

Keep



MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144



TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- | | | |
|--|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input checked="" type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION | |

PROJECT NAME: 1671 Airport Rd

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: _____ Section: _____ Township: _____ Range: _____ Total Acres: 5.75

Subdivision Name (if applicable): None

Lot: _____ Block: _____

Site Address: 1671 Airport Rd City: Emmett

Tax Parcel Number(s): RPO6N02W140450A Zoning: A-2 Current Land Use: Residential

PROPERTY OWNER:

Name: Helen Gloeckner

Address: 1671 Airport Rd

City: Emmett State: ID Zip: 83617

APPLICANT:

Name: Victoria Ritchie

Address: 3615 Butte Rd

City: Emmett State: ID Zip: 83617

Telephone: 805-568-5235

Email: heloegloekner@yahoo

Telephone: 208-915-4545

Email: Victoria.ritchie2016@gmail

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

Signature: (Owner) Helen Gloeckner Date: 11/19/22

Signature: (Applicant) Victoria Ritchie Date: _____

OFFICE USE ONLY

File No.: RL Received By: SC Date: 11-29-22 Fee: 710.00 Receipt No.: pd By card

22-015

Letter of Intent

November 16th, 2022

Property Address:

**1671 Airport Rd
Emmett, ID 83617**

Owner Name: Helen Gloeckner

Applicant Name: Victoria Ritchie with Keller Williams Realty

To The City of Emmett, *Idaho*

My name is Victoria Ritchie and I am a real estate agent with Keller Williams Realty. My client Helen Gloeckner who owns property address 1671 Airport Rd in Emmett ID.

It is the intent of my client to re-zone the said property from a current zoning status of A2 to Commercial use.

When looking at the attached zoning map you will see the parcel to the north of this property is zoned M-2 Heavy Industrial, To the South in M-1 Light Industrial, to the East is MX – Mixed Use and to the West is C-2 Commercial.

According to the Emmett comprehensive building plan the intention is to make this commercial in the future.

Mrs. Gloeckner does not have any intentions to build a commercial building on this property. She may think of selling in the near future but has no plans of selling at this time.

We are proposing that the City of Emmett re-zone this property from A-2 into Commercial for better use.

Please let us know what question and concerns you have in our request.

