

CITY of EMMETT ZONING COMMISSION
Nov 4th 2019 Public Hearing and Meeting Minutes

FINAL APPROVED

The City of Emmett's Zoning Commission held a regular meeting and 4 public hearings on November 4th, 2019 at 6pm at 501 E. Main St. in Emmett.

Commissioners Present: Jeff Wiechmann, Gwen Earls, Kim Butler, Jennifer Frieboes, and City Attorney, Jake Sweeten

Commissioners Absent: Jeff Chapman, Marta Henry

Staff Present: Zoning Administrator, Brian Sullivan; Recording Clerk, Anna Marie Young, Public Works Director, Clint Seamons.

PUBLIC HEARING for PAYETTE RIVER ORCHARDS SUBDIVISION PP #19-002

Chairwoman Earls: Brought the Public Hearing to session.

Chairwoman Earls: Asked if any of the Commissioners had any ex-parte communication?

Chairwoman Earls: Disclosed she herself had some ex-parte communication, she contacted the Superintendent of the School District and asked if he received the City's information about the proposed project. His response was that he wasn't sure. She suggested he contact Brian.

Zoning Administrator: Started with the Preliminary Plat Application PP #19-002, asked are there any questions from the last public hearing? There were none. He continued with new information, going over the hand out, "Staffs Response to the Oct 7th Public Hearing Concerns".

Zoning Administrator: Said he met with Craig Woods after the last Public Hearing. Read the Letter from the School District. Concluded that its true the Littles' donated 17 acres to the school district and agreed that typically School Bus stops in subdivisions are placed on corners that are safe and well lit.

Chairwoman Earls: Asked Commissioners if they had any other questions?

Commissioner Butler: Asked where are the 17 acres?

Zoning Administrator: Responded that they are located off E. 4th St.

Chairwoman Earls: Asked would the Applicant like to speak?

Applicant Adam Little: 1137 E. Harcourt Dr. Boise. Said that the Transportation Impact Study (TIS) concluded that with the added development the Level of Service (LOS) for surrounding roads will still be adequate.

Commissioner Wiechmann: Asked for an estimated timeline of when the built out will be?

Applicant Adam Little: Responded that 5-10 years, 7 years, is what we budgeted for.

Commissioner Earls: Asked if there were any other questions from the commission? There were none. Asked if anyone from the public in favor of the proposed project to come speak?

Carl Porter, Sawtooth Land Surveying: 2030 S. Washington Ave. Emmett. I did the Land Surveying for the project, helping prepare a final plat. It will be a great addition to the City of Emmett. We have a great need for it.

Zoning Administrator: Explained that the lots in this proposed subdivision would be susceptible to the City's already-established Late-Comer-Fees. \$575 goes to the previous private developer for the sewer infrastructure and \$500 goes to Emmett Independent School District for water, who paid for a municipal well.

Chairwoman Earls: Asked if there is any more public comment on the PP Application?

Jayne Ward: 1100 Palace Ave. Emmett. I'm excited to see new family housing in Emmett, my concern are the things talked about going to be done up front or 4-7 years from now?

Zoning Administrator: Responded that all improvements are done in the first phase.

Chairwoman Earls: Asked if there are anymore public comments?

Hugh Orr: 1110 Royalty Ave. Emmett. Asked if making the bridge wider is being considered? It's really inconvenient to not be able to head out of the subdivision. Explained that he lived in Ada County for 20 years where developments were done but no infrastructure improvements were made to support it. Chinden Blvd. and the Paramount Subdivision are a perfect example of that. Developers should make the improvements instead of making us all just work around it.

Zoning Administrator: I understand the inconvenience, however the TIS and the City of Emmett have determined that the intersection at Sand Hollow Rd and Hwy 16 in the morning is a huge safety concern and it's not likely ITD would approve a light right there at the bottom of the hill.

Jayne Ward: 1100 Palace Ave. Emmet. In addition to all that new one-way traffic coming out of the proposed new subdivision you have the possibility of another 53 new homes going in [in the adjacent vacant lot for sale]. It's not only a traffic problem for us because then you have your school children and school buses.

Zoning Administrator: Clarified that the PP for the 53 lots has expired. As it is now that lot is just one building lot for one home.

Chairwoman Earls: Asked if the Applicant would like an opportunity to respond?

Applicant David Little: No further comments.

PUBLIC HEARING for VARIANCE Lot Size, Frontage, and Set Backs VAR #19-001

Chairwoman Earls: Brought the Public Hearing to session.

Zoning Administrator: There is no new information on this application.

Chairwoman Earls: Asked the Commissioners if they had any questions? There were none.

PUBLIC HEARING FOR CHURCH in a RESIDENTIAL ZONE SUP #19-005

Chairwoman Earls: Brought the Public Hearing to session.

Zoning Administrator: There is no new information on this application.

Chairwoman Earls: Asked the Commission if they had any questions. There were none.

