

**PAYETTE PLANNING & ZONING COMMISSION  
REGULAR MEETING  
September 27, 2012**

**6:00 PM –Planning & Zoning Meeting**

**ROLL CALL**

Members Present: Randy Choate, Larry Hogg, Jim Franklin, Cassandra McElravy, Kevin Hanigan, Gary Youngberg

Members Absent: Thomas Ladley

Staff Present: Mary Cordova and Tiffany Howell

**APPROVAL OF MINUTES**

A motion was made by Franklin and seconded by Hanigan to approve the regular meeting minutes 08-23-2012 as written.

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

**COMMUNICATIONS**

None Heard.

**PUBLIC HEARINGS**

The public hearing opened at 6:00pm.

**A. An application by RCG, Inc, PO Box 220, New Plymouth, ID, 83655 for a preliminary plat for Sunset Rim Subdivision. Property is located at 2292 7<sup>th</sup> Avenue North. The property is zoned B-Residential.**

Lance Warnick – 2422 12<sup>th</sup> Avenue #323; Nampa, Idaho

Mr. Warnick stated that RCG, Inc. is proposing to build approximately 32 houses. I have worked very closely with Mr. Goodman to get this project going. The plat that was provided puts a new road and cul-de-sacs. It is zoned for this specific use and that is why we are asking this. Mr. Warnick stated that a lot of the comments are commonly dealt with in construction and those are just a few of the details that need to be worked out. In regards to the engineers item 1 about sewer, there are currently some issues with the sewer up there as it is 7' higher. Extending this service to the edge of the property, I don't see it as being necessary, as we will need to build the road up. I don't think that considering the geographic constraints that it will benefit anyone. The configuration we have right now in stopping at the cul-de-sacs would be our preference. As far as the lines stopping at man-holes that is an issue we can work out. The fire hydrants, obviously we will provide whatever we need to, to comply. Also, we are at the end of the city limits, and if anyone needs services in the future they can pull that from Iowa. Item 3, I do realize that this is a high pressure zone. Commissioner Choate asked how much frontage there is on Iowa. Mr. Warnick stated about 200 foot. Mr. Warnick stated the street configuration is something we can work out. We will also make sure that the curb cuts will be take care of. Mr. Warnick stated that as far as the phase lines go, we can make that change. I understand the storm water and street lights are something that needs to happen, and like I said that is something we will do in the future. We obviously can work out the specific engineering details. Commissioner Choate stated that your main issues with the Engineers notes are the water lines ending at the cul-de-sac and the

width of the road on Iowa. Mr. Warnick stated yes, that is correct. If we need to provide an easement on the back of one of the cul-de-sacs, that is something we can sure talk about, but I don't see the point right now. Commissioner Choate asked if the property slopes to the north. Mr. Warnick stated it actually slopes to the northeast. Commissioner Choate asked if the sewer line will run to the end of the cul-de-sac. Mr. Warnick stated yes, and I think it is a waste of money to extend it out that far. If that is your desire, we can allow an opening for someone to hook in later. Commissioner Franklin stated that there are some issues with the cul-de-sac length and the phases. Mr. Warnick stated that what you have is a dead end road. Mr. Warnick stated that we do not exceed the length and the street would be built out at least for a truck to turn around. Commissioner McElravy asked about the widening of Iowa. Mr. Warnick stated that the northeast corner of the lot ties a lot of the utilities together and so that is a major obstacle. If you were to extend Iowa it would go right through there, and the other issue is why build a dead end line for water and sewer. Again, I don't think pulling sewer is a benefit, but that is my opinion. Commissioner McElravy stated that lot 9 is my issue. If they were to widen Iowa what would they do with that lot? Mr. Warnick stated that there is a pretty good separation of space, and I would estimate from curb line it is 10-15 feet back. As the road widens, it will not disturb that house at all. Commissioner Franklin stated there is not going to be access from the main road, but rather the inside roads of the subdivision. Mr. Warnick stated yes, we will be removing the curb cuts, and I do agree that is the right thing to do. We will also have a fence along the back of Iowa so that buffer will prohibit that as well. Commissioner Choate asked if the drainage will hold the water that may run through there. Mr. Warnick stated that he has not done all the calculations, but he will work with the city to comply with those regulations to make sure the water will be handled.

Sonja Ackerman – 255 Runway Court; Payette, Idaho

Mrs. Ackerman asked if there will be two entrances into the subdivision. Cordova stated yes, one from Iowa and one from 7<sup>th</sup> Avenue North. Mrs. Ackerman stated that intersection is very busy and we already have a subdivision out there that has unsold lots.

Rose Jensen – 10075 Iowa Avenue; Payette, Idaho

Mrs. Jensen stated that before this projects starts, she would like to see the gopher problem taken care of. She also stated that when this road is put in from Iowa down and when it does start raining we will get flooded out and it does get a lot of water.

Lance Warnick – 2422 12<sup>th</sup> Avenue #323; Nampa

Mr. Warnick stated that there will be two entrances and both Iowa and 7<sup>th</sup> Avenue North are busy and that is why we are creating new roads. Obviously Mr. Goodwin wants to be a good neighbor and he would like this to be approved with some direction back to us.