Thank you for your time,

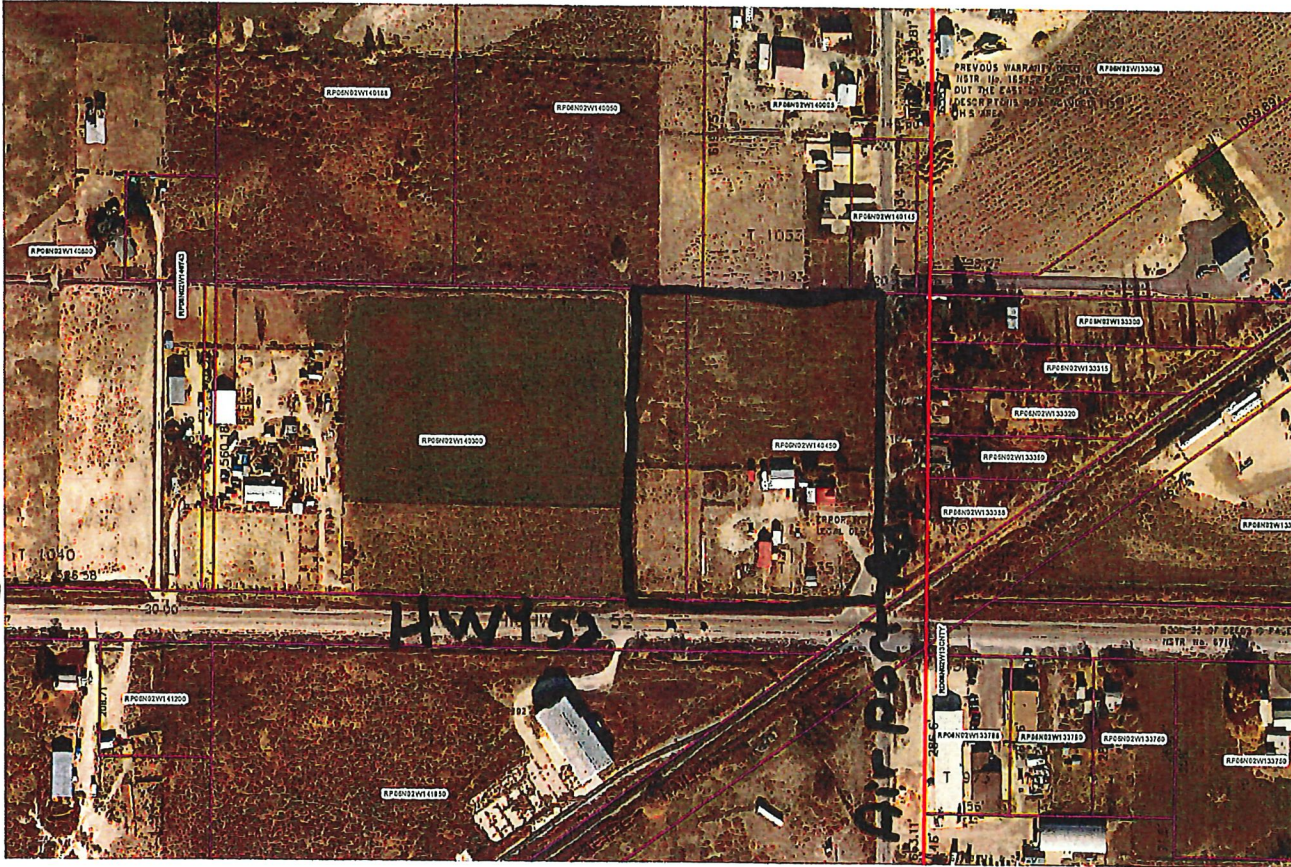


Victoria Ritchie
Keller Williams Realty
3615 Butte Rd
Emmett ID 83617

206-915-4545

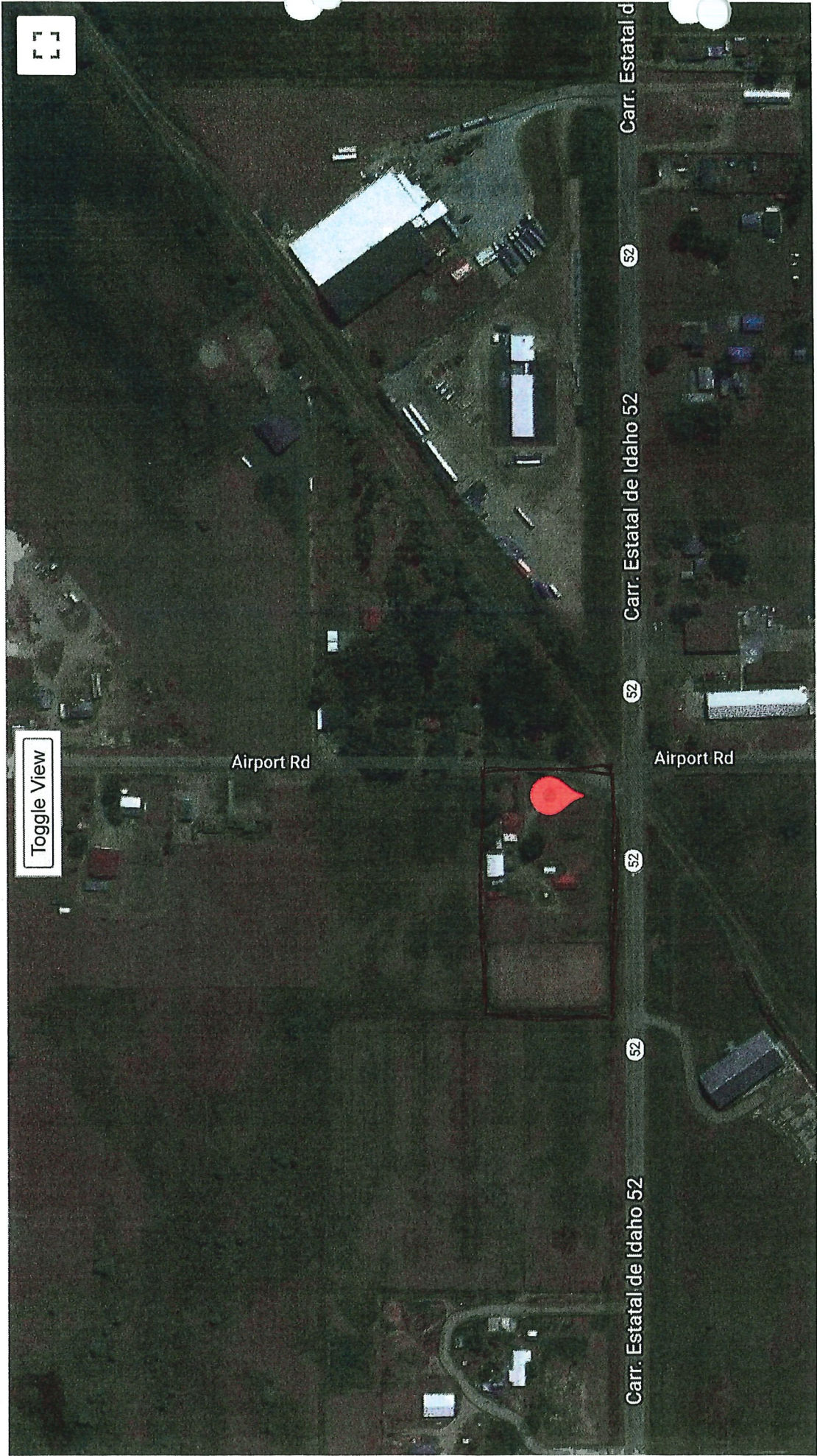
Victoriaritchie2017@gmail.com

N



E

S



CERTIFICATE OF MAILING

I hereby certify that on the 22 day of February 2023, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Gloeckner
T06N, R02W, Section 14

Earl Defur
4251 Hunters Lane
Emmett, ID 83617

Patty Anerson
2210 W. HWY 52
Emmett, ID 83617

JCJ Holdings LLC
310 E. Watertower St
Meridian, ID 83642

Faye Howell
2754 Airport Rd
Emmett, ID 83617

Joan Stirling
~~9225 Stewart Rd~~ **Stewart Rd**
~~Emmett, ID 83617~~
Meridian 83642

Michael Frederick
1111 Airport Rd
Emmett, ID 83617

Idaho Northern & Pacific RR
6100 Southwest Blvd. Ste 320
Fort Worth, Tx 76109

~~Joan Stirling~~
~~9225 Stewart Rd~~
~~Emmett, ID 83617~~

Tawnja Elison
1811 Mace Rd
Eagle, ID 83616

Leroy Youngstrom
1102 Royalty Ave.
Emmett, ID 83617

Connie Smith
1666 Airport Rd
Emmett, ID 83617

Jason Youngstrom
1310 Airport
Emmett, ID 83617

Margaret Patrino
1624 Airport Rd
Emmett, ID 83617

Staub Brothers
1301 Esplanade Ave
