

City of Glenns Ferry Planning & Zoning Special Meeting February 27, 2023

Planning & Zoning special meeting is opened and called to order at 6:14 pm on Monday, February 27, 2023.

Commissioners Present: Kt Carpenter, Jennifer Baker, Denver Price
Staff Present: Lori Freeman

Item 1. OPEN MEETING AND ROLL-CALL ATTENDANCE:

Baker: Took a roll call:

X Kt Carpenter via phone X Jennifer Baker X Denver Price

Item 2. MOTION: [Action Item] Adopt Agenda:

Price: I will make a motion we adopt this agenda for this meeting of February 27, 2023.

Carpenter: I will second that motion.

Item 3. MOTION: [Action Item] P&Z Minutes of February 15, 2023:

Carpenter: I will make a motion to accept minutes of February 15, 2023.

Price: I second that.

Item 4. DISCUSSION/MOTION: [Action Item] Findings of Facts & Conclusions of Law: In the Matter of Amending the Zoning Map by Rezoning a Certain Parcel from Commercial (C) to Multiple-Family Residential (R-3):

Price: I will make a motion that we except the Findings of Facts & Conclusions of Law.

Carpenter: I will second that motion.

Baker: All in favor, Price-aye, Carpenter-aye, Baker-aye

Item 8. ADJOURN: (Time)

Price: You have a motion to adjourn from Denver Price.

Carpenter: I will second that motion.

Baker: Meeting is adjourned at 6:17 pm.

Approved by the P & Z Commission: May 3, 2023

Kt Carpenter

Chairperson, Kt Carpenter

Attest:

Lori V. Freeman

Lori V. Freeman, P&Z Admin.

BEFORE THE GLENN'S FERRY PLANNING AND ZONING COMMISSION

IN THE MATTER OF AMENDING THE)	
ZONING MAP BY REZONING A CERTAIN)	
PARCEL FROM COMMERCIAL (C))	FINDINGS OF FACT AND
TO MULTIPLE-FAMILY RESIDENTIAL (R-3))	CONCLUSIONS OF LAW
IN THE CITY OF GLENN'S FERRY, ELMORE)	
COUNTY, IDAHO)	

The above-entitled matter, amending the Zoning Map and rezoning a certain parcel, came before the Glens Ferry Planning and Zoning Commission ("Commission") for a Public Hearing and their recommendation on January 18, 2023.

The Commission, having heard and taken oral and written testimony, and having duly considered the matter, make the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT:

- A. SUMMARY: On February 15, 2023 the Planning and Zoning Commission of the City of Glens Ferry, Elmore County, Idaho, adopted Resolution 23-01, a resolution of intention to amend the official zoning map of the city by rezoning a certain parcel of property generally located north of west Idaho Avenue, across from the Glens Ferry City Park within the City of Glens Ferry, Idaho, from Commercial (C) to Multiple-Family Residential Zone. That Resolution identifies the parcel to be rezoned, and shows on Exhibit 1 attached to that Resolution, a map identifying the parcel and location in the City.
- B. APPLICATION SUBMITTAL:

This matter was initiated by Eastern Elmore County Recreation Districts' application. The City Staff identified a certain parcel of property which, according to the zoning map and the City's Comprehensive Plan should more appropriately be zoned Multiple-Family Residential Zone. During the period of time preceding the hearing, the city's staff and legal counsel reviewed and made proposed modifications to the zoning map. Their Staff Report, dated February 10, 2023, was presented to the Commission on February 15, 2023.
- C. NOTICE OF PUBLIC HEARING:
 1. Notice of Public Hearing for the Rezone by the Glens Ferry Planning and Zoning Commission was published in the official newspaper in accordance with requirements of Title 67, Chapter 65, Idaho Code, and the Glens Ferry City ordinances on January 25, 2023 & February 1, 2023.

