



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

June 21, 2022
6:00 PM

ESTABLISH A QUORUM

Chairperson Kristopher Wallaert noted a quorum present and called the June 21, 2022, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members Kristopher Wallaert, Travis Eikeness, William Roeder, Scott Harjo and Cristina Drake.

Staff members attending were Community Development Director, Brock Cherry.

MINUTES

*May 16, 2022

Commission Member William Roeder made a motion to approve the minutes for May 16, 2022. Commission Member Travis Eikeness seconded the motion. The vote is as follows: All in favor. Motion passed by a unanimous vote.

Chairperson Wallaert moved agenda item eight and moved it to the beginning.

ITEMS REQUESTED BY COMMISSION/STAFF

Recognize new Planning & Zoning Commission Member Cristina Drake. Gave an introduction.
Recognize new Planning & Zoning Commission Member Scott Harjo. Gave an introduction.
Recognize new Assistant City Planner Chris Curtis.

RECOGNIZING PERSONS NOT ON THE AGENDA

*None

PUBLIC HEARING AND ACTION

*Action Item – Conditional Use Permit – Drive-thru

Applicant – Dustee Woolstenhulme

A request for a Conditional Use Permit. Dustee Woolstenhulme has applied for a Conditional Use Permit for a Drive-up Window, for a financial institution to be located in the 2400 block of American Legion Boulevard. (RPA3S07E304845, RPA3S07E304855)

Application: PZ-22-60

The applicant's representative Ian Shewring came forward to speak. This is for Idaho Central Credit Union Branch. The branch will house six tellers and have a drive-thru component, no window. There are four lanes with the inner lane having a night drop box and ATM Machine. The additional lanes are tubed. Each lane has a stacking of four additional cars. The stacking does not impact traffic on site. The site is designed so that pedestrian traffic does not interact with the drive-thru traffic.

Public Hearing Opened.

Public Hearing Closed.

Community Development Director, Brock Cherry, gave the Staff Report. Our Code is unique regarding drive-thru facilities. There are no numerical stacking guidelines. That burden in upon the applicant to
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analyze their own peak volumes and tell us what that is. There are two portions of Code dealing with this application, a Conditional Use Permit, as well as Drive-thru and each have their own criteria for those standards. The C-3 Zoning District requires this use to have a Conditional Use Permit. This use could have unanticipated circumstances if implemented poorly. It does not appear this design will not impede public right-of-way. There will be an internal drive from American Legion Boulevard that will need to be permitted through ITD. There was concern regarding turn lanes from American Legion Boulevard. It is upon the landowner to fulfill all permits with ITD.

Public Hearing reopened.

Carl Vaughn came forward to speak. The center lane turn bay is not there because there is no curb on the one side. It must be curbed to put the center lane in. There is an option to mandate a deceleration lane if you know the future of that property development. The property will have to be given up if they wish to create that lane.

Public Hearing closed.

Commission Member Travis Eikeness made a motion that the Planning and Zoning Commission recommends to City Council to approve the Conditional Use Permit to allow the drive-in establishment located in the 2400 block of American Legion Boulevard, 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. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Drake, aye, Commission Member Harjo, aye, and Commission Member Wallaert, aye. Motion passed by a unanimous vote.

*Action Item – Conditional Use Permit – Drive-thru

Applicant – New Potato Creek Holdings, LLC.

A request for a Conditional Use Permit. New Potato Creek Holdings, LLC., has applied for a Conditional Use Permit for a drive-thru car wash to be located on City View Drive. (RPA01060020020)

Application: PZ-22-59

The applicant's representative, Kelly Stedman, came forward to speak. Access to the site is on City View Drive. The Carwash tunnel building is approximately 3,500 sq. feet. Typically, there are three employees on site. Hours of operation are seven days a week, and open from 8:00 a.m. to 8:00 p.m., open twelve hours a day. You enter the car wash on a one-way drive. The tunnel can handle one car a minute. There is a bail out lane from which you can access the vacuum stations. There are twenty-seven vacuum stations. There are four underground reclamation tanks to recycle the water to wash cars a second time. There is an existing storm pipe that runs through the property that will be relocated to reroute some of the stormwater. There are already stormwater management practices in place for this development in the detention basin on lot seven.

