

City of McCall

Planning and Zoning Commission

Meeting Minutes
May 3, 2005

Call to Order

Chairman Bailey called the McCall Planning and Zoning Commission Meeting to order at 7:00 PM. Commissioner Don Bailey, Commissioner Bob Youde, Commissioner Phil Feinberg and Commissioner Jeff Schoedler were present.

City staff member present was Roger Millar, Community Development Director and Joanne York, Administrative Assistant.

Review and Approval of Minutes

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

Mr. Millar spent a few minutes explaining the pre-session concept. Pre-sessions are for the purpose of general information sharing only; and remarks by the Commission or City staff cannot and should not be relied upon as decisions, pre-decisional approval, or disapproval, or any other binding official action. Pre-sessions are not part of the decision making process or decision record. This informal discussion will be held from 6 PM to 7 PM before the formal Planning and Zoning Commission meeting convenes. This opportunity is open to anyone. The first session was held tonight with the owners of the Hotel McCall.

Chairman Bailey stated there is still one vacancy on the Planning & Zoning Commission.

Old Business

SUB05-5 Lick Creek Meadows

Mr. Millar introduced the application which was being continued from a previous meeting. The applicant is Scott Findlay, for J. B. Scott. The application is for preliminary plat approval for a subdivision containing 146 residential lots on 57.22 acres, located on the south side of Lick Creek Road, near the intersection with Pilgrim Cove Road. This is a Public Hearing.

The applicant has responded to requests made by the Commission, and Code issues have been addressed. The area will have City water and Payette Lakes Sewer connections, and the roads will be public roads.

The staff recommends approval with conditions provided.

Chairman Bailey stated that one of the conditions to be met on page 2 - 2.2, concerns power poles on the south side of Lick Creek, and requested that the applicant remove all those poles.

Mr. Millar stated that he would make sure we're specific about that.

Jim Fronk, representing the applicant, discussed the landscape plan and the open space. He agreed with the staff's recommended conditions but he had some questions.

The revised landscape plan shows a berm on the south side of Lick Creek and on both sides of Spring Mountain Blvd. The landscape plan includes trees and shrubs to act as a screen. All disturbed areas will be reseeded. The project will include all the basic elements as shown before, along with vegetation and an entry sign. A plant list of suggested material will be submitted along with the final plans.

Chairman Bailey asked if the one entry sign will be located off of Lick Creek. Mr. Fronk stated that is what's proposed for now.

Commissioner Schoedler asked about a separate sign from Spring Mountain. Mr. Fronk said that had not yet come up in the discussion, but he is willing to work with staff to come up with something tasteful.

Major changes for the site plan include 4.5 acres of open space and wetland mitigation, and to preserve the open space with natural meadows. There is storm flow management and we can have strong water features. The design will be low key and will include benches, etc. It will be adjacent to the bike path.

Discussion followed concerning neighborhood parks, connecting the bike path and using Lot 146 for an easement. Chairman Bailey stated that the connector can go in either east or south. Mr. Fronk stated he will work with staff on these points.

Mr. Fronk expressed concern that there is a need to ensure long-term budget for maintenance and the City Parks budget must include the proper amounts of money.

Mr. Fronk stated that part of the mitigation of wetlands impacted by roads was not the applicant's responsibility – We'd like to work with staff; there needs to be some shared mitigation. How will we be compensated for it?

Mr. Millar stated there will be a meeting this week with the Aspen Ridge and Lick Creek Meadows development teams concerning this. Chairman Bailey stated the road connectivity should be included in the meeting.

Condition #20 – Lots 15 and 24 – distance from wetlands. Mr. Fronk stated that during 404 permit application, we may try to remove that provision.

Commissioner Feinberg asked about the grass mix, trees and bushes. Mr. Fronk stated that the mix would include evergreens, aspens, and dogwood.

Chairman Bailey asked if the issue of the bike path has been squared away. Mr. Fronk stated that yes, it had been.

Chairman Bailey asked if there was any public discussion.

Jim Staup, neighbor, asked if Lots 32 – 35 would be accessed by Lick Creek Road? Mr. Millar replied that no lots will be accessed from Spring Mountain Boulevard or Lick Creek Road.

Ms. Tracy, neighbor, asked if any of the lots on the west boundary from Lick Creek are for duplexes. Mr. Millar replied yes, but the applicant would have to request conditional use permits, and that there will be more opportunity for public input.

Chairman Bailey stated that this will be conditional use if the lot is big enough, and that the approval of duplexes is a separate action.

Chairman Bailey closed the public hearing.

Chairman Bailey asked if there were any other issues. Commissioner Feinberg stated that they need to work with staff concerning the southern entrance.

Chairman Bailey asked if there were any comment.

Commissioner Feinberg asked Mr. Millar about how it works to include part benches, etc. Mr. Millar replied that we will be working with the applicant. The decision to accept these as public parks is being discussed. The Scenic Route hearing will be a separate hearing.

