also station location. They need a new fire station with a 2.5 million cost and is needed due to the growth projected over the next ten years. A new substation is needed that the City will partner with the Rural Fire District projecting a shared cost of \$675,000. Two new engines and a squad vehicle will be needed which will be impact fee eligible. Twelve new fire fighters will be needed and the new equipment for the new fire fighters will be impact fee eligible. 4.5 million is due to growth.

In the CIP for Parks we talk about how many acres per 1000 people. The City already has a nice parks infrastructure in place. With the growth it was determined not to purchase new parks, it was financial more prudent to put the impact fee money into amenities that support growth. There is enough open space , but more trails, playgrounds and ball courts, and there is a 2 million dollar capital item to do that throughout the City and the specific sites have not been identified but will. The City intends to add a Pickleball Court and growth will pay for part of it as it is somewhat of a deficiency. They will be adding restrooms and updating the tennis courts, these are partial deficiencies as they are either not there or they are not in the right condition, so at the same time they will be updating the tennis courts, so half of those costs will go to growth. The splash pad would be somewhat growth eligible and will be funded in partnership with Urban Renewal. The new pool funding will come from a match. 3.6 million is impact fee eligible.

The CIP for Streets is interesting as we know where we are growing we are putting more trips on the road and creating more congestion. The City identified the priority roadway projects and priority intersection projects over the next ten years. The total cost has been determined by engineering. These percentages have to do with repairing existing and addition. A project to widen a street, such as North 6th East, will allow 60% for improvements and 40% for widening, so growth will pay for widening the road. New roads could be 100% Impact Fee eligible as could traffic signals projected for City View Drive and Highway 51

and Smith. 11.4 million in the CIP and 10 million is growth related. Any development going in and agreed in the development approval to do a part of any of these projects they would be credited against their Impact Fees so not to have them pay twice.

One of the Commission members felt the growth projection of 48% was too high. US Census shows a 2020 population of 15,979. This Commission member felt that a more accurate growth percentage from 2019 and 2020 was better reflected as 3.76% not 10%. Since the CIP is based on the projected growth and development that comes with it, the percentage of increase in dollars is huge. According to Anne she knows the 10% number is not sustainable. The 4% can be sustainable; it is not only the building permit pressure but also the increase in multi-family projections which gave the population projection. It could be lowered, and if the growth was lowered, we would also lower the CIP. Some items cannot be taken off the list, because it is not just population based. Having a less healthy growth rate will increase the cost of fees because you will be dividing it by fewer people.

Anne Wescott signed off Zoom for another meeting.

Public Hearing Opened.

Misty Pierce came forward to speak. A letter was turned in previously regarding the hearing and was given to the Commission prior to the meeting. Additional information was provided. Misty mentioned the Base was going to bring in 1000 men from Quarter for training, which could bring in up to 4000 people. You cannot recuperate a net loss with taxes that would occur from property taxes, it will always be a net deficit passed on to the existing residents, which is what the impact fees are trying to stop from happening. Misty mentioned other municipalities are charging up to \$13,000 for impact fees. The Council did not waive or lower impact fees in the past with the exception of non-profit organizations. Lowering or waiving these fees you may see a loss in those who have been here for many years.

Phil Wuest came forward to speak. A letter was submitted prior and made part of the Commissions packets. The fee increase needs to be put in the context of the City's larger goals. The economic forces at work make it hard for projects like Turner House Depot very difficult to deliver. The vertical and horizontal construction costs have gone up tremendously. It will be difficult to deliver additional housing. Any increase in fees will jeopardize the Turner House Depot project.

Dan Weitz came forward to speak. Mr. Weitz is a substantial landowner in the area. The presentation by Anne Wescott has a few errors in facts. There is no way there will be a fourfold increase in the population growth. What this takes into account is the multi-family and housing that has been approved through the planning process, nearly 1000 units, none of which have been built. Mountain Home is an unproven market which makes it difficult to borrow the money. Mountain Home needs success to prove itself. Claims Mountain Home is higher than the proven market. An additional cost in fees will cause projects to stop, which will stop the property tax associated with them. The timing is not good with the cost of everything else going up. This should be paused.

