

ELMORE COUNTY PLANNING AND ZONING COMMISSION
War Memorial (American Legion Hall), 515 East 2nd South Street, Mountain Home, ID
83647

Wednesday, May 20, 2015 at 7:00pm

Agenda

PLEASE SILENCE CELL PHONES

CALL TO ORDER

ESTABLISH QUORUM

- | | |
|---|--|
| <input type="checkbox"/> Chairperson Patti Osborn | <input type="checkbox"/> Vice-Chairman K.C. Duerig |
| <input type="checkbox"/> Betty Van Gheluwe | <input type="checkbox"/> Sue Fish |
| <input type="checkbox"/> Ed Oppedyk | <input type="checkbox"/> Shane Zenner |
| <input type="checkbox"/> Jeff Blanksma | |
|
 | |
| <input type="checkbox"/> Attorney of Record Phil Miller | |

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- **Intermountain Development (Jim Carrie) for a Conditional Use Permit to subdivide an existing 5-lot subdivision Frontage Estates into a 57-lot subdivision (Blue Sage Subdivision) in the Agriculture Zone/Mountain Home Area of City Impact. Case Number: CUP-2015-09.** The site is located in NW1/4, Section 15, Township 3S, Range 6E, B.M. A common way of locating the property is from Sunset Strip turn onto Frontage Road. The property is located approximately 1 mile on the right.

ITEMS FROM THE PUBLIC

FCO and MINUTES

- FCO for Case Number: SUB-2006-02
- Minutes from 05-06-15

INFORMATION ITEMS

- Upcoming P & Z Schedule.

MEETING ADJOURNED



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, Id. 83647
Phone: (208) 587-2142 ext. 254
Fax: (208) 587-2120
www.elmorecounty.org

Staff Report to the Planning and Zoning Commission

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Meeting/Hearing Date: 5/20/15 **Date Report Compiled:** 5/11/15

Agenda Item: Conditional Use Permit to subdivide an existing 5 lot subdivision into a 53 lot subdivision.

Applicant: Intermountain Development (Jim Carrie)

Case Number: CUP-2015-09

Staff: Beth Bresnahan

Location: W2 NE4 Sec 15, Township 3 South, Range 6 East, B.M. A common way of locating the property is from Sunset Strip turn onto Frontage Road. The property is located approximately 1 mile on the right.

Zoning: Agriculture/Mountain Home Area of City Impact

Parcel Numbers: RP 003210010010A, RP 003210010020A, RP 003210010030A, RP 003210010040A, and RP 003210010050A

BACKGROUND:

The applicant had a pre-application meeting with the Land Use and Building Department on September 11, 2014. A neighborhood meeting was held on March 31, 2015. Application was deemed complete and all fees paid by April 9, 2015. Notice of public hearing was sent to neighboring property owners within 1000 feet and agencies on April 24, 2015. Notice was published in the Mountain Home Newspaper on April 29, 2015. Notice of the public hearing was posted on the property on May 11, 2015.

The property is currently zoned Agriculture (Ag), and is located in the Area of City Impact for Mountain Home. Site is located in the Mountain Home Rural Volunteer Fire District.

The applicant is proposing to replat Frontage Road Estate Subdivision, a 5-lot subdivision, to Blue Sage Subdivision, a 53-lot subdivision. The applicant is proposing each lot will have individual septic systems and individual wells. The project is proposed to have 3 phases. The road is proposed to be public and meet the Mountain Home Highway District standards.

Staff conducted a meeting with the City of Mountain Home on April 16, 2015 to discuss the scope of the project. The City of Mountain Home's Comprehensive Plan states "it is the desire of the City that development in this area be under the jurisdictional authority of the City and that any development be connected to municipal services if feasible at the time of development, and by means of annexation into the City."

Under the City of Mountain Home's Comprehensive Plan 7.3.3.d. *Require that subdivisions constructed within the Area of City Impact meet the City Standards for Subdivisions.*

The City of Mountain Home Standards for Subdivision in the Area of City Impact:
9-19-16: SUBDIVISION WITHIN THE AREA OF IMPACT AND/OR ONE-MILE A/PR-AGRICULTURE/PROPOSED RESIDENTIAL:

Purpose A/PR And/Or One-Mile: The purpose and intent of the Comprehensive Land Use AGRICULTURE/PROPOSED RESIDENTIAL designation is to have land areas set aside that protect agricultural land use until such time as expansion of urban development is desirable, to allow rural atmosphere hobby farm development and to protect the aquifer recharge area which lies north and northeast of the City limits and is more particularly described and identified in the Elmore County Comprehensive Plan, Zoning Ordinance and maps as the Mountain Home Community Development Overlay (CDO). Also, to provide for residential development of land which is projected to be annexed into the City in the near future.

When subdivision development in the A/PR Zone occurs contiguous to City limits, it shall develop to City standards. When annexed, the property will be given a zoning classification which shall be compatible with surrounding land uses and in accordance with the Comprehensive Plan.

- A. A/PR (Agriculture): The "A" portion of this designation excludes commercial feed lots, dairies, commercial poultry and poultry products production, pig farms, dairies, and similar intensive agriculturally related uses. The usual farm animals are allowed.*
- B. A/PR (Proposed Residential): The "PR" portion of this designation is to preserve and enhance predominately single-family living areas at a low-density standard. Such transition areas must be prepared to utilize a full range of municipal services upon annexation into the City.*

1. Subdivision Lots Less Than Five Acres/Development Standards:

- a. Lot Size: The minimum lot area per dwelling structure shall be one-half ($1/2$) acre.*
- b. Lot Width: The minimum lot width shall be one hundred feet (100').*
- c. Water System: Subdivision development requires a community water system constructed in accordance with City, County and State standards and which will be compatible with connection to City services upon future annexation. Dry lines may be required if the subdivision is in close proximity to City limits.*

d. *Sewer System: One septic permitted per lot. Approval in accordance with County and State standards. Soils analysis required (see Section [9-19-10](#) of this Chapter). Dry lines may be required if the subdivision is in close proximity to City limits.*

e. *Municipal Service: Full range of municipal services as per City standards required in preparation for annexation.*

(1) *Streets, sidewalks, curb and gutter which meet City standards. Streets shall be concrete or asphalt.*

Where parcels of land are subdivided into unusually large lots (more than one-acre lots), the parcels shall be divided, where feasible, so as to allow for future division into smaller parcels. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever such future subdividing or lot splitting is contemplated, the plan thereof shall show proposed extension of streets and be approved by the Commission prior to the taking of such action.

(2) *Dry lines for water and sewer.*

(3) *Underground power/telephone/gas/cable TV.*

f. *Storm Drainage: See Section [9-19-12](#) of this Chapter.*

g. *Future Annexation Agreements: Development agreements for future annexation and municipal City service hookups shall be required.*

2. *Subdivision Lots Five Acres Or More And/Or Five-Acre Subdivision Lots In The Area Of Critical Concern/Elmore County (CDO) Development Standards: Regardless of the size lots, when the subdivision is contiguous with the City limits it shall be developed to City standards.*

a. *Minimum Lot Size: The minimum lot size shall be five (5) acres or more per dwelling structure.*

b. *Lot Width: The minimum lot width (5 acres) shall be three hundred feet (300').*

c. *Water And Sewer: One well and one septic allowed per five (5) acres. Soils analysis required (see Section [9-19-10](#) of this Chapter).*

Any variance consideration of subdivisions with more than one dwelling unit per five (5) acres in the CDO or any area of critical concern shall, as a condition of approval, be required to connect to a central water system and to a central sewer system, as approved by the City Engineer, prior to occupancy. If such a sewer is not available, development shall be served by sewage disposal systems that provide aquifer protection equal to or greater than those listed below:

(1) *A collection and treatment facility utilizing sealed lagoon(s); or*

(2) A collection and treatment facility utilizing holding tanks and transport/disposal to a licensed disposal site.

d. *Storm Water/Surface Drainage: As per Storm Water Management, Section [9-19-12](#) of this Chapter. Facilities in the CDO and/or Area of Critical Concern shall be designed so that surface waters or any spilled or leaked materials cannot infiltrate into the ground or irrigation systems.*

e. *Streets: All streets shall be constructed to City standards and paved with asphalt or concrete. No sidewalk, curb and gutter required.*

Where parcels of land are subdivided into large lots, the parcels shall be divided, where feasible, so as to allow for future division into smaller parcels. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever such future subdividing or lot splitting is contemplated, the plan thereof shall show proposed extension of streets and be approved by the Commission prior to the taking of such action.

f. *Signs: Signs shall comply with the SIGN Ordinance, [Chapter 11](#) of this Title.*

g. *Future Annexation Agreement: Development agreements for future annexation and hookups may be required as a condition of the subdivision approval. (Ord. 1242, 4-22-1996)*

LETTERS FOR THE RECORD

1. Letter from Charles and Phyllis Whipple, received on March 30, 2015
2. Elmore County Assessor/Treasurer Letter
3. City Of Mountain Home Letter, Wayne Sheppard, Dated April 23, 2015
4. Letter from Herbert Cole, Dated May 8, 2015
5. Letter from DEQ, Danielle Robbins, Dated May 6, 2015
6. Aspen Engineers, Lance Warnick, Dated May 13, 2015
7. Idaho Department of Transportation, James Morrison, Dated May 8, 2015

ATTACHMENTS:

1. Application
2. Photos of posting
3. Map

THE TWELVE STANDARDS ALL CONDITIONAL USES MUST MEET ARE:

1. **The proposed use shall, in fact constitute a Conditional Use as determined in Chapter 8, Table 6-8-11 (C), Elmore County Land Use Table, as contained in this Ordinance;**

Staff Response: A conditional use permit is required for this application. There are additional subdivision requirements for this application found in Chapter 28 of the Elmore County Zoning and Development Ordinance. Because this is in the Area of City

Impact, Title 7, Chapter 1 also applies. City of Mountain Home provided information pursuant to Ordinance Section 7-1-5.