Chairman Bailey stated we should discuss the other drawings.

The applicant presented an exhibit showing the Scenic Route Right-of-Way. Chairman Bailey stated that the letter to the paper stating that the Scenic Route provisions prohibit construction within 150' of the Right-of-Way is incorrect. The provision permits the Commission and the Council to review and approve any construction in that space; it does not prohibit buildings.

A simulation was presented to show what Lick Creek Road will look like after the project is completed. An explanation followed to describe the simulation.

Mr. Millar stated that one of the conditions for Scenic Route application is that the lots fronting Lick Creek will be limited to one-story buildings, as well as the required set back. He also stated that the same conditions apply to the approvals of both the plat and the SR application.

Chairman Bailey asked about a question from a previous meeting concerning the fence from the project to the Scott property. The applicant stated that Mr. Scott was not interested in that at this time.

Commissioner Feinberg mentioned the use of directional signs to the Park in town, and, if without similar signs, people out here will go out the old way and won't know they can go back past the school and Deinhard, the purpose being to keep traffic out of the downtown area.

Mr. Millar replied that they are working with Ponderosa State Park and the City to arrange for signs and that this should not be the applicant's responsibility.

Chairman Bailey moved to approve the application for SUB-05-5 and SR-05-4, with conditions as prepared by staff and amended at the hearing - that the utility poles on the south side of Lick Creek are to be removed and that an entry sign will be placed at the southern entrance. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

Chairman Bailey moved to approve SR-05-4 with conditions. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

PUD-05-2 and SUB-05-4 Greystone Village.

Mr. Millar introduced the application, stated this is a general plat approval for a 58 unit subdivision on 11.97 acres, north of Hemlock Street, east of McCall Avenue and west of Davis Street. This is a Public Hearing.

Mr. Millar stated there are two options concerning how to line the development up on Roosevelt Street on the south side of Hemlock: 1) go straight north of Hemlock with a public Right-of-Way, two lanes wide, with 6' asphalt walkway; or, 2) offset the road 150' or so. The Staff looked at both options and decided that: 1) Option 1 gives a better continuity for bicycle and vehicular traffic but impacts trees in the right-of-way; and, 2) Option 2 would preserve the trees, but is a more dangerous intersection configuration and is not a direct route for pedestrians and vehicles. The Staff recommends Option 1.

Chairman Bailey asked if there were draft conditions to this effect. Mr. Millar replied that the conditions are contained in the staff report. He has shared this with applicant.

Mr. Dean Driggs, of Driggs Engineering, representing the applicant, stated that they are working to solve the issues and will make additional changes in discussions with staff and adjacent property owners.

Chairman Bailey asked if Mr. Driggs had any preference concerning the options. Mr. Briggs replied that no, either one will work.

Concerning ability the access easement going east into the URA property, the developer agreed to give emergency access as long as it's used for affordable housing and for emergency access only. Chairman Bailey stated that emergency is fine, but he wasn't sure about residential. He asked if there was any problem calling that emergency. Mr. Millar stated that the Urban Renewal Agency asked for the easement, but not necessarily for emergency use. Chairman Bailey requested that Urban Renewal be involved in the development agreement on that specific point so that the language is clear.

Concerning landscaping on the west side, will there be a berm where the old railroad was, and how to soften the appearance of that? Landscaping of the berm will be done on the west property line.

Commissioner Feinberg questioned the positioning of units. Mr. Millar stated they have done some adjustment of the placement of units and sidewalks, and more can be shown in the final plat.

Chairman Bailey asked if the developer intended to build the buildings in the plan. The developer replied yes, all of them.

Chairman Bailey asked if these units will be part of the Homeowners Association. Reply was yes.

Chairman Bailey asked if there were any other questions. The developer wanted to address the landscaping issue, stating that the landscaping will change the look of the buildings. His intent is to knit back together the forested area around the buildings so that neighbors will not be looking straight on at other neighbors. He'll be using large boulders and big trees to make it appear as a hidden area. The perimeters will be treed.

Chairman Bailey asked if he had prepared any other drawings. The developer answered that the only prepared drawings were the ones he had provided the Commission. He also noted that the homes will have one car garages.

Commissioner Youde asked about a final landscape plan. Mr. Millar replied that it will be submitted along with the final plat.

Chairman Bailey asked if there were 52 planned units. Mr. Millar stated yes, in the latest version.

Chairman Bailey asked the developer if he recalled a discussion from their first or second meeting regarding providing affordable community housing at Greystone on Payette and at that time you said no. What are your findings now? The developer replied that we all need to come together to plan for affordable housing, but this project won't lend itself to that. Chairman Bailey asked – "without City law behind me" – is that possible to consider between now and the final plat? It's more constructive if it's a voluntary project. Because of where this housing is located and the need for affordable housing, this would be a good place for it. Chairman Bailey asked the developer to look at costs and see if it's feasible. It might be doable with this many units since you have control of the entire multi-family units.