Eddie Wilson came forward to speak. He is trying to develop in the community. Feels the Impact Fees are astronomical and will affect the ability to develop. Development must pay for development and nothing else. Anne Westcott's statements regarding numbers contain inaccuracies. Claims she put together a wish list. SW Autumn Drive is 40% on what is requested for roads and this is a 4 million dollar error because the developer will have to pay for that road. EDU and impact fees added together are higher than Boise. The interest rates are doubling.

Don Gust came forward to speak. Concerns were infrastructure with growth, such as water, sewer, police, fire, City Staff, traffic lights, road maintenance and postal service. Another concern was upkeep of homes and what types of homes were coming.

Lonnie Black came forward to speak. There was concern that the value of the fees collected today would cover the future costs as inflation keeps going up. Mountain Home has been paying their way for a long time without growth. If it is a good deal today it will be a good deal tomorrow and not to make decision because of pressure from developers.

Public Hearing Closed.

There was discussion regarding if the impact fees are higher than other municipalities such as ADA County. Ms. Westcott's report did project fees for other locations and this proposed increase will make them higher, however other municipalities are undergoing Impact Fee reviews. It appears currently we are five times lower in Impact Fees. There was concern the proposed cost increase was not at a reasonable cost. The 4% growth does not seem sustainable looking at historical data or Census data. Legal Counsel cautioned comparing to other municipalities as not all jurisdictions charge for all eligible services. In other jurisdictions such as ADA County Highway Districts charge their own impact fee on top of Boise Impact Fees. Boise has a private water system and those charges are also separate. Some charge by square footage and not by unit. State Statute 67-8210 requires the allocation and earmarking of funds. They must be maintained in an interest bearing account, they have to be earmarked specifically for the reason they were collected, an annual accounting an audit must be conducted, they have to be expended within eight years, they can be held longer if identified in writing a reasonable cause and date for expenditure, and no greater than eleven years. If they are not used they must be refunded. Impact fees are looked at every five years, but it would not hurt to look at it every six months. Prediction numbers can be changed from year to year and amend the CIP if needed. State Statute 67-8205 allows for periodic reviews annually with respect to the CIP. The CIP must be supported by the Comprehensive Plan.

There was discussion of what motion to be made and how to make the motion and the history of what the impact fees had been in the past and how they were implemented.

There was discussion about the content that made up the CIP and if there was anything that could be done without. The Department heads spoke about their CIPs.

Commission Member Mark Sauerwald made a motion to recommend to City Council to deny approval of the Comprehensive Plan Amendment of the City of Mountain Home Idaho, PZ-21-68 by the addition of the City of Mountain Home, Police, Fire, Parks, Street Department, Impact Fees Studies and Capital Improvement Plans as appendix "N".

Commission Member William Roeder seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; nay, Commission Member Sauerwald; aye, and Commission Member Wallaert; nay. Motion passed by a majority vote.

***Action Item – Impact Fee**

Applicant – City of Mountain Home

Zoning Title Amendment of the City of Mountain Home City Code (PZ-21-68) by:

Repealing and replacing of Mountain Home City Code, Title 9: Land Use & Development, Chapter 4: Development Impact Fees.

Application: PZ-21-71

Commission Member Nancy Brletic made a motion to recommend to City Council to deny the repealing and replacing of Mountain Home City Code, Title 9: Land Use & Development, Chapter 4: Development Impact Fees. Commission Member Mark Sauerwald seconded the motion. The vote is as follows: Commission Member Sauerwald; aye, Commission Member Brletic; aye, Commission Member Roeder; aye, Commission Member Eikeness; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

The next three items were combined into one as they are all very similar and by the same applicant.

