



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

February 4, 2019
6:00 PM

ESTABLISH A QUORUM

Chairperson Dennis Belt noted there was a quorum present and called the February 4, 2019, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members, Josh Dison, Nancy Brletic, Mary Miracle, James Eskridge and Ralph Binion.

Commission Member Deedee Devol was absent.

Staff members attending were Public Works Director Rich Urquidi, Administrative Assistant Brenda Ellis and Attorney Jay Friedly.

MINUTES-

November 19, 2018

Commission Member Ralph Binion made a motion to approve the minutes for the Regular Planning and Zoning Commission Meeting held on November 19, 2018. Commission Member Mary Miracle seconded the motion. Vote is as follows: Commission Member Dison; aye, Commission Member Brletic; aye, Commission Member Miracle; aye, Commission Member Eskridge; aye, and Commission Member Binion; aye. Motion passed by a unanimous vote.

PUBLIC HEARING AND ACTION

***Action Item – Replat Kmart Subdivision No. 1, Lots 5 and 6 – Paula Kae, LLC**

Public Hearing Opened

James Prather-Developer, Todd McCurry-Owner, and Dave Sherman-Engineer, came forward to speak in favor of the application. Mr. Prather started by saying, "Mr. McCurry purchased most of the property in the original Kmart Subdivision. We would like to change the configuration because we believe the property can serve the community well. We would reserve the frontage for food and dining services. There will be a private street that will span from City View Drive and will connect to the dealership for pass through traffic. We are here today for approval of the preliminary plat. There is one property in escrow. We are negotiating on the surrounding lots for other food interests." Chairperson Dennis Belt asked, "Can you respond to the ITD requirements?" Dave Sherman commented, "We did a traffic impact study for the project in its current state and then with the effects of the development. ITD recommended we allow for 266 foot long south bound left turn storage on American Legion coming into City View. That will require a widening of American Legion. We are proposing to widen American Legion for that

Planning & Zoning Minutes

Page 1 of 4

portion, and proposing to widen American Legion to the East 12 feet to accommodate the turn lane. That is a requirement that will have to be fulfilled within one year of a granted ITD permit.” Commission Member Josh Dison asked, “How will that affect the proposed lots on the new plat? Is there already a road easement included or will it be in addition to?” Mr. Sherman stated, “The replat is showing some of the changes of the lot lines being pulled in from American Legion to accommodate that widening.” Mr. Prather commented, “As part of the conditions in the future they will want a right turn lane that we accommodate with building setbacks to allow that turn lane.” Mr. Sherman commented, “To be clear for this proposed development there is no required right turn storage bay, but the TIS did say that we are approaching that threshold when this is fully developed.” Mr. Prather stated, “We are ahead of the game enough to make all of these accommodations.” Mr. Sherman also stated, “That the other requirement that had the one year stipulation was that in order to do any work in ITD’s right of way, you have to apply for an access permit. They are going to grant access to build City View Drive. One of their conditions of granting that permit is to make sure that this improvement is built within the year of them issuing the permit.”

Administrative Assistant Brenda Ellis read the staff report.

Commission was in agreeance with the checklist.

Commission Member Ralph Binion made a motion that the Planning and Zoning Commission recommends to the City Council of the City of Mountain Home that is approve the application by Paula Kae, LLC for the approval of the preliminary replat of the Kmart Subdivision No. 1, Mountain Home, Idaho, along with the following details, that they meet the requirement put forth by ITD for approval. Commission Member James Eskridge seconded the motion. Vote is as follows: Commission Member Dison; aye, Commission Member Brletic; aye, Commission Member Miracle; aye, Commission Member Eskridge; aye, and Commission Member Binion; aye. Motion passed by a unanimous vote.

***Action Item – Conditional Use Permit – 50’ Pylon Sign - Paula Kae, LLC. – Lot 5, Kmart Subdivision**

James Prather-Developer, Todd McCurry-Owner, and Dave Sherman-Engineer, came forward to speak in favor of the application. Mr. Prather stated, “The location of the pylon sign will be between lot 1 and 2. The reason we want a pylon is for height. As you come down from the dealership it falls in there. The sign is to advertise these lots. We want this to be an on premise sign to fall under those statutes, but there could be a conflict with ITD. We would like to stay away for the off premise sign codes. If it needs to be called off premise we will have to come in again to apply for an off premise sign.” Administrative Assistant Brenda Ellis stated, “I believe that this Conditional Use Permit will allow for the off premise sign. It is just a matter of getting ITD to also sign off on the sign.” Mr. Prather stated, “Perhaps we could put it into the CC&R’s as this sign will benefit of the entire project. The typical on premise sign is to advertise only the property that it is on. I will work that out with ITD.” Chairperson Belt commented, “So the sign will just display the tenants that are in those nine lots.” Commission Member Ralph Binion stated, “That seems to be the issue ITD has. It has to be specific to the property the sign is on.” Mr. Prather stated, “Is there a way we can make this a community lot and still stay within the statutes of on premise?” Commission Member James Eskridge asked, “Is there a reason the sign cannot go on either lot 1 or 2?” Mr. Prather stated, “It could, but between these two we are hoping the users will be compatible. And the best way to do that is to split the property line and let them both participate in that. Not that it is favorable; it just works better in development that way. The easement, they will own it but they don’t have the right to use it outside of that exclusive use. It is there really solely for the height.” Commission Member James Eskridge asked, “Have we heard any more on the other advertising sign?” Todd McCurry answered, “That is outside of this development, but it would be adjacent to this development. That sign is leased to the edge of that property. It sits on lot 5, that is the sign that the City would have some agreed