PUBLIC HEARING FOR SECOND AMENDED AND RESTATED DA #19-002

Chairwoman Earls: Brought the Public Hearing to session.

Zoning Administrator: In the last DA there was a booster station and a late-comers-agreement reimbursement credit policy, all that has been removed. Read over the new part of the agreement starting with the Conditions of Approval 1-7.

Zoning Administrator: Pointed out that the water booster station, necessary for this development, will be constructed by the City of Emmett in the Common Lot 7, Block 1. The owner will grant an easement for construction prior to recording the Final Plat of Phase One. In addition, the owner will give a permanent easement for a lot TBD for a future water storage tank.

Attorney Sweeten: I've been in communication with the Developer and there is one more final point that needs added. In the agreement its written that IF the project was terminated that the developer would reimburse the City for the Booster Station costs. The developer is asking to add language to take into account any hook-up fees the City received to off-set those potential reimbursement costs. Said he doesn't see any problem with that.

Zoning Administrator: Explained that to add that "off-set" language it would need to be included in the Commission's recommendation to City Council.

Commissioner Wiechmann: Asked Clint Seamons, Publics Works Director to comment on the cost vs benefits of the City building the booster station.

Clint Seamons, Public Works Director: We've estimated that it will cost about \$350,000 to build the booster station ourselves, and from the hook up fees from the 242 lots we will collect about \$750,000.

Chairwoman Earls: Asked the Applicant if he would like to add anything?

Applicant Adam Little: Concurred that everything discussed he feels was represented accurately.

Commissioner Earls: Asked Commissioners if they had any other comments or questions on the DA? There were none. Asked if there was any public comment?

Neil Shippy, Emmett Irrigation District: New Plymouth. Reminded the Commission that Title 42 Chapter 13 Idaho Statue states that if there are 3 or more parties under one delivery point the parties are supposed to form a lateral user association. As it is now we have multiple subdivision associations and we would rather have one big association where everyone is working together. That is something they will need to work out.

Commissioner Butler: Asked if there will be a traffic study done to assess the effects of changing the bridge to a one-way bridge?

Zoning Administrator: Responds that there was a Traffic Impact Study done by Kittelson and Associates. He explained that their recommendations are the same as staff's recommendations, and read the "Recommendations" excerpt from it.

Applicant Adam Little: We have existing water rights on the property and will make sure there is only one pressurized irrigation system on the property and design it accordingly.

Chairwoman Earls: Asked if there are any other comments/questions before we close the public hearing.

Chairwoman Earls: Closed the Public Hearing.

REGULAR ZONING COMMISSION MEETING

Commissioners Present: Jeff Wiechmann, Kim Butler, Jennifer Frieboes, Gwen Earls

Commissioners Absent: Jeff Chapman, Marta Henry

Chairwoman Earls: Called the meeting to order. Conducted roll call, determined quorum.

Chairwoman Earls: Asked for a motion to approve the Agenda.

Commissioner Butler: Motioned to approve the agenda for the meeting as written.

Commissioner Frieboes: Seconded the Motion.

Chairwoman Earls: Motion passed.

Commissioner Wiechmann: Motioned to approve the Oct 7, 2019 Meeting Minutes

Commissioner Butler: Seconded the motion.

Chairwoman Earls: Motion passed.

Chairwoman Earls: Moving on to our four action items, we will go in the following order:

- 1) PP #19-002 (Commissions' Recommendation to City Council)
- 2) VAR #19-001 (Commissions' Decision)
- 3) SUP #19-005 (Commissions' Decision)
- 4) DA #19-002 (Commissions' Recommendation to City Council)

Commissioner Butler: Motioned to recommend to City Council approval of PP #19-002, following agency comments and including adoption of all related staff reports.

Commissioner Wiechmann: Seconded the Motion.

Chairwoman Earls: Motion passed.

Commissioner Butler: Motioned to approve VAR #19-001, including adoption of all related staff reports.

Commissioner Wiechmann: Seconded the Motion.

Chairwoman Earls: Motion passed.

Commissioner Butler: Motioned to approve SUP #19-005, including adoption of all related staff reports.

Commissioner Frieboes: Seconded the Motion.

Chairwoman Earls: Motion passed.

Commissioner Wiechmann: Motions to recommend to City Council approval of DA #19-002, including adding said verbiage to the agreement regarding off-setting the reimbursement requirement.

Commissioner Butler: Seconded the Motion.

Chairwoman Earls: Motion Passed.

Chairwoman Earls: Any items from the public? There were none.

Chairwoman Earls: Any unfinished business? There was none.

Chairwoman Earls: Any items from Building and Zoning?

Zoning Administrator: We may want to cancel the next meeting which is scheduled for Dec 2nd

Commissioner Butler: Motioned to close the meeting.

Commissioner Frieboes: Seconded the Motion.

Chairwoman Earls: Motion passed. Meeting Adjourned!

Chair

Acting Secretary

