

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO, HELD MAY 11, 2021.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

Charles Fryar–Chairman
Rod Worthington-Vice Chairman
Robert Johnson
Demian Guthmiller
Drew Erickson

ALSO, PRESENT:

Jon Goode, Councilmember
Alan Skinner, City Planner/Engineer
Gregg Haney, City Attorney
Andrea Haderlie, Secretary
Chris Street
Barry & Karen Oates
Whitney Offret
Evelyn Offret
Jacob Farnes

EXCUSED:

Lori Anne Lau
Tysen Hopkins

Due to the threat of COVID-19, physical distancing requirements, and the limited space in City Hall, the meeting was limited to a maximum of 16 in-person attendance but open to all public by GoTo Meeting and Telephone Conference. As a precaution, due to the threat of COVID-19, we are limiting attendance to public gatherings and access to City Hall.

6:00 PM The Planning and Zoning meeting was delayed due to the need for a quorum to proceed with the meeting.

6:20 PM Vice-Chairman Worthington called the meeting to order. Commissioner Johnson moved to dispense with reading the April 13, 2021 minutes and approve the minutes as written. Commissioner Guthmiller seconded the motion. All in favor, motion carried.

6:25 PM Vice-Chairman Worthington opened the public hearing to consider the application of Barry & Karen Oates and Kenneth & Mary Finlayson for a Conditional Use Permit in a C-1 Neighborhood Commercial Zone that is undeveloped land to allow Multiple Family Dwelling Development with a total of 18 twin homes, Lots 4 & 5 Finlayson Subdivision, Soda Springs, Caribou County, Idaho. Vice-Chairman Worthington questioned if any public comments were received; Secretary Haderlie stated no public input was received.

(See attached copy of Public Notice)

Vice-Chairman Worthington encouraged Chris Street of HLE to explain the request. Chris Street of HLE, the Subdivision Engineer representing Barry & Karen Oates and Kenneth & Mary Finlayson. He stated that they are requesting the conditional use for 18 twin homes connected to city water & sewer. The proposed subdivision will be three rows of houses and two blocks of housing. Phase one will be facing the 700 East and begin developing this year. The second phase will be a new street named North Caribou St., and construction will start next spring 2022, and the third phase spring 2023. He expressed that it will be an excellent addition to the City. They feel it fits

well and will be a good buffer for the single-family houses to the East and multi-family to the North.

Jacob Farnes at 480 N 7th E questioned on Hooper Ave/Highway 34 will a retaining wall be installed for the current hill along the highway or a fence be installed to buffer the sound of traffic? Mr. Street explained that they would install a 6-to-8-foot fence for the traffic noise and utility easements. Vice-Chairman Worthington and City Engineer Skinner verified that only a six-foot fence would be allowed if proposed per the city code. Commissioner Johnson questioned if the city sewer lines have been checked? Mr. Street stated they have verified the depth, and some services are already tied into the city services along 700 East: they are anticipating attaching to the City's services. City Engineer Skinner verified this is correct; they have pulled the maintenance holes and have inspected them. They all tie together and head Southeast to the treatment plant. Mr. Street stated Mr. & Mrs. Oates would be in control and are over the subdivision. Vice-Chairman Worthington questioned about power lines. Mr. Street verified existing power lines along Hooper Ave, and they will provide 10 ft. easements in front of the lots for gas, power, and phone, and they will be underground.

Commissioner Johnson questioned if the outside walls will be two by six? Barry Oates explained they would be either three and a half inches or five and a half inches; they are still in the process of deciding the size. Mr. Oates explained the proposed houses are energy-star rated to provide efficient homes with 1/3 of the cost for utility bills. Commissioner Johnson questioned what the duration of the project is? Mr. Street explained they plan to build six lots equaling 12 homes per year for three years.

City Engineer Skinner advised Mr. Oates to explain the joint venture with Kenneth Finlayson. Mr. Oates explained the subdivision is currently a joint venture with Kenneth Finlayson; Mr. Oates has already purchased lot four, and lot five is under contract to be sold to Mr. Oates by July 15, 2021; Mr. Finlayson has applied for the conditional use with Mr. and Mrs. Oates, and they are doing this project jointly until the Oates purchase Mr. Finlayson's interests. They will be selling each home to potential home buyers. Mr. Oates explained the houses would be affordable housing at about \$230,000.00. Lumber is one of the escalating costs at the moment. The Homes will be three bedrooms with a basement, and it will be rough plumbed and unfinished, with a master suite and master bath. The homes will be joined garage to garage, with a covered patio or a more oversized garage for flexibility to the homeowner. Mr. Oates's partner for construction is Nate Hess of Hess Construction out of Preston, ID; he explained he had built multiple homes with him. Chairman Fryar questioned the square footage of each house? Mr. Oates commented the homes would be 1064 square feet with the basement. Mr. Oates stated Mr. Finlayson had been a good mentor and very helpful with local contacts. Commissioner Johnson questioned how large Hess Construction is? Mr. Farnes asked if fiber optic would be an option? Mr. Oates and Mr. Street stated yes; they are still in the process of working out the details; they will be contacting Direct Communications and Century Link to evaluate the options available.

Vice-Chairman Worthington closed the Public Hearing at 6:45 PM and opened it up to discussion before the Commission. Chairman Fryar stated it looks excellent; many people need new housing and are priced well for the community, and it is one need in the comprehensive plan. Commissioner Johnson commented it fits well with the comprehensive plan and looks excellent. Attorney Haney commented the Oates had done their homework and have been in contact with the City and working out the details; they have been very committed, and he supports the petition. Councilmember Goode has no concerns or comments. He would like to express appreciation to the Oates for their interest in our City and bringing in housing to Soda Springs. Commissioner Erickson said he liked it, and it will be suitable for the City. The Commission all agreed it is an excellent addition to the City.