***Action Item – Annex and zone**

Applicant – Thomason/Krall

A request by Kasey Thomason, Brianna Thomason, and Jennifer Krall, to annex and zone to R-4 Residential a parcel of land located east of Jerome Street, south of Colthorp Avenue and west of Garrett Street. The annexation also includes the entirety of Jerome Street, Colthorp Avenue and Garrett Street that fronts this parcel of land.

Application: PZ-22-30

Brock Cherry gave the Staff Report.

The items before you are one property owner but different lots. These lots are on the agenda for annexation and rezoning.

The first lot is at the corner of Airbase Road and Garrett Street to annex and zone to C-4 commercial. It is approximately .72 acres. The purpose of this annexation is for the future development of a coffee shop. The Future Land Use map designates it as commercial and it is harmonious with the surrounding area. There are residential uses to the rear.

The second lot is already in the City. It is zoned commercial. The applicant would like to rezone to R-4 to be eligible for future residential development. The Future Land Use Map does show it as commercial, but it doesn't have hard and definite boundaries and is a guide and doesn't disqualify it to be zoned as residential. The surrounding properties are R-4.

The third lot is 3.85 acres. The applicant would like to annex and zone it to R-4 Residential for future residential development.

Kasey Thomason came forward to speak.

Public Hearing Opened.

Lonnie Black came forward. The concern was made about annexing and repairing the street. They are in poor shape now and the extra traffic will make it worse. Mr. Black mentioned that an ITD employee stated that the road should be parallel with the road across the street by A to Z Lumber and who will pay for it.

William Heckathorn came forward. He owns the little house that is surrounded on three sides of this parcel. He has always been in the County and does not want to be in the City. He wants to keep farm animals and doesn't want to be messed with. He inquired about an alley way and wanted to know what happened to it.

Misty Pierce came forward. ITD says you cannot cut the concrete on Airbase Road to put in a driveway. Parts or all of Garrett will need to be rebuilt to include curb, gutter and sidewalks. She wanted to know if this information was included in the preliminary plat, development agreements, and the required findings of City Ordinance 9-6-8 or 9-5-1.

Chris Wells came forward. The impact to the residents in this area is a concern. The big issue is the ground water is disappearing as the property is being encircled. He proposed to take into consideration the financial burden to these people.

Don Gust came forward. He wanted to know if the State would pay for the sidewalks, and who would pay for the other sidewalks and the cost to construct the road, curbs and sidewalks. He doesn't want to be messed with. He has concerns about the water. He wanted to know what would be done about the schools.

Public Hearing Closed

There is a vacated alley way that runs through the property. Roadway improvements will be done by the developer as construction happens. The site will utilize City water. This annexation will allow others to annex so they can also access City water as they will be contiguous to City Limits as wells are failing.

The properties that are in the County will be held to County Ordinances and the City property to City Ordinances. Curb, gutter and sidewalk will be developed. All development will be on the applicant's parcels. It is not the City's policy to force annex.

Commission Member Travis Eikeness made a motion to recommend to City Council approval of the request to annex and zone to R-4 Residential a parcel of land located east of Jerome Street, south of Colthorp Avenue and west of Garrett Street. The annexation also includes the entirety of Jerome Street, Colthorp Avenue and Garrett Street that fronts this parcel of land. Commission Member Nancy Brletic seconded the motion. The vote is as follows: Commission Member Sauerwald; aye, Commission Member Brletic; aye, Commission Member Roeder; aye, Commission Member Eikeness; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Rezone C-4 to R-4**

Applicant – Thomason/Krall

A request by Kasey Thomason, Brianna Thomason, and Jennifer Krall, to Rezone a portion of land from C-4 Heavy Commercial to R-4 Residential. The portion of land is located east of Jerome Street, south of Colthorp Avenue, west of Garrett Street and north of Airbase Road.

