

MINUTES
PAYETTE PLANNING & ZONING
Regular Meeting
October 22, 2015

6:00 PM – Regular Meeting

- I. ROLL CALL: Chairman Randy Choate, Jim Franklin, Jody Henderson, Nial Bradshaw, Gary Youngberg and Peggy Childers
Members Absent: Kevin Hanigan
Staff Present: Mary Cordova, Matea Gabiola

- II. APPROVAL OF MINUTES
A. 09-24-2015 Regular Meeting Minutes

A motion was made by Franklin and seconded by Henderson to approve the public hearing & regular meeting minutes 09-24-2015 as written.

The motion CARRIED.

- III. COMMUNICATIONS
None heard.

- IV. PUBLIC HEARING
A. An application by Juan & Sheryl Lopez for a zoning change to change the zoning from A-Residential to C-2 Commercial; Lots 1&2, BLK 3, Browns Addition. The property is zoned A-Residential - Juan Lopez- 934 3rd Ave. South, Payette addressed the Commission. Mr. Lopez stated he wants to build a warehouse in the empty lot behind Westside Market for the excess product of his store, as well as storage units around the building and rent them out in the future. Mr. Franklin asked Mr. Lopez if there will be any plumbing in the building. Mr. Lopez replied there will be a toilet facilities and that he ultimately wants an office space type room in the warehouse. Mr. Bradshaw asked if there was any retail space in the warehouse and if he will conduct retail from the warehouse. Mr. Lopez stated no, it is just for excess storage of goods. Mr. Bradshaw asked if he knew how big the warehouse was going to be. Mr. Lopez stated he wasn't sure how big the structure was going to be, but the contractor who will be building it for him is here tonight on his behalf. Mr. Choate stated on the application the building was going to be 44'x36'. Mr. Lopez stated after conferring with his contractor that is indeed the size of the building. Mr. Choate also asked if there will be storage units within the warehouse. Mr. Lopez stated that the actual size of the warehouse to be built will be big, so he wanted to take advantage of the space and put storage units around it. Mr. Franklin asked if they will have any parking for this lot. Mr. Lopez stated that there will be quite a bit of extra space after they build the warehouse. Mr. Franklin also asked if this will be the parking for the storage spaces that he is wanting to rent out. Mr. Lopez replied even with the warehouse there is enough room to drive and park because of the lot size. Mr. Choate stated per the picture in the packet that the storage units would be on the right side of the building. Ms. Henderson asked if this was going to be next to 7th Ave No. Mr. Bradshaw asked if the alley will remain accessible. Mr. Lopez said yes it will. Mr. Choate asked if the lot Westside Market is currently on is zoned Commercial, Mr. Lopez said yes he believes so. Mr. Choate asked Ms. Cordova if this application is just to deal with the zoning portion, and the storage units fall in if it's within proper setbacks. Ms. Cordova stated it could be part of a rezone and the local land use planning act enables the Planning & Zoning Commission to set parameters that could be spelled out in a development

agreement if it is going to be done for commercial purposes, which this building is going to be.

Steve King- Superior Painting & Construction- 2850 No. River Road, Payette addressed the Commission- Mr. King stated that he spoke with the City Building Inspector, Steve Pierson, prior to applying for the permit to rezone. Mr. King stated that earlier he heard if there was going to be plumbing in the building, there are already city services on that lot. Mr. King didn't know at one time there was a double wide that burnt down and it has been empty ever since, but the services are still there, all you have to do is hook up to it. Mr. Bradshaw asked what type of structure this building will be. Mr. King stated this will be pole barn style metal building with insulation. Mr. King stated the temperature will be regulated to above 40 degrees. Mr. King stated that currently he has the building plans with a licensed engineer, Rouge Richardson, in Nampa, ID. He also stated that in visiting with the City's Building Inspector, that as long as you follow engineered plans and setbacks that he doesn't foresee a problem. Mr. King stated that the City Building Inspector encouraged Mr. King to rezone this lot from A-Residential to C-2 Commercial. Mr. King informed the Commission that as it is now the semi's with product pull in on the left side of the building on the concrete parking area and in positioning the warehouse there it will give a direct access to store the excess product. Mr. Bradshaw asked how many storage units there was going to be. Mr. King stated they will be added in the future due to financial reasons, but there is enough room to put 4 10x12 units along the 7th Ave. North side of the building. Mr. Bradshaw asked if that would be the whole side of the building, Mr. King replied yes it will. Mr. Bradshaw asked what type of doors would be used for the storage units. Mr. King stated commercial grade steel rollup doors. Mr. Youngberg asked if there was to be any fencing around the building for security purposes, Mr. King stated at this time no. Mr. King stated that the storage unit idea is more down the road, because it is roughly \$800.00 per door, and the main idea right now is the warehouse. Mr. King stated that Mr. Lopez thought if he was investing all this money why not put the units on one side to use all of the space provided. Mr. King stated that our City Building Inspector stated that in having those units it could require separate license through the City. Ms. Cordova stated unless you want to set the parameters what the Commission has in front of them now is the storage building. Mr. Choate stated that what the Commission has before them right now is a change of zoning. Ms. Cordova added with commercial development of a storage building. Mr. Choate asked Ms. Cordova is this allowed in a C-2 Commercial Zone correct. Ms. Cordova stated as a part of a rezone you can enter into a development agreement on how it is going to happen. Mr. Bradshaw asked how high the building will be. Mr. King stated the restrictions state that the peak has to be no more than 24 feet, per Idaho Building Code.

- A. B. An application by Louis Oliver for a conditional use permit to allow 2-3 horses at 733 River St; BLK 65 of Riverside Plat W 211 of Tax 14. The property is zoned B-Residential- No one addressed the Commission.