Klamath Falls, Or 97601

Sandra Reynolds
1520 Airport Rd
Emmett, ID 83617

Robert Nau
2278 Greenbrier Dr.
Emmett, ID 83617



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

OFFICE OF THE ADMINISTRATOR
PLANNING & ZONING

PHONE: (208) 365-5144

WEB PAGE: GEMCOUNTY.ORG

STAFF REPORT

APPLICATION DESCRIPTION: REZONE (A-2To C-2)

FILE NUMBER(s): RZ-22-015

ZONING COMMISSION HEARING DATE: March 20, 2023, 6:00pm

PROPERTY OWNERS: Helen Gloeckner
1671 AIRPORT ROAD
Emmett, ID 83617

APPLICANT: Victoria Ritchie

SITE LOCATION: 1671 AIRPORT ROAD

STAFF PLANNER: Jennifer Kharri

1. APPLICATION SUMMARY:

The applicant, Victoria Ritchie, on property owned by Helen Gloeckner, is requesting a rezone of her property located at 1671 Airport Road. The application proposes a change from A-2, Rural Transitional Agriculture (5-acre minimum lot size) to C-2, Commercial (1-acre minimum lot size). The purpose of the rezone is to help the land be more suitable for a future sale. The property proposed to be rezoned is 5.75 +/- acres in size and lies fully within the Mixed Planned Development area, as designated on the Future Land Use Map in the Comprehensive Plan.