2. The proposed use shall be in harmony with and in accordance with the Elmore County Comprehensive Plan and this Ordinance (Title 6);

Staff Response: Staff believes the following Comprehensive Plan Objectives apply to the conditional use permit application:

Land Use Objective #6 Encourage orderly development of subdivisions and individual land parcels.

Land Use Objective #11 – Encourage and support land use proposals that are constant with the community design objectives of all communities and districts within the County.

Suburban Mountain Home Vicinity- 5. Land Use: Encourage new development to comply with the County Comprehensive Plan. Continue the land use and density restrictions currently in place for the Mountain Home Aquifer Water Recharge Area. Recognize that residential development should occur near the City of Mountain Home...but new development must blend and complement the existing rural lifestyle in the area. Development within this area must minimize residential conflicts with agricultural operations and animals. Dust control would be a necessary approval criterion for any new development in this area. Animal Units should be reevaluated in this area to better reflect the small parcel developments.

Suburban Mountain Home Vicinity- 13. Community Design: Encourage and support the continuation and expansion of the Mountain Home Air Force Base. Encourage and support the continuation of suburban residential land uses and hobby farms within an approximate 2 mile radius outside the City of Mountain Home. Land areas near Mountain Home but beyond the 2 mile radius should be preserved for agricultural and Ag related developments.

3. The proposed use complies with the purpose statement of the applicable base zone and with the specific use standards as set forth in this Chapter;

Staff Response: Staff believes this use complies with this purpose statement of the Ag zone in that "residential land use is allowed in the Ag zone subject to site development standards and compatibility with agricultural operations."

Section 7-1-4-B: ZONING. The Zoning Ordinances of Elmore County applying the zoning requirements in effect at the time of adoption of this Ordinance, or as subsequently modified in accordance with this ordinance, shall govern land use within the Area of City Impact. The County's zoning requirements, within the Mountain Home Area of City Impact, shall be based upon the Comprehensive Plan of the City of Mountain Home, in effect at the time of adoption of this Ordinance, or as subsequently modified. A copy of the sections of the Elmore County official zoning map to which this Area of City Impact Agreement refers, and the City of Mountain Home Comprehensive Plan are attached to this Ordinance as Exhibits A and B, respectively, and are incorporated herein by reference as if set forth in their entirety.

Section 7-1-4-C: Subdivision Requirements: *The subdivision of land within the Area of City Impact shall occur only in conformance with the subdivision ordinance deemed applicable by virtue of provisions of the Area of City Impact Ordinance and state law.*

1. *Except as otherwise provided by this Ordinance, within the Area of City Impact the Subdivision Ordinance of the City of Mountain Home, as such now exists or as later amended, shall apply in accordance with provisions of this Ordinance. The City of Mountain Home shall be used as the review consultant and will be reimbursed for their review time as though they were any other outside consultant.*

4. The proposed use shall comply with all applicable County Ordinances;

Staff Response: There are concerns that the proposed application does not meet the requirements of Title 7, Chapter 1. See letter from City of Mountain Home (letter of record #3).

5. The proposed use shall comply with all applicable State and Federal regulations;

Staff Response: If approved, staff has proposed conditions to ensure this application meets State and Federal regulations.

6. The proposed use shall be designed, constructed, operated, and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area;

Staff Response: There is irrigated farm ground to the west. Platted subdivision to the south, rural residential to the east, Interstate 84 to the north. There are 487 parcels within 1 mile of the site, with an average size of 8.56 acres. There are 302 parcels that are within platted subdivisions with an average size of 1.02 acres. There are 13 platted subdivisions within 1 mile. Majority of the subdivisions are in the city and on city services. The majority of the ones in the county have central water systems and individual septic.

7. The proposed use shall not be hazardous or disturbing to existing neighboring uses or impede their normal development;

Staff Response: There are a number of residential homes and platted subdivisions in the vicinity. There are letters from neighbors expressing concerns for the proposed application.

8. The proposed use shall be served adequately by available public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer, or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services;

Staff Response: Any additional services will be at the expense of the applicant. There will be two (2) street entrance points off of NW Frontage Road.

9. **The proposed use shall not create excessive additional requirements at public cost for public facilities and services and the proposed use shall not be detrimental to the economic welfare of the County;**

Staff Response: All improvements will be constructed at the applicant's expense. Roads will be public and maintained by Mountain Home Highway District.

10. **The proposed use shall not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;**

Staff Response: Staff does not anticipate any excessive production of noise, smoke, fumes, glare or odors.

11. **The proposed use shall have vehicular approaches which shall be so designed as not to create an interference with traffic on surrounding public or private roadways;**

Staff Response: Any new approaches will need to be approved through the Mountain Home Highway District. New roads will be public and maintained by Mountain Home Highway District.

12. **The proposed use shall not result in the destruction, loss or damage of a natural or scenic feature of major importance.**

Staff Response: Staff feels this use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

STAFF COMMENT

City of Mountain Home has some concerns with public improvements, particularly street right-of-way, pavement sections and drainage systems.

City of Mountain Home is concerned with the proposed number of lots, the increase will significantly increase amount of water drawn from the aquifer and affect the availability and water rights for other users who already have wells in the area.

City of Mountain is also concerned about the quality of the shallow aquifer and it's possible connection to the deep aquifer where the City and others draw water for culinary purposes.

City of Mountain believes that the lot size is too small to develop with individual well and septic systems, particularly in an area which already has issues with septic system failures.

The application states the plat is for 53 lots, however the plat has identified there are 57 lots. Staff is concerned with the actual number of lots being proposed for this application.

Aspen Engineers has reviewed the application and has the following concerns: there is no master site plan provided for this application. There were unsigned versions of a preliminary plat and phasing exhibit for the project, however neither drawing meets the standards required for a master site plan.

Aspen Engineers recommends the applicant provide a master site plan for the property as outlined in the Ordinance. The master site plan would provide information regarding the concerns of the City of Mountain Home regarding the availability of water to serve the property and the impact of the proposed development on existing users; confirm that the proposed lot sizes are adequate to handle onsite sewage disposal for the project and how irrigation will be addressed.

Aspen Engineers' review of the application concluded that the applicant has not provided enough information to approve the proposed project. Aspen Engineers recommends either to deny or table until applicant has provided the information needed to make an informed decision.

STAFF RECOMMENDATION

If approved, staff would recommend the following conditions of approval:

1. Proposed use will comply with Chapter 28 of the Elmore County Zoning and Development Ordinance and City of Mountain Home 9-19-16.
2. Failure to comply with any condition may result in the revocation of the conditional use permit.
3. All outstanding taxes and fees must be paid.
4. Must meet all State and Federal regulations.
5. No more than 57 lots and 3 phases.
6. Each phase must have final plat approved by the Board within 24 months of the of the Commission's approval of the preliminary plat.
7. A master site plan must be provided and approved by the county engineer before final approval.
8. Subdivision must be developed in conformance with the master site plan.
9. Approval must be obtained from Central District Health Department for sewage disposal.

received
3-30-2015

(ER)

1106 NW Beaman St.

Mountain Home, ID 83647

March 28, 2015

Elmore County Planning

520 East 2nd South

Mountain Home, ID 83647

RE: Frontage Road Estates Re-plat

We strongly object to the proposed re-plat of the Frontage Road Estates into Blue Sage Subdivision for the following reasons:

1. The precarious water situation and drawdown of the acquifer with another possible drought due to the low snowpack this winter, which could affect all neighboring wells.
2. The increased traffic, noise, and conjestion on the frontage road that is not suited or built for such traffic.
3. The addition of another subdivision when Mountain Home has an overabundance of vacant houses already does not make sense.

Thank you for your consideration in this matter.

Sincerely,

Charles and Phyllis Whipple

Charles F. Whipple
Phyllis Whipple



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 ext.254
Fax: (208) 587-2120

received
4/27/15 BSB

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Elmore County Assessor – Parcel Number: 003210010010 003210010020
 Comments: 003210010030 003210010040 003210010050
 Elmore County Treasurer – Taxes 1st Half paid 2nd Half paid
 Late Charges: Yes No Comments: 4-29-15
ACS

Date: April 13, 2015

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Intermountain Development (Jim Carrie), Conditional Use Permit to subdivide an existing 5 lot subdivision (Frontage Estates) into a 57 lot subdivision (Blue Sage)

Case #: CUP-2015-09

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Wednesday, May 20, 2015 at 7:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

Please review the application and return your written comments to the Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, ID, 83647, by 5 p.m. on Friday, May 8, 2015, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

If you have any questions or if we can be of any assistance, please do not hesitate to contact the office. To ensure compliance with the American Disabilities Act (ADA) of 1993, the Elmore County Clerk the responsible coordinator. Provisions will be made for persons with disabilities who are unable to attend this hearing. A grievance procedure is available from M. Bate, Elmore County Courthouse, in accordance with the ADA regulations.

