

EMMETT CITY ZONING COMMISSION

October 5, 2020

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, Jeff Chapman, Marta Henry **Commissioners Online:** Jeff Wiechmann **Commissioners Absent:** Kim Butler, Jennifer Frieboes

Staff Present: Zoning Administrator, Brian Sullivan; Recording Clerk, Doricela Millan-Sotelo **Staff Online:** City Attorney, Jake Sweeten

Public Present: Wyndy Wurtenberger 610 E. Central Rd, Emmett, ID, Renee Audrako, 1111 S. Washington Ave #1, Emmett, ID, Vickie Mallory, Jeffery Fecht, 5457 W. Black Canyon Hwy, Emmett, ID, Amy Helmick, 1202 Sunset Dr., Emmett, ID, Cheryl Wurtenberger 610 E. Central Rd., Emmett, ID, Cindy Medlock, 8380 Florence St., Letha, ID, Martha Voermans, 9101 Kepler Lane, Sweet, ID, Kristi Nuttal, 1325 Blane St., Emmett, ID.

Review of Agenda:

Commissioner Chapman made a motion to approve the Agenda. Commissioner Henry seconded the motion. **Motion Carried.**

Approval of Minutes:

Commissioner Chapman made a motion to approve the August 3th, 2020 Minutes. Commissioner Henry seconded the motion. **Motion Carried.**

Public Hearing: SUP 20-002 The Cat's Meow Inc, Cat Rescue and Sanctuary

Chairman Earls asked to confirm whether or not any Commissioner had any exparte communication regarding SUP 20-002 or any agenda item? **Commissioner Henry** stated that she has been inside of the business of her friend Darlene Junghans. **City Attorney** states that as long as no conversations were had regarding SUP 20-002 visiting the business is fine. **Commissioner Henry** states that no conversations regarding the SUP 20-002 occurred.

Chairman Earls goes over the standard protocol of a public hearing. First Staff will speak, then Applicant will speak, lastly public comment will be taken. When public comes up to podium, they need to provide name and address before giving public comment. **Zoning Administrator** informs public that to provide public input they need to sign in.

Commissioner Wiechmann informs the zoning commission he does not have his council packet but thinks he will be able to keep up.

Chairman Earls opened the Public Hearing for SUP 20-002. **Zoning Administrator** presented SUP 20-002 application and appended Staff Report. Staff recommends approval of the application with conditions outlined in Section 6 of the Staff Report. **Chairman Earls** asked the Commissioners if they had any questions? Chair Earls asked which businesses where to each side. **Zoning Administrator** responds that she owns the whole building, wild flower boutique, cat sanctuary and there is a vacant building for sale at the end but they are all attached. **Chairman Earls** asks if there are additional questions. **Commissioner Wiechmann** does not have additional questions for Zoning Administrator but does have questions for the applicant. **Chairman Earls** states that once the applicant has spoken, we will ask questions after that. **Applicant Darlene Junghans** 1082 Cherry Lane, Emmett, Idaho, 83617, started by addressing the comment about the neighboring wall. There is a tenant that has been there 9 years and is a buffer in between the neighboring business wall and the cat sanctuary. The wall that faces the empty building has walls that are 12 inches of solid concrete with no breeze way or crawl spaces. The wild cat problem, which does not exist because in the last 7 years she has been there with the rescue. She has only had one cat come around and she removed the cat and fixed her and they still have her at the rescue. There are not stray cats that wonder around the window, basement or in crawl spaces. The building does not have crawl spaces. **Commissioner Wiechmann** asked how many cats can be housed at the rescue.

Applicant Darlene Junghans mentions that they can have more but they only have ten to twelve in each of the rooms due to square footage per animal, for the comfort of the animals. **Commissioner Wiechmann** asks if they intent to increase the number of cats that can be rescued if the SUP is approved? **Applicant Darlene Junghans** does not intend to increase the number of cats at this location unless they enlarge or remodel the rescue space or purchase another building. **Chairman Earls** asks if there is outdoor access or if it will be self-contained. **Applicant Darlene Junghans** there is a patio and a small parking lot in the back that is not used. They primarily use the rescue website for adoptions so there is very little foot traffic. **Chairman Earls** asks about waste disposal. **Applicant Darlene Junghans** states they double bag trash and keep the trash bins lid down. **Commissioner Henry** Asks to clarify which buildings about the rescue. **Applicant Darlene Junghans** states that there is a vacant building for sale, a tenant of her building and then another building on Main.