2. APPLICATION & PROPERTY FACTS:

A. Site Address/Location:

The property is located at 1671 Airport Road within Township 6N, Range 2W, Section 14 (Tax Parcel #RP06N02W140450).

B. Current Owner(s): Helen Gloeckner

C. Applicant(s): Victoria Ritchie

D. Present Zoning: A-2, Rural Transitional Agriculture (5-acre minimum)

E. Present Comprehensive Plan Designation: Mixed Planned Development

F. Property Size: 5.75+/- acres

3. APPLICATION PROCESS FACTS:

A. Application Submittal:

The application for this item was received and deemed complete by the Development Services Department on November 29, 2022.

B. Notice of Public Hearing:

Notice of Public Hearing on the application for the Gem County Planning and Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on March 1, 2023. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on February 22, 2023. The physical property was posted for the public hearing on February 23, 2023. Requests for all impact agencies' reviews were mailed on February 22, 2023.

Gem County Development Services received letters from the following public impact agencies: Gem County Road and Bridge Department and Idaho Transportation Department.

Public hearing notices were mailed to fifteen (15) parcels in the immediate vicinity. Three letters of concern were submitted from members of the public.

C. Relevant Ordinances and Required Actions:

The subject application will in fact constitute a rezone as determined by Gem County Code. By reason of the provisions of the Gem County Code Title 11, Chapter 15, a public hearing is required before the Planning and Zoning Commission and the Board of County Commissioners on this matter.

D. History of Previous County Actions on Property: The previous property owner received a Special Use Permit in 1996 for a tack, saddle, equipment and trailer shop.

E. Companion Applications: There are no companion applications to the Rezone.

4. LAND USE

A. Existing Land Use(s): Single family residential and irrigated pasture land.

B. Description of Character of Surrounding Area: The immediate vicinity is scattered residential with some pastureland and commercial/industrial uses. The vicinity contains irrigated and/or irrigatable lands (Last Chance Ditch).

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Mixed Planned Development	M-2, Heavy Industrial and A-2, Rural Transitional Agriculture	Agriculture/Pasture/ Single Family Residential
South of site	Mixed Planned Development	M-1, Light Industrial	Warehouse/Agriculture/Pasture /railroad
East of site	Mixed Planned Development	MX, Mixed Use	Single Family Residential
West of site	Mixed Planned Development	C-2, Commercial	Agriculture/Pasture/ Single Family Residential

D. Physical Constraints and Opportunities:

1. Wastewater and Domestic Water:

- a. Water: The site currently has an individual domestic well.
- b. Septic: The site has an individual septic system and drain field.

2. Vegetation: Pasture land

3. Floodplain: The parcel falls within zone "X" on FEMA's Flood Insurance Rate Map, which indicates area of moderate flood risk.

4. Canals/Ditches/Irrigation: The property is served by Last Chance Ditch.

E. Subdivision Plat Information: N/A (separate application). Any future development will require a subdivision application after the rezone.

F. Streets and/or Access Information: The site is served by an existing driveway off of Airport Road.

5. COMPREHENSIVE PLAN POLICIES & GOALS [Staff comments and analysis are shown in *italics*.]

Staff finds the following policies in the Joint Comprehensive Plan are applicable to this application:

The Comprehensive Plan Future Land Use Map identifies the subject property as **Mixed Planned Development**. These areas are unique in that they are accessible by arterials, and/or rail lines and/or the airport. These areas are greatly affected by contiguous industrial, residential and commercial land uses. In order that compatible land uses and efficient uses of the land might occur, these lands are anticipated for a variety of planned, compatible mixed uses. Probable mixed uses for these areas could be commercial, multi-family residential, open space uses, light industrial, office, public and related land use.

The proposed C-2 zone complies with the purpose of the Mixed Planned Development vision.