Sincerely,

 Alan Christy
 Director
 Enclosures: Application
 AC:bsb



received
4/23/15 BB
via email

City of Mountain Home... Public Works Department

1150 South Main, P.O. Box 10, Mountain Home, ID 83647 (208)587-2108 Fax (208)587-6433

April 23, 2015

Alan Christy, Director
Elmore County Land Use and Building Department
520 East 2nd South Street
Mountain Home, Idaho 83647

RE: Case # CUP-2015-09 Intermountain Development

Dear Mr. Christy:

Regarding the Conditional Use Permit application to convert an existing 5 lot subdivision (Frontage Estates) into a 57 lot subdivision (Blue Sage), I reviewed the information provided in the Notice of Hearing dated April 13, 2015 and have the following comments on behalf of the City of Mountain Home:

1. The proposed development is located in the Area of City Impact and so all public improvements, particularly street rights-of-way, pavement sections, and drainage systems are of interest to the City.
2. The City is concerned that the approval of the proposed increase in the number of lots will significantly increase amount of water drawn from the aquifer and affect the availability and water rights for other users who already have wells in the area. The difference between 5 lots with individual wells and 57 lots with individual wells is over 675,000 gallons per day if wells were pumped to the maximum allowed by IDWR.
3. The City is also concerned about the quality of the shallow aquifer and it's possible connection to the deep aquifer where the City and others draw water for culinary purposes. There have already been issues with the shallow aquifer in areas located South of the proposed development. The additional 52 lots that would be created if the CUP is approved, would generate over 10 times the waste water compared to the existing subdivision.
4. In my opinion, the proposed lot size of about one acre is much too small to develop with individual well and septic systems, particularly in an area which has already had issues with septic system failures.

Respectfully,

Wayne Shepherd, P.E.
Public Works Director

received
5-8-15 JUC

8 May 2015

Mountain Home, Idaho. 83647

Planning and Zoning Commissioners:

Dear Sirs/Madam,

I write in place of appearance due to being out of town on proposed date of public input.

I have read over the comprehensive planning of Elmore County. I wish to submit my objection to the proposed "BLUE SAGE SUBDIVISION" of 57 lots.

What happened to the 5 acre lot requirement? I object to the 57 lot application on one basic premise: WATER IS CRITICAL IN OUR AREA, ANOTHER 57 WELLS AND SEPTIC TANKS ON SMALL LOTS IS A BAD IDEA.

Water tables have been steadily falling for the past 25 years. I have been at my current location at 805 NW Beaman for 14 years. July of 2014 I had to get my well pump lowered 100 feet due to the static level of my well had dropped 3.26 feet per year average since my well was placed into service January 2001.

My neighbor Mrs. Shirley Stakle had her well pump lowered one week later, it is quite obvious the aquifer is being overused, I am compelled to ask. Which is more important, raising field corn, alfalfa and grain or sustaining life and allowing the residents to be able to have potable water available?

Out of curiosity, I asked one of the well workers what they had been doing the day they were working at Mrs. Stakle's home. The reply I received was they were running their heads off to different residences and lowering domestic well pumps to restore water to the residents, this points to an obvious problem, "WATER TABLES ARE CRITICAL AND MORE DEVELOPMENTS" are an unwise thing at this time.

I have written to the state of Idaho water board, my concern is all the deep well pumping from wells to irrigate crops with but they seem unconcerned, only quoting old water rights, again, what is important? Crops or sustaining life?

I have no personal dislike for Mr. Jim Carrie, he wants to make a pile of money and could care less whether I or my neighbors have potable water, there are times when building growth must be matched with existing resources, this problem is now and Mountain Home aquifer cannot stand anymore demands. When water becomes available, piped in or whatever from the Boise river it would be a different story.

I read in the documents, concern of the commissioners of the Mountain Home aquifer, they talk of recharging the aquifer and must maintain its sustainability, I agree so not approving this Blue Sage Subdivision is a good start.

Thank you for reading and considering my resistance to this additional housing subdivision, I thank each of you for serving and feel you will do what is in the best interest of existing home owners in the adjoining neighborhoods.

Respectfully,


Mr. Herbert R. Cole

805 NW Beaman st.

Mountain Home, Idaho.83647



STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street•Boise, ID 83706-2239•(208) 373-0550

Received
3-11-15 KR

DEQ Response to Request for Environmental Comment

Date: 05/06/2015
Agency Requesting Comments: Elmore County Land Use and Building Department
Date Request Received: 04/29/2015
Applicant/Description: CUP-2015-09

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <http://www.deq.idaho.gov/ieg/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater and Recycled Water

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require

preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at <http://www.deq.idaho.gov/water-quality/drinking-water.aspx>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*

- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at: <http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or

disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method.”

For questions, contact Aaron Scheff, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.*
- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,

Danielle Robbins

Danielle Robbins
danielle.robbs@deq.idaho.gov
Boise Regional Office
Idaho Department of Environmental Quality



May 13, 2015

Alan Christy
Director
Elmore County Land Use and Building Department
520 East 2nd South
Mountain Home, Idaho 83647

485 W. Main St, Suite B
PO Box 205
Kuna, Idaho 83634
(208) 466-8181
www.AspenEngineers.com

**SUBJECT: Review and Comment Letter #1 for the
JIM CARRIE DBA INTERMOUNTAIN DEVELOPMENT
57 LOT CUP FOR BLUE SAGE SUBDIVISION / CUP-2015-09
Elmore County, Idaho**

Dear Mr. Christy:

As requested in the email from Beth Bresnahan from your office dated May 11, 2015, I have reviewed the CUP Application for the proposed 57 lot residential subdivision known as "Blue Sage" for Jim Carrie DBA Intermountain Development. The property is located on the north side of Mountain Home just south of Interstate 84.

Based upon my review of the application and supporting project documents, and comment letters from DEQ (dated 05/06/2015) and the City of Mountain Home (dated April 23, 2015), I have the following comments and recommendations:

1. As outlined in the Elmore County Zoning and Development Ordinance 6-27-3.B, "the applicant shall concurrently submit and obtain approval for a mater site plan" with the Conditional Use Permit application. Section 6-18-3.B of the Zoning Ordinance also reiterates that "Master site plan applications shall be required for...Subdivision development projects". It does not appear that a master site plan was submitted with this application. The application did include unsigned versions of a preliminary plat and phasing exhibit for the project, however neither drawing meets the standards required for a master site plan.
2. I recommend that the Applicant be required to provide a master site plan for the property as outlined by County Code, which should include but is not limited to the following:
 - a. Natural Features Analysis with a description of the hydrology, soils, topography, vegetation, sensitive species, historic resources, hazardous areas and impact on natural features (Sections 6-18-3.B.2 and 6-18-5);
 - b. Landscape and screening plan (Sections 6-18-3.B.5 and 6-18-6.A);
 - c. Lighting plan (Section 6-18-3.B.6) for any proposed street lights; and
 - d. Sign plan (Section 6-18-3.B.7) for any proposed subdivision sigs.

3. The application states that the “streets will have borrow ditches that will accommodate street drainage”. Section 307.05 of the Mountain Home Highway District Highway Standards and Development Procedures states that “borrow ditches shall be designed to convey stormwater runoff and shall not be designed for stormwater disposal through infiltration”. As outlined in Section 6-18-6.B, the master site plan should also provide additional information to demonstrate how drainage will be managed for the project.
4. As outlined in the letter from Wayne Shepherd, the Public Works Director from the City of Mountain Home, there may be concerns regarding the availability of water to serve the property and the impact of the proposed development on existing users. As outlined in Section 6-18-6.C, the master site plan should also provide enough information on the water supply in order to clearly demonstrate if there is adequate water to serve the proposed subdivision and not negatively impact neighbors.
5. Although Health Department regulations state that 1 acre is the minimum lot size to have both onsite well and septic systems, it is becoming less common to see lots that small due to other constraints (e.g., type of soil, depth to rock, and DEQ and Health Department requirements). As outlined in Section 6-18-6.C, the master site plan should also provide additional information to confirm that the proposed lot sizes are adequate to handle onsite sewage disposal for the project.
6. The application did not appear to address if the proposed development has any irrigation water rights or how the lots would be irrigated. As outlined in Section 6-18-6.E, the master site plan should also provide additional information to confirm how irrigation will be addressed.
7. The drawings included in the applications appear to have been prepared by prepared by a licensed surveyor, but they have not been certified with signature. Idaho Code clearly says that whenever a final plan or report is submitted to a client or to a public or governmental agency, it must be stamped, signed, and dated. If it is not final, it must be marked as "Not for construction", "draft" or have some other similar disclosure.
8. Based on my review of the application and supporting information, and due to the lack of the master site plan, I do not believe that the Applicant has provided adequate information to the County to approve the proposed project. I recommend that the P&Z Commission either deny the proposed CUP or table discussion and decision on the hearing until the Applicant has provided the information needed to make an informed decision.

These comments compose my current thoughts on the application, but other issues may arise on future reviews.

Feel free call me at (208) 466-8181 if you have any questions or need additional information.

Mr. Alan Christy
Elmore County Land Use and Building Department
57 Lot CUP for Jim Carrie / CUP-2015-09
May 13, 2015
Page 3 of 3



Respectfully,

Aspen Engineers, Chartered

A handwritten signature in blue ink that reads "Lance Warnick".

Lance Warnick, P.E.
Elmore County Engineer

cc: Aspen 15039 (57 Lot CUP for Jim Carrie / CUP-2015-09)



IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

received
5-13-15 KR
Mant

(208) 334-8300
itd.idaho.gov

May 8, 2015

Alan Christy
Elmore County Land Use and Building Department
520 East 2nd South Street
Mountain Home, Idaho 83647

RE: CUP-2015-09 BLUE SAGE SUBDIVISION

Dear Mr. Christy:

The Idaho Transportation Department (ITD) has reviewed the referenced conditional use application for the Blue Sage Subdivision located south of W Frontage Rd. and east of Taylor Ln. south of I-84. ITD has the following comments:

1. ITD has no objections to this application and does not require any mitigation.
2. No access to the State Highway System is requested and none is approved with this application.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads "James K. Morrison".

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 E 2nd South – Mountain Home, ID 83647 – (208) 587-2142

www.elmorecounty.org

Conditional Use Permit Application

The Elmore County Land Use & Building Department **DOES NOT** accept faxed applications or signatures.