Application: PZ-22-34

Commission Member Travis Eikeness made a motion to recommend to City Council approval of the request, to rezone a portion of land from C-4 Heavy Commercial to R-4 Residential. The portion of land is located east of Jerome Street, south of Colthorp Avenue, west of Garrett Street and north of Airbase Road. Commission Member William Roeder seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Annex and zone**

Applicant – Thomason/Krall

A request by Kasey Thomason, Brianna Thomason, and Jennifer Krall, to annex and zone to C-4 Heavy Commercial a parcel of land located at the corner of Airbase Road and Garrett Street, The annexation also includes the entirety of Garrett Street that fronts this parcel of land.

Application: PZ-22-29

Commission Member Travis Eikeness made a motion to recommend to City Council approval of the request to annex and zone to C-4 Heavy Commercial a parcel of land located at the corner of Airbase Road and Garrett Street, The annexation also includes the entirety of Garrett Street that fronts this parcel of land. Commission Member Nancy Brletic seconded the motion. The vote is as follows: Commission Member Sauerwald; aye, Commission Member Brletic; aye, Commission Member Roeder; aye, Commission Member Eikeness; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Conditional Use Permit – Drive-Thru**

Applicant – Thomason/Krall

A request by Kasey Thomason, Brianna Thomason, and Jennifer Krall to obtain a Conditional Use Permit for a Drive-up Window, for a coffee shop located on Airbase Road. The parcel is located at the corner of Airbase Road and Garrett Street.

Application: PZ-22-31

Brock Cherry gave the Staff Report.

This parcel will be zoned C-4 and the proposed use requires a Conditional Use Permit for a Drive-thru. There are conditions for a drive-thru but are not attached to numerical requirements for stacking. We do not want stacking to go onto any right-of-way and cause disruption. It is on the property owner to meet that burden and be persuasive the plan will provide all necessary stacking to maintain a harmonious environment. The internal stacking capacity is nine spaces. There are an additional four spaces before it becomes a right-of-way issue.

Kasey Thomason came forward to speak and the architect, Chris Laraway.

An application has been submitted to ITD for access from Airbase Road, but has not heard back from them. If it is not approved the flow would just circle back to Garrett Road. The applicant did not feel that back up would be an issue. The proposed second access is import for deliveries via semi-trucks. If not approved for then we would have to go back to the drawing board.

One commission member questioned why we did not have all approvals before going before them. The one with the most risk is Mr. Thomason, as he is required to receive all approvals from ITD. We find that if we can condition approvals correctly then the City does not risk any possibility of something becoming a detriment. If denied the tractor trailer for deliveries on Garrett Road could be an annoyance. Should safety become an issue a CUP can be withdrawn.

Public Hearing Opened.

Don Gust came forward to speak. He wanted to know where the accesses to the location were and was concerned it would become an issue with other locations nearby. There was concern regarding the number of truck deliveries, what type of trucks, and time of day. Will this be on City water and sewer and will fencing be installed?

Chris Wells came forward to speak. He feels it is a lot going on at one time there. Are the trucks patrons? That area is dodgy in bad weather.

Public Hearing Closed.

This area is zoned C-4 the use is allowed but a Conditional Use Permit is required due to the Drive-thru component. Hours of operation are 5:00 a.m. – 8:00 p.m.; deliveries for milk are three days a week and are not delivered by a full sized semi-truck. There are also deliveries from Shamrock Foods, and Hayden Beverage. If the access was forty feet further ITD would allow it, IDAPA guidelines require a process for approval of an access within 350 feet or less from an intersection. Water will tie in off Colthorp and will run the distance of the property.

Commission Member Nancy Brletic made a motion to recommend approval of the of the requested conditional use permit to the City Council with the following conditions.