**B. An application by RCG, Inc for a Variance Application to reduce the front setback to 20' from the property line and 45' from street, and side setback to 6' for proposed new residential subdivision located at 2292 7<sup>th</sup> Avenue North. Said parcel containing 8.151 acres (355,043 sq ft), more or less. The property is zoned B-Residential.**

Lance Warnick – 2422 12<sup>th</sup> Avenue #323; Nampa, Idaho

Mr. Warnick stated that they are here tonight to ask for approval on some setbacks. We are asking for a side yard setback so we can align with the utility easements. We understand the issues that arose from the engineer, but we would like to see the front setback approved. City streets are measured from the center of the road and the property. The main reason is to have some setback and not have the road built right on the edge of the asphalt. What happens when you get into a subdivision it pushes the house back on these already tiny lots, and reduces a back yards. We have some good topography on this property and we would like you to work with us on this and provide us with this setback. Essentially the garage would start 20 feet from the right of way. Commissioner Franklin asked what happens if we approve it for 25 feet setback. Mr. Warnick stated that pushing it back would essentially make that more expensive. Commissioner Franklin stated that we have recommendation to keep the 25' setback due to parking issues. Mr. Warnick stated that even if they did have the 25' people would still park on the street. It is in line with what many other jurisdictions do. Commissioner Hogg asked if the setback is the main problem and is it a hardship due to finances. Mr. Warnick stated that the hardship is the topography and would like you to take that into account. Mr. Warnick stated that the closer you push properties together the less elevation room you have to transition between properties. Commissioner Hogg stated that the hardship then is the lay of the land. Mr. Warnick stated yes. Commissioner Choate stated that he sees lot 15 as being the biggest problem. Mr. Warnick stated yes. Commissioner Youngberg asked if we measure back yard to back yard what it will do if we push them closer together. Mr. Warnick stated it will make them much steeper.

**C. An application by Conrad Tester for a Conditional Use Permit to operate a carpet cleaning business. Property is located at 2015 Wayne Drive. The property is zoned A-Residential.**

Conrad Tester – 2015 Wayne Drive; Payette, Idaho

Mr. Tester stated that he wants approval to operate a carpet cleaning business out of his home. The vehicle will parked down below of the property and he currently has a full time job, so this would be a side job. Commissioner Choate asked if this will all be parked off of the city street. Mr. Tester stated yes. Commissioner Hogg asked what business activity will be taking place at the home. Mr. Tester stated a phone call here or there and maintains a few paperwork items. It will not create and noise or bring more people to the home.

**D. An application by Don Belvoir for a Conditional Use Permit to serve beer and wine. Property is located at 815 1<sup>st</sup> Avenue South. The property is zoned C-Commercial Downtown.**

Don Belvoir – 1207 7<sup>th</sup> Avenue North; Payette, Idaho

Mr. Belvoir stated that he is in the process of purchasing Patrick's Pub and would like to get permission to sell beer and wine. He has gone through the State and County to transfer all licenses.

Mary Mejia – 33 ½ South Main Street; Payette, Idaho

Ms. Mejia stated that she shares a common wall and is afraid of the noise that would come through. She wants some sort of sound barrier put in. The other issue is that the telephones through the property run through her building and any time they need to be maintained or

upgraded and they have to come into her building and she would like to see that changed. It is a bothersome thing to me and I would like to see that changed. Commissioner Hogg asked how often this happens. Ms. Mejia stated a couple of times since I have owned the building in 2007. It seems to me that it could be put on the common wall to not be so bothersome.

Don Belvoir – 1207 7<sup>th</sup> Avenue North; Payette, Idaho

Mr. Belvoir stated Ms. Mejia is complaining about the karaoke machine to the street side. The dance floor is right there and she moved there in 2007 and the bar was already in place. I don't know what we can do as far as sound. What it sounds to me like is that the previous owners should have taken care of it. Commissioner Franklin asked if he would consider putting up foam or soundproofing. Mr. Belvoir stated that he would consider, but starting up a business is expensive. Mr. Belvoir stated that it would be a shame to ruin the historical aspect of that building by removing the brick to fix a phone line and to be honest I have heard nothing of this before, this is the first time I have heard of this.

The Public Hearing closed at 6:56pm.

### **NEW BUSINESS**

#### **A. RCG, Inc – Preliminary Plat – 2292 7<sup>th</sup> Avenue; Payette, Idaho**

Commissioner Choate stated that he would like to recuse himself from the vote as he has business dealings with Mr. Goodwin. Commissioner McElravy stated that the only item that really bothers her is #5 about the widening of Iowa in the future.

A motion was made by Franklin and seconded by Hanigan to send a favorable recommendation to City Council subject to the Engineers recommendations.

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

#### **B. RCG, Inc – Variance Application – 2292 7<sup>th</sup> Avenue; Payette, Idaho**

A motion was made by Franklin and seconded by Hogg to send a favorable recommendation to City Council for a variance application of standard side yard setback, a 50' right of way for the streets and a 25' setback from the edge of the property.

At the roll call:

Ayes: Hogg, Franklin & Hanigan

Nays: Youngberg & McElravy

#### **C. Conrad Tester – Conditional Use Permit – 2015 Wayne Drive; Payette, Idaho**

A motion was made by Hanigan and seconded by Franklin to approve the Conditional Use Permit Application by Conrad Tester at

2015 Wayne Drive to operate a carpet cleaning business and that the permit can be re-visited upon complaints.

**D. Don Belvoir – Conditional Use Permit – 815 1<sup>st</sup> Avenue South; Payette, Idaho**

A motion was made by Hogg and seconded by Franklin to approve the Conditional Use Permit Application by Don Belvoir at 815 1<sup>st</sup> Avenue South to transfer the beer and wine license.

**OLD BUSINESS**

A. Gas & Oil Ordinance

Cordova stated that the Council has not reviewed the items yet. Item was moved to the next meeting.

**PUBLIC COMMENT**

None Heard.

**ADJOURNMENT**

A motion to adjourn was made by Choate and seconded by Franklin. The meeting was adjourned by a unanimous vote at 7:15pm.

Recording Secretary  
Tiffany Howell