

MINTUES
PAYETTE PLANNING & ZONING
Public Hearing & Regular Meeting
February 26, 2015

6:01 PM – Regular Meeting

- I. ROLL CALL: Jim Franklin, Randy Choate, Gary Youngberg, Jody Henderson, Cassandra McElravy and Kevin Hanigan
Members Absent: None.
Staff Present: Mary Cordova, City Coordinator; Tiffany Howell, P & Z Administrator

II. APPROVAL OF MINUTES

A. 01-22-2015 Regular Meeting Minutes

A motion was made by Franklin and seconded by Hanigan to approve the regular meeting minutes 01-22-2015.

After a unanimous voice vote by the Commission, the motion CARRIED.

III. COMMUNICATIONS

The Commission was informed that after 12 years of service, Commissioner Ladley had resigned from the P & Z Commission.

IV. PUBLIC HEARINGS

- A. An application by Gary Youngberg for a Conditional Use Permit to allow the placement of a 40' and 20' permanent shipping container at 1720 7th Avenue North, North Payette Tax 1 of Blk 45 Less Rd R/W SEC 27-9-5. The property is zoned C-Commercial.

Commissioner Youngberg recused himself from the meeting during the public hearing on his personal request.

Gary Youngberg – 1720 7th Ave No –

Mr. Youngberg stated that he would like to set a container unit on his property. I don't really want to improve my parent's property, so I would rather do this. I have some loose pipe on the property that I would like to clean up. In city code there is one paragraph that basically states no, you cannot have them, but only for construction periods. Mr. Youngberg states that the current code can be read two different ways. Commissioner Franklin asked if these are permanent. Mr. Youngberg stated yes, if he ever leaves he would like to take it with him. Mr. Youngberg stated that for tonight's benefit he would like to postpone it to the next meeting so we can revisit the current code. This just seems like a good idea for commercial property.

- B. An application by George Vincent for a Conditional Use Permit to build a 10'x200' and a 20'x180' self-storage unit at 1540 7th Ave No, Blks 14 & 15, Tioga Addn. The property is zoned C-Commercial.

George Vincent – 644 Lilac St; Fruitland, Idaho 83619

Mr. Vincent stated that he will be removing trees and will be putting two new buildings on the property. Mr. Vincent stated that the current plan will have to be modified as he was just informed by Ms. Cordova that there is a water line that feeds the hydrant that runs to the State of Idaho building. He stated that this is just his first phase; he will have a second phase at a later time. Commissioner Franklin asked if there will be plumbing to the units. Mr. Vincent stated no. Commissioner Franklin asked if it would be ok if we put a stipulation on the property for no plumbing. Mr. Vincent stated that would be fine.

- C. An application by Ed & Vicky Houdek for a Conditional Use Permit to allow a childcare group in home daycare at 722 No 6th St, Blk 89 Riverside Plat. The property is zoned C-2 Commercial.

Ed Houdek – 9619 Chapparel Rd; Eagle, Idaho

Mr. Houdek stated that a couple of years ago he opened a daycare by Burger King. His current plan is to move it from the current location to a new address on North 6th Street. Commissioner Franklin asked how many kids they have. Mr. Houdek stated they are licensed for 12 kids, but currently have 10. Commissioner McElravy asked if they would be living there. Mr. Houdek stated no, but one night a week his wife will spend the night since she does have a long drive back to Eagle where they live.

- D. An application by Wayne Irvin for a Variance to the setback requirements, off street loading zone requirements and off street parking requirements at 200 N. Main St., Gorrie Addition, Block 7, Lots 1 & 2. The property is zoned C-1 Commercial Downtown.

Wayne Irvin – 1267 NE 10th Ave; Payette, Idaho

Mr. Irvin stated that they have been working on this for 3 years and ran into a lot of snags, so they tore the building down and are now starting over. Mr. Irvin stated that he would like to construct a new building downtown at the site of the old Goodman Oil building. We will have our loading zone on the side of the property and shouldn't be a problem with visibility or the sight triangle. Commissioner Franklin asked what he is not doing to code. Cordova stated that we were trying to help the process move along and put extra variance items he may need, so right now we are talking about the off street parking and the loading zone requirements. Cordova stated that existing buildings we do have challenges for off street parking, but this is a new building and they do have room for off street parking. However, they do not want to use the off street parking right now but want to use it to enhance their property. Mr. Irvin stated that his idea was to have employees park back there, but there is a vinyl fence behind the business and we would rather not have people back there in case one of them does back into the fence. Commissioner Youngberg asked what the size the building would be. Mr. Irvin stated that it would be 26'x39'. Instead of having one stall in the bathrooms, we added two so it would cover the occupancy load. Commissioner Youngberg asked if the design is still the same. Mr. Irvin stated yes, we have enhanced a few of the features for phase two. Commissioner Franklin asked what the on street parking would be. Mr. Irvin stated that he would put 4 employee parking spaces in the back and the rest would be on street parking for customers. On 2nd Ave South they would like to use that for off loading zone.