1. The Applicant's annexation request and zoning designation of C-4 (Application PZ-22-29).
2. Subject to site plan amendments as required by Building, Public Works, Fire, and Zoning Officials to comply with applicable City Codes and standards.
3. All future development will comply with the uses and bulk & coverage controls of the C-4 Zoning District.
4. The Applicant shall meet the performance and design standards for "Drive-In Establishments" per City Code 9-9-14.
5. The Applicant shall comply with and receive all required approvals from the Idaho Transportation Department. Commission Member Mark Sauerwald seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Planned Unit Development – The Village**

Applicant – Robert Nash

A request by Robert Nash, for a rezone from I-2 & C-4 to an R-4 Planned Unit Development (PUD). The request would allow for a master planned development consisting of eight, twenty-four unit apartment buildings totaling one hundred ninety-two apartment units, and 56 garage, 188 covered parking stalls and 141 open parking stalls. Additional amenities include a Clubhouse, Swimming Pool, Pickleball courts, Barbeque and picnic area, Tot lot, Dog run, and Electric Charging Stations. The parcels slated for development are located east of North Haskett Street and North of West 5th North Street. (RPA01490010020, RPA01490010030, RPA01490010040, RPA01490010060, RPA01490010050) (PZ-22-32)

Application: PZ-22-32

Brock Cherry gave the Staff Report.

This property is within the City Limits. The request is to rezone all the lots to R-4 PUD. The Future Land Use Map shows a portion in the Commercial designation and a portion in the Light Industrial designation. This area is unique in that there are many different uses in close proximity of one another. There is an assortment of traffic needs in that area. The biggest concern is the traffic and the executive summary should be looked at. The Comprehensive Plan shows a need for this type of product. The proximity to the rail and light industrial are less than optimal. It does create a buffer product to the single family homes however. The economic impact to downtown is favorable as it is within walking distance from this development. It meets the requirements per the Land Use Development Ordinance. It has more amenities than required. The applicant will speak about impact fees in the PUD agreement. They would like City Council to sign the agreement to only raise the impact fees to such an amount for this application. The traffic study shows the greatest concern is at Haskett and Airbase Road. This location is currently failing at a grade F without adding this on top of it.

Robert Nash came forward to speak as the applicant. Todd McCauly is a partner spoke as well.

There is a need for housing in Mountain Home. We are proposing eight apartment buildings that are twenty-four plexes. It is configured with a lot of open space. There are a lot of amenities. There is a buffer from the railroad by utilizing garages for a sound barrier with landscaping. This is a good buffer and transitional spot. This project will be about \$25,000,000.00 to build and will increase property taxes by about \$200,000 a year. The impact fees as proposed are \$230,400.00 and we ask that the cost be reasonable.

The traffic is an issue and a valid concern. The Impact Study did say that is a failed system and this impact will not make it any more of a failed system. 5th Street will be improved. He feels like this is a win and will have a positive impact over all.

These are two-bedroom, two bath apartments. There are still remaining EDU's available to accommodate this project. Unfortunately, the issues at Airbase Road and Haskett, in order to get funds from ITD accidents have to happen there.

Public Hearing Opened.

June Zilisch came forward. The traffic is already terrible and adding 400 more cars is ridiculous. There is concern with the amount of traffic and children crossing the road and 5th Street or Haskett Street to get to West Elementary. The current traffic does not abide by the speed limit.

Jon Krueger came forward. The Traffic Study shows four dots going out toward Wolfe Pac Pellets, which is basically an untraveled road. #2 is a difficult intersection especially at shift change. #3 and #4 he feels an additional rail crossing would be needed to be a viable project to facilitate this apartment building.

Misty Pierce came forward to speak. Main concerns were traffic, parking, the canal and the railroad tracks being close. She did not see an environmental impact study that must be included per the City

Ordinances. She did not see the traffic study for West 5th North and Main, they are listed but there was no study conducted. People are ignoring the no left hand turn sign. The sign from on 5th says no truck to go over the tracks, but it is being ignored and the trucks block traffic. She claims the railroad was not informed.

Don Gust came forward to speak. He wanted to know how close they would build to the railroad, what is the future for the tracks, and will Wolfe Brothers be able to utilize the tracks? Is the fire department trained well enough to fight a two-story fire. Pedestrian safety is a concern. What is parking like? Where is the water coming from? How wide will the sidewalks be, and will they repair both sides of the road? Where is the power coming from and how will it be installed? Will they put in a traffic light? Can the school handle the amount of children? Will we need another grocery store? He suggested a crossing guard.