Application must be completed in **INK**. Please use addition sheets of paper if necessary. This application must be complete and all fees paid prior to acceptance by the Elmore County Land Use & Building Department. A public hearing will not be scheduled until the application is accepted.

The Conditional Use Permit Application must be in compliance with Chapter 27 of the Elmore County Zoning and Development Ordinance.

Pre-application meetings are strongly encouraged for Conditional Use Permit Applications. Pre-application meetings are by appointment only. Do not hesitate to contact the Land Use & Building Department with any questions or concerns.

1. Name of applicant: JIM CARRIE DBA INTERMOUNTAIN DEVELOPMENT
2. Address of applicant: P.O. BOX 624, MOUNTAIN HOME, IDAHO 83647
3. Daytime telephone number of applicant: (208) 867-6344
4. Email Address: jscarrie@aol.com
5. Name, address, and daytime telephone number of developer: JIM CARRIE DBA INTERMOUNTAIN DEVL., P.O. BOX 624, MOUNTAIN HOME, ID 83647 (208) 867-6344
6. Address of subject property: W 1/2, NE 1/4 SEC. 15, T 3 S, R 6 E, BM
7. Name, address, and daytime telephone number of property owner (if different from applicant): _____

8. Attach Legal Description and acreage of property **and** legal description and acreage of part that CUP is to encompass: LOTS 1, 2, 3, 4, 5 OF FRONTAGE ROAD ESTATES

Attach at least one of the following:

- Deed Proof of Option Earnest Money Agreement Lease Agreement Assessor's Parcel Master Inquiry

RP# RP03506151090A

9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: 3/4 MILE EAST OF SUNSET STRIP (OLD OREGON HWY) ADJACENT TO AND SOUTH OF NW FRONTAGE ROAD.

10. a. Current zoning: AG b. Current district (if applicable): -

11. a. Is the proposed location within an Area of Critical Concern (ACC) or Community Development Overlay (CDO)?

Yes No If in a CDO, what CDO? CITY OF MTN HOME IMPACT AREA If in an ACC or CDO, technical studies, an environmental assessment, or an environmental impact statement may be required.

b. Is the proposed development within any city's impact area? Yes No

c. Is the proposed site within an Airport Hazard Zone or Air Port Sub Zone? Yes No
If yes, applicant shall provide approval from the Federal Aviation Administration and/or the Idaho Department of Aeronautics and Transportation.

d. Is any portion of the property located in a Floodway or 100-year Floodplain? Yes No

If yes submit map showing location of floodway and/or floodplain in relation to the property and/or proposal.

e. Does any portion of this parcel have slopes in excess of 10%? Yes No If yes, submit contour map.

f. The impacts of a proposed development and/or land use on adjacent land uses and transportation facilities must be considered. The applicable Highway District or Transportation Department may require a Traffic Impact Study (TIS) if the proposed development or land use has associated with it special circumstances deemed by the district or department to warrant a study. A notation and signature from the applicable district or department stating no study is required or a copy of this study must be submitted with this application.

g. The impacts of the CUP on existing public services and facilities (such as the fire department, emergency services, sheriff's department, schools, etc.) must be considered. A letter from the applicable agency governing the public service or facility stating how the developer will provide for said services with plans and/or drawings or that said services are not required may need to be submitted with the application.

h. Are there any known hazards on or near the property (such as canals, hazardous material spills, soil or water contamination, etc.)? Yes No If yes, describe and give location: _____

i. Are there hazardous materials and/or wastes involved either in your operation or generated off site and brought onto the property? Yes No

12. Does any other agency require a permit (DEQ, EPA, IDWR, FAA, state, federal, etc.)? Yes No
If yes, who?

CENTRAL HEALTH DEPARTMENT

Proof of having applied for or acquired other agency(ies) permit(s) submitted with CUP application.

13. ADJACENT PROPERTIES have the following uses:

North FREEWAY AND AG

East RURAL RESIDENTIAL

South RESIDENTIAL SUBD.

West AG

14. EXISTING USES and structures on the property are as follows: GRAZING; NO STRUCTURES

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):

THE PROPOSED USE IS A REPLAT OF FRONTAGE ROAD ESTATES
SUBDIVISION INTO A RURAL RESIDENTIAL SUBDIVISION OF 53
ONE ACRE LOTS. SEE ATTACHED PRELIMINARY PLAT.
EACH LOT WILL UTILIZE AN INDIVIDUAL WELL AND SEPTAGE
SYSTEM.

16. a. The conditional use is requested to begin within 30 days/ months after permit approval (permit expires if not used within 1 year of approval) and is for _____ years or perpetuity.

b. Construction or improvements associated with conditional use is expected to begin within:
30 days/ month/ years and, be completed within 120 days/ months/ years.

17. Proposed Use(s): RESIDENTIAL SUBD. Hours of Operation: N/A
Days of Operation: N/A Maximum Number of Patrons: N/A
Sewage disposal: municipal / individual septic Water: municipal supply / community well /
INDIVIDUAL SEPTIC SYSTEMS individual well INDIVIDUAL WELLS
Number of employees during largest shift: N/A Proposed number of parking spaces: N/A

18. PRELIMINARY FLOOR PLANS: To a professional standard with sizes and types of interior spaces indicated, 15 copies 8½" x 11". N/A

19. ENVIRONMENTAL IMPACT STATEMENT AND/OR ASSESSMENT: When a development or proposal is of a more complex nature, when it is required by the Zoning and Development Ordinance, and/or when the site is located within an Area of Critical Concern, and Environmental Impact Statement and/or Assessment may be required at the expense of the applicant.

(The Land Use & Building Director will determine if an EIS is required)

EIS Required: Yes No Director Initial _____

Department Note: _____

20. PROPERTY OWNER'S ADDRESS: A list of property owner's/purchaser's of record names and addresses within a minimum radius of 300' of property boundaries encompassed by proposed Conditional Use Permit. Said list shall be obtained from the tax records of the appropriate county.

**Radius extended to: 1000 ^{1000' AG ZONE} feet mile(s) Date: _____ Initial _____

21. Is this application submitted with any additional applications? NO

22. Ordinance Chapter 27, Section 6-27-7 states that the Elmore County Planning and Zoning Commission shall review all proposed conditional use applications and find adequate evidence that such use meets all of the following standards. The applicant must provide said evidence. Following are the standards the conditional use must meet (please use additional sheets of paper if necessary):

How does the proposed land use constitute a conditional use as determined by the land use matrix?

THE PROPOSED PROPERTY IS CURRENTLY WITHIN THE CITY OF MOUNTAIN HOME AREA OF IMPACT AND IS ZONED AG.

How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?

PROPOSED PROPERTY IS MORE SUITABLE FOR RURAL RESIDENTIAL DEVELOPMENT THAN EXISTING AG USE AND WILL BE COMPATABLE WITH COMPREHENSIVE PLAN AND ORDINANCES. AN EXISTING RESIDENTIAL SUBD. IS LOCATED SOUTH AND ADJACENT TO THIS SITE.

How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?

THIS PROPOSED RESIDENTIAL SUBD. WILL BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE CITY, COUNTY AND STATE STANDARDS AND ORDINANCES.

How does the propose land use comply with all applicable County Ordinance?

THE PROPOSED LAND USE SHALL BE IN COMPLIANCE WITH ALL PERTINENT COUNTY ORDINANCES.

How does the propose land use comply with all applicable State and Federal regulation?

THE PROPOSED LAND USE SHALL BE IN COMPLIANCE WITH ALL STATE AND FEDERAL REGULATIONS ESPECIALLY THE IDEQ REGULATIONS ON WATER, WASTEWATER AND STORM WATER.

What about the proposed land use's design, construction, operation and maintenance makes it harmonious and appropriate in appearance with the existing or intended character of the general vicinity and how will it not change the essential character of said area?

THE LAND IS CURRENTLY NON-PRODUCTIVE AG. LAND. THE PROPOSED RURAL RESIDENTIAL USAGE WILL IMPROVE THE UTILIZATION OF THIS PROPERTY AND MAKE IT MORE COMPATABLE TO THE RESIDENTIAL USAGE LOCATED SOUTH AND EAST OF THIS PROPERTY.

Why or how will the proposed land use not be hazardous or disturbing to existing or future neighboring uses?

THE BEST USE OF THIS LAND IS FOR RURAL RESIDENTIAL DEVELOPMENT AND IS COMPATABLE TO EXISTING USES IN THIS AREA.

How will the proposed land use be served adequately by available public facilities/services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer or how will these public services be provided by the applicant/developer?

THE PROPOSED RURAL RESIDENTIAL DEVELOPMENT WILL BE SERVED BY TWO ENTRANCE STREETS OFF NW FRONTAGE ROAD. THESE STREETS WILL HAVE BORROW DITCHES

THAT WILL ACCOMMODATE STREET DRAINAGE. LOT DRAINAGE WILL BE SELF CONTAINED WITHIN THE LOTS. FIRE PROTECTION WILL BE PROVIDED BY FOUR 10,000 GALLON TANKS DESIGNED IN ACCORDANCE WITH FIRE DEPT. REQUIREMENTS. WATER AND WASTEWATER WILL BE PROVIDED WITH INDIVIDUAL WELLS AND SEPTIC SYSTEMS.

Why or how will the proposed land use not create excessive additional requirements at public cost for public facilities/services or be detrimental to the economic welfare of the county?

THE PROPOSED RESIDENTIAL LAND USE WILL INCREASE THE TAX BASE ON THIS PROPERTY WHICH WILL MORE THAN COVER THE COSTS FOR ANY ADDITIONAL PUBLIC FACILITIES/SERVICES.

Why or how will the proposed land use not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors?

THE PROPOSED LAND USE IS A RURAL RESIDENTIAL SUBDIVISION AND AS SUCH WILL NOT BE A DETRIMENT TO ANY PERSONS, PROPERTY OR THE GENERAL WELFARE.