- E. Changing chapter 17.32 to allow residential use in a Commercial Zone.

Cordova stated that this is just the public hearing on the change to the zoning ordinance to allow for a residential use in a commercial zone without getting a conditional use permit as long as the lapse has not exceed 90 days.

No one else commented.

Public Hearing Closed at 6:31pm.

V. OLD BUSINESS

None heard.

VI. NEW BUSINESS

A. Railroad Boxcars/Motor Vehicles Cargo Containers

Cordova stated that the City Council wants to get an opinion from the Planning & Zoning on whether we want to have these in town for construction purposes. Clerk Cordova stated that we could restrict it to be commercial. We actually denied WICAP when they wanted to put one on their property, but we approved one for Hanigan's, so there is a lot of debate on whether we want to do this or not. Commissioner Franklin asked if we have looked at what other cities codes to see what they are doing. Cordova stated that we are different from other cities, we are our own and once we put one of these on the property is it not taxable, but if they build a building we can tax it. Commissioner Franklin stated that he would like to see what other cities are doing. Cordova stated that we have looked at other cities codes and some allow it with lots of restrictions and some don't.

A motion was made by Hanigan and seconded by Henderson to postpone this item to the next regular meeting.

After a unanimous voice vote by the Commission with Commissioner Youngberg recusing himself from the vote, the motion CARRIED.

B. Gary Youngberg – CUP – 1720 7th Ave No

Commissioner Youngberg recused himself from any discussion on this subject.

A motion was made by Franklin and seconded by Hanigan to defer Mr. Youngberg's request to the next meeting.

After a unanimous voice vote by the Commission, with Youngberg abstaining from the vote, the motion CARRIED.

C. George Vincent – CUP – 1540 7th Ave No -

A motion was made by Hanigan and seconded by Henderson to approve the CUP by George Vincent at 1540 7th Avenue North with the following stipulations: structures shall be used exclusively now, and in the future, as storage buildings; structures shall not exceed 2,000 square feet and 3,600 square feet; structures shall not be used at any time for any residential purpose; structures must be in compliance with all

applicable setbacks; all federal, state or local rules and regulations must be met.

After a unanimous voice vote by the Commission, the motion CARRIED.

D. Ed & Vicky Houdek – CUP – 722 No 6th St

A motion was made by Franklin and seconded by Hanigan to approve the CUP for Ed & Vicky Houdek to operate a daycare at 722 North 6th Street with the following stipulations: Hours of operation to be 6:30am to 6:30pm; All federal, state or local rules and regulations must be met; permit can be revisited upon complaints

After a unanimous voice vote by the Commission, the motion CARRIED.

E. Wayne Irvin – Variance – 200 North Main Street

A motion was made by Franklin and seconded by Henderson to send a favorable recommendation to city council for Wayne Irvin for a variance to off street loading and off street parking requirements at 200 North Main Street.

After a unanimous voice vote by the Commission, the motion CARRIED.

F. Changing 17.32 to allow residential use in a Commercial Zone

A motion was made by Franklin and seconded by Hanigan to send a favorable recommendation to the City Council to change PMC 17.32 to allow residential use in a commercial zone.

After a unanimous voice vote by the Commission, the motion CARRIED.

G. Non-Conforming Uses

Commissioner Hanigan recommended that this item be postponed to the next meeting in order for the Commission to read through the ordinance.

A motion was made by Hanigan and seconded by Henderson to postpone this item to the next regular meeting.

After a unanimous voice vote by the Commission, the motion CARRIED.

VII. PUBLIC COMMENT

None heard.

VIII. ADJOURNMENT

A motion was made by Franklin and seconded by Youngberg to adjourn the meeting at 7:22 p.m.

After a unanimous voice vote by the Commission, the motion CARRIED.

Recording Secretary
Tiffany Howell