2. Legal notice of the public hearing and a map identifying the parcels and their location in the City was mailed to the owner of the affected parcel, and all owners of property within 300 feet of the external boundaries of the subject land area, on January 31, 2023.
3. Legal notice of public hearing and an invitation to provide written comment was sent on January 31, 2023, to political subdivisions serving the Glenns Ferry Area: Glenns Ferry School District, Glenns Ferry Highway District, Eastern Elmore County Recreation District, King Hill Irrigation District, Glenns Ferry Fire Department, notifying the agencies of the public hearing and inviting any written comments from those agencies.
4. Legal notice of the proposed rezone and of the public hearing was posted on the parcel under consideration, February 2, 2023.

D. AGENCY RESPONSES: There were no written responses from public agencies.

E. LETTERS FROM THE PUBLIC: None received.

STAFF ANALYSIS PROVIDED WITHIN THE STAFF REPORT:

- A. DISCUSSION: Easter Elmore County Recreation District provided oral testimony regarding the proposed changes and responded to questions from the commission and public.
- B. The Staff Report identified the purpose of the Multiple-Family Residential zone under Glenns Ferry City Code 11-6-1: "The purpose of the R-3 multiple-family residential zone is to provide for medium to high density residential development; and in certain appropriate areas, upon city approval, permit mobile home park development."
- C. The Staff Report identified the permitted uses in R-3 Multiple-Family Residential zone under Glenns Ferry City Code 11-6-4:
 - Childcare facility
 - Home occupation
 - Multiple-family dwelling
 - Nonprofit Park, playground, or recreational facility
 - One single-family dwelling and accessory structures
 - Professional office
 - Temporary buildings and temporary uses necessary for construction purposes for a period not to exceed one year.
 - Church
 - Club or lodge of a service and fraternal character when not operated for profit.
 - Hospital
 - Nonprofit community clubhouse
 - Public or private academic school
 - Retirement, convalescent home; nursing home

11-3-8: Conditional Uses:

- Bed and Breakfast
- Childcare facility
- Mobile home park
- Public utility facility
- Recreational vehicle park

E. The Staff Report identified zoning of external boundaries of subject parcel and the existing land use

- North: (C) Commercial zone /Campbell Tractor, Residents, School Dist.
- West: (C) Commercial & (A) Agricultural zones / Residents, GF Animal Shelter
- East: (C) Commercial & (R-3) Multiple-Family Residential zone /Bare ground, GF City Shop.
- South: (R-3) Multiple-Family Residential zone / GF City Park, EECRD Swimming Pool.

PUBLIC HEARING OF THE COMMISSION:

A. A public hearing on the rezone was held before the Planning and Zoning Commission on February 15, 2023, at which time Eastern Elmore County Recreation District, Karen Hall gave presentation:

a. Presentation by Eastern Elmore County Recreation District, Karen Hall:

Carpenter: Applicant is Eastern Elmore County Recreation District, Karen Hall, requested action is to recommend approval of a rezone from Commercial to R-3 Multiple-family residential zone to the mayor and city council. The location is generally located north of west Idaho Avenue across from the Glens Ferry City Park in the City of Glens Ferry, Idaho. The size of parcel is 4.6 acres. The existing zone is Commercial. The proposed zone is R-3 Multiple-family residential zone.

Hall: Hello, my name is Karen Hall, I live at 94 East Dan Hall Lane. I am here tonight to tell you why we want to change zoning. All of you should have pictures of our project. We are trying to get a new baseball/softball field, which will also have a sidewalk around it. This is just phase 1 of the project, right now it's not zoned properly, that is why we are here to get it zoned, multi-family use. We think it will be beneficial for our community to have this other facility. Right now, it is just a vacant lot. I guess people will have to sit out on the grass to watch fireworks, I am not sure about parking, we will have to figure that out, that is the only complaints we've had is about parking. I think it will be beneficial, it's close to the school, it will give them opportunities to have another field to give them more opportunities to host bigger events which will bring revenue into our community, so it is a win, win for everybody and the fact that it is close to the school is nice, within walking distance. Any questions?

Baker: What is phase 2?

Hall: Eventually, because this phase cost so much, down the road we hope to do a gym. We are still working out all those things, but that is not really phase 2. Phase 2 is to go in and spruce up the old baseball field at the park, get it up to date and replace some things and also hopefully put cement all the way around so it will be a nice flat walking place. Phase 2 will be down the road because everything cost so much it is amazing, we could about build three or four skate parks for what this thing cost, it is amazing the difference a few years makes.