Chris Wells came forward. He feels this project is in the wrong place. He feels the City needs to work with the Developer for a land swap.

Public Hearing Closed.

The Railroad was sent a letter. There has been correspondence with a Union Pacific employee that was told to make official comment. The City has been actively working with the railroad for the last two years. Staff believes the Environmental Impact Study is a requirement when we look at the PUD to look at the environment to see if one is needed, but doesn't believe that the language is that an Environmental Impact Study must take place. The school has also received notification. The traffic is definitely an issue, especially by the tracks. Haskett and Airbase road is also a major issue. Mr. Cherry and Mr. Urquidi have looked at the issue of kids walking to school especially on 5th North; they believe there could be a nexus for some sort of cross walk from the development. Marathon traffic should not correspond with the school crossing timeframe. The study AM peak hour traffic is 82 trips and PM peak traffic is 103 which is a pretty dramatic difference. The study was between 7-9 am and 4-6 pm. There are no plans to build elsewhere. Projected project start would be this summer, provided there are no supply chain issues. Road maintenance for that road is one half of the road on West 5th North Street and curb, gutter and sidewalk. Haskett improvements are only curb and gutter with landscape buffer. The City has no plans for any road work for that area. The landscape will be drought tolerant xeriscape to be mindful of water conservation.

Commission Member Mark Sauerwald made a motion to recommend to City Council to approve the request by Robert Nash to rezone I-2 and C-4 to an R-4 Planned Unit Development (PUD). The request would allow for master planned development consisting of eight, twenty-four unit apartment buildings totaling one hundred ninety-two apartments units, and 56 garages, 188 covered parking stalls and 141 open parking stalls. Additional amenities include a Clubhouse, Swimming Pool, Pickleball courts, Barbeques and picnic area, tot lot, dog run and electric charging stations. The parcels slated for development are located east of North Haskett Street and North of West 5th North Street, with the following conditions.

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 provided in attachment #9, "Proposed Planned Unit Agreement".
3. That West 5th North and North Haskett Street be equipped with an RFB.

Commission Member Nancy Brletic seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Vacation – Fruitdale Subdivision**

Applicant – Cruse/Taylor

A request by Kaysa Cruse, in care of Steve Taylor of Tieren to vacate a portion of Fruitdale Subdivision, which contains all of lots 12, 19, 20, 21, and 22, and portions of lots 9, 10, and 11 of Block 10, containing approximately 14.37 acres. (Portions of RP00060010009A)

Application: PZ-21-66

Brock Cherry gave the Staff Report.

What is presented is a vacation of the existing subdivision which exists within the property within the corporate boundaries of the City of Mountain Home. The Fruitdale Subdivision is very old platted in 1896. In order for the applicant to proceed with developing the property and plat it we must first vacate the existing subdivision which lies underneath.

Public Hearing Opened.

Public Hearing Closed.

Commission Member William Roeder made a motion to recommend to City Council approval of the request to Vacate a portion of Fruitdale Subdivision, which contains all of lots 12, 19, 20, 21, and 22, and portions of lots 9, 10, and 11 of Block 10, containing approximately 14.37 acres. Commission Member Nancy Brletic seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Amend existing PUD – 10th Street Neighborhood**

Applicant – Cruse/Taylor

A request by Tieren, LLC, representing Kaysa Cruse, to amend the existing “10th Street Neighborhood, R-4 Planned Unit Development (PUD)”. The existing approved PUD request allowed for a master-planned development consisting of townhomes, live-work housing units, commercial space, and open space amenities. The expansion request will include single family units, storage facilities, a daycare, and additional open space and amenities. The existing PUD is located on a parcel of land located on South 10th East Street (formerly Daniels Road), East of SW Silverstone Avenue West of South 10th East Street. (RP00060010009A)

Application: PZ-22-33

Brock Cherry gave the Staff Report.

