



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

February 1, 2021
6:00 PM

ESTABLISH A QUORUM

Chairperson Topher Wallaert noted there was a quorum present and called the February 1, 2021, Regular Meeting of the Planning and Zoning Commission to order. Attending were Planning and Zoning Commission Members, Topher Wallaert, Nancy Brletic, Travis Eikeness, Mark Sauerwald, Deedee Devol, William Roeder and James Eskridge.

Staff members attending were Community Development Director Brock Cherry, Administrative Assistant Brenda Ellis, and Public Works Director Richard Urquidi.

MINUTES

*January 19, 2021

Commission Member Nancy Brletic made a motion to approve the minutes for the Regular Planning and Zoning Commission Meeting held on January 19, 2021. Commission Member Mark Sauerwald seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Devol; aye, Commission Member Sauerwald; 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 and request to sign.

A request to amend a prior approved Conditional Use Permit (PZ20-0010) to allow a drive-in (drive-thru) establishment located at the south west corner of American Legion Blvd and NE City View Drive, Lot 1, Block 3, Replat of Kmart Subdivision (RPA01060030010), to include modified building setback and landscaping requirements. (PZ21-0001)

Community Development Director, Brock Cherry gave the Staff Report.

This is a request to amend the conditional use permit for the Dutch Bros. Drive-thru. Conditional Use Permits allow for deviation from development standards. The applicant would like to put in a shaded pedestrian walk up. The initial plan was just a walk up area. The shade awning request encroaches on the 30' setback. Staff spoke with ITD and they stated if the applicant were to place bollards along the American Legion side to prevent cars from impacting that area. Applicant is asking to deviate from the building setbacks to extend and have that shaded area. Secondly, the applicant wishes to deviate from the landscape requirements. The comprehensive plan recognizes that we live in a high desert area and we

want people to use native plantings that do not have to utilize a lot of water. There are more shrubs that do that rather than trees. This subdivision only allows for one monument sign. Dutch Bros is depending on their building to be their sign. Code says you should have four trees. Dutch Bros. is proposing no trees and add two more bushes to the landscape plan. Our Comprehensive Plan call for walkable spaces, having the shaded area helps with that goal. From a life safety stand point, we have done our due diligence speaking with ITD and they instructed us that having bollards would be more than satisfactory. If the Commission determines the proposed request, appropriate, recommend approval with the following amendments: That the attached shade structure be allowed to encroach within the 30' building setback per the provided plans. That bollards will be installed between the walkup order area on American Legion Boulevard to ensure pedestrian safety, and in lieu of the gateway landscaping standard that require four trees, forty-two shrubs, that zero trees and forty-four shrubs will be provided per the landscape plan.

Applicant attended via phone.

The awning is part of the signage of the structure. It becomes a necessary element. There will be a couple of posts encroaching in that easement, attaching to the structure. Being a high desert area, landscaping takes a lot of water and minimizing it is a good thing.

Public Hearing Opened

Richard Urquidi came forward as a citizen. Mr. Urquidi of 851 NE Sandpebbles was in favor of the business but feels the trees are important for visual aesthetics. Mr. Urquidi hoped to keep the back two trees.

For clarification staff pointed out that only the gateway landscaping will be affected by the request. The remaining trees on the landscape plan will remain.

Public Hearing closed.

What is being proposed by the applicant is what is seen on the landscape plan. The request is to omit trees along the gateway and utilize shrubs instead. The wall signage is important and a tree will hamper visibility of that sign.

There was discussion regarding the proposed landscape and how this may set precedence.

Commission Member Nancy Brletic made a motion that the Planning and Zoning Commission hereby recommends to the City Council that the application to amend conditional use permit (PZ20-0010) be approved with the following conditions:

- A. The attached shade structure applicant will be allowed to encroach within the 30' building setback along American Legion Blvd. per the provided site plan.
- B. Bollards will be installed between the walk-up order area and American Legion Blvd. to ensure pedestrian safety.
- C. In lieu of the Gateway Landscaping Standards which require 4 trees and 42 shrubs that 0 trees and 44 shrubs will be provided per the attached landscape plan. Commission Member Deedee Devol seconded the motion. Vote is as follows: Commission Member Brletic; aye, Commission Member Eikeness; aye, Commission Member Devol; aye, Commission Member Sauerwald; 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

Planning & Zoning Minutes

Page 2 of 3

*William Roeder introduced himself as the new Planning and Zoning Commissioner.

ITEMS REQUESTED BY COMMISSION/STAFF

*None

ADJOURN

Chairman Topher Wallaert adjourned the meeting at 6:22 p.m.

Chair

A handwritten signature in black ink, appearing to be 'T. Wallaert', written over a horizontal line.