Discussion followed concerning the need for affordable housing.

Chairman Bailey asked if there were any further questions. He stated that our preference would be for the design where Roosevelt Street continues.

Chairman Bailey stated that the Public Hearing was open for anyone wanting to speak in favor of the development. There was no response. He asked if anyone wanted to speak in opposition of the development.

President of the Aspen Homeowners Association stated that he appreciated the changes made in the project. He stated that the Roosevelt Avenue/McCall Avenue option would allow more space between the condo property and Roosevelt if Units 21 and 22 of the project were eliminated, or he would like to see very heavy landscaping along the property line and berms. Discussion followed.

Chairman Bailey stated there seems to be plenty of land – 65' – between the street and the property line.

Bob Maynard, Aspen condo owner and also on the Aspen Homeowners Association Board, stated that further refinement will benefit both the PUD and the bike path. He wanted clarification of the distance of the street from our property, stating that Mr. Millar said 65', but according to the map scale it appears to be closer to 50'. He would like to eliminate 2 units, still leaving 1 more unit than the original 49 planned. He stated he appreciated the revisions for greater buffer, drainage, wildlife corridor, and stated that they will remain attentive to the project plans.

Gary Edson, neighbor, stated that their group of concerned Mill Park neighbors included himself and 20 other lot owners, 5 of whom had written letters to Mr. Millar. He stated their concerns include the traffic flow from 58 units going onto McCall Avenue, with no turn around areas, not enough room for emergency vehicles, and no overflow parking. He is also concerned about snow removal, with room for only straight shovel pickup and no place to store snow except on private yards, it appears that snow will end up on heavily landscaped berms.

Chairman Bailey questioned that most traffic would go south. Mr. Edson replied that the heaviest concentration of units is at the far end of the subdivision with the Davis Street access eliminated.

Chairman Bailey stated that McCall Avenue has a 60' right-of-way and is not narrow.

Mr. Edson stated there are 52 units with no parking and cars will end up on McCall Avenue. He is concerned, that if the proposal for street snow storage is submitted with the final plat application, it will be too late for concerned homeowners and past the point for discussion.

Chairman Bailey stated that all those things have to be accomplished before the final plat. Mr. Edson stated that his concern is if it's a design issue, we need to deal with it now. Chairman Bailey said the developer will have to respond to your concerns.

Rich Tony, President of the Ashbrook Condominium Homeowners Association, stated his concern is that they have enjoyed the use of the public right-of-way for parking for the past 20 years, although many homeowners are unaware that this is a right-of-way. He stated the second plan off Hemlock makes more sense because of the following issues: 1) tree removal; 2) parking available in front of the condo units is only about 8 spaces. We've used the public

right-of-way for parking for a 12-unit condo. If the road comes off Roosevelt, there won't be room to access individual parking spaces and we would be baking out on to Roosevelt. On July 4th, traffic in this area is not tremendous; and people have survived without bike paths. The predominant use here is for weekenders; it is not heavy during the week. For the house next door to ours, this would put their front porch about 6' from the bike path.

Commissioner Youde asked if there is parking off the alley way. Mr. Tony said no, only maybe for compact cars at a diagonal.

Commissioner Feinberg asked if this portion of the right-of-way is gravel. Response was yes. Commissioner Feinberg also asked if the road is diverted, would the Association pay for paving. Mr. Tony said they would be willing to look at paving, landscaping, berms, etc. We can work with the developers.

Mr. Joe Keller, Ashbrook condominium owner, state he prefers the offset from Roosevelt to Hemlock; and had assumed the trees were part of their home landscaping when he bought the property over 20 years ago. He's also concerned about the parking lot. He stated again he is in favor of the offset.

Mr. Brad Marker, neighbor, stated his concerns had already been covered. He stated that some people who were aware that this was city right-of-way had approached the City to try to retain those trees. He was concerned that tree removal would decrease property value. He stated that anything they can do to retain the beauty of the area, they are willing to do. He has been in emergency response for many years, and is concerned about increase in traffic accidents from T intersections and believes that the traffic flow is probably smoother with a 2-way stop, rather than a 4-way stop.

Mr. Marker asked what the neighbors' parking options would be if Roosevelt were extended. Mr. Millar replied he does not have specific ideas but would work with him. The question was asked about the ability to park on the right-of-way. Chairman Bailey replied not in winter. Further discussion followed concerning the parking lot.

Commissioner Youde asked if there are any other parking options to make up for this loss. Mr. Millar stated that the alley parking is restrained.

Mike Longmire, lives on alley on Hemlock, stated that when the original Ashbrook condominiums were approved, the alley was approved for parking. There are 2 residences behind there and that isolates the building. The area could be paved.

Mr. Charles Wiley stated he is in favor of extending Roosevelt, which will provide more access, but will have to remove a lot of trees.