The following policy has been set forth in the **Economic Development** chapter of the Joint Comprehensive Plan (Chapter 4) and generally supports the application:

4.1.2 – Support business retention, expansion and creation.

4.1.4 - Promote job creation to meet the employment needs of a growing work force.

4.1.7 - Reserve and designate sufficient land to fulfill the community's industrial and commercial needs.

The following policies have been set forth in the **Land Use** chapter of the Joint Comprehensive Plan (Chapter 12) for future growth and are found to be relevant to this application:

12.1.1 – Respect the responsibilities and rights of land ownership.

12.1.3 – Ensure due process of land development is clear and concise and avoid unnecessary delays for citizens and businesses.

12.1.7 – Support agriculture and business by buffering agriculture and business from incompatible land use encroachment.

12.8.2 – The integrity and identity of any adjoining residential and/or agricultural neighborhoods should be preserved through the use of compatible designs.

12.8.4 – Site improvements and types of development should be in harmony with previously developed land in the area, and where located near or adjacent to any existing residential or agricultural area, shall be made to reduce the impact of noise, traffic and any other negative development effects.

6. ZONING ORDINANCE

- A. Purpose Statement of Zone: Gem County Code 11-4-8.A lists the purpose of the C-2 zone as follows: "To provide an area for business uses larger in scale and more intensive than the uses allowed in the C-1 commercial zone, uses which provide general retail and travel needs within the community bordering highways." The C-2 zone has a one (1) acre minimum lot size requirement.

The subject site is large enough for such development, therefore this criteria is met.

- B. Permitted Uses:

The subject site is currently zoned A-2 (5-acre minimum) and allows the following types of uses, either outright or as a Special Use Permit:

Agriculture, kennel, mining, utilities, some manufacturing, limited trade, entertainment and recreation, aircraft transportation, government services, limited private services (e.g. auto repair, construction yards), group quarters, various housing/residential uses, including halfway houses and single-family residential.

The proposed C-2 (1-acre minimum) zone allows the following uses, either outright or as a Special Use Permit:

Agriculture, kennel, commercial stands, vet hospital, utilities, radio and TV studios, communication equipment buildings, limited manufacturing, most trade/retail uses, entertainment and recreation, automobile parking, tire shop/storage, car wash, correctional facility, education services, finance –insurance- real estate offices, mortuary, government services, hospitals – clinics, professional offices (e.g. doctor office), laundromat, planned unit development, motels.

Staff finds the land uses in the current A-2 zone to be somewhat more restrictive than uses allowed in the proposed C-2 zone. This is largely due to amount of trade/retail uses, offices and commercial uses that are allowed in the C-2 zone. However, mineral extraction is allowed with a SUP in the A-2 zone but prohibited in the C-2 zone.

7. REQUIRED FINDINGS & STAFF ANALYSIS [Staff comments and analysis are shown in *italics*.]

According to Title 11, Chapter 15, Section 4., “No map amendments (rezones) shall be recommended for approval by the Commission or granted by the Board of Commissioners unless the following findings are made by the Commission or Board”:

1. The requested amendment complies with the Comprehensive Plan text and Future Land Use Map;

Based on the Comprehensive Plan analysis provided in Section 5 above, staff finds the majority of the applicable policies support a C-2 rezone in this area. In Staff’s estimation, the Comprehensive Plan Future Land Use Map relevant policies do support the rezone application to C-2 since the parcel lies within the Mixed Planned Development designation.

2. The requested amendment is not materially detrimental to the public health, safety, or welfare;

Staff finds that a change from A-2 to C-2 does change the intensity of use of this parcel, which could include an increase in commercial-related traffic. The C-2 zone allows for a wide range of land uses, most without a Special Use Permit. However, simply rezoning the property to C-2 does not necessarily increase the risks or hazards since there are a number of factors that could impact risks. The primary impacts are upon State Highway 52. If the future uses are constructed to adopted codes and operated in accordance with all county regulations, the uses may not be found to be materially detrimental to the public health, safety or welfare.

