

A regular Meeting of the Planning and Zoning Commission of the City of Lava Hot Springs, Idaho will be held on Monday, April 22, 2024 at 6:00 pm, Lava City Hall 115
West Elm Street, Lava Hot Springs, Idaho.

Present:

P&Z Commission

Mark Lowe - Chairman

James Page

Lisa Guthrie

Jeff Jones

Diane Beckstead

City Clerk Amantha Sierra

Rodney Burch

Mandy Frandsen

Guests:

Steven Mustsaers

Spence Ward

Regular Agenda

Mark Lowe, Okay let's call the meeting to order. This is the regular meeting of planning Zoning Commission Lava Hot Springs.

Roll Call

Roll call James Page

James Page responds, here

Mark responds, Lisa Guthrie

Lisa Guthrie responds, here

Mark responds, Jeff Jones

Jeff responds, here

Mark responds, Diane Beckstead

Diane Beckstead responds, here

Junto

Mark responds, Mark Lowe here, first item on the agenda is Junto portable housing final plat and I'll turn time over to Rodney for staff findings.

Rodney responds, Thank you Mr. Chairman. Members, this is our final night with this group what is on the agenda that we're speaking of now is actually the final plat associated with the project as we've said in the previous staff reports this product that we ever found compliance with was established previously this is a recommendation This is not a recommendation to city council just for information of preliminary plat has been approved it was approved by this group on March 25 by city council on April 11. Which brings us to the action that we have here tonight. If you look at the facts I'm representing there that's 48 units of affordable housing project structures that's in type one my structure so if you can strike that Mandy make sure we get that correction in the minutes supposed to be 12 structures for 48 residential lots there are two common area lots to future use lots of know that I have much else we've seen it we've walked through it the final plat is attached it does meet all of our criteria. My

recommendations would be conditions approval of commission of payment of final plat review. Any questions?

Mark responds, any questions for Rodney any discussions? In that case I'll entertain motions to no conditions approval of commission of payment of final plat review fee. For approval or motion for denial.

James responds, I'll make a motion we approve it.

Diane responds, I second it

Mark responds, Okay, it's been moved and seconded. Any discussion? All in favor Aye. Aye. Opposed?

2.B

Motion carries. Next on the agenda is a neutral affordable housing final PUD plan.

Rodney responds, us so this one I brought a couple attachments with me. I was on vacation last week to some of the application materials in the packet prior with the PUD is really the same situation that the final plat is So here's to the development agreement executed. This is again a recommendation to city council again the same one March 25th this group approves same correction on the facts, I got 14 structures, it should be 12. Then the application calls for three exhibits listed, which you don't have. So, let me hand to you this is the final PUD checklist, which would be attachment number one. I really would like it to refer to you on page two or four, there's a highlighted section there. That indicates the applicant. It's at 24 indicates the applicant will provide the specifications and design drawings. We have received those at the time I submitted the application or excuse me the packet we have not received those were forwarded to engineering for review and I did get their comments that we're going to come back today. So they haven't satisfied that requirement that actually rolls all the way through page three most of the page for some items to that excuse me, the last one. I do have and it'll be detachment I hand to you in just a second. But the design and layout of the commentary playground equipment. Perimeter fencing is not required hasn't been discussed at this point in time. At 53 the design layout treatment at the entrance signs is not applicable or the landscaping plants on grassed areas that is included in the document next to drop to PUD 256 The final draft restrictive covenants Association bylaws and articles visit about that today. So that's the checklist that they find now. So let me I'm you attachment. What was attachment two which is their final PUD find this really looks a lot like they're very flat or final flat but they've added the detail for the landscaping and what they intend to do for the playground and common areas on the West End. Um, so again, I want to draw your attention to that West End where it's basically the Cul-de-sac splits to common area lots common area on the north pasture playground, they're represented in detail on the top left hand corner. This fulfills their obligation to share with us what they can improve. remember some of the tradeoff is the beauty of increased density and the variance or setbacks that we dealt with or we're exchanging those for these amenities that they're posing on site for the use of their residence don't think they have anything else detail.

Mark responds, Off the Wall question. Hot Pot lane. Can that be a lane within the city? The streets of Lava within the city limits.

Rodney responds, Good question.

Steven Mustsaers responds, it's a cool name but Hot Pot Street, Hot Pot Avenue

Mark responds, was just wondering claims typically are in the county.

Steven Mustsaers responds, I mean, we could make whatever Hot Pot Boulevard

Mark responds, is there a retaining wall on the South side

Jeff Jones responds, on the north and south

Mark responds, be determined

Spence ward responds, to be determined yet we show them on there just in case they're needed in a worst case scenario, so

Mark responds, it's just curious the train gets to be an issue

Jeff Jones responds, won't hear the train as much as it kind of down in that i hear it a lot at home

Rodney responds, different a third attachment relative to that piece the common area. Associated needs to be created working on that speak to that item.

Steven Mustsaers, so the whole plan, we did this almost identical development in Montana a lot of the issues that we ran into four plexs on one law, so then we had to create an HOA and turn into kind of be myself. And when you get to a certain percentage of development, you have to hand it over to the HOA. And then that turned into a huge debacle with what company is going to go you know, going to be the HOA, and then you're dealing with homeowners and so forth. So the idea of this was for each door to get parcel numbers, and then they're sold as townhomes and to eliminate any kind of HOA because by and large HOAs Are you know, I don't know what I think discussing but I understand on the common space that we do need to make sure that they're maintained taken care of and so forth. So we've hired an attorney out of Idaho Falls but her take is until she gets the final plat she can't do anything as far as creating the covenants so it's kind of a catch 22 Here you guys are needing covenants and what the language reads you know as far as the bylaws and so forth, but she's not going to do it until I mean she's going to do it but it's just so

Mark Lowe responds, that the HOA is only going to cover common area

Steven Mustsaers responds, everyone else is responsible for their piece

Mar Lowe responds, so it's not going to include clotheslines benches colors. We can No, just a question.