How will the proposed land use have vehicular approaches to property designed to not create interference with traffic on surrounding public or private roadways?

THE PROPOSED SUBDIVISION WILL HAVE TWO ENTRANCES ONTO NW FRONTAGE ROAD THAT WILL BE DESIGNED TO COMPLY WITH THE REQUIREMENTS OF THE MOUNTAIN HOME HIGHWAY DISTRICT.

Why or how will the proposed land use not result in the destruction, loss or damage of a natural or scenic feature of major importance?

THE PROPOSED PROPERTY IS VERY MARGINAL FOR THE EXISTING GRAZING USE AND BETTER SUITED TO RESIDENTIAL DEVELOPMENT. THE PROPERTY CURRENTLY IS NOT A NATURAL OR SCENIC FEATURE FOR THIS AREA.

23. **ADDITIONAL INFORMATION:** Any additional information as required or needed by the Planning and Zoning Commission, Land Use & Building Department, or interested agency.

A neighborhood meeting must be conducted prior to submitting application. Requirements for a neighborhood meeting are outlined in the Elmore County Zoning and Development Ordinance Chapter 4 Section 6-4-3.

A master site plan is required with this application. Requirements for a master site plan are found in Chapter 18 of the Elmore County Zoning and Development Ordinance.

Agency signature sheet on page 7 of this application.

Elmore County reserves the right to withhold processing and/or issuance of any County Conditional Use Permit until the County is satisfied that County approval may be the final action in any multi-agency approval process. Proof of having obtained or applied for necessary permits and/or approvals from applicable local (other than Elmore County) state, and/or federal agencies may be required prior to issuance of a Conditional Use Permit by Elmore County. If required, documentation shall be submitted with the Conditional Use Permit application.

The Planning and Zoning Commission shall hold at least one public hearing on an application for a Conditional Use Permit. A public hearing will be scheduled within sixty (60) days after acceptance of the application. The Land Use & Building Department will mail hearing notices to the surrounding property owners and to any agency that may have an interest in the proposal. The Land Use & Building Department will place a Notice of Public Hearing in the Mountain Home News at least fifteen (15) days prior to said hearing. The Land Use &

Building Department will post notice of the hearing on the premises not less than seven (7) days prior to the hearing.

This application may be approved, conditionally approved, denied, or ~~tabled~~.

If the application is approved or conditionally approved by the Planning and Zoning Commission, the applicant will be sent a document that is the official "Conditional Use Permit". This document may be in the form of a Findings of Fact, Conclusions of Law, and Order, and will enumerate the conditions attached to the approval and issuance of the permit and will state the consequences of failure to comply. The permit shall not become effective until after an elapsed period of 10-days from the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order. During this time, any interested person may appeal the action to the Board of Elmore County Commissioners. The applicant will be notified of any pending appeals. An appeal will stay all proceedings until its resolution.

If the Conditional Use Permit is denied by the Planning and Zoning Commission, the applicant may reapply or the applicant may appeal the decision in writing to the Board of Elmore County Commissioners. Appeal of a Planning and Zoning Commission decision must be made within ten (10) days after the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order,

The applicant hereby agrees to pay the fees established by the Board and agrees to pay any additional fees incurred (initial) JK. The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) JK. The initial applicant understands there could be a delay in a decision should the applicant or their representative not attend any meeting where the application is being considered.

[Signature] 4-2-15
Property Owner Signature Date

[Signature] 4-2-15
Applicant Signature Date

ADMINISTRATIVE USE ONLY	
Date of Acceptance	<u>4-9-15</u>
Accepted by	<u>BBB</u>
CUP FEE: \$800.00	
Fee \$	<u>800.00</u> (Pd) Receipt # <u>20-10088</u>
Date Paid:	<u>4-3-15</u>
Case# CUP-	<u>2015-09</u>

Agency signatures are used for the applicant to make initial contact with certain agencies to address issues prior to a public hearing and application submittal. Additional agencies not listed may have additional requirements. The agencies listed below may be required for future approvals or signatures depending on the type of conditional use. The signature does not constitute a final approval by the agency. The agency signatures below do not guarantee approval from the Elmore County Growth and Development Director, Elmore County Planning and Zoning Commission or Elmore County Board of Commissioners. The agencies listed below will be notified of the public hearing. Elmore County Growth and Development Staff will inform the applicant of the desired agency signatures prior to application submittal.

Agency Signatures

→ Marty Jones, RSD 12-22-14
Central District Health (or other Sewer District) Sewer Permit Approval Date

Comment: No objections at this time.

→ Paul Phares M.H.H.D 2-24-15
Roadway Jurisdiction Project Approval Date

Comment: _____

Assessor's Office (Verify Legal Description OR Tax Status If Manufactured Home) Date

Comments: _____

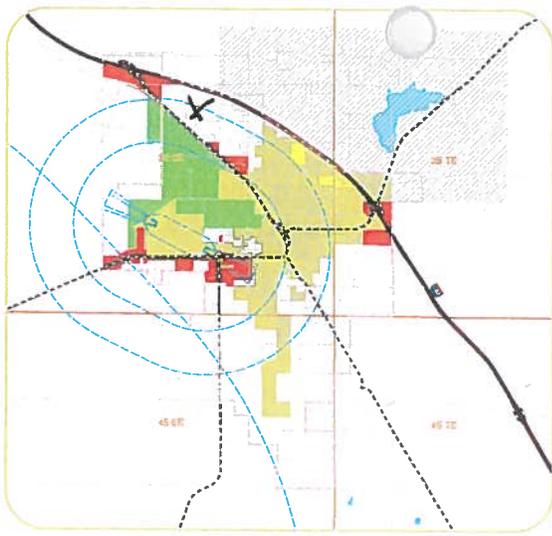
→ [Signature] 2.13.15
Fire District Approval Date

Comments: APPROVED AS DRAWN ON PLANS

This application is: Approved Approved pending approval of other permit Denied

Remarks: _____

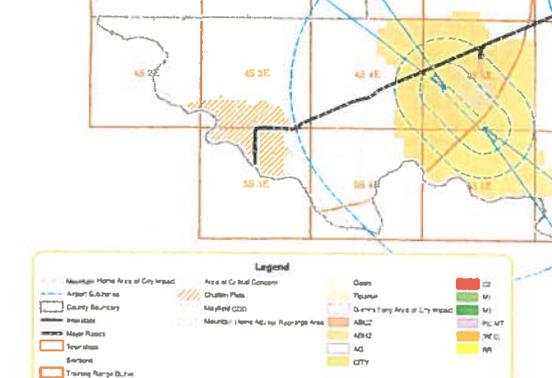
Approval of Planning and Zoning Authority Date: _____



Mountain Home

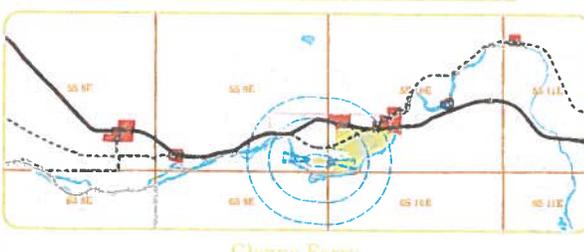


Simeon Road



Legend

Mountain Home Area of City Impact	Area of Critical Concern	Open	M1
Airport Subdivides	Downtown	Riparian	M2
County Boundary	Mountain Home Area of City Impact	Open Farm Area of City Impact	M3
Major Routes	Mountain Home Airport Subdivides	ABL2	PC MT
Townships	Mountain Home Airport Subdivides	ABL2	2F C
Sections	Mountain Home Airport Subdivides	AD	RR
Township Boundaries	Mountain Home Airport Subdivides	CDTY	