3. The subject property meets the minimum dimensional standards of the proposed zoning district;

The minimum lot size in the proposed C-2 zone is one-acre. The subject area to be rezoned is currently 5.75 acres in size. The site complies with the minimum size and setbacks of the C-2 zone. The subject site could be developed to comply with the minimum dimensions for a C-2 zone.

4. The uses allowed under the proposed zoning district would be harmonious with and appropriate for the existing or intended character of the general vicinity and that such uses would not change the essential character of the same area;

A list comparing the allowed uses in the proposed C-2 zone with the existing A-2 zone is shown in Section 6 of this report. Staff finds the uses in the A-2 zone are much more restrictive than the C-2 zone. However, the uses allowed in the C-2 zone are compatible with and appropriate for the subject area due to the existing businesses along Highway 52 in the immediate vicinity. As such, staff finds the uses allowed in a C-2 zone are compatible with the intended character of the area.

5. The effects of the proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within Gem County's planning jurisdiction have been considered and no unmitigated adverse impacts upon those services will impose additional costs upon current residents of Gem County's planning jurisdiction.

The public service agencies/providers that responded to this rezone application was the Gem County Road and Bridge Department and Idaho Transportation Department. The Commission and Board must also review the impacts of the proposed rezone upon the emergency response services, transportation, the school system and other public entities.

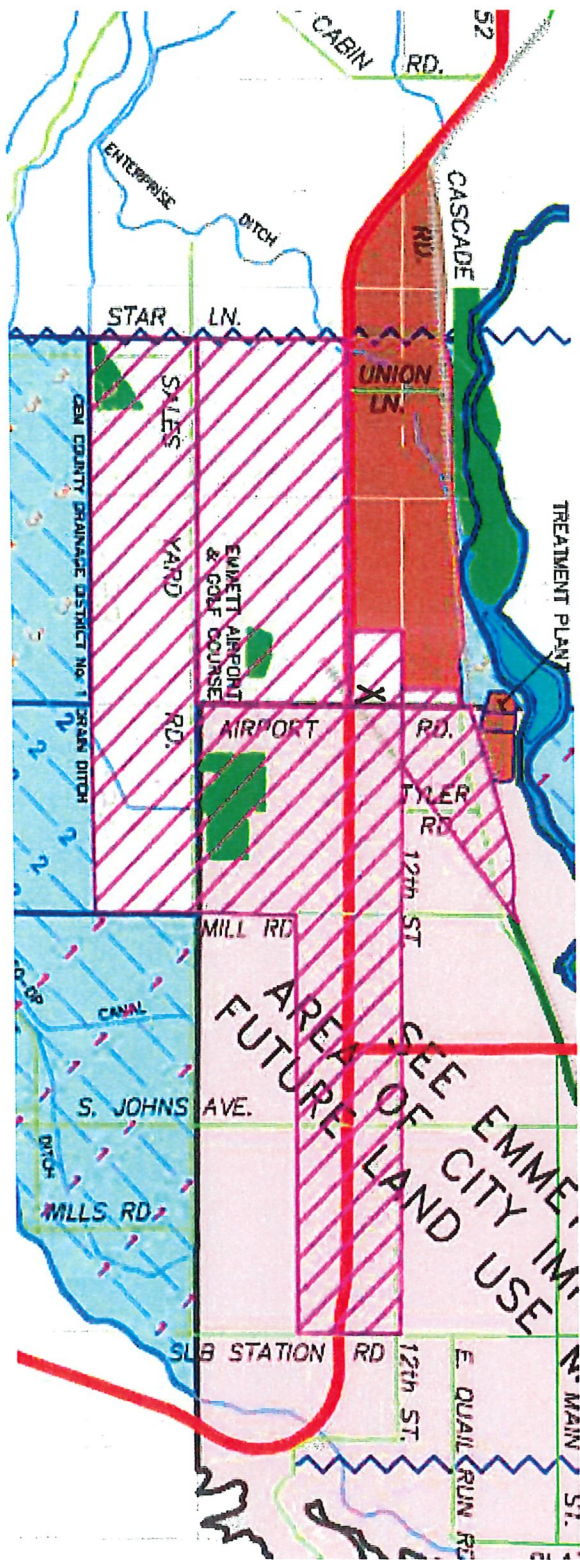
The impacts of rezoning a 5 acre parcel to C-2 will have impacts on State Highway 52, which is a preferred location for commercial traffic (as compared with increasing commercial uses on substandard local streets, etc.). If the access is to remain on Airport Road, the Road and Bridge Director has some conditions that will need to be met.