Public Hearing Opened.

Misty Pierce came forward to speak. At the last meeting of the City Council, Mr. Urquidi mentioned we are a negative one hundred twenty EDU's. We still need to drill a well and don't know if it will produce. She asked the Commission to be cautious approving applications that need water.

Carl Vaughn came forward to speak. As mentioned, we are negative in the EDU's. The wash will use approximately 1.2 million gallons in a year. One hundred cars a day is a carwashes goal to be profitable. As the City keeps building the section up the turn bay will go away and it will be islandized all the way from 8th Street to 18th Street if these businesses are not contributing to the signal.

Public Hearing Closed.

Community Development Director, Brock Cherry, gave the Staff Report. There will be a manhole to easily measure the discharge from this use. The concerns for water and streets are not the standards per code to approve or deny the application. Those standards are in 9-9-14 of the City Code.

Sixteen car stacking is an accurate representation to the use and should be sufficient. If a problem arises the Conditional Use Permit can be revoked. There was concern regarding the turn into the stacking lanes and making sure it would not require three-point turns creating a problem to get into the stacking lane.

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The stacking lanes should accommodate sixteen standard sized vehicles. This design should accommodate most trucks. Applicant representative mentioned trailers can go through the car wash. She will find out the height limitation. The car wash can handle 60 cars in an hour. She will find out how large of a trailer and what types it can accommodate. The use uses 17.3 gallons of water per car. The standard radius is a fifteen-foot radius.

The representative doesn't believe the tunnel would accommodate a pull behind camper and feels she may have misspoken. Clarification was requested for turn radius' and if trailers are allowable. The Commission moved the item on the agenda to allow for the representative to reach out to the applicant for more information.

The applicant's representative was able to obtain the requested information. Trailers cannot be accommodated because of the pully system. The prototype layout of the carwash is designed to an F250 truck size that ranges from 20' to 22' long and height is seven feet tall.

Public Hearing was reopened.

Carl Vaughn came forward to speak. He wanted the city to be aware that it is a private drive. At any time, it can be blocked off, and there would be no cul-de-sac to turn around.

Karen Haligan came forward to speak. She was concerned about an emergency exit in the waiting lanes.

Public Hearing was closed.

Commission Member William Roeder made a motion to recommend approval of the requested conditional use permit to allow a Drive-In Establishment associated with a carwash be located on City View Drive (RPA01060020020) 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 of the C-4 Zoning District.
3. The Applicant shall meet the performance and design standards for "Drive-In Establishments" per City Code 9-9-14.

Commission Member Scott Harjo seconded the motion. The vote is as follows: Commission Member Harjo, aye, Commission Member Drake, 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 – Off Premise Signs

Applicant – Ron Cox

A request for a Conditional Use Permit. Ron Cox has applied for a Conditional Use Permit to allow for two 15' x 6' Off-premises single-faced advertising signs to be located at 404 North Main Street, Mountain Home, ID. (RPA009000A001A)

Application: PZ-22-52

Attorney Geoff Schroeder disclosed that he was a customer of Cox Signs during the Primary Election, and it will not affect his legal analysis of this application.

Community Development Director, Brock Cherry, gave the Staff Report. The Sign Code regulates the place and manor of what signs can go where. Off-Premises signs, which is signage which illustrates goods or services for a location that is not present at the sign location. The applicant is asking permission to have reoccurring off-premises signage at the subject property.