Ms. Jamie Denning, Mill Park, stated the neighbors are concerned about snow removal. She is concerned that they have been able to see directly to the lake, and will people be walking across her backyard to get to the lake? Also, how tall are the units?

Chairman Bailey answered that the units will be 2 stories high.

Ms. Denning said she is concerned that neighbors will look directly into her backyard. Her lot is on the east side, in the middle of Mill Park.

Mr. Millar stated that the Mr. Edson believes that the berm is not part of the applicant's property.

Discussion followed concerning dimensions from the northern property line. It was stated that the closest building will be 98' from the property line, 49' from the road, and 62' from the building. The roadway is also curved for access. The developer stated he might be able to move the bike path for privacy. Chairman Bailey stated the bike path must be built to City standards.

The applicant stated that on common driveways, the snow will not just be pushed; it will be removed from the buildings to an open area. As far as the traffic concerns, 20 to 30% of the traffic will exit out on McCall; 70 – 80% will exit the other end. The impact will not be very great.

Commissioner Feinberg asked about extra parking for the units. The applicant replied that the driveways are double driveways and will provide 3 spaces for each unit. There will be additional parking throughout the project off Roosevelt. Three units have 4 spaces each.

Commissioner Youde asked if the length of the driveways was not conducive to cul-de-sacs. Mr. Millar replied that was correct. Commissioner Youde stated that it's a driveway, not a street.

Applicant stated they own part of the berm and will be landscaping that.

Concerning the Roosevelt/Hemlock intersection, 4 way vs. a T (off-center) intersection, 75 % of accidents occur on T intersections; having 2 T intersections could result in a 150% increase in accidents. City Code discourages off-center intersections and sets minimum distance between them. The applicant has complied, and prefers not to offset.

The goal is to try to encourage pedestrian and bicycle traffic.

Chairman Bailey stated we have heard testimony on both sides. It seems the Ashbrook condominiums have parking available.

Commissioner Feinberg stated that Ashbrook was not designed real well, to push the right-of-way with parking off the street is not healthy, and there seem to be more benefits to leave it the way it is. It was a mistake to start with, but there's not enough traffic to make 2 T's bad.

Mr. Millar stated that Ms. Harp, a resident on Roosevelt who spoke at the last hearing, was not willing to accept access via a private driveway.

Chairman Bailey asked if there was a large drawing available of the offset. He stated that it looks like that version will cause problems with the parking area. Discussion followed.

Mr. Millar stated that people are accessing the eastern half of Roosevelt on a dirt road, and that Roosevelt would continue to be maintained by the City.

Commissioner Youde stated he is swayed by the Ashbrook testimony but there is adequate parking provided. Mr. Millar said there is 60' of right-of-way, 24' of paved streets. The City and the applicant will work at Ashbrook to develop parking. More discussion followed concerning Ashbrook parking.

Mr. Millar stated we could figure out a way to make the parking work, if that's the direction the Commission prefers; we can work with the applicant either way.

Commissioner Feinberg stated that when the condominiums back up to the property line, the developer is willing to give a fair amount of open space. Berming is a reasonable request and needs to be spelled out. Chairman Bailey stated that landscaping final plans should show that, with berming and landscaping along bike path, berming the north property line.

Commissioner Youde asked about satellite TV receivers. Chairman Bailey said the CC&R's deal with that and it is difficult to hide these from the street.

Chairman Bailey moved that PUD-05-2 be approved with conditions developed by staff. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

Chairman Bailey moved that SUB-05-4 be approved with conditions developed by staff. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

A break was taken from 8:45 PM to 8:55 PM.

CUP-05-2 Sandmeyer Construction

Ronda Sandmeyer requested her application for a Conditional Use Permit be moved to the June 7th, 2005, meeting. Chairman Bailey continued the hearing on CUP-05-2 to June 7, 2005

CUP-05-3 Brown Park Docks

Mr. Millar introduced this, first explaining that the City of McCall was represented by Mr. Brock Heasley, Director of Park and Recreation. There is information missing from the application.

Mr. Millar stated that the Commission should consider two issues in particular:

1. The Commission has the authority to require an environmental assessment of the applicant.

2. The Commission should consider whether or not the information missing from the application is needed to render a decision.

Mr. Heasley addressed the following issues that had been raised:

- 1) Concerning opposition as stated in a letter he had just received, stating that the character of the park would change from a neighborhood park to a community park, he explained that the area will still be passive and will not drastically change.
- 2) How parking and traffic will affect the area, he stated that the location of the old fish pen docks did not affect parking and traffic. Chairman Bailey asked if there has ever been designated parking for the park. Mr. Heasley stated that parking is directly SE of the park, on the street, and there is not a parking lot. Commissioner Youde mentioned there are about 6 parking spots. Mr. Heasley stated that there are about 6 to 16 spots available on N. Lake Street.
- 3) Health, safety and general welfare, creating hazardous conditions to swimmers. Mr. Heasley stated that Davis Beach has private docks that have not caused problems with swimmers.
- 4) Water Quality. There has never been a problem with water quality in the past. Chairman Bailey asked if the docks will be the same size as the older ones; one of the Commissioners answered that they will actually be smaller.
- 5) Trespassing: There is a fence along Brown Park with "No Trespassing" signs. If there's a better way, Mr. Heasley would be happy to handle it.
- 6) Changing the character of the neighborhood: Just moving the pen docks a little farther north will not change the character of the park. We're actually moving pedestrians off the streets so more people will enjoy the park.
- 7) Better locations: There just isn't one. The alternate location will cause nets to get caught in old logs. The best spot is the north part of the park.