Steven Mustsaers responds, No, it's not. That's a good question. Yeah.

Mark Lowe responds, is that when you're driving? Is that is that the intent is to just have it the dress maintenance enough to pay the taxes?

Steven Mustsaers responds, Common space? Yeah. I mean, if you guys have any reservations, I can concerns of individual. That's kind of hard because when you're buying a parcel, but they still have to buy, they have to buy in, when they close on that piece. They are there, you know, that unit, they still have to sign off on the covenants in which you know, whatever, it's available at the closing dock. So whatever the language reads, I mean, you know, I, I want to make sure that we protect the integrity of the town, and it stays you know what I mean? And it continues

Rodney responds, you're not trying to control colors in society. No, no, shingle styles one tree in the front yard, all those kinds of

Steven Mustsaers responds, well, because we're doing that we're going to

Rodney responds, so the individual lots standalone without any restrictions from the CCNRS HOA

Jeff Jones responds, And if they didn't keep up with the code enforcement that city take care of that.

Rodney responds, the answer is yes,

Jeff Jones responds, we should and I know

Steven Mustsaers responds, we going to call you

Jeff Jones responds, At least it's not a fire hazard

Rodney responds, The value of the HOA in that scenario is that the city has one point of contact, and we don't have to go approach 48 different owners figure out that's going to be taken care of, we'll have one point of contact for whoever the for the common area correct. The rest of it, really, the way they've set it up. And I think Steve's wisdom makes sense here goes for just like any other home, the rest of the city of Lava Hot Springs.

Steven Mustsaers responds, and it opens up the lending opportunities for these new buyers where, you know, the loans now, because most loans are first time homebuyers or affordable housing, their government back loans. And when you kind of minimize that, there's only a certain amount that are allowed near me, there's so many different restrictions. So that's why trying to eliminate that. So it opens up opportunities for them. In this areas, they call it USDA. And that falls into another area of lending where, you know, hopefully, these workers are in workforce housing, whatever it is, you know, it's essentially 100% financing for these people. So that's the whole idea. But I understand.

Rodney responds, so I think the follow up on Steve's comment, which makes perfect sense. We got the attorney who wants to get the plat approved so they can write the CCR is and we're saying we want the CCR's to get the plat approved. And there's some balance point in the middle. That that between myself and Steve and Spence, the attorney I think we need to work through that. Certainly it needs to be done. We do have that common space and I think the HOA needs to be a component of this I don't know how the commission feels about this there was about maybe a condition of a truce in the PUD Plan with just some acknowledgement that we still need the HOA created

Mark responds, before the can you continue to do the CCR's before a COs issued before recording

Steven Mustsaers responds, well I mean off your back because the indication is a final plat

Rodney responds, yeah it's common for restricted covenants and HOA to occur prior to in fact usually the final plat will reference those by instrument number seven hits every title document forward so what worked through like the attorney

Jeff Jones responds, this I mean this is the common area what that would be city

Steven Mustsaers responds, we can make it city

Diane Beckstead responds, No we don't want it

Rodney responds, No, I don't I don't think we do. And if there's some value in the fact that these 48 units have their own space too

James Page asks, but who's going to take care of it?

Rodney responds, value city mowing it on their behalf, but if we do that we also invite other visitors use that space. City space not development space.

Mark responds, Okay, any other questions? Or concerns? Would you recommend Rodney that the stipulation?

Rodney responds, I think its helpful question that we're going to get to formalize that stipulation be final documents to be completed

Steven Mustsaers responds, right make sure because I want to finalize to

Mark Lowe responds, I'll entertain motions approve with no conditions approve with conditions or to deny

Jeff responds, for approval with conditions we view the application staff report and testimony presented as part of the record pertaining to ordinance 2007 Dash five d and having found that the criteria for approving the final PUD plan request are satisfied I moved to recommend approval of the plan as described in application materials then we list the conditions

Mark Lowe responds, what are the conditions?

Jeff Jones, oh pay fees and final HOA CCR completed prior to recording plat

Lisa responds, I'll second it

Mark responds, moved by Jeff seconded by Lisa discussion all in favor Aye.

James responds, aye

Diane responds, aye

Lisa responds, aye

Mark responds, any opposed

Rodney responds, May 27 for your application for our next meeting

Lisa responds, that's Memorial Day weekend city offices are closed

James responds, so are we going to change this meeting

Rodney responds, I think we're going to have some of that RS three zoning discussion draft market on Tuesday after

James responds, that would be good for me.

Lisa responds, So on Tuesday the 28th

Mark responds, after Memorial Day

Jeff responds, the next meeting

Diane responds, I thought that was May 20th.

Lisa responds, the 27th but that's Memorial Day

Mark responds, the fourth Monday but that's Memorial Day

Jeff responds, on Tuesday after

Diane responds, so that's what May 1st?

Announce next meeting



Mark responds, that's May 28th. By consensus deadline for materials would still be on May 20.

Adjourn meeting

Lisa Guthrie makes a motion to adjourn

Diane Beckstead responds, I second it

Mark responds, All in favor, all aye any opposed


Mandy Frandsen, Transcriber
Mark Lowe, Commission Chair
Amantha Sierra, City Clerk