The applicant, Ron Cox, came forward to speak. There have been signs posted there in the past, those signs have advertised events, and election. They would like to advertise for local businesses as well. They have been in contact with ITD, and they will need approval at the local level to accept an application from Mr. Cox. Mr. Cox is aware of the Sign Code restrictions. These will not be illuminated signs. They will be banners connected to the side of the building. The signs will be maintained in good condition and

professional. They would like to continue with promoting events as well as holiday messages. They hope to utilize that building in the near future.

There are no size limitations in the Code for C-2 Zones for off-premises signs. There are two components that speak to signs, the Zoning Ordinance, and the Comprehensive Plan, which also speaks to the Gateway as they are part of our identity. Should the applicant wish to illuminate it at a later date, he would have to go through the CUP process again.

Public Hearing Opened.

Public Hearing Closed.

Mr. Cox would like to alter his request to allow for future illumination. The applicant will have to abide by the Sign Code for illumination. There should be no pedestrian safety issues with this sign placement.

Commission Member William Roeder made a motion to approve the request for a Conditional Use Permit to allow Off-premises signs to be located at 404 North Main Street, with the following conditions:

1. The signs shall be kept neat, clean, and in good repair.
2. If the signs are faded, frayed, neglect, ripped, torn, worn, partial or wholly ruined or any similar state of disrepair they shall be removed.

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

*Action Item – Planned Unit Development - Rezone from R-4 to R-4 PUD, Lincoln Square Apts.
Applicant – Titan Properties, LLC.

A request by Titan Properties, LLC., for a rezone from R-4 to R-4 planned Unit Development (PUD) Lincoln Square Apartments II. The request would allow for a master planned development providing twenty-four two-bedroom, two-bath units in one three-story building. Amenities include assigned covered tenant parking, community pavilion, playground, and walking path. The site is approximately .716 acres and is located just east and adjacent to the Lincoln Square Apartments and South and directly behind the Dollar Tree. (RP3S06E257555)

Application: PZ-22-51

Community Development Director, Brock Cherry, gave the Staff Report. This is an application for a Planned Unit Development. Note that the PUD Ordinance states that if you are under three acres, you are unable to submit with prior City Council approval to do so under specific criteria. This applicant has received that approval to submit the application. This is an expansion of the existing Lincoln Square Apartments.

The applicant's representative, Teran Mitchell came forward to speak. The Community Investor Brian VanMannen was present. Titan Properties own all eleven buildings in the Lincoln Square Subdivision and have for the last six years. They continue to have a waiting list for units. The proposal will support infill development. The access from American Legion will be for emergency access. This is a single building, three stories, with twenty-four units. There are thirty on-site parking stalls. The exiting Lincoln Square Apartments parking will be reconfigured to accommodate the remaining spaces needed. There is covered parking provided. There will be water conservation landscaping throughout, with native vegetation. They are all two-bedroom, two-bath, with laundry hook-ups.

Public Hearing Opened.

Karen Halligan wanted to know if the access was from 18th Street.

Misty Pierce asked the Commission to take into consideration the lack of available water EDUs, and Wastewater is also almost at capacity.

Brendan McCarthy was concerned with the number of parking spaces.

Public Hearing Closed.

The American Legion Access will not have a crash chain or barrier, but as part of the lease agreement the occupants can be instructed not to utilize that easement. There have been no concerns brought to the applicant's attention regarding the access from American Legion from any adjacent owners.

If EDUs are not available, building permits will not be issued until they are available. The developer is aware of the risk.

It is proposed the entrance is from 18th Street. We think this is a good project that can move forward quickly to provide housing immediately. The parking at the Lincoln Square Apartments is not currently striped. By striping the spaces, they were able to increase the availability to two parking spaces per unit for the whole complex. Staff recommended that the restriping be completed before any C of O's were issued to ensure the necessary parking is in place. There have been no parking issues at the Lincoln Square Apartments. The PUD does allow for deviation from the Code. Staff believes that as long as each unit, existing and new have the proposed two spaces, that it should be satisfactory.

