

**MINTUES**  
**PAYETTE PLANNING & ZONING**  
**Public Hearing & Regular Meeting**  
**July 25, 2013**

**6:00 PM – Regular Meeting**

ROLL CALL: Randy Choate, Jim Franklin, Cassandra McElravy and Gary Youngberg  
Members Absent: Kevin Hanigan and Tom Ladley  
Staff Present: Bobbie Black, Deputy City Clerk

I. APPROVAL OF MINUTES

A. 06-27-2013 Regular Meeting Minutes

A motion was made by McElravy and seconded by Franklin to approve the regular meeting minutes 06-27-2013 as written.

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

II. COMMUNICATIONS – None heard

III. PUBLIC HEARINGS

A. An application by Edward & Vicky Houdek for a Conditional Use Permit to operate a child care center for up to 25 kids at 335 So 16<sup>th</sup> Street, Lot 2 of the Corrected Amended Plat of Lots 2 & 3, Payette Land & Improvement Company Subdivision, as per Plat in Book 6, Page 59, Plat Records. The property is zoned C-Commercial.

Edward Houdek, 1805 Ohara Street, Caldwell, addressed the Commission. He and his wife want to open a child care center for up to 25 kids. He is applying at the State for 12 kids right now and will expand in the future. They will put up a 6' chain link fence and will have 4,000 sq ft of grass. The Commission asked about the high traffic area being a problem and Mr. Houdek stated they have a plan to manage traffic for unloading the children directly in front of the building. Parents have to sign their kids in. They will enter the door and all gates will be locked. The hours of operation will be 6:00 am to 6:30 pm and the Commission stated that the application say 6:30 am. Mr. Houdek stated he would be fine with that. There are parking spaces directly in front of the building for their business.

No one else addressed the Commission.

Public Hearing closed at 6:11pm.

V. OLD BUSINESS

A. Gas & Oil Ordinance: Commissioner Franklin stated that he was on the development group and nothing has happened with that. Doesn't think there is anything else Planning & Zoning can do. With what the state has implemented there is not anything we can do. The City went to the County meeting and there were people that disagreed with the state and an attorney recommended a bigger

ordinance be drafted. Discussion followed about the gas & oil rig along Highway 52, and do we want that in our backyard. The Commission was told by the City Engineer that there wasn't anything we can do about zoning. The City's industrial zone is the worst place, due to the river. They need 3-5 acres to set up and there are not many places in Payette like that.

A motion was made by Franklin and seconded by Youngberg to recommend to City Council to review the gas & oil ordinance as drafted.

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

VI. NEW BUSINESS

- A. Edward & Vicky Houdek – 335 South 16<sup>th</sup> Street – Conditional Use Permit:  
Discussion followed if it was too close to the liquor store and was stated that this doesn't apply to this.

A motion was made by Franklin and seconded by McElravy to approve the conditional use permit to allow a child care center for up to 25 kids at 335 South 16<sup>th</sup> Street with the following stipulations:

- A. Hours of operation 6:30 am to 6:30 pm
- B. All State, Federal & City laws are met
- C. Permit can be revisited upon any complaints

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

- B. Dale & Roxanne Kudrna – 2435 Center Avenue – Conditional Use Permit Height Correction

A motion was made by Youngberg and seconded by McElravy to amend the original conditional use permit to allow a building height of 20'2".

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 6:25pm.

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