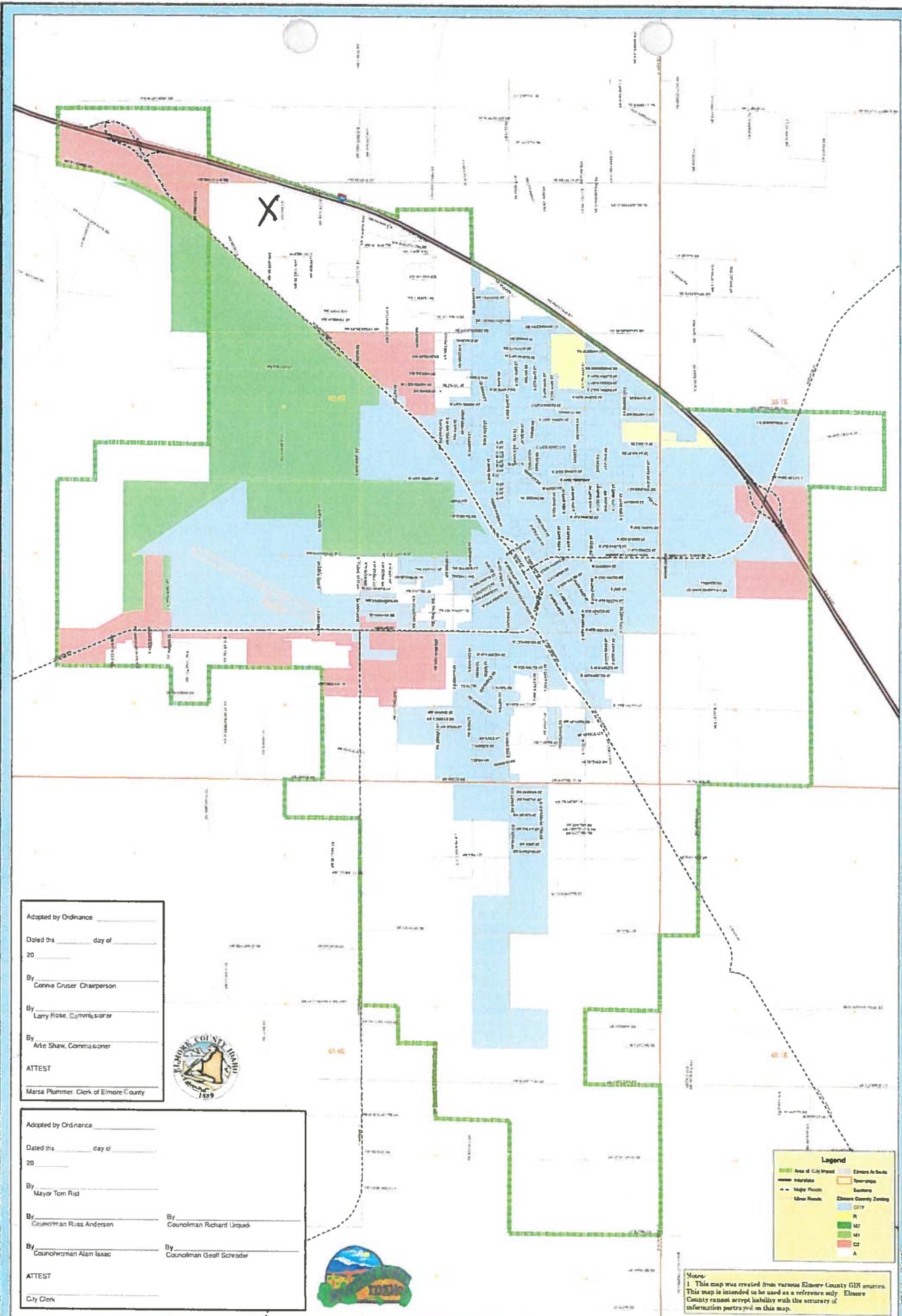


Glenns Ferry

Adopted by Ordinance 2013 _____
 Dated this _____ day of _____ 2013
 By _____
 Albert Hofer, Chairman
 By _____
 Franklin Corbus, Commissioner
 By _____
 Wesley R. Wooten, Commissioner
 ATTEST
 Barbara Sissle, Clerk of Elmore County

Note
 1. This map was created from various Elmore County GIS sources. Elmore County does not accept liability for the accuracy of information portrayed on this map.
 2. The Wildlife Urban Interface (WUI) is comprised of all areas of Elmore County minus those areas that are in a registered Area of City Impact, Class Pure Fire District 6, Chilton Flats Overlay. All development within the WUI must be in conformance with Chapter 12 of the Elmore County Zoning and Development Ordinance.
 3. Airport Subdivides are defined in Chapter 26 of the Elmore County Zoning and Development Ordinance and applicable only to those areas within Elmore County.
 4. Pursuant to sections 8-8-15 of the Elmore County Zoning and Development Ordinance, the Elmore County Growth and Development Director shall have the authority to rezone zoning and overlay district boundaries in accordance with the Elmore County Zoning and Development Ordinance. Intersection of districts may be applicable to the Commission and or Board.
 5. Unless otherwise described in legal descriptions or defined by the zoning rules, zone boundaries shall be lot lines, the centerlines of streets and alleys, highway right of way lines, the centerlines between the two main tracks of any railroad line, extended quarter section half section or section lines, contour lines, municipal corporate boundaries, centerlines or banks of streambeds or other bodies of water or noticeable points of change in natural landmarks.





Adopted by Ordinance _____
 Dated this _____ day of _____
 20_____
 By _____
 Connie Cruser, Chairperson
 By _____
 Larry Rose, Commissioner
 By _____
 Arlo Shaw, Commissioner
 ATTEST
 Marsa Plummer, Clerk of Elmore County



Adopted by Ordinance _____
 Dated this _____ day of _____
 20_____
 By _____
 Mayor Tom Rist
 By _____
 Councilman Russ Anderson
 By _____
 Councilman Richard Urdahl
 By _____
 Councilwoman Alan Isaac
 By _____
 Councilman Geoff Schroder
 ATTEST
 City Clerk



Notes:
 1. This map was created from various Elmore County GIS services.
 This map is intended to be used as a reference only. Elmore
 County cannot accept liability with the accuracy of
 information portrayed on this map.

City of Mountain Home, Idaho
 2010



CORPORATE
WARRANTY DEED

14397

For Value Received

BERMENSOLO, INC, a corporation organized and existing under the laws of the State of **Idaho**, with its principal office at 235 East 6th South St Mountain Home, ID 83647

grantor, hereby CONVEYS or GRANTS and WARRANTS TO

INTERMOUNTAIN DEVELOPMENT CORPORATION

grantee whose current address is:

PO Box 624, Mountain Home, ID 83647

the following described premises, to-wit:

Lots 1, 2, 3, 4 and 5, Block 1, Frontage Road Estates Subdivision, Elmore County, Idaho according to the official plat thereof on file and of record in the office of the county Recorder of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances, Except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easement, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that it will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this **10th** day of **October, 2014**.

By *Gary R Bermensolo*
Gary R Bermensolo, President

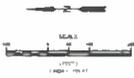
By *Claude M Bermensolo*
Claude M Bermensolo, Secretary

State of Idaho
County of Elmore

On this 10th day of October, 2014, before me, the undersigned, a Notary Public, in and for said State, personally appeared Gary R Bermensolo and Claude M Bermensolo, known to me, or identified to me on the basis of satisfactory evidence, to be the president/vice president/secretary, of the corporation that executed the instrument and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of it's board of directors and acknowledged to me that such corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

[Handwritten signature]



PHASING EXHIBIT
BLUE SAGE SUBDIVISION
 A REPLAT OF FRONTAGE ROAD SUBDIVISION,
 LOCATED IN THE W1/2 OF THE NE1/4 OF SECTION 15,
 T. 3 S., R. 6 E., B.M., ELMORE COUNTY, IDAHO
 2015



PHASING EXHIBIT		OWNER/DEVELOPER	
BLUE SAGE SUBDIVISION		INTERMOUNTAIN DEVELOPMENT INC.	
DATE: 2015	BY: [Signature]	DATE: 11/15/15	BY: [Signature]
SHEET 1 OF 1		SHEET 1 OF 1	



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 East 2nd South • Mountain Home, ID • 83647 • Phone: (208) 587-2142

Fax: (208) 587-2120 • www.elmorecounty.org

Neighborhood Meeting Sign Up Sheet

Start Time of Neighborhood Meeting: 6:00 p.m.

End Time of the Neighborhood Meeting: 7:00 p.m.

Attendees:

<u>Name</u>	<u>Address</u>	
1. Kimberly Nelson	3955 NW Morris Way	MT Home ID 83647
2. Art Nelson	" " " " " "	" " " "
3. Nelson Cup	3852 NW Morris Way	MTN Home
4. Tom Ruberry	3877 Dutton 530 E. 2 nd South	MTN Home, Idaho
* 5. H. Ralph Cole	805 NW BEAMAN ST.	MTN Home, ID 83647
6. Cheryl & Richard Egey	P.O. Box 567	MTN Home
7. JIM BLANTON	3836 N.W. DUTTON WAY	MTN Home ID 83647
8. Martha Ralph	3982 NW Morris Way	MTN Home ID 83647
9. Bonnie Egey Ralph	3982 NW Morris Way	MTN Home ID 83647
10. Lynn Robbie Lockett	2926 Sunset Strip	MTN Home ID 83647
11. CRAIG REICH	3783 NW Dutton Way	MT Home, ID 83647
12. Jenna Rose	3750 NW Melbas Lane	" "
13. Luanne Ewms	3750 NW Melbas Lane	MTN Home
14. ROBERT MILBURN	3900 NW DUTTON WAY	M H
15.		
16.		
17.		

- 18. _____
- 19. _____
- 20. _____
- 21. _____
- 22. _____
- 23. _____
- 24. _____
- 25. _____

Neighborhood Meeting Certification:

Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variance, conditional uses, zoning ordinance map amendments and expansions or extensions of nonconforming uses as per Elmore County Zoning and Development Ordinance Section 6-4-3.

Description of the proposed project: BLUE SAGE Sub.
 Notice Sent to neighbors on: 3-20-15
 Date and time of the neighborhood meeting: 3-31-15 6:00 p.m
 Location of the neighborhood meeting: EL HERRADERO'S , STARDUST PLAZA

Applicant:

Name: INTEKMOUNTAIN DEV CORP., JIM CARRIE
 Address: P.O. Box 624
 City: MTN. HOME State: ID Zip: 83647
 Telephone: 208.867.6344 Fax: N/A

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with the Elmore County Zoning and Development Ordinance Section 6-4-3.


 Signature: (Applicant) INTEKMOUNTAIN DEV. CORP.