Chairman Bailey asked if there were any questions. There were none.

Mr. Heasley introduced Dale Allan, the Idaho Department of Fish and Game Manager stationed in McCall.

Chairman Bailey asked Mr. Allen what the purpose is for the fish pens. Mr. Allan stated that originally the fish pens were an experiment to get better return of fish. The fish tend to

disappear once they're released into the lake. The fish pens help the fish acclimate to the area. Another purpose is for education for kids and to recruit young anglers. Another purpose was for outdoor recreation, to better utilize the park.

The question was asked concerning the type of fish; the answer was Rainbow Trout.

Chairman Bailey asked about the site. Mr. Allan stated that this is the original site; moving the pens south of the park seemed ok until lower water levels revealed too much debris. Using the old site would be more expensive because a longer walkway would be necessary, due to the so much shallow water.

The plan is to put 6,000 fish in the pens. Mr. Allan stated that the documents provided by opponents have a lot of errors in them. Mr. Allan explained some of the discrepancies. Water quality is not an issue. The fish pens might add to concentration, but will not harm water quality. Concerning the study at Red Fish Lake, the problem went away after monitoring. This is not a huge amount of fish. We're not trying to get maximum growth of fish; just let people feed them, get some growth, and situate to the lake.

The fish pens include netting that hangs from the dock into the water. The nets will not be visible.

Chairman Bailed stated this is a Public Hearing.

Mr. Ron Ruth introduced himself, stating he is on the Parks Advisory Board. He helped place the original nets in 1994-95. The premise then was it would stimulate foot traffic in downtown McCall and help with foot and bicycle traffic. It's a public park; the properties in the Mill Park subdivision were purchased with the park already there. The new dock would provide short-term moorage - which is currently very limited - for people who recreate on the lake, and they will be able to walk to town. The fish will be released and catch- able. It's a WIN-WIN situation.

John Rygh, also on the Advisory Board, stated he is also in favor of the new docks. He's been here about 15 years, and believes the docks will be a real asset. Kids can feed fish and they will love it. One of the primary things he favors is to re-establish recreation for the kids. Brown Park is a community park; it's the best playground in McCall.

Chairman Bailey asked where do you park? Mr. Rygh stated he parks on the street and has never walked more than half a block. The turn out has a broad shoulder. Most of the traffic will still be for the playground. The water quality is perhaps an issue; it sounds unlikely that it will have a significant impact. The park was there long before the subdivision, except for the condos.

Chairman Bailey asked if there was any opposition.

Deborah Nelson, attorney for the Mill Park Homeowners Association. The application fails to meet zoning ordinances. She responded to the following points:

- 1) Failure of applicant to provide a plot plan; it is hard to understand the scale of the park site.
- 2) Size needs to be considered. Brown Park is a very small park and is surrounded by neighborhoods. The small park has been treated as a neighborhood park.
- 3) The docks are at the narrowest point of the park. The only access is on the path.
- 4) Parking. The only parking is on the road shoulder.
- 5) Homes look right out on to the dock, in full view of the pier the City installed without a CU.
- 6) It is inappropriate for the City to consider putting in without parking.

Chairman Bailey stated that this use does not affect parking. The park has been a public use park for many years. I asked people about parking and there's no problem. The Code does not address that whatsoever.

Ms. Nelson stated that the City wants to increase the number of visitors tied to the recreational amenity. These people will place increased demand on parking and traffic. The neighbors have treated this as a neighborhood park.

Chairman Bailey stated that the City built the park, which was given as a donation.

Ms. Nelson then read the description of a neighborhood park, emphasizing the distinction between a neighborhood park and a community park. Greater demand on motorized accessibility changes the character of a park.

Other issues include the odor from the fish pens, noise, additional traffic, trespassing, view obstruction and water quality.

Concerning water quality, Ms. Nelson discussed the Red Fish Lake pens, which held about 2,500 fish. The Department of Environmental Quality stated the fish pens would create higher levels of nitrates and phosphorous and required monitoring. The DEQ didn't object to the project, but did require monitoring. There is no question that this could cause an impact on the lake; the City has not addressed this. The application is not complete. Alternate locations have been checked by property owners and the depth is greater at the south end of the lake. In low water, there are more logs at the north end of the park than the south end. This is not a problem with adding new recreational use; we do recognize it as an education tool. However, it is incompatible with the surrounding uses. Any questions?