Baker: Is it going to have power and water to it?

Hall: There is power there. We are working on water. We actually spoke with King Hill Irrigation about maybe figuring out a way to help them alleviate the park watering issue and even the golf course and maybe we could help with the financing of part of that to benefit everybody. We are hoping we have our water where we can get it or be able to water that field, that piece of property.

Baker: I don't see that you are going to have any bathrooms, there is going to be any lights...

Hall: I don't know that we will light it at this point. We had somebody approach us, they thought they could help us get it as cheap as the boys got theirs but everything right now cost so much, we had to take out, we had to go to gravel where that grey area is, it was supposed to actually be the parking spots where the gym is going to go, but that's not going to happen for a little bit because everything cost too much. This other section is where the gym, eventually, will be. In order to do the grant, which we already turned in, we had to leave that portion out.

Carpenter: Where is this grant?

Hall: It is through Soil and Land Conservation Grant, through the national or federal state parks.

Price: In the picture, I don't see a bathroom, did I just miss that question?

Hall: There is no bathroom. I think the way it works out, it's right across the street and they are hoping to make all this more desirable, right now all you see is the trees, over kill on the trees probably.

Price: So, it is just the existing bathroom that is already there.

Hall: Right. And if we need to bring in port-a-poddies, we will.

Price: That sure is nice.

Hall: We are hoping it will be an asset. People are like why do you need another ball field? Everybody that's ever had a kid play, there's never enough practice time, there's never enough for having ball games, everyone's fighting for the same spot and so this would help that.

Baker: It will be nice to have something a little bit more attractive there in that big collection of goat heads and tumble weeds.

Hall: The property was donated to us and so we have to get going on it, that was the stipulation of it we have to get it developed, by a certain, so at least we are moving forward.

Price: Speaking of that, what is the time frame?

Hall: It was two years. We have another year to get it going. We will find out if we do or don't get the grant, obviously we'll go from there. Our presentation will be in March.

Price: Alright then, Brock (Lenz) you're here, you own that property right next to it, is that still yours, nothing changes there?

Brock: It stays Commercial.

Baker: Which piece is yours?

Hall: To the east of ours.

Price: Water, where is the water line, doesn't it go right down Idaho?

Brock: It does go right down Idaho.

Hall: Steve Bend claims there is a water line that comes from up the corner where Dennis Laib's alfalfa field, over by the stop and straight down that way.

Brock: City water.

Price: That's just about sewer. There is a sewer line that runs right down that road.

Hall: They just put that one in.
Price: Yep, it's kind of new.

Chair Carpenter read through each written statement, "A" through "F" the applicant is required to address:

A. Justification for the rezone:

Money was donated to use solely for the purchase of this parcel for a sports park. This parcel is currently zoned Commercial. 11-8-4: Uses Permitted & 11-8-9: Conditional Uses, 'park', is not permitted. This parcel is north of the Glenns Ferry City Park zoned R-3. West Idaho Avenue separates these two parcels. If rezoned to R-3 this sports park will enhance the city park.

Carpenter: On this particular section is there anything you need to add to this?

Hall: No.

B. Justification of a development agreement (if applicable). N/A

C. How does the proposed rezone relate to the Comprehensive Plan?

Chapter 5: Land Use: C: Commercial of the Comprehensive Plan pg. 14, states the purpose of the C commercial zone is to provide commercial areas to fulfill the need for a retail and service trade area within the community.

R-3 Multiple-family residential states the purpose of the R-3 residential zone is to provide for medium to high density residential development.

To the south of the proposed parcel is the city park zoned R-3. There is also Parkside and Bradbury mobile home park also zoned R-3.

The proposed rezone relates very well with the Comprehensive plan.

Carpenter: Do you have any further comments or anything you'd like to add?

Hall: No.

Carpenter: Jennifer will you read D. for me please.