8. IMPACT AGENCIES NOTIFIED

Gem County Road Department
Gem County School District #221
Gem County Mapper
Idaho Department of Transportation
Gem Rural Fire District #1

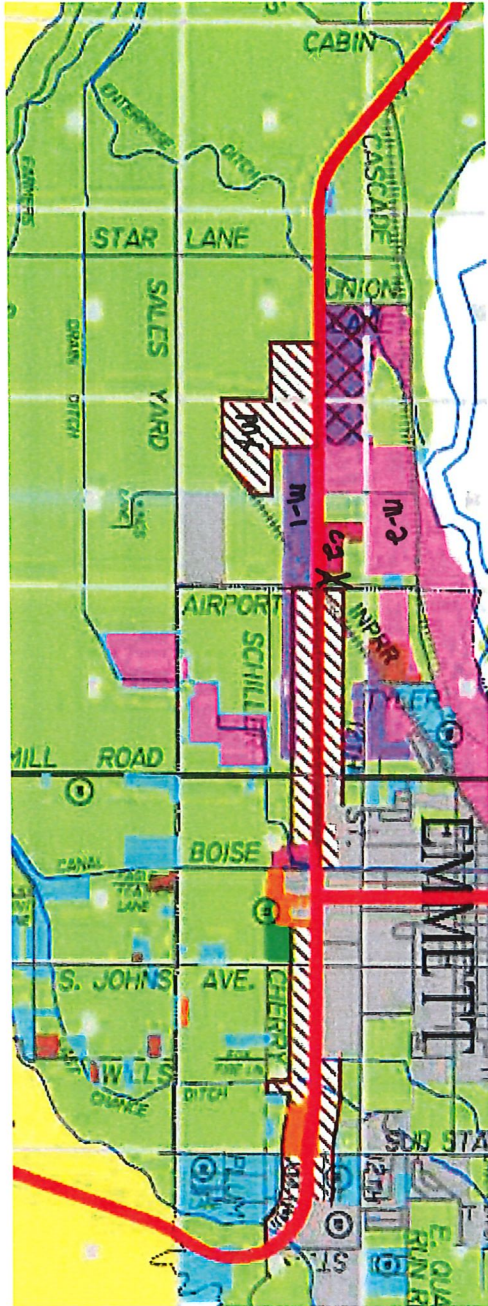
9. STAFF RECOMMENDATION

Staff finds that the proposed rezone application, could meet all of the required findings from the Zoning Ordinance listed in Section 7 of this report, and with the overall intent of the applicable Comprehensive Plan policies and Future Land Use Map. Based on the information presented to date and available to staff, we support this application. The Commission must rely upon any additional testimony provided during the public hearing from the applicant and the public when making its recommendation to the Board of County Commissioners.

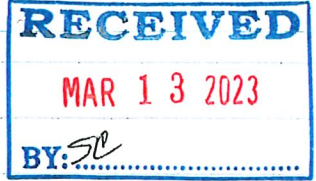


future land use map

Existing Zoning



3/13/23



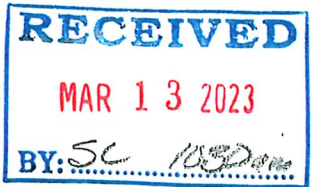
Planning & Zoning

To whom this may concern:

I'm writing this letter to let you know I'm concerned about how this will affect the traffic in our area. Also I am concerned about how it could affect our wells and septic systems at some point in time. Our road on airport is a small side road for smaller traffic is it going to change this at some point too?

Will there have to be a light put in here with extra housing or whatever goes in?

Thank you,
Christine Bryson
Christine Bryson



Stephanie Crays,

My name is Jacob Reynolds and am writing on behalf of My mother Sandra Reynolds, regarding the rezoning of the Gloekner property at 1671 Airport Rd, Emmett ID.