3-31-15
 Date



Carrie
Frontage Estates

Elmore County Land Use & Building Department

520 East 2nd South
Mountain Home, ID 83647
Phone: (208) 587-2142
Fax: (208) 587-2120

Pre Application Meeting Form

Date: 9.11.14 Meeting Location: L.U.B. Office

Elmore County Staff: Alan Christy, Marty Jones CDHD

Applicant Name: Jim Carrie

Applicant Email: jscarrie@aol.com

Applicant Phone Number: 867-6344 cell

Applicant Address: _____

Property Owner: Bermansolo | Frontage Estates

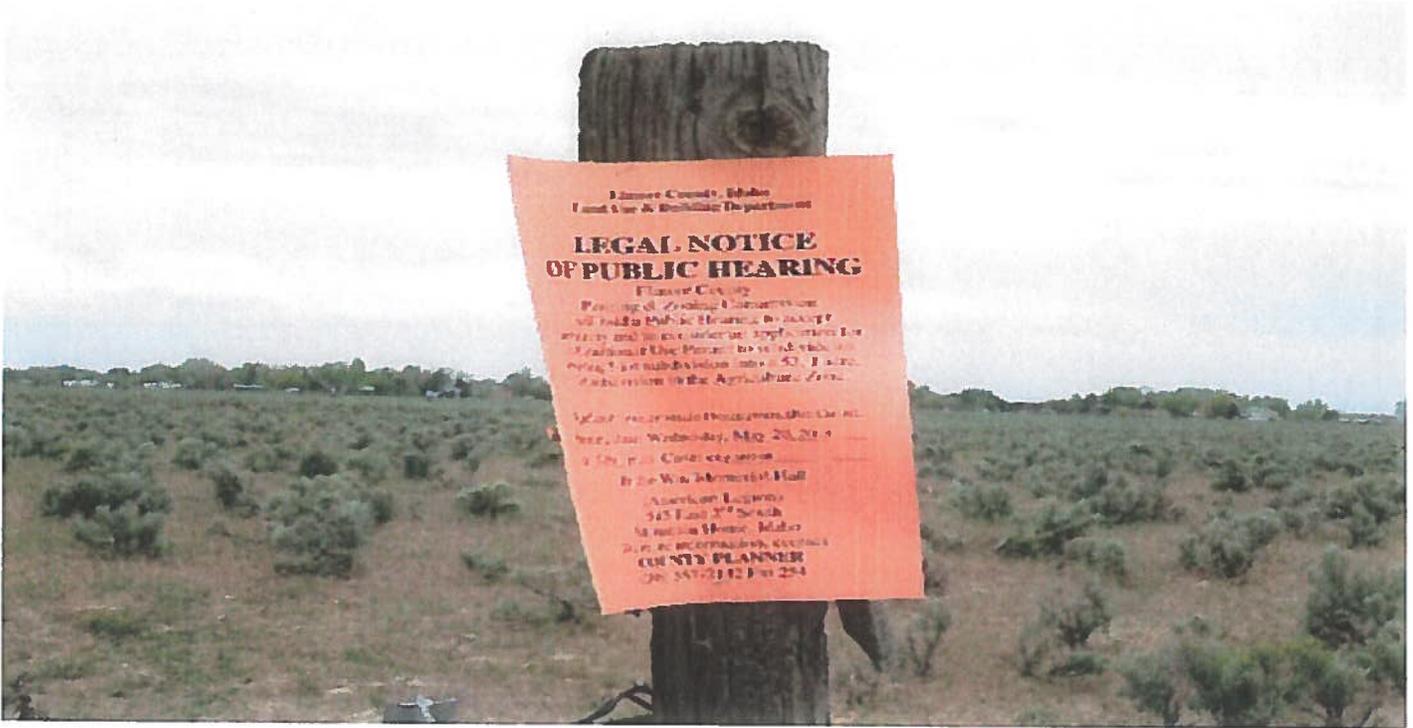
Property Address: _____

Parcel Number: Frontage Estates

Proposed Use/Application: Re-plat

Application(s) required: CUP to start

Notification distance: 100' Notice



Posting on NW Frontage Road on May 11, 2015.



Posting on NW Frontage Road looking toward the east.



Posting on NW Frontage Road looking toward the west.



Posting on Melbas Lane on May 11, 2015.



Posting on Melbas Lane on May 11, 2015 looking toward the west.



Posting on Melbas Lane on May 11, 2015 looking toward the east.



Posting on Melbas Lane on May 11, 2015 looking toward the east.



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, Id. 83647
Phone: (208) 587-2142 ext. 254
Fax: (208) 587-2120
www.elmorecounty.org

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

April 7, 2015

Intermountain Development
C/O Jim Carrie
PO Box 624
Mountain Home, ID 83647

To whom it may concern,

This purpose of this letter is to inform you that your application for a Conditional Use Permit CUP-2015-09 has been accepted by the Elmore County Land Use and Building Department. The public hearing with the Elmore County Planning and Zoning Commission has been scheduled for May 20, 2015 at 7:00 p.m.

If you have any questions regarding this letter please let me know.

Thanks,



Alan Christy

Director
Elmore County Land Use and Building
520 East 2nd South
Mountain Home, ID 83647
Phone: (208) 587-2142 Ext. 269
Fax: (208) 587-2120
achristy@elmorecounty.org
<http://www.elmorecounty.org>

ELMORE COUNTY
PLANNING AND ZONING COMMISSION

520 East 2nd South Street
Mountain Home, ID 83647
Telephone 208-587-2130, ext. 502 Fax 208-587-2120

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the laws of the State of Idaho and Ordinances of Elmore County, that the Elmore County Planning and Zoning Commission will hold a PUBLIC HEARING at 7:00 p.m. on Wednesday, May 20, 2015 in the War Memorial Hall (American Legion) 515 East 2nd South Street, Mountain Home, Idaho, to accept testimony and consider an application from Intermountain Development (Jim Carrie) for a Conditional Use Permit to subdivide an existing 5-lot subdivision Frontage Estates into a 57-lot subdivision (Blue Sage Subdivision) in the Agriculture Zone/Mountain Home Area of City Impact. Case Number: CUP-2015-09. The site is located in NW1/4, Section 15, Township 3S, Range 6E, B.M. A common way of locating the property is from Sunset Strip turn onto Frontage Road. The property is located approximately 1 mile on the right.

This application may be reviewed prior to the hearing in the Land Use and Building Department during regular business hours. Any and all interested persons shall be heard at said public hearing and the public is welcome and invited to submit testimony. Testimony shall be limited to 5 minutes for individuals and 10 minutes for groups. Anyone who wishes to testify but is unable to attend may submit written testimony prior to the hearing by sending it to Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, Idaho, 83647. Written testimony must be received by 5:00 p.m. on Friday, May 8, 2015.

The Elmore County Clerk is responsible for ensuring compliance with the American Disabilities Act (ADA) of 1993, the Elmore County Clerk is responsible ADA coordinator. Provisions will be made for persons with disabilities who are unable to attend this hearing. A grievance procedure is available from M. Bate, Elmore County Courthouse, in accordance with the ADA regulations.

One publication: Wednesday, April 29, 2015


Alan Christy, Director
Elmore County Land Use and Building Department
AC:bsb



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 ext.254
Fax: (208) 587-2120
www.elmorecounty.org

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Date: April 13, 2015

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Intermountain Development (Jim Carrie), Conditional Use Permit to subdivide an existing 5 lot subdivision (Frontage Estates) into a 57 lot subdivision (Blue Sage)

Case #: CUP-2015-09

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Wednesday, May 20, 2015 at 7:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

Please review the application and return your written comments to the Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, ID, 83647, by 5 p.m. on Friday, May 8, 2015, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

If you have any questions or if we can be of any assistance, please do not hesitate to contact the office. To ensure compliance with the American Disabilities Act (ADA) of 1993, the Elmore County Clerk the responsible coordinator. Provisions will be made for persons with disabilities who are unable to attend this hearing. A grievance procedure is available from M. Bate, Elmore County Courthouse, in accordance with the ADA regulations.

Sincerely,

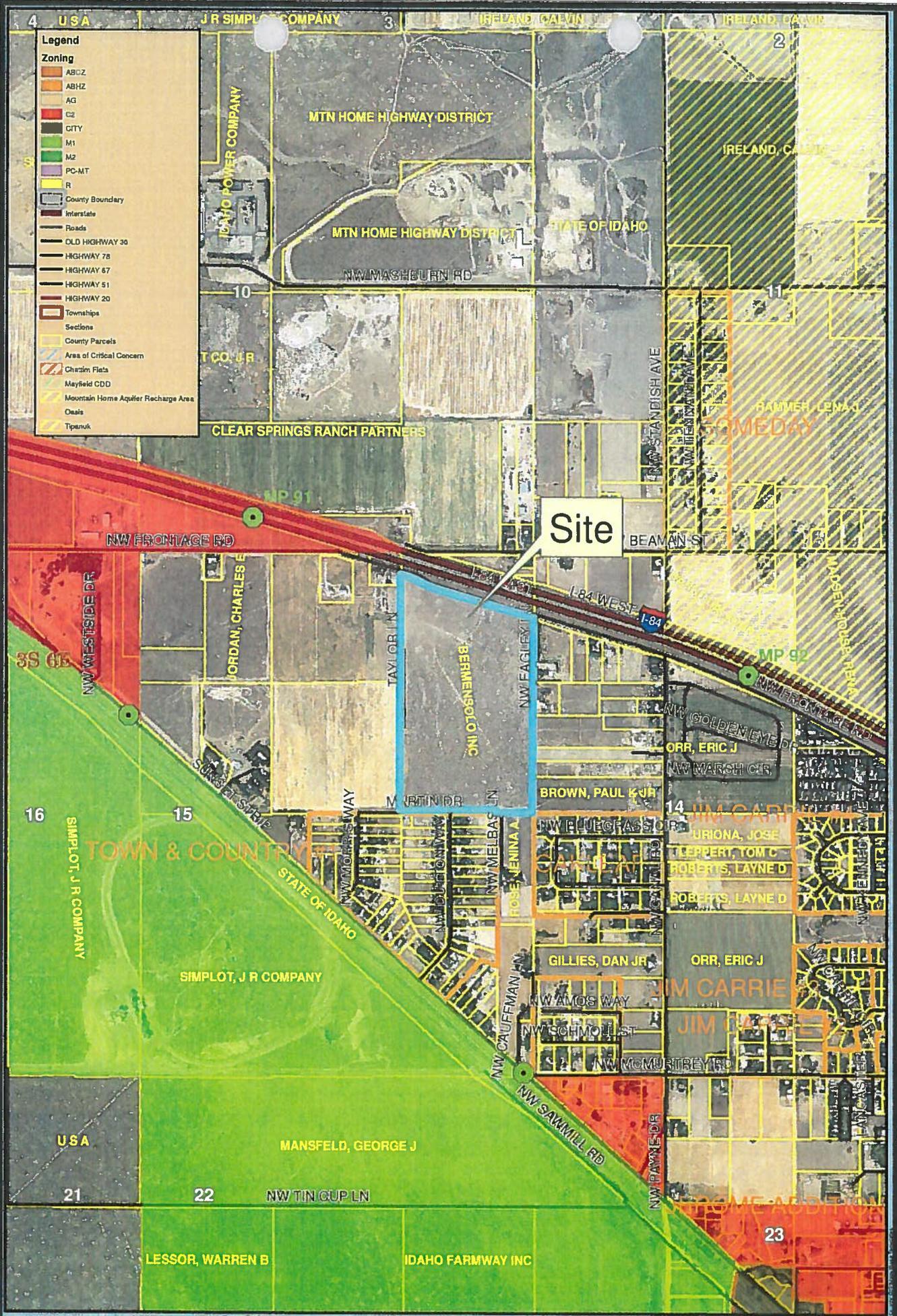
Alan Christy
Director

Enclosures: Application
AC:bsb

CC:

