

**MINUTES OF A PAYETTE CITY COUNCIL PUBLIC HEARING HELD
November 6, 2006, AT 6:30 P.M., IN CITY HALL, 700 CENTER AVENUE,
PAYETTE, IDAHO.**

MAYOR DOUG HENDERSON CALLED THE PUBLIC HEARING TO ORDER.

Those present included Ivan Mussell, Mark Heleker, Mayor Doug Henderson, Jeff Williams, Georgia Hanigan, and Vallery Klitch. Lee Nelson was excused.

City Attorney, Bert Osborn, conducted the public hearing.

Bob & Tonya Daugherty of 5315 S. Laramie Place, Boise, on behalf of Steve Ryneason, P.O. Box 963, Fruitland, have applied for a variance from Payette Municipal Code 17.24.040 (d) 75' of frontage on a public street. The property is located at 1060 Dewitt, Block 14, Dewitt's First Subdivision, Payette.

Mr. Bob Daugherty, 5315 S. Laramie Place, Boise, explained to the Council of his plans to operate a contractor's yard, and place an additional residence on the property. In addition, their future plans were to operate an RV park on the property.

Councilor Williams asked the City Engineer Doug Argo if there were any concerns or challenges with runoff on the property. Argo replied that there will be no runoff into the canal. All water will be contained on site. Mr. Daugherty explained that was something they took into consideration, and the Planning & Zoning Commission worked with them on the issue. Councilor Williams asked if the existing residence on the property was connected to the sewer. Mr. Daugherty replied that to the best of his knowledge, it is all connected. The intention for the second residence would be to extend a larger service line that would have the capability to service the RV Park in the back. There are some discussions that we would have to have with the public works department such as where the best sewer connection would be; from the north of the property or from the south of the property.

Councilor Williams stated that tonight we are only dealing with the road frontage.

Councilor Heleker asked for clarification from Chief Sands in regards to the property not being a neighborhood; will one access to the property be sufficient? Chief Sands explained that the intent of the code is that we need a minimum of 26' width, with an all weather surface. Chief Sands spoke with Mr. Daugherty about the future development, and that is why he is placing an additional hydrant on the property. On the drawing Chief Sands saw, there was a looped road for the trailer park. Although there would be only one entrance and exit, it essentially gives us two for the trailer park part of it. If the road meets the minimum of 26', with an all surface road for access to the property, and if he places the hydrant,

he would meet the intent of the code. But right now, he would never get my blessing for the trailer park in the existing condition.

Councilor Klitch noted that part of the Planning Commission's recommendation was that they sign up for a future LID. In looking at the plans, she could not see where an LID would fit. City Clerk Cordova explained that the reason they stipulated the LID is because the ordinances were recently changed to allow for exemptions to curb gutter and sidewalks for new construction. As part of that exemption, the new ordinance requires they sign the agreement to participate in an LID or share in the cost if the City decides to improve the road.

Councilor Williams noted that if South 12th Street ever were improved would the agreement cover that as well. Cordova believed it did cover that issue.

No other comments were heard.

Tumbleweed Development Group, LLC. 921 Center Avenue, Payette, has submitted a preliminary plat application for Two Rivers Estates Subdivision No. 2. The property is located within the SE1/4SW1/4 of Section 26, Township 9 North, Range 5 West, Boise Meridian, Payette, Idaho.

Stan Clements, 994 Ash Lane, Payette, explained that basically what they are doing is moving towards Phase II of their project. This includes 24 lots directly behind Phase 1, going south. We would hope to do some construction yet this year, and hopefully have it ready to go and sell lots in the spring.

Councilor Williams asked Mr. Clements how many of the first 11 lots have been sold? Clements replied 9. Councilor Williams stated that he had noticed somewhere in the notes that the engineer had suggested to put the drainage lot into Phase II, and it looks like that has been done. Mr. Clements stated that they have changed the way they are going to do the bioswells. We found out two things; they are quite expensive, and you give up a lot of land when you do it. Also, no one knows how long they will work. It is cheaper to keep the sidewalk next to the curb. They will use the additional lot as a park or common area.

Councilor Hanigan stated it looks like the homework has been done on this project.

No other comments were heard.

Sharon Carrell of 1115 1st Ave S., W 40' of Lot 8 & E 35' of Lot 9 in Block 16 of WF Masters plat, Payette, has applied for a variance to Payette Municipal Code section 17.24.040 (e) Accessory Buildings, to construct a pole barn for vehicle storage.

City Clerk Cordova stated she could answer any questions regarding this issue. She spoke to Mrs. Carrell today. Chief Sands noted that the property site is 60 x 125. The building will be 24 x 36.

Cordova explained that this is one of the last requests to come before the Council as the ordinance had recently changed to allow accessory buildings to be approved through Conditional Use Permit. However, Mrs. Carrell's application was originally submitted as a variance request during the ordinance change. Rather than have her resubmit an application for a conditional use, we advanced the variance. The Planning & Zoning Commission saw no problems with this application and recommended approval by the Council.

Hearing no other comments, City Attorney Osborn closed the public hearing. Mayor Henderson recessed the Council.