use on. That sign is not my sign, nor would it be of benefit for the merchants in the replat unless they were to purchase advertising on it." Administrative Assistant Brenda Ellis stated, "I do believe that the application for that sign has expired. We have not heard from them, so they would need to come back for an additional Conditional Use Permit." Commission Member James Eskridge asked, "Will that cause a problem with as far as visual for either sign?" Todd McCurry answered, "That would be a monument sign, this sign is 50' in height, and the lowest advertising would be well above the other sign." Commission Member Nancy Brletic asked, "Will the sign have lighting?" Todd McCurry answered, "The monument sign would be powered and lit." Mr. Prather commented, "This will be 400 square feet and will certainly be lit. There could be an issue with ITD on separation distance between off-premise signs. I do see a conflict here." Administrative Assistant Brenda Ellis asked, "Will the CC&R's allow for each business to have its own pole sign or will the businesses after that have strictly on building signs?" Mr. Prather stated, "We would restrict that but we would allow for monument signs. No pylons, only this one." Todd McCurry stated, "We anticipate four advertisers. Not every tenant will have a space on the pylon sign. The principle users would utilize it." Mr. Prather commented, "We believe that this will turn into one user. It is three lots but may only be one user. What we believe as our four big horses will get the structure." Commission Member Ralph Binion asked Jay Friedly, "Can you fill us in on the IDAPA reference?" Attorney Jay Friedly stated, "I have not looked that up."

Administrative Assistant Brenda Ellis read the staff report.

Commission Member Ralph Binion asked, "You said you could get answers before City Council. We meet again in two weeks. Can you have the answers by then?" Mr. Prather stated, "Yes. Do you mean will I speak to ITD concerning how we will handle off-premise, on premise?" Commission Member Ralph Binion answered, "Yes. Right now ITD says no to the off-premise sign." Mr. Prather asked, "Where does this stand?" Administrative Assistance Brenda Ellis answered, "CEIS is the company who did the original permit for the gateway off-premise sign. I believe that that Conditional Use Permit is expired. It would have to come back before the Commission for approval." Mr. Prather stated, "Commissioner to answer your question, I will have an answer before City Council. I will meet with them and try to discover if what we are doing will work or if there is an avenue for that. If not and we have to come back to off-premise sign then we will file immediately to be in front of the other sign." Commission Member Ralph Binion, stated, "ITD is saying they are not agreeing to this is because you will utilize this sign to advertise for multiple properties and according to IDAPA that sign can only be used to advertise for the property it is on." Mr. Prather stated, "Understood, I will need to sit with them to figure that out." Administrative Assistant Brenda Ellis, stated, "I do believe that ITD does allow for off-premise signs, but there is a permitting process through ITD. We can make that part of the contingency that ITD signs off on the off-premise sign."

There was discussion on whether to table the application.

Mr. Prather stated, "The reason we would like to stay with this is, I will know if they say there is no way you can do this. You have to go through with an off-premise sign. We will withdraw this application and come back with an off-premise conditional use permit." Attorney Jay Friedly stated, "This will be before the Commission at their next meeting with a written recommendation that they will look at approval and finalize. The City Council will not consider the matter until after Planning and Zoning looks at the written recommendation and makes that recommendation to City Council."

There was discussion as to when this may go before City Council.

Commission was in agreeance with the check list.

Commission Member Mary Miracle made a motion that the Planning and Zoning Commission recommends to the City Council of the City of Mountain Home that it approve the application by Paula Kae, LLC for a Conditional Use Permit for a 50' pylon sign to be placed on what is currently Lot 5, Block 1, Kmart Subdivision No. 1, to be located along American Legion Boulevard, Mountain Home, Idaho, along with the following conditions: that the replat is approved and that all of the ITD conditions are met. Commission Member Josh Dison seconded the motion. Vote is as follows: Commission Member Dison; aye, Commission Member Brletic; aye, Commission Member Miracle; aye, Commission Member Eskridge; aye, and Commission Member Binion; Nay. Motion passed by a unanimous vote.

*Action Item – Ordinance Change – Amend Ordinance 9-7-8: Schedule of Bulk and Coverage Controls and request to forward recommendation to Council.

Rich Urquidi spoke in favor of the application. Rich Urquidi stated, "The City brought this forward to allow for buildings of more than two stories in height. Allowing the height increase will allow buildings to building taller buildings without going through the Conditional Use Permit. There really was no rhyme or reason as to the current height limitation." Commission Member Nancy Brletic asked, "When you say two stories, do you mean the ground level as one and then a second story? We already have taller buildings?" Rich Urquidi answered, "Correct. It came through a Conditional Use."

Administrative Assistant Brenda Ellis read the staff report.

Commission Member Nancy Brletic made a motion that the Planning and Zoning Commission recommends to the City Council that it approve and adopt the proposed amendments to Section 9-7-8 of the Mountain Home City Code concerning the maximum building heights in certain zoning districts, and that the recommendation be forward on to City Council. Commission Member Ralph Binion seconded the motion. Vote is as follows: Commission Member Dison; aye, Commission Member Brletic; aye, Commission Member Miracle; aye, Commission Member Eskridge; aye, and Commission Member Binion; aye. Motion passed by a unanimous vote.

NEW BUSINESS

* None

OLD BUSINESS

*None

DEPARTMENT HEAD ITEMS

*Monthly Building Permit Report – November and December, 2018 - None

* Monthly Code Enforcement Report – November and December, 2018 - None

ITEMS REQUESTED BY COMMISSION/STAFF

*2019 Planning and Zoning Commission Meeting Schedule

RECOGNIZE PERSONS NOT ON THE AGENDA

*None

ADJOURN

Chairperson Dennis Belt adjourned the meeting at 6:43 p.m.

Chair