Dept of Environmental Quality Boise Reg
Central District Health Department
City of Mountain Home Development Services
Elmore Ambulance Service
Elmore County Sheriff
St. Luke's Elmore Medical Center
Elmore Soil & Water Conservation District
Caldwell Transportation
Idaho Dept of Transportation District 3
Idaho Dept of Water Resources Western Region
USPS - Mountain Home
Mtn. Home Highway District
Mtn. Home Rural Fire District
Mtn. Home School District #193
City of Mountain Home
City of Mountain Home
City of Mountain Home Public Works
Mtn. Home Economic Development
Mtn. Home Fire Dept.

- Legend**
- Zoning**
- ABCZ
 - ABHZ
 - AG
 - C2
 - CITY
 - M1
 - M2
 - PC-MT
 - R
- County Boundary
- Interstate
- Roads
- OLD HIGHWAY 30
 - HIGHWAY 78
 - HIGHWAY 67
 - HIGHWAY 51
 - HIGHWAY 20
- Townships
- Sections
- County Parcels
- Area of Critical Concern
- Charlem Flats
- Mayfield CDD
- Mountain Home Aquifer Recharge Area
- Oasis
- Tipanuk



Site



8. The project is deemed to be abandoned.

Based on the foregoing **FINDINGS OF FACT**, the Elmore County Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The requirements of Idaho Code Section §67-6509 have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code.
3. The applicant has not met the requirements of the Zoning and Development Ordinance Chapter 2 for a Subdivision Development Standard, Chapter 1, Article XIV-1 for a Conditional Use Permit as shown above in the findings of fact.

Based on the forgoing **CONCLUSIONS OF LAW**, the Elmore County Planning and Zoning Commission hereby enters the following:

ORDER

The application to subdivide a parcel into 12-lots, SUB-2006-02, for Red Baron No. 4. Property is located in the W2 SW4 NW4, Section 29, Township 1 South, Range 5 East, B.M., is considered abandoned and is hereby **DENIED**.

ADDITIONAL CONDITIONS

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
SUSAN FISH	ABSENT
BETTY VAN GHELUWE	VOTED AYE
SHANE ZENNER	VOTED AYE
ED OPPEDYK	VOTED AYE
JEFF BLANKSMA	VOTED AYE

Patti Osborn, Chairperson

ATTEST:

Alan Christy, Director

DATED this _____ day of _____ 2015.

*Note A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal is submitted in writing to said Board within ten (10) calendar days of Commission action. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department.

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES
Wednesday, May 6, 2015 at 7:00 pm

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairman K.C. Duerig, Betty Van Gheluwe, Jeff Blanksma, Ed Oppedyk, and Shane Zenner. Also present were Attorney of Record Phillip Miller, Director Alan Christy and staff members Beth Bresnahan and Kacey Ramsauer.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Hammett Community Church for a Conditional Use Permit for a community park in the Agriculture Zone. Case Number: CUP-2015-08. The site is located in Lots 13-18, Block 4, Medbury Townsite, B.M. A common way of locating the property is from Interstate 84 take exit 112 for Hammett, turn right on Highway 78, turn left on Old Highway 30. Property is located on corner of S. Main Ave. and Old Highway 30 on the left.

Bresnahan gave staff report and background.

Pam Howard is the spokesperson for the Hammett Community Church. She stated that she will answer any questions or concerns after the public testimony.

Jim Blanton signed in as support. He stated that he would defer his comments until after the public testimony.

Shirley Schumacker signed in as neutral. She stated that at this point her only concern is with water and drilling another well.

Dennis Humphreys signed in as opposed. He stated that he would like to know more about a well being drilled.

He stated that there is already a piece of property established as the Hammett Community Park so this is not correct. He stated that back in the 1970's this piece of property was a gas station and he worked there all through high school. He stated that he does not know for sure if the fuel tanks have ever been removed and that back in the 50's, 60's, and 70's they dumped the engine oil from vehicles all over that property. He stated that they are talking about building a community garden on the property where he knows thousands of gallons of oil and contaminated fuels were dumped. He stated that it is not a safe area for children to play with the highway being so close.

He stated that he does not want any of his tax dollars supporting this park.

Earl Ward signed in as opposed. He stated that he owns the property across from this area.

He stated that he is concerned with the size of this park. He stated that from what he's heard at the meetings there cannot be room for all they are proposing.

He stated that he is concerned with the facilities like trash collection and toilets. He stated that he is concerned with whether it will be a dry park and with the proposal of rental and storage units.

He stated that he is concerned about the noise and the element that this park could bring especially after dark.

He stated that emergency response time is very slow in Hammett and if there were an accident there could be a problem. He stated his main concern is for overall safety of the children that will use this park with the highway running right next to it.

He stated that he is concerned that they church will ask the county to take this park and tax payers will be responsible for it.

He stated that skate parks bring vandalism and he is concerned that this may lower his property value.

Pam Howard gave rebuttal to the public testimony.

She stated that they are not going to grow a garden on this property. She stated that the whole idea behind this was to provide the children a safe place to play and in a community like Hammett it's a huge thing.

She stated that they plan to make it as safe as possible but it is impossible to guarantee 100% safety anywhere.

She stated that this project is purely donation funded. She stated that if this cannot be done within 3 years then to they do not need to have a park.

She stated that they have gotten estimates on a well and it will be a low emittance of water if and when it's phased in. She stated that they do have a small piece of grass there but were discussing putting in coarse sand for volleyball court making it a dry park. She stated that they have the vault system that would be pumped out for the restroom.

She stated that she really sees this park raising property values.

She stated that when the lot was first donated to the church the very first thing she did was to call DEQ (Department of Environmental Quality) to see if it were possible to turn this into a park. She stated that they told her they had no record of any tanks on this property; although she realizes that this is incorrect. She stated that she was told if there are tanks there to fill them with sand.

She stated that nothing regarding the park plans are set in stone. She stated that they will put a fence in prior to putting in the basketball court.

Osborn asked if they've made application with IDWR (Idaho Department of Water Resources) for the well.

Howard stated that the estimate to drill the well was \$11,000. She stated they are considering a dry park so they can use that money for the construction of the park.

Van Gheluwe asked what they planned on doing about the name with the name of the park.

Howard stated that they did not know about the other park until they started the process of starting this park. She stated that park never was built.

Duerig asked what they will be doing for hygiene after restroom use if they are not going to have water.

Howard stated that they would provide hand gel in the restrooms.

Miller asked who would be responsible for locking the park up at night.

Howard stated that they are planning on putting signs with open and closing times. She stated that they weren't planning on putting in gates.

Blanksma asked if there were King Hill water rights on that property.

Howard stated that she was not aware of any.

Jim Blanton stated that he is a licensed water board tester and that he can do all the water testing if they do drill a well.

There was no further testimony.

Osborn closed this public hearing.

Duerig said the possible buried fuel tanks and septic system are concerning to him.

Christy stated that there is procedure called a Phase 1 Environmental Study that will test for all contaminates.

Blanksma stated that at one point there were 3 gas stations in that area so at what point do they limit testing.

Miller stated that those other areas aren't the subject of a permit application. He stated that at one time there was a program implemented by DEQ that tested all gas stations closing down.

Christy stated that it does not appear that DEQ was notified of this application. He suggested tabling this application to submit this to DEQ for comment.

Blanksma stated that a few years back this property was used for a coffee stand so was the issue of contaminated soil addressed at that time.

Osborn stated that this area is zoned commercial and the coffee stand is an allowed use so it never came before planning and zoning.

Osborn reopened the public hearing.

Osborn asked the applicant if she would be willing to table this to a date certain to gather more information.

Howard said she would like to do that.

Osborn closed this public hearing.

Duerig moved to table this application to July 15, 2015 to receive information from DEQ.

Oppedyk seconded.

Motion carried unanimously.

PUBLIC MEETING

Case Number: SUB-2006-02 Red Baron No. 4

Bresnahan gave staff report and background.

Miller asked if there was any response from the applicant.

Bresnahan stated there had been none.

Duerig moved to deny this application due to lack of activity.

Zenner seconded.

Motion carried unanimously.

Minutes

Minutes from 04-15-2015.

Blanksma and Oppedyk recused themselves as they did not attend this meeting.

Van Gheluwe moved to approve.

Duerig seconded.

Motion carried with Blanksma and Oppedyk recusing.

INFORMATION ITEMS

Upcoming P & Z Schedule.

Christy stated that the next scheduled public hearing is for May 20, 2015.

MEETING ADJOURNED at 7:54 p.m.

Patti Osborn, Chairperson

Date:

Attest: _____
Alan Christy, Director

Date: