

CITY OF PRESTON PLANNING AND ZONING MEETING

April 12, 2017

ROLL CALL Roll Call showed the following Board members present: Chairman Linda Hansen, Commissioner Bruce Hodges, Commissioner Penny Wright, Commissioner Charles Chesney, Commissioner Brock Alder

Staff present: Wendy Merrill, Tyler Olson

Others: Ethel Andersen, Kay Andersen, Charles Chesney, Patty Chesney, Gerry Crookston, Nick Crookston, Terry Larson, Trisha Olson, Allyson Wadsworth, Jeff Ware, Berni Winn, Bracken Winn, Troy Winn

Meeting was called to order at 6:00 p.m. by Chairman Linda Hansen

REVIEW AND APPROVAL OF PLANNING & ZONING MINUTES 03/31/17 It was moved by Commissioner Charles Chesney and seconded by Commissioner Penny Wright to approve the minutes of March 31, 2017. The motion received unanimous approval.

PUBLIC HEARING REZONE TROY & BERNI WINN 825 NORTH 8TH WEST Chairman Linda Hansen called for the Public Hearing to give consideration to the application of Troy and Berni Winn, 806 North 8th West, Preston, Idaho, for the rezoning of certain property from its present classification of Transitional to a classification of Commercial C-3.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on April 12, 2017, before the City of Preston Planning and Zoning Commission at the hour of 6:00 P.M., or as soon thereafter as this matter may be heard, at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of Troy and Berni Winn, 806 North 8th West, Preston Idaho for the rezoning of certain property located in the City of Preston, Idaho, from its present classification of Transitional, to a classification of Commercial C-3. More specifically, the applicants desire that the property addressed as 825 North 8th West, be zoned Commercial C-3. A copy of the legal description of the property requested to be rezoned is attached hereto as Exhibit A.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said rezoning may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 6th day of March, 2017.

s/Linda Acock, City Clerk

Chairman Linda Hansen gave guidelines for holding a public hearing, and asked if any Board member needed to declare a conflict of interest, or ex-parte contact with the matter.

Commissioner Charles Chesney declared a conflict of interest, due to the fact that he would be giving testimony in this matter.

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Chairman Linda Hansen opened the public hearing and asked the Winns to present their request to rezone the property at 825 North 8th West from its present classification of Transitional, to a classification of Commercial C-3.

Bracken Winn stated they were seeking a rezone of the property at 825 North 8th West, from its present classification of Transitional, to Commercial C-3, for the purpose of erecting a shop, measuring 113 feet by 90 feet, in which to relocate their diesel repair business, to provide safe parking for trucks and trailers under repair, and to provide a parking place in the city for semi-trucks, tractors and trailers.

Commissioner Penny Wright asked for clarification of their proposed plans in regards to what type of shop they were considering, whether the parking around the building would be gravel or blacktop, how they planned to landscape the property, and if the trucks and trailers would be parked inside or outside the shop. She also asked if the Winns had to obtain a variance to operate their diesel repair business where it is currently located at 806 North 8th West, to which Mr. Winn stated the business has been there for 22 years.

City Attorney Tyler Olson gave a staff report outlining the requested action to rezone the 6.4 acre parcel from Transitional to Commercial C-3, asking the Planning and Zoning Commission to determine if the request is in accordance with the comprehensive plan and meets the requirements of the Zoning Ordinance.

Chairman Linda Hansen asked if there was anyone in attendance to provide testimony in favor of granting the rezone request.

Nick Crookston, 666 North 8th West, stated he was in favor of granting the rezone request since it is in accordance with the comprehensive plan and would ease congestion on 8th West.

Chairman Linda Hansen asked if there was anyone in attendance to provide neutral testimony regarding the rezone request.

Kay Andersen, 895 North 8th West, stated he was ok with granting the rezone request, but had concerns about vehicles not being worked on sitting on the property for long periods of time and the ensuing weeds and rodents. He also wondered if there could be some type of permit issued to avoid these issues.

Chairman Linda Hansen asked if there was anyone in attendance to provide testimony against granting the rezone request.

Patty Chesney, 1655 North 8th West, stated that most of her concerns had been addressed, but she was concerned about ingress and egress onto the highway off 8th West, safety issues regarding parking trucks along 8th West, ground water issues in the area, and landscaping and fencing of the property.

Charles Chesney, 1655 North 8th West, stated his concerns about trucks clogging the street, pointing out that one semi was parked there from November to March.

Chairman Linda Hansen asked if there was any written testimony regarding the rezone request.

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There being none, Chairman Linda Hansen asked the Winns if they had any rebuttal comments.

There being none, Chairman Linda Hansen closed the public hearing and opened the meeting up to the Board for discussion.

After discussion, it was moved by Commissioner Bruce Hodges to approve to Preston City Council the approval of the Rezone Request for Troy and Berni Winn with the condition that parking issues be addressed.

Motion died for lack of a second.

After further discussion, it was moved by Chairman Linda Hansen and seconded by Commissioner Brock Alder to recommend to Preston City Council the approval of the Rezone Request for Troy and Berni Winn, as presented, and to allow Chairman Linda Hansen to sign the Planning and Zoning Commission Decision, Winn – Rezone. The vote was as follows:

Chairman Linda Hansen	Aye
Commissioner Bruce Hodges	Aye
Commissioner Penny Wright	Nay
Commissioner Charles Chesney	Abstain
Commissioner Brock Alder	Aye

Motion passed by majority vote.

DISCUSS
FLAG LOT
JEFF WARE

Jeff Ware approached the Board upon the advice of City Engineer Mark Owens, to determine the feasibility of building a single family home off 2nd North Street, between 2nd East and 3rd East Streets, which would create a flag lot.

After discussion, it was moved by Commissioner Charles Chesney and seconded by Commissioner Bruce Hodges to tentatively approve Mr. Ware's plan to construct a single family home at the above location contingent upon City Engineer Mark Owens approval and City Attorney Tyler Olson's review. The motion received unanimous approval.

ADJOURN

Meeting was adjourned at 7:08 P.M. by Chairman Linda Hansen.

Linda Hansen, Chairman

Linda Acock, Clerk