Chairman Bailey: In your letter, page 2, this is not a marina in any stretch of the imagination; no way to specify this.

Ms. Nelson replied that the dock floats on top of the water as well as being attached to land and parking is required.

Chairman Bailey stated that parking can be located anywhere; there is no regulation for this in the Code.

Ms. Nelson stated that the Code regulates how parking should be laid out. This should be applied to New Use.

Chairman Bailey stated this is not a new use.

Commissioner Feinberg: You state other portions of the park are more appropriate at the southern end.

Ms. Nelson replied that the Homeowners Association's preference is to explore other locations within the park at the southern end.

Commissioner Youde: Your position is that the application does not include enough information.

Ms. Nelson: That is my position.

Commissioner Youde stated he objects to restriction of public parks because of expanding residential areas.

Chairman Bailey stated this is Existing Use and Replacement Use, not New Use.

Commissioner Schoedler asked if anyone from the Mill Park condos have an issue with this?

Ms. Nelson stated they are a separate entity.

Commissioner Schoedler asked is they had an issue with the pens before.

Ms. Nelson replied that they detected an odor and they were too close to residential area.

Chairman Bailey asked if they don't like parks.

Ms. Nelson stated they don't like aqua cultures. Discussion followed concerning aqua cultures.

Chairman Bailey asked if anyone else had objections?

Gary Edson stated he applauds the City for wanting more boat moorages; having it is a plus. His concern is with the boat docks. When you come into a dock, you need room to maneuver. This dock is located so far to the extreme north end of the park; you need to go into the Mill Park beach area. The depth is shallower at the north end than at the south end; we can document that fact. The Homeowners have offered to remove logs to clear the way at the south end.

Mr. Edson further stated that the issue is that the fish pens are too close to the swimming area, and also that boats will be using the swimming area. Fish waste will get on to the beach. The solution is to put the docks at the south end. The private homeowners have agreed to pay for

the cost. It is interesting to note that not one private citizen in the City came in favor of this; only ones in favor are related to the applicant.

Commissioner Feinberg replied that these are volunteer people and they are citizens trying to do what is right. He asked the Fish and Game representative if the water is deeper toward the south, is that fact in your opinion. The Fish and Game representative replied that the shallower slope is at the south end. The docks would be out further, causing more encroachment into the lake. Building at the north end will help cut cost. One reason not to rebuild the old docks is for cost and encroachment. Price consideration was part of placement.

Darrell Larson. I used to work for the State and I'm familiar with changes of use with the State. They knocked out requirements to get things done. I cannot accept what you say about the parking. Parking is always crowded in the summer. This "attractive nuisance" would bring more tourists and will be advertised as a tourist attraction. What will that do to parking? There are 100 different condos being built or requested in that area and they will want to use parking. This is 1-1 ½ acres you need to protect, and you're adding a different use to it. I have no qualms about the different use if you provide for adequate process. What about the education process? The fish pens were not important to the community and they were not maintained. They would be a big asset if they are maintained.

Chairman Bailey stated that he had disagreed with the conclusion from the attorney on parking.

Mr. Larson stated these are very important issues. In that location with the marina and added attraction, this will be a very congested area. The choice is yours. You shouldn't grant the City the privilege of a permit unless they go very deeply into the parking issue.

Mr. Millar stated to Chairman Bailey that he has the right to limit testimony to 3 minutes.

Chairman Bailey stated that the Commission needs to require that the applicant re-submit the application in a more complete form with a graphical description. Some of the issues stated in Ms. Nelson's letter are valid.

Mr. Millar asked Chairman Bailey if he was requesting a re-application or a continuance. Chairman Bailey stated he's asking for a continuance and asked how much time would be needed. The decision was made to continue this item to the June 7th Agenda.

Chairman Bailey moved to continue the public hearing to the 7th of June. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

ZON 05-5 Deer Forest.

Mr. Millar stated that the application is not in conformance with the Comprehensive Plan. The Staff recommends either:

- 1) Deny application for B zoning based on the application not being in compliance with the Commission; or
- 2) Consider the application with A low density residential zoning. The land to the north and south is Zoned A. The eastern boundary of low density residential in the Comprehensive Plan is the section line west of the property. Spring Mountain Boulevard is directly east of the property and would be a better physical boundary for the land uses. The City might be able to work with this.

The PUD and subdivision applications assume that the underlying zoning would be B.

Chairman Bailey stated he would like to hear from the applicant.

Michael Goldman. I've lived in Sun Valley for 14 years and am an advocate of cluster housing, which allows for moderate housing. The area borders Spring Mountain Ranch. It is nestled within the forest; there will be 16 single level homes and 8 townhouses. There will be open space with nature trail and a park. It will be bermed with a nature trail 4' wide, and provide a $\frac{3}{4}$ mile long walking/running trail. We will dedicate this trail to the public. There is a pocket park with 4-5 tables, a BBQ pit and playground equipment.

