

# City of McCall

## Planning and Zoning Commission

### Meeting Minutes

#### March 22, 2005

---

#### **Call to Order**

Chairman Bailey called the McCall Planning and Zoning Commission Meeting to order at 6:15 p.m. Commissioner Don Bailey, Commissioner Bob Youde, and Commissioner Phil Feinberg were present. Commissioner Jeff Schoedler arrived at 6:20 p.m.

City staff members present were Roger Millar, Community Development Director; Lindley Kirkpatrick, City Manager; and Dan Irwin, City Clerk.

Lindley Kirkpatrick, City Manager, introduced Roger Millar and Dan Irwin to the audience and P&Z Commissioners.

#### **Review and Approval of Minutes**

Chairman Bailey stated that there were no minutes prepared for approval.

#### **Old Business**

##### ***SUB-05-5 Lick Creek Meadows***

Chairman Bailey introduced the application and explained that the matter was being continued from a previous meeting.

Scott Findlay, applicant, stated that he had received the engineer's report yesterday. He said that the final plat will conform to the general comments issued in the report. He stated that the setback requirements will be marked on the final plat, the wetland areas will be protected, underground power lines will be installed, the bike path will be extended along the length of the property, and explained that the groundwater is currently being monitored for drainage needs. Mr. Findlay stated that the subdivision will be developed in two phases. He indicated that the engineering report included a comment to conduct a traffic study. Mr. Findlay stated that it is his understanding that Lick Creek Road is an arterial street and questioned the need for the study. He stated that the drainage management plan will be performed in conjunction with City requirements and he will coordinate snow removal with the City. Mr. Findlay stated that sewer service to the development will be provided by the Payette Lakes Recreational Water and Sewer District and the City of McCall will provide water service. He stated that an electronic copy of the water system and all construction drawings will be submitted to Holladay Engineering.

Commissioner Youde asked if Lick Creek Road was a County or City arterial street.

Mr. Findlay stated that he didn't know.

Mr. Millar said that the designation didn't have any affect on the application.

Steve Shuler, Resort Design Associates, presented the landscaping plan for the subdivision. He explained that the plan addresses the landscaping plans for the roadsides along both Spring Mountain Boulevard and Lick Creek Road. Mr. Shuler stated that berms of varying heights will be installed along the roadsides and the bike path will be extended along Lick Creek Road. He stated that the berms located along Spring Mountain Boulevard will be built on both the public right-of-way and subdivision property due to their height. He stated that grasses natural to the area will be planted and the existing fence will be removed.

Commissioner Feinberg asked about the heights of the berms.

Mr. Shuler said that the berms will vary between 3 feet and 7 feet in height. He stated that the goal is to achieve a 2.5 or 3 to 1 slope.

Commissioner Feinberg asked about the vegetation contained in the landscape plan.

Mr. Shuler explained that mix of tall and short grasses would be seeded in the area. He stated that a temporary irrigation system would be installed to ensure the seeds are germinated.

Commissioner Feinberg asked if any trees or shrubs would be planted along the subdivision.

Mr. Shuler stated that there were no plans to plant trees along the two roads as there are no plans for installing a permanent irrigation system.

Commissioner Feinberg asked if a discussion about installing a permanent irrigation system occurred.

Mr. Shuler stated that there was a brief discussion about installing a system but wasn't pursued since a part of the system would have to exist on the public right-of-way.

Chairman Bailey stated that he believes proper placement of the trees would allow the ability for them to establish even without a permanent irrigation system.

Chairman Bailey opened the public hearing at 6:45 p.m. Being no public testimony, the Chairman subsequently closed the public hearing thereafter.

Chairman Bailey stated that the Commission had received the staff report from Mr. Millar, a letter from Holladay Engineering, and letters from the public. He asked staff if any more correspondence had been received.

Mr. Millar stated that the applicant would have to submit a Scenic Route application to the City.

Chairman Bailey said that the Scenic Route application is an issue that will need to be addressed. He thanked the correspondence from the public that reminded the Commission of the matter.

Mr. Findlay stated that during the neighborhood meeting, the adjoining property owners voiced their opposition to planting trees since it would block their views.

Chairman Bailey presented a list of proposed conditions of approval for the application. He stated that some of the items contained in the list had already been addressed by the applicant. He said that he would like to see the bike path to be extended to the end of the Scott property, the developer to remove all existing fencing, prepare a landscaping plan, complete a wetland study prior to May 1<sup>st</sup>, remove all platted lot lines from the delineated wetland areas, increase the corner radii at the intersections, provide for a pedestrian crossing at the intersection of Spring Mountain Blvd. and Lick Creek Road, complete a traffic study, and redesign some of the lots for access from Cedar Lane and Timber Circle.