My Mother Sandra owns and lives in the home at 1520 Airport Rd Emmett ID. Her home is located directly across the street from the 1671 property. She is opposed to the rezoning but is unable to respond due to having severe arthritis which limits the use of her hands.

Sandra has lived in her home on 1520 airport rd. since the 1980s, I grew up in that house, and My family has been in Gem County Idaho for five generations.

We recently lost my father to a long expensive battle with cancer. My mother has little left besides her home which took a lifetime of hard work for them to pay off and maintain.

My mother is devastated by this proposed rezoning. She lives in fear now that her small quiet country neighborhood will be forever destroyed by the threat of commercial development, that her home will be polluted with increased traffic and noise.

I beg anyone who reads this to consider her position and decide if you would rather have your disabled and widowed mother living a nice quiet peaceful country life or to sell that country charm off to make a profit.

Thanks for your consideration

J Reynolds

March 13, 2023



Development Services Office
109 S McKinley Ave
Emmett, ID 83617

Margaret Patrino
1624 Airport Road
Emmett, ID 83617

RE: **REVISED**- Rezone request by Victoria Ritchie for property at 1671 Airport Road, Emmett, 83617

To whom it may concern:

I am against the proposed rezoning of 1671 Airport Road for a few reasons.

Among my concerns are water usage, sewage, and safety. My property has a well as do the other homes on Airport Road. If a business is built on Airport Road, it could potentially jeopardize the water levels for our wells. Sewage is another concern. I have never heard of a septic tank for a business. A business could mean increased traffic which is a safety concern.

I purchased my home on Airport Road nineteen years ago specifically for the natural view in this rural area. Every evening I get to see a beautiful sunset from my front window. Any such commercial endeavor across the road would ruin my view as well as decrease the value of my home. Please do not let this become a commercial property.

Sincerely,

M. Patrino

Mrs. Margaret Patrino
1624 Airport Road
Emmett, Id 83617

Stephanie Crays

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Thursday, March 2, 2023 11:03 AM
To: Stephanie Crays
Subject: RE: Rezone Gloeckner Transmittal

Hello Stephanie –

After careful review of the transmittal submitted to ITD on February 22, 2023 regarding Rezone Gloeckner, based on the applicant not wanting to develop the parcel, the Department has no comments or concerns to make at this time. However, once development does occur, ITD will need to be notified. Due to the proximity of SH-52, there may be a need for mitigations based on future planned development.

Please let me know if you have any questions or concerns.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Stephanie Crays <scrays@co.gem.id.us>
Sent: Wednesday, February 22, 2023 3:42 PM
To: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Neal Capps <ncapps@co.gem.id.us>; Road & Bridge Office <gcrb@co.gem.id.us>; Shauna Davis <sdavis@isd221.net>; Angela Mattingly <amattingly@isd221.net>; Mike Welch <mwelch@gemfireems.org>
Subject: Rezone Gloeckner Transmittal

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Please see attached.

Please respond by March 13, 2023 12:00 noon.

Be Blessed

Stephanie Crays
Development Services Coordinator
109 South McKinley

Gem County
Road & Bridge Dept.
402 N. Hayes Ave.
Emmett, ID 83617



Neal Capps, Director
Phone: 208-365-3305
Fax: 208-365-2530
Email: gcrb@co.gem.id.us

March 13, 2023

Jennifer Kharri
Development Services
109 S. McKinley Ave.
Emmett, ID 83617

RE: Gloeckner Rezone

Dear Jennifer,

Gem County Road & Bridge Department (GCRB) has reviewed the Rezone Application of Gloeckner, property located at 1671 Airport Road. GCRB is concerned about the 2 access points to said property, these accesses do not meet the current 2007 standards.

GCRB shall recommend the following conditions be added to the Development Agreement, if approved;

1. Applicant shall construct a new driveway to the property a minimum of 330 feet from the intersection of Airport Road and State Highway 52.
2. Applicant shall delete both accesses as shown on (Exhibit A).

If you have any questions, please contact our office at 208-365-3305.

Thank you,

A handwritten signature in blue ink, appearing to read "Neal Capps", is written over a faint, larger blue ink signature.

Neal Capps, Director
Gem County Road & Bridge