Commissioner Guthmiller motioned to recommend to City Council to approve the conditional use as written. Chairman Fryar seconded the motion. All in favor, motion carried.

6:50 PM Vice-Chairman Worthington opened the Public Hearing to consider the application of Barry & Karen Oates and Kenneth & Mary Finlayson. They are requesting approval of a variance to the twenty-five-foot (25') front yard setback requirement. The variance would allow new twin homes to have the front porch within the setback to be constructed per the preliminary plat for this new subdivision name the Park Ridge Subdivision and encroaching six feet (6') into the front setback for Lots 4 & 5 Finlayson Subdivision, Soda Springs, Caribou County, Idaho. Vice-Chairman Worthington questioned if any public comments were received; Secretary Haderlie stated no public input was received.

(See attached copy of Public Notice)

Chris Street explained they need the 6 ft. variance to allow a front-covered porch; they feel that it would be a great addition to the twin homes, add curb appeal, and stand out. Commissioner Johnson questioned if all the twin homes would be the same front porch? Mr. Street stated yes, they would be. Mr. Oates said the house would be thirty-eight-feet wide with a five-foot front porch. Mr. Farnes stated he is in support of covered porches.

Vice-Chairman Worthington closed the Public Hearing at 6:55 PM and opened it up to discussion before the Commission. Vice-Chairman Worthington reminded the Commission to stay consistent. Chairman Fryar commented we have had several porches turn out well in the past; the curb appeal has been great. Vice-Chairman Worthington commented that they had done their homework. The Commission agreed the porches look sharp.

Commissioner Erickson motioned to recommend to City Council to approve the variance as written. Commissioner Johnson seconded the motion. Commissioner Guthmiller opposed the variance due to variances are for hardships, he stated it looks nice, and if he were building a house, he would want it, but having a covered porch is not a genuine hardship. Four in favor, one opposed, motion carried.

7:00 PM Vice-Chairman Worthington opened the Public Hearing to consider the application of Whitney & Brandon Offret, 390 Gagon Drive, Soda Springs, Idaho, for a Conditional Use Permit in an (R-1) Single-Family Residential Zone for a Group Day Care Facility which allows for the care of up to a maximum of 12 children. The Group Day Care Facility would be located at 390 Gagon Drive, Soda Springs, Caribou County, Idaho. Vice-Chairman Worthington questioned if any public comments were received; Secretary Haderlie stated no public input was received.

(See attached copy of Public Notice)

Vice-Chairman Worthington encouraged Whitney Offret to explain the conditional use permit request. She stated she would like to have an in-home daycare in her home. She would have one to two employees; she has a nice backyard and a six-foot fully fenced backyard for the children, the children will not be allowed to be in the front yard. Commissioner Johnson questioned, are there any state regulations? Mrs. Offret explained that she is in the process of being State Certified; Health, Safety, and Fire inspections, and they have a checklist that she has to follow and has to be up to code. She mentioned that she has gone through this process before about ten years ago, just not out of her home. Chairman Fryar commented the state has many more regulations they have to follow than what the City would have. Mr. Farnes questioned how many kids she would have? She explained they can have up to twelve but depending on the ages of the children, and she would be allowed less than that, the younger the children are. Vice-Chairman Worthington read aloud the Conditional Use Application. Secretary Haderlie pointed out the ABC Factory Preschool is across the street to the side of her home.

Vice-Chairman Worthington closed the Public Hearing at 7:05 PM and opened it up to discussion before the Commission. The Commission discussed at length the noise from the children and hours of operation. Commissioner Johnson questioned if the state would count her children. She stated yes, they would count her children. She has a solid fenced-in yard as a sound barrier. Commissioner Guthmiller questioned what the hours of operation would be? Mrs. Offret stated she would open at 7:00 AM and would close at 5:30 PM. Commissioner Guthmiller pointed out with previous home daycares they have stipulated, children could play 8 AM-6 PM. Chairman Fryar questioned if she would be open on weekends? She stated she would not, only Monday-Friday.

Commissioner Johnson motioned to recommend to the City Council to accept the conditional use as written with the stipulation of outside play hours beginning at 8:00 AM and end at 6:00 PM. Commissioner Guthmiller seconded the motion. All in favor, motion carried.

The Commission discussed the proposed cargo container ordinance. Attorney Haney mentioned Councilmember Lau is amending it, and it will be returned to the Planning and Zoning Commission when it is ready. Vice-Chairman Worthington voiced he would like the cargo containers to have windows, multiple doors, and painted.

Vice-Chairman Worthington questioned the proposed Kelly Park Subdivision if anything is happening with it. Councilmember Goode stated nothing is currently happening with it right now; a preliminary plat was drawn up. Nothing has moved forward from that.

City Engineer Skinner pointed out a proposed subdivision in Finlayson Subdivision, the third phase Kenneth Finlayson owns. There is some movement and engineering done currently on the ten lots by Wade Clark.

Secretary Haderlie mentioned to the Commission that a Public Hearing was scheduled for the June meeting for the proposed text change for Chapter 17.64 Zoning Ordinance Amendment and Adoption Procedure.

7:22 PM Chairman Fryar motioned to adjourn the meeting. Commissioner Johnson seconded the motion. All in favor, motion carried.