We will cater to those who want moderate housing (\$55,000 to \$75,000 lot pricing). We will produce homes at a moderate value; units I've done before are mountain style homes for retirees, over 60, still working, etc. We will include beautification with plants, trees to create a beautiful area. The trail will be paid for with association fees as will sewage pump station maintenance, etc.

We will abide by fairly strict architectural guidelines, using a committee made up of a local architect, a local broker, and myself. We will be 75' from the bike path and 2/3 mile from Deinhard Road.

Mr. Goldman showed several styles of housing, including 1,200 SF duplexes and homes of 1,350 SF, 1,500 SF, and 1,840 SF which will be built at a cost factor that would make sense.

Chairman Bailey asked if Mr. Goldman intended to build all the homes. Mr. Goldman replied that yes that is his intent.

Chairman Bailey discussed the property to the west (the 20 acre Jordan family parcel which isn't located in the City limits) and another about 18 acres that has been subdivided. These are not in the City limits and he feels it needs to be planned to connect these with Spring Mountain; we need input from the Transportation Board. My concern when I first looked at your plan was that it did not provide connectivity.

Mr. Goldman replied that there is an easement through the narrowest portion, about the middle of the land.

Chairman Bailey asked Mr. Goldman if he had talked with these folks. Mr. Goldman replied no, he had not.

Chairman Bailey stated he agrees with the cluster idea, but it needs connectivity.

Mr. Goldman stated that where they would allow this would be the area of fewest trees. He was asked if he was aware of the culvert under the road and water in the spring and he replied that they have studied this and feel they can take care of that issue.

Commissioner Youde asked if he had discussed the zoning with Roger.

Mr. Millar replied that the B Zoning won't fly so let's discuss the A Zoning. You can ask the applicant to bring plans for A Zoning general plans. You have the option to deny or to have a continuance. I recommend you look at the preliminary application.

Chairman Bailey: 20 acres R 10? Mr. Miller replied yes, the north is A; the land surrounding the 20 acres is A and to the south is A. The rationale is that Spring Mountain Blvd. is a better boundary between rural and low density.

Discussion followed.

Chairman Bailey asked if anyone was in favor on the annexation and rezoning.

Bill McMurray. I've been involved in Spring Mountain Ranch for many years. This project is lower density which is positive. The missing element is moderate priced housing and this is an opportunity. There is a big gap and it is getting bigger. I'd like to see it move forward to A Zoning.

Chairman Bailey asked if anyone was in opposition. No response.

Chairman Bailey closed the public hearing.

Chairman Bailey stated he was opposed to the original plan, but it is ok with changes. I think we can make it work. The annexation as presented is acceptable.

Commissioner Youde said he is much more comfortable with this plan; Commissioner Youde stated importance of access to the west.

Chairman Bailey moved that ZON-05-5 be recommended with a zoning designation of A Low Density Residential upon annexation to the City. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

Chairman Bailey moved to approve the preliminary plan for PUD-05-4. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

SR-05-5 302 North Third Street

Mr. Miller introduced the application. There are no Code issues to be addressed, but we need to consider the back of the property as it relates to the neighbors. The Staff recommends 1)

easement for building bicycle path on 3rd; 2) final plans for drainage, water, sewer be submitted with the building permit; and 3) McCall Fire Department conditions from April 18, 2005.

Dave Kaiser, CK Enterprises. The site plan is for a 3,520 SF office building within the overlay zone. The materials to be used are identified in the handout.

Commissioner Feinberg asked about the driveway to Thula. Mr. Kaiser replied that it is fairly steep and they are working with the engineers to lessen the slope.

Chairman Bailey asked about the plot plan? Mr. Kaiser replied it is included with the site plan.

Chairman Bailey asked if the applicant owned the old foundation on the back of property by Floyd Street; Mr. Kaiser said he did not.

Chairman Bailey said he disagreed with Mr. Millar and that there are issues with the Code, including 1) the parking has to be at the rear or side of the building, and 2) the driveway code requires 14' for one-way traffic. The back driveway will be 20'. Chairman Bailey noted that the building could be moved to the lot line to provide adequate room. Mr. Kaiser stated that his understanding is that it is 14'. Chairman Bailey noted that the drawing show 10'.

Chairman Bailey said the parking in front should disappear. There have been no exceptions for that. The property across Thula is residential and all parking on that side should be screened with landscaping. Leave the trees that are there, and plant more. The applicant replied he would do as much screening on the west side as needed.

Chairman Bailey asked how many parking spaces are needed. Mr. Kaiser replied that the proposed use is for one side of the building to be used by Accommodations Services, a vacation rental business, and the other side to be used by McCall Power Sport Rentals for storage of their equipment.

Discussion followed concerning the space needed down the driveway to access the back parking.