Public hearing closed at 6:25pm.

V. AGENDA ITEMS

- A. Re- Zoning from A- Residential to C-2 Commercial – J. Lopez 653 North 7th St – Franklin stated with it being adjacent already to a Commercial property and with the location of the intersection that he believes this is a good idea. Ms. Henderson agrees. Mr. Bradshaw was concerned with the storage units not having doors on them at the moment leaves room to crime. Ms. Cordova stated there could be potential to enter into a development agreement. Mr. Youngberg stated if the Commission entered in to a development agreement what would the conditions be. Would it be talking about the facility that is being

constructed or the developing conditions upon the lot where it is being constructed, will it have to comply with landscaping ordinances, does it require curb, gutter and sidewalks. Ms. Cordova stated that she hasn't seen the site plan yet, but she believes that there isn't anything that is out of the ordinary. This is why she suggested the development agreement, due to hearing about the storage units. Mr. Choate stated if the Commission follows what is on the application, which states storage unit, any deviation from that would require some input. Ms. Henderson stated then the storage units would have to come before the Commission. Mr. Choate stated that they could still be there; they just have to go through all the various levels of building codes.

A motion was made by Henderson to recommend to the City Council to approve application from Juan & Sheryl Lopez for a zoning change of 653 North 7th Street from A- Residential to C-2 Commercial. Lots 1 & 2, BLK 3, Browns Addition. The motion was seconded by Franklin.

Ms. Cordova stated the Planning & Zoning Commission finds that the recommendation to the City Council is based upon the criteria found in the Comprehensive Plan because it conforms to promoting to build within the city and it is adjacent to an existing commercial zone.

The Motion CARRIED.

B. Louis Oliver- Conditional Use Permit- 733 River Street- Mr. Franklin asked is 2-3 horses too many animals for that size of property. Ms. Cordova pulled up this location on Google earth. Ms. Cordova stated on the application this property is only 1.07 acres. Mr. Choate stated that per code one horse can be maintained on a lot provided there is at least 21,000 square foot of fenced irrigated pasture, so as long as they have ½ an acre that is fenced they can have 1 horse, 2 cows, and 3 sheep, but Planning & Zoning may expand the number of animals. The Commission brought up the fact that they approved a Conditional Use Permit just recently involving horses/mules so approving this shouldn't be a problem.

A motion was made by Franklin to approve the Conditional Use Permit for Louis Oliver for 2-3 horses provided that there is at least ½ acre of fenced irrigated pasture on the lot at 733 River Street. The motion was seconded by Henderson.

The Motion CARRIED.

B. Impact Area Application for the CUP-11454 HWY 95, Car Storage/ Tow Yard- Mr. Franklin stated in reviewing this we are to send a favorable recommendation to the County Planning and Zoning. Ms. Cordova stated this goes to the county due it being a Conditional Use Permit within the County. Ms. Cordova showed the Planning & Zoning Commission the Comprehensive Impact Plan chart. Mr. Franklin stated his concerns for this type of business would be the cars and the type of mess they bring with them. Regarding this property Mr. Youngberg stated that 20 years down the road will we be ok with a junk yard in the city. Mr. Franklin stated it is typical along the Highway and is zoned Commercial, so this could be a good use for the property. Ms. Cordova stated the only problem with that is that in the Comprehensive Plan Map that area is zoned B- Residential, so they would have to make an amendment to the current map. Ms. Childers asked how someone could apply for the application if they don't not own the property. Mr. Franklin stated that because it in the City's impact area, that they should send a favorable recommendation provided they comply with city code regarding the

salvage cars. Mr. Youngberg stated that in the letter that Mr. Burley sent over states that he wants to store the cars within the barn. Mr. Choate stated if they comply with City Code regarding salvage cars and yard then they would send a favorable recommendation.

A motion was made by Franklin to send a favorable recommendation to the County Planning & Zoning provided they comply with the current City Code. The motion was seconded by Henderson.

The Motion CARRIED.

- C. Impact Fee Advisory Committee- Discussion of Annual Review- Mr. Choate understood that the Impact Fee Advisory Committee was to look at the potential for impact fees on an annual basis and report back to the City Council. Mr. Choate stated that because the Commission, they can't send any recommendations. Ms. Cordova stated this stems from the mayor and looking at the different ways to develop and promote businesses in the City. Ms. Cordova stated after reviewing state code on the Impact Fee Advisory Committee she found that the committee is supposed to send an annual report to the Council. The original Impact Fee Advisory Committee consisted of this body and two other people. State code does say that the Planning & Zoning Commission can act as the Impact Fee Advisory Committee as long as there are at least 2 people from real estate, development or building on the Commission itself. So this Commission can be part of the impact fee advisory committee, this is something that the Planning & Zoning Commission deals with. Ms. Cordova stated what the annual review consists of is the Capital Improvement Plan. Mr. Choate brought up there used to be a Planning & Zoning Sub-Committee that handled the impact fees. Ms. Henderson stated that this Sub-Committee happened around the development of the Two Rivers subdivision. Ms. Cordova stated in 2007 when the Council adopted the impact fees, and they came up with only streets, parks, fire and police. Then in 2007 they officially only adopted two which were the fire and police, then the great recession hit and they suspended the fees until 2011, then it came back in front of the Council. Ms. Cordova stated there will be an Impact Fee Advisory Committee meeting before the next Planning & Zoning meeting. Mr. Franklin asked if we are currently charging impact fees, Ms. Cordova stated yes just for Police and Fire.

VI. PUBLIC COMMENT
None heard

VII. ADJOURN

Meeting adjourned at 6.54 pm.

Matea Gabiola
Recording Secretary