D. What is the availability and adequacy of public facilities needed to serve any and all uses allowed on this property under the proposed zone? That is:

Sewer: The main truck is south of proposed parcel. Sewer is available and adequate per Scott Nichols, Public Works Director

Water: Two sources, there is a main water line @ West Idaho Avenue, near Parkside. The second source is north of proposed parcel on 1st Avenue. Water is available and adequate per Scott Nichols, Public Works Director.

Fire: There is a fire hydrant close to the Stop Drive-In and a fire hydrant close to the swimming pool. These two hydrants are available and adequate, per Derik Janousek, Fire Chief.

Streets: 1st Avenue is to the north of proposed parcel. North Bannock Street is to the east of proposed parcel. West Idaho Avenue is to the south of proposed parcel. There is no street to the west of proposed parcel.

Carpenter: Is there anything else you'd like to add.

Hall: No.

E. How is the proposed zone change, compatible, with the surrounding area?

To the north of proposed parcel is Campbell Tractor, Stop Drive-In.

To the east of proposed parcel is bare ground and residences.

To the south of proposed parcel is Glenns Ferry City Park, EECD swimming pool, baseball field, and mobile home park.

To the west of proposed parcel is bare ground, residences.

Carpenter: Did you have anything you'd like to add to that?

Hall: No.

F. The other health, safety and environmental problems that may be brought to City's attention.

We see no health, safety or environmental problems that may be brought to city's attention.

Carpenter: Anything you want to add to that?

Hall: No that's correct.

Freeman: Karen, do you have anything you would like to add to your presentation and if not, you may have a seat.

Hall: No, just hope that you will do it so this can move forward and hope we get the grant so we can move forward.

There were no testimonies.

There was no rebuttal.

The public hearing was closed.

Deliberation:

Price: I guess I got to ask, Eastern Elmore County Recreation District will they take care of this, is that all their deal, maintain it?

Hall: Yes, we will maintain it.

Carpenter: Any more deliberation?

Baker: I think that all we are here to talk about today is whether or not it seems appropriate to rezone, whether or not we ought to recommend to city council that the rezone take place.

COMMISSION DECISION:

After deliberations and considering the Staff Report, and the Comprehensive Plan, the Commission made their recommendation.

Neither the Commission nor the staff identified any incompatibility with the Comprehensive Plan.

After deliberation, the Commission voted 3 to 0:

Planning & Zoning Recommendation for Proposed Amendment of Official Zoning Map of the City by Rezoning A Certain Parcel Of Property From Commercial (C) to Multiple-Family Residential (R-3): (Roll Call Vote):

Price: I make a motion to recommend to the city council, to rezone from Commercial to R-3.

Baker: Second

Carpenter: Roll call vote, Baker-aye, Price-aye, Carpenter-aye

CONCLUSIONS OF LAW:

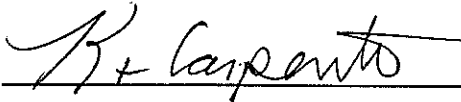
1. Notice of Public Hearing was published in accordance with requirements of Title 67, Chapter 65, Idaho Code, and the Glens Ferry City ordinances on January 25 & February 1, 2023. Letters to property owners of subject and adjacent properties, and requests for agencies' reviews were transmitted on January 31, 2023, and notice was posted on either side of the subject properties in accordance with Title 67, Chapter 65, Idaho Code, and the requirements of the Glens Ferry City Code, February 2, 2023.

2. The proposed zoning amendment will not have an adverse impact upon the delivery of services by any political subdivision providing services, including school districts, within the city limits.

3. The proposed zoning amendment is not in conflict with the Comprehensive Plan of the City of Glenns Ferry.

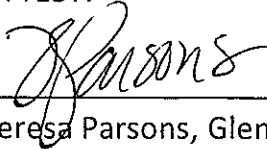
DATED this 27 day of February 2023.

PLANNING AND ZONING COMMISSION
OF THE CITY OF GLENN'S FERRY
Elmore County, Idaho



Kt Carpenter, Chairwoman

ATTEST:



Teresa Parsons, Glenns Ferry City Clerk



(SEAL)