Chair Earls opened hearing to public comment. **Kristi Nuttal, 1325 Blane St., Emmett, ID** here in support as the tenant in the same building attached on the west side of the applicants. There has never been a smell and hopes to alleviate the concern over the smell. **Jeffery Fecht, 5457 W. Black Canyon Hwy, Emmett, Idaho,** is in support of the rescue. He has been in the flower shop multiple times and was surprised that there was a rescue because he had never seen a cat or smelled cats. **Amy Helmick, 1202 Sunset Dr., Emmett, Idaho,** owns the Emmett floral company. Has no personal objection of the SUP but has a concern that if there is any fund raising activates be kept on that corner and the signage be kept on that corner and to not cause any disruption or maybe be kept inside the building. **Cindy Medlock, 8380 Florence St., Letha, Idaho,** owns the business next door and is in support of the SUP. **Wyndy Wurtenberger, 610 E., Central Road, Emmett, Idaho,** is in support of application. She has volunteered at the rescue and has seen a lot more volunteers since she left for college and knows the rescue is clean.

Applicant Darlene Junghans responses to public input by stating that if the fundraising is a concern that they can hold fundraisers in larger location like the fairgrounds and expects that their neighboring business adhere to this same standard. **Chairman Earls** asks if there are additional questions, no response. **Chairman Earls closes Public Hearing**

Decisions of Public Hearing: SUP 20-002 The Cat's Meow Inc, Cat Rescue and Sanctuary

Commissioner Chapman asks if the motion will be an approval of SUP 20-002 The Cat's Meow Inc, Cat Rescue and Sanctuary as written in the staff report. **City Attorney** says yes that should cover it.

Commissioner Chapman motion to approve SUP 20-002 based of staff recommendation.

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

Public Hearing: PP 20-002 Re-Plat of Sunny Acres Subdivision, Lot #4

Chairman Earls opened the Public Hearing for PP#20-002. **Zoning Administrator** presented PP#20-002 application and appended Staff Report. Recommended approval of the application with conditions outlined in Section 6 of the Staff Report. **Chairman Earls** asks zoning administrator to verify on a map the proposed drainage area. **Zoning administrator** confirms the drainage area is northeast corner closest to 12th street for zoning commission. **Commission Chapman** verified the current zoning classification of the lot is R-3. **Zoning administrator** confirms the R-3 zone and that two units could have gone on each 8000 sq. ft. lot if the applicant had wanted to. **Commissioner Wiechmann** asks if there was a proposed plan for the type of building that will be put up? **Zoning administrator** the current zone is a R-3 multi-family, but at this time the type of housing is not relevant to this application. **Zoning administrator** read the response letter regarding conditions of approval that he received from applicant Kelsey Peterson. **Chairman Earls** asks if the irrigation issue will an issue that will hold up the public hearing tonight. **Zoning Administrator** responds that if the irrigation issue is not resolved by final plat it will hold up the final approval. Which will hold up the sale of the property and the lots. **Chairman Earls** verifies that the motion tonight will be a recommendation to city council. **Chairman Earls** asked the Commissioners if they had any questions? **Commissioner Henry** asks how many street lights at the entrance. **Zoning Administrator** responds that there will be two lights one at the entrance and one mid-block down. That meets the city standard on the street lighting. **Applicant Kelsey Peterson 2550 E. Quail Run Road,** states that zoning administrator outlined the application well and he had always

intended to use lot four 1.) to be profitable and 2.) to have a road that will pass thru to the southern half of his other property that lies along the Hwy 16 at some point in the future. With the intention of only single-family homes with changes to be made in the CC&R's to not allow multi-family homes. He is planning future development, possible commercial or some housing on his other 22 acres that will connect with the road in this application. **Chairman Earls** asked the Commissioners if they had any questions, No response. **Chairman Earls** opened hearing to public comment, no response, **Chairman Earls closes Public Hearing**

Decisions of Public Hearing: PP 20-002 Re-Plat of Sunny Acres Subdivision, Lot #4

Commissioner Chapman motion to recommend approval of PP 20-002, Re-Plat of Sunny Acres Subdivision, Lot #4 based on staff recommendation and response of condition letter received from the applicant. **Commissioner Henry** seconded the motion. **Motion Carried**

New Business: Election of Officers was postponed for next regular meeting.

Unfinished Business:

Items from the Commission:

Items from the Building Official/ Zoning Administrator: Gave mention of future application for a rezone, election of officers.

Next Regular Meeting – November 2, 2020

Commissioner Earls **adjourned the meeting.**

Meeting adjourned at 7:11 p.m.

Chairman Gwen Earls

Acting Secretary