In February this body recommended approval of the 10th Street neighborhood PUD consisting of two phases, Blue Juniper being the first phase and Sweetgrass being the second. The portion approved consisted of twenty-four live-work attached townhomes, eight non-live-work townhomes, four attached townhomes with small office and coffee shop space, shared community green space including; playground area, community gardens sports courts, and activity fields. The second portion is to consist of seventy-six single family dwelling units, and approximately 3,650 square-foot mixed-use building which will serve as a day care facility and six (6) multifamily dwelling units. The original site plan was shown and explained as well as the amended plan. The single family units will be directly adjacent to the existing Silverstone Subdivision. The applicant has found that a substantial portion of the first phase is in the floodplain. The applicant is aware that they will have to meet floodplain regulation and do the necessary studies. The applicant is asking in the PUD document that it be considered at platting stage due to this being in the A Flood Zone and that he needs to establish base flood elevation before he can construct anything. He is hoping to build an access road pending the approval of the subdivision by the Fire Marshall and other concerned parties, that wouldn't be fully built out to City Standards until he can establish BFE and he can construct the roadway to completeness. The roadway is proposed to be dedicated to the City and the City would not take it until it is completed. The purpose being that the applicant would like to start construction on the portion that is not in the A Zone to move the project forward.

Steve Taylor came forward on behalf of the application.

He believes there will be a BFE designation before they apply for any other permits. They learned February 2nd about the floodplain and engaged a Hydraulic Engineer right away. He doesn't expect there to be any above grade or BFE issues in our final configuration. In addition a Traffic Study has been conducted for the additional units and it came back as acceptable. Regarding the road we expect to satisfy the requirement for BFE before the road construction. It is required by law to define a no-rise zone. We will adhere to any requirements from the engineering study.

Public Hearing Opened.

Robert Mott came forward to speak. This is no different except we are doubling the size. It's about money. The trailer park is an eyesore.

Christ Orr came forward to speak. Traffic is a concern. It is rural and there is concern about moving farm equipment with implements with this traffic. At the end of the road is a pinch point. Traffic also becomes an issue at the railroad crossing like at the track near Taco Johns. There is only one outlet onto South 10th East and there is concern for emergency vehicles. Can the schools manage this increase? Where are the wells for the proposed subdivision? How will pedestrians be kept safe? There will be extra trash and garbage with the new subdivision due to construction trash.

Suzette Poole came forward to speak. Where will they get the water? Mountain Home is a critical water area.

Public Hearing Closed.

This project will hook to City water and sewer. There are enough EDU's available for this project. There is an ordinance regarding debris from construction sites. The Fire Marshal has seen the expansion and has given certification that we are able to serve it. The entry road will need to be sufficient. Being a PUD this development is a little more flexible. EDU's are the same regardless of usage. The School District is notified of new development and aware of growth and expansion.

Commission Member Mark Sauerwald made a motion to recommend to City Council approval of the request by Tieren, LLC, representing Kaysa Cruse, to amend the existing "10th Street neighborhood, R-4 Planned Unit Development (PUD)". The existing approved PUD request allowed for a master-planned development consisting of townhomes, live-work housing units, commercial space, and open space amenities. The expansion request will include single family units, storage facilities, a daycare, and additional open space and amenities. The existing PUD is located on a parcel of land located on South 10th East Street (formerly Daniels Road), East of SW Silverstone Avenue, West of South 10th East Street, with the following conditions.

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 provided in attachment #9, "Proposed Planned Unit Agreement."
3. Since the subject property is located in the floodplain, the Applicant will be required to establish Base Elevation (B&E Study) and comply with local, state, and federal regulations regarding development within the floodplain before any building permits are allowed. Commission Member William Roeder seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Zoning Title Amendment – Home Occupation**

Applicant – Randy Scales

A request by Randy Scales to consider changes to an ordinance of the City of Mountain Home, Idaho, amending Title 9, Chapter 9, Section 16, 9-9-16: Home Occupation. The amendment would allow for

Home Occupations which deviate from the existing 9-9-16: Home Occupation Standards with a Conditional Use Permit.