Chairman Bailey stated that Cedar Lane is public road but Timber Circle is private. He asked some members in the audience who live along Timber Circle if they would be open to the idea of allowing access to the lots from private road. They indicated that they wouldn't be supportive of the idea.

Chairman Bailey stated that other proposed conditions of approval include the developer to provide for street lighting, indicate on the plat that there will be no driveway access from Spring Mountain Blvd, demonstrate how the shared driveway will be constructed and delineated, develop a plan for snow storage and drainage, prepare the articles of incorporation and bylaws for the homeowners association, submit the missing information required for a preliminary plat, provide a scenic overlay plan, explain how the subdivision meets the requirements of the comprehensive plan, and explore the possibility of constructing a stub road with the Aspen Ridge developers for connectivity to both projects.

Commissioner Feinberg asked if there were any plans for the construction of an entry sign to the subdivision.

Mr. Findlay stated that he hadn't contemplated an entry sign yet.

Commissioner Feinberg stated that in addition to the conditions listed by Chairman Bailey, he would like the developer to prepare signage, expand upon the landscape

plan, and guarantee the quality of berming that will be constructed. He stated that he would like to see an irrigation system installed that would be maintained by the homeowners association.

Commissioner Schoedler stated that he would like to see the project better conform to the comprehensive plan. He stated that the comprehensive plan calls for open space, wildlife migration, and to retain the rural character of the City. He stated that the project doesn't meet the criteria.

Commissioner Youde said that the City of McCall is making a transition. He stated that the Commission needs to set standards for new developments and consider their affect on the community. He stated that he would the developer to respect the site, respect the ascetics of the property, and respect the neighbors of site. He said that the project will be economically viable to the community regardless of the density of the project. He wants to be convinced that the project respects the needs of the community. He stated that he supports the notion of the developer seeking permission to access the lots by the adjacent private road. He stated that problems are encountered with many projects regarding private streets.

Chairman Bailey stated that private streets present problems for the future and is opposed to all private streets. He would like the residents on Timber Circle to consider allowing the developer to use the street for access.

Commissioner Feinberg stated that he would like to see the bike path incorporated into the landscape plans. He suggested that the path be designed to complement the design of the berms. Commissioner Feinberg stated that the developer should create a standard of quality in the design of the subdivision. He would like see a consensus reached in the design of the project that the community, neighbors, and City government approve of.

Mr. Findlay stated that he is willing to extend the bike path to the Scott property if a right-of-way exists or if the Scott family gives him permission to do so. He said that the existing fencing will be removed from the property. He explained that the plans for the landscape design are currently being designed as requested. Mr. Findlay stated that the wetland study is being completed by Jim Fronk at Secesh Engineers. He explained that the wetlands will be delineated on the plat and building will not be able on the wetland areas.

Chairman Bailey stated that he wants the lot lines removed entirely from wetland areas contained on the plat. He stated that problems could be encountered in the building process if they are not removed from the plat.

Mr. Findlay stated that the lot lines can't be removed from the plat and still provide for the density he is seeking for the project. He cited the subdivision ordinance which states the Commission should encourage growth that provides housing to individuals of all economic categories. Mr. Findlay stated that houses in the subdivision will be placed

at market rate for affordability. He stated that he will not be able to make the project affordable to the common buyer if the proper density of the project doesn't exist. Mr. Findlay stated that McCall has enough \$400,000 homes for sale and is trying to make the project affordable to the average purchaser.

Commissioner Schoedler asked why Mr. Findlay didn't pursue the PUD process to achieve both goals.

Mr. Findlay stated that the neighbors of the property haven't supported the concept of higher density. He stated that in his annexation request he tried to achieve both goals by dedicating a portion of the development to affordable housing and was denied by the Commission.

Chairman Bailey stated that the PUD process would have allowed for flexibility in the project. He said that a request for general commercial zoning without the intention for commercial construction was against the spirit of the Code.

Commissioner Feinberg stated that the dues collected from the Homeowners Association to provide for an irrigation system wouldn't place a large financial burden on the homeowners.

Mr. Findlay stated that he doesn't want to install a permanent irrigation system because it would place an added financial burden on the homeowner which he wants to avoid. He stated that he is willing to plant trees along the roadside but believes the neighbors are opposed to the idea. He added that under the CC&R's each homeowner will be required to plant at least two trees. He asked if a traffic study is required under the City's subdivision ordinance.

Chairman Bailey deferred to Mr. Millar.

Mr. Millar stated that a traffic study isn't required under the City's subdivision ordinance. He stated that a traffic study would determine if additional onsite improvements need to be made.