This location is in a flood zone, and the new structure must be 1' above Base Flood Elevation. There is a seepage bed, and the stormwater will stay on the site.

Commission Member Travis Eikeness made a motion to approve the rezone of .716 acres and is located just east and adjacent to the Lincoln Square Apartments and south of 1695 American Legion Boulevard, to Lincoln Square Apartments II, R-4 PUD, 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. All future development will comply with the uses and bulk & coverage controls provided in attachment #8, "Proposed Planned Unit Agreement."
3. The new addition will require two parking spaces.
4. Before issuance of Certificate of Occupancy, the parking lot will need to be restriped to show the two spaces per unit.

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

*Action Item – Planned Unit Development - Rezone C-3 to R-4 PUD Freedom Estates

Applicant – Yasinski Investments, LLC.

A request by Yasinski Investments, LLC., for a rezone from C-3 to R-4 planned Unit Development (PUD) Freedom Estates Subdivision. The request would allow for a master planned development providing twenty-eight one- and two-bedroom units consisting of two structures: one, three-story building containing twelve units and one two-story building containing sixteen units. Amenities include a pavilion, playground, dog park, walking path, and a covered bicycle rack. The site is approximately 1.112 acres and is currently addressed as 830 North 2nd East Street, the former location of Freedom Lanes Bowling center. (RPA3S06E260395)

Application: PZ-22-58

Community Development Director, Brock Cherry, gave the Staff Report. This property does not meet the threshold for a PUD due to its size being under three acres. The applicant has received approval from City Council to apply for a Planned Unit Development. The property is currently zone C-3 Commercial. The R-4 request is for multi-family development.

Commission Member Drake went on record in transparency that Mr. Yasinski are member of the same Brokerage Firm. She feels she can be unbiased in this application.

The applicant's representative, Teran Mitchell, came forward to speak. Colton Yasinski, and Brenton Yasinski were also present. The project is proposed in two phases. Phase one is a three-story, twelve-unit garden style apartment. There will be one- and two-bedroom apartments. Half will be one-bedroom and half will be two-bedroom. There will be laundry hook-ups. East 8th North Street is the main drive to this location and is on North 2nd East. There will be an internal loop, with 26' drive lane, there is a 28' turning

radius in the corners. They propose a 1.5 ratio for parking. There will be a private drive. They would like to subdivide into two lots, corresponding with the phases. The existing building will not be demolished in the first phase. Amenities include a playground, Pavilion, fenced dog park, and bike racks. The intention is to not have a three-story building next to the existing townhouses. The three story has been pushed to the street.

Correspondence was received via mail from Kyle Strange in opposition to the project. His concern was regard to congestion, an increase in Crime, and that the removal of the bowling alley takes away recreation.

Public Hearing Opened.

Talon Mullinix and Heather Mullinix came forward to speak. They have a laundry list of concerns. They have a shop that faces the bowling alley parking lot, and their concern is losing access to the rear of the property. They request a dedeed lot line adjustment for rear access. They are concerned about privacy without a fence and the three-story building. They are concerned with noise. They are concerned with parking and blocking their access in the rear. They are concerned with the dog park regulation. They are concerned with crime. They are concerned about snow removal.

Ryan Morgan & Sydnee Nilson came forward to speak. They were concerned about privacy with the three-story building. They park on the side of their house, and they would lose their parking, and request access to the rear of their yard. They are concerned with crime.

Tom Rosecke came forward to speak. As a business owner in that complex the concern is the access through the private drive for the apartment complex. There was concern regarding the fire hydrants being turned off during construction. There is a playground at their daycare and people accessing it for personal use. Concerned the overflow from the apartment will utilize their parking area.

Misty Pierce came forward to speak. She pointed out that at the special Council meeting, they required that applicant to provide two spaces per two-bedroom units, and one and half space for the one-bedroom units.

