

City of New Plymouth
Planning and Zoning Commission
PUBLIC HEARING
7:00 pm
23 February 2015

The New Plymouth Planning and Zoning Commission held a Public Hearing at the New Plymouth City Hall on 23rd of February 2015 at 7:00 pm. Roll call was taken. Chairman Tegethoff was not present therefore Commissioner Allen conducted the Public Hearing. Commission members LaCrone, Kind, and Balcer were in attendance. Staff members Danielle Painter, secretary of the commission, and Beau Ziemer, Public Works Superintendent were also in attendance.

Guests included were Beth Earles and Dion Zimmerman.

Zone Change – New Plymouth Elementary & Middle School

Danielle Painter, P&Z Secretary, spoke to the commission regarding what was in City Code for the particular zones the schools are in. When the building permits were submitted, both the Elementary and Middle school are both in Residential B zones. Danielle stated that she was able to find a conditional use permit for the middle school that was filed back in 1994. In order for the school to add at that time, they had to file a conditional use permit. However, they were not able to locate one for the Elementary school. Danielle Painter would like to recommend to the P&Z Commission that they honor the conditional use permit that is already in place and have either a conditional use permit or zone change done for the Elementary school. If the commission does decide to have the school apply for a conditional use permit, she would like the zone change application fee of \$200 be refunded back to Design Architects.

Public Testimony

Beth Earles, 112 SE Blvd – Mrs. Earles approached the commission and stated if the commission was going to consider a conditional use permit, then they need to re-publish because the agenda is not for a conditional use permit. She also added that she believes a conditional use permit is not necessary to build. Commissioner Allen asked, you don't think they need a conditional use permit? Mrs. Earles replied you may for the city issues, but as far as a builder to come in and build, no. Unless he is changing the use, building apartments on there... Danielle Painter commented back to commission stating if they didn't proceed with a zone change, they would have to have a conditional use permit, per the Residential B Zone ordinance. Mrs. Earles commented back, who is paying to do that? She did not believe the architect or the schools should have to pay that. Mrs. Painter commented back, it's per the city ordinance.

Commissioner Balcer asked where the commercial ordinance was. Mrs. Painter went through the ordinance book with her. Comments were made in the background, however they were not standing up at the mic.

Dion Zimmer, Design West Architects, 216 5th St. Meridian, Idaho – Dion approached the commission and stated that he appreciated the two conditions on the middle and high school, he would like to share the timeline they are trying to do this in is... the elementary school is delayed

a little bit because they have to be in the school, but we really do need to move forward on the middle school and the high school we are going to move forward prior to school being out. So time is of an essence because we need to get those kids back in there in August. He would just like to stress that to the commission when they make their decision and he is happy to stand for any questions the commission has for him. He's seen a lot of schools with the conditional use permits and they are not opposed to that.

Beau Ziemer, Public Works Superintendent - had a question for Commissioner Allen, with the middle school already having a conditional use permit and with them adding on, would it have to be renewed. With Beth Earles saying is if the use changes, then would they have to renew the permit? Commissioner Allen was unsure however each conditional use permit can have stipulations they want to put on it. That's part of the conditional use permit, they get to put conditions on it. Beau stated that something Beth Earles was referring to, a prior city clerk was given permission to destroy records and therefore the city isn't able to go back to the 70's for P&Z records. The furthest they were able to find goes back to 1997, but that doesn't mean they are destroyed, we are just unable to locate them. By doing a conditional use permit again, if they already did one, it will just clean things up and the city will have record of it. Commissioner Balcer asked if Beau knew why the High School was zoned commercial. Commissioner Allen believed it was because of the Comp. Plan and of where the school is located.

Mrs. Painter was able to locate, on the middle school conditional use permit, where it stated they may be allowed to add classrooms at a later time. Therefore, that conditional use permit is allowed to be added on to. Commissioner Balcer asked if they did do the re-zone that would wipe out the conditional use permit. The commissioner confirmed, but also stated that it would only be a recommendation to the City Council. Dion with Design West stated they would rather have a conditional use permit. Commissioner Allen asked where the school is out on Co-Op road, what is that zoned? Beau Ziemer, stated that it was not in city limits when the school was put in. Commissioner Allen asked if that was annexed in. Beau replied yes and it was brought in as Residential A. Commissioner Balcer stated they do have a conditional use permit. Beau confirmed with the commission that everything that is annexed will come in as Residential A.

No further Public Testimony was made.

Commissioner Balcer motioned to adjourn the Public Hearing, seconded by Commissioner LaCrone. The voting was unanimous in favor of the motion.

The Public Hearing adjourned at 7:14 pm.

Teresa Allan, Chairman

Danielle Painter, Secretary