Mr. Findlay stated that he would like to use Timber Circle to access the adjoining lots, but the neighbors seem unwilling to approve the request. He agreed to install lighting, provide screening from Spring Mountain Blvd, show how the shared driveway access would be constructed and delineated, provide a plan for snow storage and drainage plan, work in conjunction with Holladay Engineering, and prepare the articles of incorporation and bylaws for a homeowners association. He asked what items still needed to be submitted for the preliminary plat.

Mr. Millar stated that the drainage plan, setbacks requirements, wetland delineation, and watercourse design needed to be included for approval.

Mr. Findlay stated that he would work with staff and the neighbors to develop a scenic overlay plan and would write a narrative regarding how the project meets the Comprehensive Plan.

Chairman Bailey stated that the scenic overlay plan requires graphic material that represents the views that will be available after the project is complete. He suggested that Mr. Findlay provide graphic overlays for his presentation.

Commissioner Youde asked what amount of acreage was contained in the wetland areas.

Mr. Findlay stated that he would provide the data to the Commissioners when available. He stated that he understands the dilemma of the Commission but is unable to provide affordable housing by placing dwellings on five acre parcels.

Chairman Bailey stated that he would the applicant to work on the layout of the plat, define the wetlands, and requested that he remove the lot lines from the wetland areas.

Commissioner Feinberg stated that he would like the developer to expand upon the landscape plan, provide for permanent irrigation, add character to the design of the bike path, and provide plans for signage at the entry to the subdivision.

Chairman Bailey suggested that the public hearing be continued until Mr. Findlay is able to complete all of the requests by the Commission.

Mr. Findlay asked if the McCall subdivision ordinance requires lot lines to be removed from the wetland areas contained on the plat.

Chairman Bailey stated that the Code requires the protection of natural resources.

Commissioner Feinberg added that a wetland area is a natural resource and its protection would enhance the beauty of the project.

Mr. Findlay stated that he would prefer to address the landscape plan in the Scenic Route application.

Commissioner Schoedler stated that he would like to see the project designed to conform to the requirements of the Comprehensive Plan.

Mr. Findlay asked which takes precedence if a conflict exists between the Comprehensive Plan and the subdivision ordinance.

Chairman Bailey stated that the comprehensive plan guides future growth and is referenced throughout the code. He stated that that the Commission wants large developments to respect those references.

Mr. Findlay asked what shortcomings his project has in conforming to the comprehensive plan.

Chairman Bailey stated that the plan specifies the need of establishing open space. He stated that the only open space in Mr. Findlay's subdivision was contained on the roads and restriction of building in the wetland areas.

Mr. Findlay stated that he believes the proposed landscaping meets the needs of the comprehensive plan. He stated that he has met all of the conditions required under the subdivision ordinance and doesn't want to alter his plat and not provide for affordability. He stated that the subdivision ordinance lists the specific requirements that are to be met in the application, and the Commission is overstepping their bounds by making additional requests. He stated that he would like the Commission to make a decision to approve or deny the request at this time.

**Commissioner Schoedler moved to deny the application. Commissioner Youde seconded the motion.**

Commissioner Feinberg stated that he wasn't comfortable denying the request at this time. He stated that the requirements being placed on the applicant are reasonable and believes Mr. Findley will be willing to work with the Commission's recommendations.

**Commissioner Schoedler withdrew the motion from consideration.**

**Commissioner Youde moved to continue the public hearing to the first meeting in May. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.**

A break was taken from 8:00 p.m. to 8:07 p.m.

### ***SUB-05-6 Aspen Ridge Phase III***

Dan Fulkerson, 805 Valley View, presented a new preliminary plat for the subdivision. He explained that the new plat includes an additional road for emergency access, 60 feet right-of-ways, and a correction to the problem with the bike path and driveway issue that was previously mentioned by the Commission.

Chairman Bailey asked about the wetland areas located on the east of the property.

Mr. Fulkerson stated that the wetland areas have been delineated per Maxim's study. He said that that the group had just received the engineering report from Holladay Engineering. He stated that all streets will be built to city standards, and they are willing to designate them either as public or private. He stated that he doesn't understand the problem with the contour of the road since all grading is below six percent. Mr. Fulkerson questioned the need for the traffic study but indicated that the group is willing to perform whatever is necessary. He stated that the drainage plans are in draft form

and that test holes have been drilled to monitor for water intrusion into the sub-foundations.

Mr. Bailey recommended that the developer provide purchasers with a letter of caution about the possibility of water intrusion.

Mr. Fulkerson stated that an emergency outlet access has been established on the plat. He stated that they are willing to comply with condition number eight of the engineers report when they are issued a will serve letter. He stated that the issuance of the will serve letter will dictate the improvements that can be made.

Chairman Bailey stated that the subdivision application refers to various sections. He stated that he was unfamiliar with the references and asked for clarification.

Mr. Fulkerson stated that he would research the matter.

