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

September 7, 2021  
6:00 PM

**ESTABLISH A QUORUM**

Chairperson Kristopher Wallaert noted there was a quorum present and called the September 7, 2021, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members, Kristopher Wallaert, Nancy Brletic, Deedee Devol, William Roeder, and James Eskridge. Commission Members Mark Sauerwald and Travis Eikeness were not in attendance. Staff members attending were Community Development Director, Brock Cherry, Public Works Director, Richard Urquidi, and Administrative Assistant, Brenda Ellis. There was no City Attorney present.

**MINUTES**

\*July 6, 2021

Commission Member James Eskridge made a motion to approve the minutes for the Regular Planning and Zoning Commission Meeting held on July 6, 2021. Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

\*July 8, 2021

Commission Member James Eskridge made a motion to approve the minutes for the Regular Planning and Zoning Commission Meeting held on July 8, 2021. Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

\*July 19, 2021

Commission Member James Eskridge made a motion to approve the minutes for the Regular Planning and Zoning Commission Meeting held on July 19, 2021. Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

\*August 2, 2021

Commission Member James Eskridge made a motion to approve the minutes for the Regular Planning and Zoning Commission Meeting held on August 2, 2021. Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

**RECOGNIZING PERSONS NOT ON THE AGENDA - None**

**PUBLIC HEARING AND ACTION**

**\*Action Item-Discussion/Decision on a request by Dustee Woolstenhulme for a Conditional Use Permit for a drive-up window (PARCEL RPA01060020020). Application: PZ21-0039**

Community Development Director, Brock Cherry, gave the Staff Report. This conditional Use Permit is for a drive-up window for a financial institution. The site plan shows three bays with sufficient stacking that should always remain on private drives. The amount of stacking is not designated by City Code, the applicant must justify the stacking. This use meets the Comprehensive Plan. This is a commercial area. This use should not be detrimental to the area.

The applicant came forward. This will be a medium average branch. Sixty percent of the branches are in the Treasure Valley. ICCU is a Credit Union with a volunteer board of directors. There will be no window, but a through the wall ATM, with two lanes with 15" video screen to talk directly to the teller.

There will be internal operations for six teller stations, four loan officers, a manager's office, and a private office for a mortgage specialists or business lending specialist. It will be a full function branch. It will be located south of the Auto Mall on 1.4 acres fronting American Legion Boulevard.

Public Hearing Opened  
Public Hearing Closed

Commission Member Nancy Brletic made a motion that the Planning and Zoning Commission recommends to the City Council approval of the request for the CUP subject to 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.

Commission Member James Eskridge seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

**\*Action Item-Discussion/Decision on a request by Garold Maxfield for a Preliminary Plat for 8<sup>th</sup> Street Station Subdivision, consisting of 44 buildable townhome lots and 8 common lots (PARCELS RPA3S06E351144 & RPA3S06E351143) located at 650 West 8<sup>th</sup> South Street.  
Application: PZ21-0041**

Community Development Director, Brock Cherry, gave the Staff Report. This is the old Movie Theater property. A PUD has already been approved by Planning and Zoning, as well as City Council. Staff and Public Works has reviewed the PUD documents to the Preliminary Plat submittal. They do match and meet the zoning of 8<sup>th</sup> Street Townhomes, R4 PUD. The next step per approval of Preliminary Plat is the Final Plat. At final plat all utilities will be reviewed as well as collecting any additional documentation, such as recorded easements. Staff comments and recommendations are the same as on July 6<sup>th</sup>. This project will be able to subsidize other lower density projects as well. This is a unique for purchase product. It will help with existing affordable housing problems.

Brandon McDougald, with Kimley-Horn came forward to speak on the project. Brocks' summary was good. The Emergency Easement Access is being finalized with the adjoining property. Once approved, development documents and final plat processes will begin. The price costs will be around \$300,000.00.

Public Hearing Opened  
Public Hearing Closed

Commission Member James Eskridge made a motion that the Planning and Zoning Commission recommends to the City Council approval of the Preliminary Plat for the 8<sup>th</sup> Street Station project, subject to 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. The Final Plat and all future development will comply with the uses and bulk & coverage controls as provided in attachments #4 "Proposed Planned Unit Agreement."
3. Before a Final Plat being recorded, the applicant shall receive all necessary approvals from the Central Health District regarding water and sewer infrastructure and provide Emergency Easement documentation.
4. Per City Code 9-16-10(J), Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the Commission shall cause all approvals of said preliminary plat to be null and void unless a one-year extension of time is applied for, thirty (30)

days before the expiration, by the subdivider and granted by the Commission. A preliminary plat may be extended one time only, after which it shall be deemed null and void

Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

**\*Action Item-Discussion/Decision on a request by Kari Stockwell for a Conditional Use Permit to operate an Event Center to be located at 170 North Main Street (PARCEL RPA0090002008AA).  
Application: PZ21-0035**

Community Development Director, Brock Cherry, gave the Staff Report. This property is downtown. The proposed Event Center requires a CUP. These types of uses have potential for certain adverse impacts that need to be looked at on a case-by-case basis, such as traffic, parking, harmonious use, etcetera. It is currently being used as a musical school, and the applicant wishes to expand the use as an event center. The C-2 designation is a diverse zone, staff believes this use is appropriate for downtown.