Chairman Bailey stated we need engineering drawings from Thula to the parking area, including the steep slope. Mr. Millar replied that these would be included with the building plans to show access.

Dwight Utz, engineer for the applicant, spoke with the fire department about access. They will put a fire hydrant in front and will use the front for access. They have accepted the layout of the back and grading.

Commissioner Feinberg stated there is an issue of safety for vehicles pulling trailers and going down the driveway. We need to see drawings.

Chairman Bailey stated he is not comfortable with the application without seeing more about the safety issues.

Commissioner Feinberg asked the applicant about his colors. Mr. Goldman replied his colors are natural tan for the siding and a darker green for the roof.

Commissioner Youde questioned about the traffic through the front. Mr. Goldman said traffic will be limited to time slot of rentals, once in the morning and once in the afternoon.

Commissioner Youde stated that moving the parking to the back complicates the driveway use.

Discussion followed concerning access from Thula.

Commissioner Youde questioned how many turn-ins and turn-outs will be generated, since this is Scenic Byway.

Chairman Bailey stated he would move to continue to May 17, and asked the applicant if that would give him time to revise his drawing? The applicant replied yes.

Commissioner Schoedler asked that the City Engineer look at the drawings, especially concerning use of trailers and safety issues.

Commissioner Youde said he did not want to back up traffic on 55.

Darrell Cobb, owner of McCall Rentals. The scope of my business involves small trailers only; this will be a very minimal issue.

Commissioner Youde stated there will be a lot of left turns for Accommodations Services.

Commissioner Feinberg observed that this is a tough place to make it work.

Chairman Bailey asked if there are any comments from the City Engineer. Mr. Millar replied that yes, his comments are attached to the staff report.

Mr. Millar asked if this would be continued to May 17th. Chairman Bailey asked if that was ok with the Commission, who agreed.

Mr. Cobb stated he already has a permit for the building. Chairman Bailey responded that the issue is due to being adjacent to a residential area. He also asked concerning the roof, if it will be reflective? Mr. Cobb said he had samples of the materials to show to the Council. Samples were passed around to the Commission members.

Chairman Bailey stated we need more detail on the property landscaping, both in front and in back. Commissioner Feinberg asked about the color of the doors; Mr. Goldman replied that they can match the other colors.

Mr. Millar stated he would work with applicant on setback requirements.

CUP-05-4 - 203 Mather Road.

The applicant was not in attendance, so Chairman Bailey said he would move to continue; however, quite a few people were in attendance to oppose the application. Chairman Bailey opened the hearing to take testimony from the opposition.

Chris Dvork. Both sides of our place are now rentals. This property has a problem with leakage. There is an easement to the property behind it. Parking is on the road and in wintertime there is no parking available. The applicant says this is a "daylight" basement, but there are no windows. The renter there has property filled. The owner is in California.

Linda Kling. We oppose this on the principle that this is a residential neighborhood, one of the few remaining older neighborhoods in McCall, and we want to retain the dignity of the single family dwellings.

Andy Laidlaw. This is called a daylight basement, but it is $\frac{3}{4}$ in the ground and in the past had leakage problems.

Scott Lyons. I own the lot directly in rear of this property and am intending to build. With a 15' easement along the side of this property requested, they will have to go across the back lot. The drawing is inaccurate. The carport is 6' into the easement. The parking is shared, and as a duplex, will need more parking.

Chairman Bailey moved to deny the application. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.

Commissioner Feinberg discussed the need of more rentals in McCall and told the opposition representatives to stay on top of what's going on in your neighborhood.

Mention was made of the new nuisance grounds;

Mr. Millar asked Chairman Bailey if the reason for denial was MCC 3-31-030-4, that the proposed action was detrimental to the health, safety, and general welfare.... Chairman Bailey confirmed that this was the reason.

CUP-05-5 Lot #2 Meadow Lake Estates.

Mr. Millar stated that, in the interest of full disclosure, he misplaced the sign. A neighbor noted the wrong location of the notice, contacted Mr. Millar, and he immediately placed the sign in the correct location.

Andy Laidlaw, representing the applicant. This is a smaller guesthouse and is an attractive structure with quality materials. It will include a microwave kitchen and no laundry. The Homeowners Association has approved it, and there is no neighborhood opposition.

Chairman Bailey asked if anyone wished to speak in favor? There was no response. He then asked if anyone wished to speak in opposition? There was no response. The public hearing was closed.

Chairman Bailey moved to approve the application. Commissioner Youde seconded the motion. All members voted aye. The motion carried.

Chairman Bailey distributed copies of the revised chapter of Codes. He also announced that the meeting on Monday at 5:30 PM would be about Title 1, Chapter 6.

As there was no further discussion, Chairman Bailey adjourned the meeting at 10:54 PM.

Don Bailey
Planning and Zoning Commission Chairman

ATTEST:

Joanne York
Administrative Assistant