Application: PZ-22-23

Brock Cherry gave the Staff Report. This Zoning Title Amendment has been initiated by a private citizen. He is seeking to amend the City's current ordinance for Home Occupations. City Code states that the purpose of a home occupation is to permit limited legal business activities within a dwelling while retaining the residential character of the dwelling and the residential district and to preclude any activities which are a nuisance, offensive or hazardous to a residential neighborhood. It is the responsibility of the home occupation permittee to be a good neighbor and to have due regard for the importance of their neighborhood which reflects the quality of life in the City. The home occupation permit has certain conditions of approval which include that they must operate within the principle dwelling. They cannot operate in a detached accessory building. They cannot utilize more than 25% of that building for their home occupation and all materials must be stored indoors. There is no allowed business signage. What is proposed by the applicant is that if someone wants to deviate from those rules they could do so with a Conditional Use Permit. The Comprehensive Plan speaks to economic development, creating business opportunities and allowing for neighborhood commercial type businesses. It speaks about live-work units and providing services that would be from 8:00 am to 5:00 pm which would be harmonious with surrounding uses. It also speaks of community design and ensuring neighborhood character, and ensuring uses don't take away the quiet enjoyment of the residential use of someone's property.

Randy Scales came forward on behalf of the application. The current code limits in-home business. He would like to own a gym. There is no feasible way for him to own the gym he wants to operate which is cross fit. He would like to afford homeowners the option for a business plan.

It was cautioned that this would require applicants to meet the Conditional Use Permit Ordinance findings and may need more tweaking. The home occupation ordinance is to protect the neighborhood, so you can have a business but no one can tell that you have a business.

Public Hearing Opened.

Public Hearing Closed.

Commission Member Mark Sauerwald made a motion to recommend to City Council to approve the request by Randy Scales to consider changes to an ordinance of the City of Mountain Home, Idaho, amending Title 9, Chapter 9, Section 16, 9-9-16: Home Occupation. The amendment would allow for Home Occupations which deviate from the existing 9-9-16: Home Occupation Standards with a Conditional Use Permit. Commission Member William Roeder seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Brletic; aye, Commission Member Sauerwald; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

NEW BUSINESS - None

OLD BUSINESS

***Action Item—Recommendation-Findings of Fact-R-4 Planned Unit Development and Preliminary Plat—LaBelle Estates**

Applicant – Gary & Wendy Carlton

A request for an R-4 Planned Unit Development for the proposed LaBelle Estates Subdivision. The proposed La Belle Estates development consists of nineteen single family residential lots with a typical lot size of 30'x78'. These lots are designed to accommodate small (approximately 648 square feet), one-bedroom homes. The plan will include a shared private drive and common areas. The parcels of land are

located east of South 10th East Street (Daniels Road), west of Old Highway 30 and about 400 feet south of West 12th South Street.

(RPA3S06E367928, RPA3S06E367929, RPA3S06E367931, RPA3S06E367980, RPA3S06E368020, RPA3S06E367970, RPA3S06E367936, RPA3S06E367950, RPA3S06E367941)

Application: PZ-22-20 & PZ-22-19

Commission Member William Roeder made a motion to approve Gary and Wendy Carlton, LaBelle Estates PUD subdivision application PZ-22-19 and PZ-22-20 for approval by City Council. Commission Member Travis Eikeness seconded the motion. The vote is as follows: Commission Member Sauerwald; aye, Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Roeder; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

DEPARTMENT HEAD ITEMS

*None

ITEMS REQUESTED BY COMMISSION/STAFF - None

ADJOURN

Chairperson Wallaert adjourned the meeting at 10:10 p.m.



Chair