Chairman Bailey stated that he would like the developer to provide a supplement to the CC&R's before the final plat is presented.

Chairman Bailey presented a list of proposed conditions of approval for the subdivision application. The list included a requirement of a landscaping plan, street access from the eastern portion of the subdivision to provide for connectivity to Lick Creek Meadows, realign the residential units located on the north boundary to increase variability in design, submit the architectural plans for the community center, address the questions raised by Holladay Engineering, provide for overflow parking for guests and recreational equipment, and complete the extension of the bike path along Lick Creek Road.

Commissioner Feinberg added that he would like to see berming and the angulation of the bike path along the frontage of the subdivision.

Mr. Fulkerson stated that the group is willing to incorporate the design of the bike path into the landscape plan.

Mr. Millar suggests that the Bike Committee be involved in the discussion of designing the bike path along the property. He stated that many groups in other areas have been opposed to meandering paths.

Chairman Bailey asked who would be responsible for maintaining the wetland area on the Scott property.

Mr. Fulkerson stated that the issue resulted from the redesign of Spring Mountain Boulevard. He stated that he doesn't think the maintenance should be the responsibility of FMW.

Chairman Bailey opened the public hearing at 8:40. Being no public comment, the Chairman subsequently closed the public hearing thereafter.

**Chairman Bailey moved to approve the preliminary plat application subject to the conditions of approval including a landscaping plan that incorporates the bike path.**

Mr. Fulkerson asked who would be responsible for the maintenance of the bike path if it is placed behind the berms.

Commissioner Feinberg requested that the developer make arrangements with City Staff in the design.

Chairman Bailey requested that the developer provide a final design of the landscape plan before final approval.

**Commissioner Youde seconded the motion. All members voted aye. The motion carried.**

### ***SR-05-2 Ronald Coil Scenic Route Application***

Mike Longmire stated that he was presenting the Scenic Route application on behalf of Ronald Coil. He stated that the application was for a request to add a dormer and small deck to the property. He provided the Commission with a picture of what the proposed project would look like after completion.

Mr. Millar provided digital photos of the current property.

Mr. Bailey suggested that Mr. Coil consider installing a composition roof. Commissioner Schoedler concurred that the material would be more practical.

Mr. Millar stated that no public comment was received in regards to the project. He stated that staff would like to know Mr. Coil intends to do with the trees. He stated that staff recommends that they not be removed.

Mr. Longmire stated that he Mr. Coil doesn't plan on removing any vegetation.

**Commissioner Feinberg moved to approve the application and recommend that a composition roof be installed and the vegetation left intact. Commissioner Youde seconded the motion. All members voted aye.**

### **New Business**

### ***SUB-05-11 Wildwood Condominiums Amended Final Plat***

Mike Robnett explained that he and his brother had purchased the Wildwood Condominiums two years ago. He stated that before making the purchase, the City had informed him that the PUD and final plat for the development were approved in 1973

and the project was ready for development. He stated that after purchasing the project it was discovered that Code changes necessitated the need to amend the plat design and move the placement of the buildings. He stated that three of the closings scheduled for the project were cancelled due to the lack of a final plat.

Mr. Millar informed the Commission that the project has already been constructed. He stated that a cul-de-sac was installed instead of designing 3 hammerheads. He stated that the final plat needs to be amended since the location of the buildings had to be altered because of the new requirements. He stated that the Fire District, Holladay Engineering and County Surveyor have all provided favorable recommendations for approving the amendment to the final plat. Mr. Millar stated that the City recommends approving the amendment without conducting a public hearing since the public comment period was already conducted in 1973.

Mr. Robnett stated that the project borders the cemetery, school, and Camp Pinewood and doesn't have many neighbors.

Mr. Millar stated that the City doesn't have a specific process for amending a final plat but he plans on making a recommendation to the City Council to adopt such.

The Commissioners agreed that a public hearing was not necessary.

**Chairman Bailey moved to approve the amended final plat. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.**

### **Other**

Chairman Bailey stated that the Bike Committee prepared a letter which they would like for him to submit to the City Council on behalf of the P&Z Commission in support of the bike path master plan. He gave the letter to all members to review. The members agreed that the Chairman should sign and submit the letter.

Chairman Bailey presented the members with a draft copy of the design guidelines.

Commissioner Feinberg asked if Mr. Kirkpatrick or Chairman Bailey had received any interest in the open seat on the Commission. Chairman Bailey stated that he had talked with several individuals but they haven't submitted a letter of interest or resume to the City. He encouraged all the members to actively recruit members for the position.

### **Adjournment**

As there was no further discussion, Chairman Bailey adjourned the meeting at 9:03 p.m.

---

Don Bailey  
Planning and Zoning Commission Chairman

**ATTEST:**

---

Dan Irwin  
City Clerk