

## EMMETT CITY ZONING COMMISSION

August 2, 2021

The Emmett City Zoning Commission held a Regular Meeting at 501 E. Main Street, Emmett, Idaho.

**Chairman Earls called the meeting to order at 6:00 p.m.**

Chairman Earls led the **Pledge of Allegiance**.

**Commissioners Present:** Gwen Earls, Brian Gregory, Robert Buch, Jeff Wiechmann

**Commissioners Absent:** Jeff Chapman, Marta Henry, Kim Butler

**Staff Present:** City Attorney Jake Sweeten; Zoning Administrator, Brian Sullivan; Recording Clerk, Alishia Elliott

**Staff Online:** None

**Public Present:** Joe Mayer, Kelsey Peterson, Gene Dunham, Jack Keaster, Tim Keaster, Dave Keaster, Ernest Walker, Linda Walker, William Spaulding, Greg Foulk, Carol Standley, Nick Maurer, Jeremy Thornock, Shaha Thornock, David Way, Kari Way, Jon Breckon, Robbie Roberts

### **Review of Agenda:**

Commissioner Gregory made a motion to approve the agenda. Commissioner Wiechmann seconded the motion.

**Motion Carried.**

**Approval of Minutes:** Commissioner Wiechmann made a motion to approve the April 5<sup>th</sup>, 2021 minutes.

Commissioner Gregory seconded the motion. **Motion Carried.**

### **#1 Public Hearing: Annexation with Rezone Application and Preliminary Plat, E 12<sup>th</sup>, Moon Creek Subdivision**

#### **Zoning Administrator's Presentation**

Zoning Administrator Brian Sullivan read the staff report into the record. The commission had concerns about the required open space and landscaping. Commissioner Gregory asked about the required right-of-way for 12<sup>th</sup> St.

#### **Applicant Presentation**

Kelsey Peterson presented his application for Moon Creek Subdivision. Commissioner Gregory asked about the irrigation for the subdivision. Mr. Peterson explained that there will be irrigation and it is shown on the map where it would be located.

#### **Public Input**

Nick Maurer, 1755 E 12<sup>th</sup>, spoke in opposition of the R-3 requested zoning classification. Mr. Maurer explained that the R-3 zone does not match with the current uses of the surrounding properties. Mr. Maurer would not be in opposition of R-1 Single Family.

Jeremy Thornock, 1785 E 12<sup>th</sup>, spoke in opposition of the R-3 requested zoning classification. Mr. Thornock would be in favor of zoning the property R-1 Single Family.

Robbie Roberts, 2660 S Substation Rd, spoke in opposition of the R-3 requested zoning classification. Mr. Roberts would be in favor of zoning the property R-1 Single Family.

Zoning Administrator Brian Sullivan explained that the development to the East of this proposed subdivision is also zoned R-3. R-3 Multi Family requires a minimum lot size of 8,000 square feet.

#### **Rebuttal**

Kelsey Peterson, applicant, explained that he is requesting the R-3 zoning for this subdivision because the property will be more desirable. Mr. Peterson explained that it is stated in Sunny Acres CCR's that multi family is not allowed, and that he might do something similar with this subdivision.

#### **Decision of Public Hearing: ACTION ITEM**

Commissioner Gregory made a motion to recommend to the City Council approval of the annexation application, rezone application, and preliminary plat for Moon Creek Subdivision, with site specific conditions. Commissioner Wiechmann seconded the motion. **Motion Carried.**

**#2 Public Hearing: Annexation with Rezone Application and Development Agreement, Park Hampton LLC, 1050 Cascade Road**

**Zoning Administrator's Presentation**

Zoning Administrator Brian Sullivan read the staff report into the record. Sullivan read a letter from City Police Chief into the record. The commission had no questions or concerns.

**Applicant Presentation**

John Wood, applicant, presented his application for annexation, rezone and development agreement. Mr. Wood asked that there be clarification in the uses on the development agreement, because there are existing established businesses at that property.

**Public Input**

None

**Rebuttal**

None

**Decision of Public Hearing: ACTION ITEM**

Commissioner Wiechmann made a motion to recommend approval of the annexation; zoning classification of mixed-use development; adopting the staff report; and approval of the development agreement. Commissioner Gregory seconded the motion. **Motion Carried.**

**#3 Public Hearing: Special Use Permit for a Planned Unit Development and Preliminary Plat for Gem Valley Townhomes**

**Zoning Administrator's Presentation**

Zoning Administrator Brian Sullivan read the staff report into the record. Sullivan read two letters received from Keller Associates and City Police Chief into the record. Commissioner Gregory asked about the comments from Fire Chief Curt Christensen, regarding fire walls and sprinkler systems. Sullivan read the comments from Fire Chief Curt Christensen. Commissioner Gregory had questions about the roads being private along with the utilities in the road. Sullivan explained that there will be utility easements and maintenance agreements for the utilities. Commissioner Earls had questions about the process of the planned unit development.

**Applicant Presentation**

Jon Breckon with Breckon Land Design presented his application for a special use permit for a planned unit development and preliminary plat. Commissioner Earls asked the applicant about off-street parking.

**Public Input**

David Way, 1420 Judo, had concerns about the gates that were proposed on the preliminary plat, from the backyard into Mr. Way's property.

Carol Standley, 933 W Cameleon Way Meridian Idaho, had concerns with irrigation for the proposed town home lots.

**Rebuttal**

Jon Breckon clarified that the gates along the backside of the property will not be constructed. Breckon clarified that those were an error on the preliminary plat. Breckon explained that the development will have irrigation.

**Decision of Public Hearing: ACTION ITEM**

Commissioner Gregory made a motion to recommend to the City Council approval of the special use application for a planned unit development; recommending approval of the preliminary plat; and adopting the staff report with the site-specific conditions of approval. Commissioner Wiechmann seconded the motion. **Motion Carried.**

**New Business:**

None

**Unfinished Business:**

None

**Items from the Commission:**

None

**Items from the Building Official/ Zoning Administrator:**

Next Regular Meeting – September 13, 2021

Commissioner Gregory made a **motion to adjourn**. Commissioner Wiechmann seconded the motion. **Motion Carried.**

**Meeting adjourned at 8:37 p.m.**

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Chairman Gwen Earls

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Acting Secretary