Richard Smith came forward to speak. Owns 110 Rattlesnake, and his concerns echo Mr. Rosecke's concerns. There are three businesses in his building. His road is private, and they pay the cost for upkeep. Overflow parking will spill to their lots. The extra traffic is a concern and poses a safety concern. Construction equipment on the private roads is a concern.

Kim Sykes came forward to speak. She is the HOA President for Traildust Square and has spoken with the property owners there. They are concerned with the traffic. Garbage is an issue already with people utilizing their dumpsters and that could increase. The berm along the back is owned by Traildust.

An unidentified individual mentioned that a lot line adjustment could be done to widen the streets and then those streets be dedicated to the city.

Public Hearing Closed.

Teran Mitchell spoke regarding the concerns. The private drives are not currently monitored. They propose to put in the lease agreement that the residents of Freedom Estates do not utilize the private drives and if they are parked elsewhere, they could be towed at their own expense. There is a case study of a use that was more intensive at peak hours than what is proposed. Property Management will monitor parking.

The parking ratio was questioned. The three-story apartment was also a concern and suggested that perhaps there be no windows on that back side. The developer has been in conversations with some of the surrounding owners, and businesses. There is fifty to sixty feet before the project hits a fence line and will have a six- or seven-foot privacy fence. Windows can be eliminated, but people usually want the windows. The rear access issues are a matter between the adjacent owners and this property owner and is not a matter for the City to weigh in on. The developer is cognizant of the current uses and believe they can come to an accord regarding access. City controls the parking on the City Streets. There will be a five-foot public sidewalk along 2nd Street. Snow removal on site has been addressed, and the applicant believes they have sufficient area for snow remediation. The city does not plow 2nd Street for snow removal. The Adjoining HOA pays for snow removal. Taking over the roads from the HOA will have to be a further conversation with Public Works if desired. Cutting out four units to accommodate parking

requirements would require more research. The number of cars per unit could be enforced in the lease agreement.

There was concern regarding the removal of potential asbestos in the demolition of the bowling alley. The applicant did not believe there was any asbestos present. There was a hazardous materials inspection conducted.

The two issues are height and parking.

Commission Member Travis Eikeness made a motion to deny the request to rezone 1.11 acres located at 830 North 2nd East Street from C-3 General Commercial to Freedom Estates R-4 PUD Planned Unit Development. Commission Member William Roeder seconded the motion. The vote is as follows: Commission Member Roeder; aye, Commission Member Eikeness; aye, Commission Member Drake; aye, Commission Member Harjo; aye, and Commission Member Wallaert; aye. Motion passed by a unanimous vote.

***Action Item – Preliminary Plat – Freedom Estates**

Applicant – Yasinski Investments

A request by Yasinski Investments LLC., for a Preliminary Plat. The site is approximately 1.112 acres currently addressed as 830 North 2nd East Street, the former location of Freedom Lanes Bowling center. The proposed Freedom Estates Subdivision plan contains two total lots that includes, one two-story building containing sixteen units, and one three-story building containing twelve units. This configuration would provide for up to twenty-eight (28) residential units. The proposed plan also provides for amenities that include a pavilion, playground, dog park, walking path, and a covered bicycle rack. (RPA3S06E260395)

Application: PZ-22-57

There was no hearing on this item as the PUD was denied by the Commission.

NEW BUSINESS

*None

OLD BUSINESS

*None

DEPARTMENT HEAD ITEMS

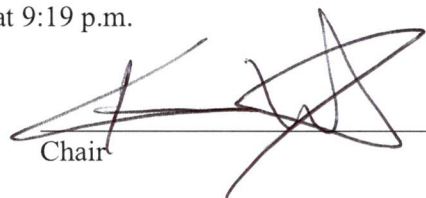
*Monthly Building Permit Report – May 2022 - None

*Monthly Code Enforcement Report – May 2022 - None

There will be trainings coming per Brock Cherry.

ADJOURN

Chairperson Wallaert adjourned the meeting at 9:19 p.m.


Chair