The applicant came forward to speak. There are two sides to the business. The achievement side is the teaching side that happens during the day. There are about fifty-five students. The event center would operate during evening hours. Currently there are 30 table and 240 chairs. Once they have an occupancy load that number could change.

This is in the downtown overlay zone; parking is not required on site. There are spaces in the front, and five spaces in the rear for those who lease the room. Railroad Park and El Rancho parking gives options for parking as well. There will be a contract for the event lessee to sign, that document will state that the party will not influence any of the merchants. There will be a stage in the future, but not to begin with, and that stage will be mobile and premanufactured. The location is approximately 60 x 40 in size, about 2400 sq. feet. There are three exits with lighted signs, two entrances off main and one in the alley.

**Public Hearing Opened**

Marla Kessel came forward to speak. As a business owner nearby the concern is parking at their building in the alley and trash could be an issue.

**Public Hearing Closed**

The applicant is willing to give them their number if there are any complaints, they can reach out to them and take care of any issues.

There was discussion regarding potential options/conditions for operation requirements regarding time and occupancy, if there were any concerns to either issue.

There was discussion regarding surrounding parking areas.

Most events will be on weekends.

Commission Member Nancy Brletic made a motion that the Planning and Zoning Commission recommends to the City Council approval of the Conditional Use Permit, subject to 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.

Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

**\*Action Item-Discussion/Decision**

**A request for a Zoning Title Amendment to amend Title 9, Chapter 16, Section 11: Final Plat: (D). Submittal of Final Plat, (E). Administrative Review, (F). Approval of Subdivision Plat, (G). Approval Period.**

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**Application: PZ21-0042**

Community Development Director, Brock Cherry, gave the Staff Report.

This is a housekeeping item to the Zoning Ordinance. When it comes to the development timeline in the final plat process the first step is annexation, if not inside the city. Second step is a preliminary plat when a property is divided into lots for future ownership. This process it is the biggest risk a developer takes. The final plat is a fine-tuning process to meet what was approved in the preliminary plat. LLUPA does not mandate a final plat to go before a Planning and Zoning body. The changes proposed will make sure per code, that the Public Works Director who acts as the City Engineer in most cases, is notified and part of the review. It will make things clearer regarding when the plat is to be approved as well as when it is to be recorded. The environment can change around them and therefore the timeline language is important. The Comprehensive Plan speaks to expedition of processes without losing review integrity. Any substantial material change from the Preliminary Plat can be brought back through Planning and Zoning with the final plat.

Public Hearing Opened

Public Hearing Closed

There was concern regarding checks and balances, by not having the Final Plat come back before the Commission. There was also concern regarding the opportunity for the community to speak on the final plat if these changes are made. The preliminary plat is the biggest bite at the apple for review and comments. With the final plat there is discussion with the community for the finer points. Once the preliminary plat is approved nothing more can be done than what was proposed. The Commission is a recommending board, the Council is the decision maker and the technical review is the responsibility of the Community Development Department. Richard Urquidi, and Engineering work is done by a third-party contractor. The concern regarding public input at Council level is, unless opened for public discussion the public is out and the community is not heard from. The Commission is responsible to follow the Code and Comprehensive Plan, but if there are changes from the preliminary to final plat, it gives the community a final opportunity to speak. At the Council level the public can speak for three minutes. It is decided by the mayor if that option is available on the agenda for that item.

This has been the status quo and it was questioned why change it now? Current staff may have the capability, the next person may not. As to the why now, in other municipalities it is more commonplace to not have the Planning and Zoning review the final plat. Staff would like to see if it works for the City of Mountain Home to implement this change. There is no data to support that the current process is holding any developer up. Current Code states that it needs to be reviewed by Planning and Zoning but does not say that the commission needs to take an action, but better to be safe and give a recommendation. There is concern when the administrator becomes the regulator, or the reviewer of the regulations, which gives up checks and balances. It was determined a clarification of the role of the Planning and Zoning Commission about final plat was needed. If Commission believes there should be a checks and balances at the final plat, it could recommend adding the same language from the preliminary plat to the final plat and have the same language on both. It was suggested that the Commission have a work session with legal counsel regarding their role. When a preliminary plat has been approved, the final plat must be reviewed to that approval. It was stated that there are more positives with the Commission being involved than not involved in the final plat process. To have clarity of the Code is important with consistency.

Commission Member Nancy Brletic made a motion that the Planning and Zoning Commission recommends to the City Council to approve the zoning title amendments to amend, to (D), (E), and (G), and Table (F) to later date for further discussion.

Commission Member William Roeder seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Devol; aye, Commission Member Roeder; aye, and Commission Member Eskridge; aye. Motion passed by a unanimous vote.

**NEW BUSINESS**

\*None

**OLD BUSINESS**

\*None

**DEPARTMENT HEAD ITEMS**

- \*Monthly Building Permit Report – July-None
- \*Monthly Code Enforcement Report – July-None

**ITEMS REQUESTED BY COMMISSION/STAFF**

- \*None

**ADJOURN**

Chairman Kristopher Wallaert adjourned the meeting at 7:20 p.m.

Chair 

