

# City of McCall

## Planning and Zoning Commission

Special Meeting Minutes  
May 17, 2005

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### Call to Order

Chairman Bailey called the McCall Planning and Zoning Commission Meeting to order at 6:10 p.m. Commissioner Don Bailey, Commissioner Bob Youde, Commissioner Phil Feinberg, and Commissioner Jeff Schoedler were present. Chairman Bailey declared that a quorum was present.

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

### Review and Approval of Minutes

Chairman Bailey provided corrections to the April 19, 2005 and May 3, 2005 minutes.

**With no further corrections, Chairman Bailey declared the minutes for April 19, 2005 and May 3, 2005 approved as corrected.**

### Old Business

#### ***SR-05-5***

*302 North Third Street*

Chairman Bailey explained that the public hearing for SR-05-5 had been continued from the May 3, 2005 meeting.

Mr. Millar stated that the applicant is requesting Scenic Route site plan approval for a new 3,520 square foot office building, a new 5,000 square foot warehouse and associated site improvements at 302 North Third Street. He stated that the project conforms to the comprehensive plan and no code issues were identified. He reported that additional public comment had been received since the last hearing. Mr. Millar said that the applicant has made significant efforts to address the issues raised by the Commission on May 3<sup>rd</sup>. He stated that in response to the issues raised by the Commission, the applicant has agreed to move the parking to the rear of the building, provide a ten-foot easement for bicycle/pedestrian facilities across the front of the property, the applicant met with the Fire Marshal and addressed the Fire District's concerns, the office building has been moved to the side of the lot to allow for a 20 foot driveway, access to Thula Street has been removed from the plan, a landscape plan has been developed, the storage building which is outside of the SR Overlay has been moved to a less visible portion of the property, has been redesigned, and has been screened with landscaping, and the applicant has agreed to participate in a future Local Improvement District or Business Improvement District to fund the local share of improvements to upgrade Third Street.

Mr. Millar recommended that the Planning & Zoning Commission approve SR-05-5, subject to the conditions that the applicant dedicate a ten foot wide easement for a bicycle/pedestrian path along Third Street, the applicant submit construction drawings for drainage, water, sewer, and landscaping improvements to the City with the building permit application, the applicant incorporate the McCall Fire Protection District comments into building and site plans, and the applicant has agreed to participate in a future Local Improvement District or Business Improvement District to fund improvements to Third Street.

Commissioner Youde asked if the moving of the office building would present a problem with snow management due to the slope of the roof.

Mr. Millar stated that the applicant is designing the roof of the building to adequately hold the snow.

Commissioner Youde asked if the removing the road access from Thula would allow for more snow storage.

Mr. Millar confirmed that the removal of the road would allow for more snow storage in addition to providing additional space for landscaping that will minimize the visual impact of project.

David Kaiser, applicant, explained that the adjustments to the plan were based upon the Commission's comments at the May 3<sup>rd</sup> meeting. He stated that the changes to the project include moving the warehouse to the northwest portion of the property, moving the office building to the side of the lot, moving the parking lot to the rear of the building, and using a comp-shingle roof with snow cleats on the office building.

Commissioner Schoedler stated that the snow cleats wouldn't be required due to the slope of the building. Chairman Bailey concurred.

Mr. Kaiser stated that they have created a landscape plan with the help of RDI. He stated that they will provide screening along the property and the driveway has been increased in size to allow for two way traffic. He stated that RDI have created model representations of what the property will look like with the newly proposed improvements.

Chairman Bailey asked if the warehouse building was still the same.

Mr. Kaiser stated that the building is the same but they have included gable knockouts and log accents.

Chairman Bailey asked if the warehouse would have a metal roof.

Mr. Kaiser confirmed that it would.

Chairman Bailey asked what color the metal roof would be.

Mr. Kaiser explained that the roof would be forest green in color.

Chairman Bailey complemented the applicant's revision to the plan. He stated that the revision is a significant upgrade to the project.

Mr. Kaiser stated that he appreciated the Commission's comments at the May 3<sup>rd</sup> meeting and agrees that the new plan establishes a much better plan.

Chairman Bailey stated that he would like to include slope stabilization of the west boundary of the property as an additional condition of approval for the project. He also requested that the applicant extend the planting of trees on the northwest corner of the property to provide for additional screening from the residential area on Thula Street.

Chairman Bailey stated that he spoke with the chairman of the McCall Improvement Committee who is still unsure of the City's plans for providing pedestrian access along the Highway. He recommended that the applicant landscape the easement across the property until there is a finalized plan for the pedestrian access along the road.

Mr. Kaiser stated that they plan on landscaping the area in front of the building until a plan is finalized for pedestrian access.

Chairman Bailey asked if there were any comments or concerns from the City Engineer about the project.

Mr. Millar stated that the City Engineer didn't address any concerns about the project. He said that the Fire District has provided a letter stating that they have met with the applicant and approved the plan. Mr. Millar explained that a drainage plan will have to be submitted to the City before a building permit is approved.

Commissioner Youde asked if the applicant understood that a will-serve letter couldn't be issued by the City at this time.

Mr. Millar clarified that the applicant doesn't need a will-serve letter to proceed with the project since the extension of water and sewer lines isn't required. He explained that the applicant is able to tap directly into the sewer line.

Chairman Bailey opened the public hearing to public testimony at 7:25 p.m.

Bobbie Meader, owner of Mountain Regatta Clothing, spoke in favor of the project. She stated that it is exciting to see a new development occurring next to her business. Ms. Meader stated that the former residence located on the lot was ill kept. She stated that she is excited about the new development.

Being no further public testimony, Chairman Bailey closed the public hearing at 7:26 p.m.

Commissioner Youde stated that the question that is left unanswered in the public comments that were received is what would happen if the use of the building changes.

Mr. Millar stated that the Planning and Zoning Commission would rehear an application for a conditional use permit if the new use wasn't allowed under the City Code.

Commissioner Youde said that he was encouraged that the applicant willingness to join a LID or BID for the purposes of making improvements to the area.

Chairman Bailey reported that the City and Idaho Transportation Department are currently in the process of discussing a proposal to install a turn lane on the Highway from Deinhard to Lake Street.

**Chairman Bailey moved to approve SR-05-5 with the conditions of approval prepared by Mr. Millar and the additional condition that the applicant provides slope stabilization on the west boundary of the property along with the planting. Commissioner Youde seconded the motion. All members voted aye. The motion carried.**

***Motion to Reconsider - Zoning Code Amendment***

*Private Roads: General Development Standards Amendment*

***Motion to Reconsider - Zoning Code Amendment***

*Planned Unit Development Requirements: Subdivision Regulations Amendment*

Mr. Millar explained that next two items on the agenda are motions to reconsider the two zoning code amendments that the Planning and Zoning Commission recommended to the City Council. He stated that the Chairman pointed out to him that absent of any other action the recommendations were required to be presented to the Council. Mr. Millar stated that the amendments will be included in the zoning code rewrite that will be presented to the Council as a comprehensive package.

Chairman Bailey stated that on April 5, 2005 the Commission introduced two amendments to the McCall City Code Title 3. He stated that Commission voted to adopt both amendments and recommend to the Council for adoption. Mr. Bailey stated that since the City Council has adopted a moratorium on certain new developments in the City staff has requested that the two code amendments be removed from consideration by the Council at this time.

**Chairman Bailey moved that both of the referenced code amendments be reconsidered by the Commission. Commissioner Youde seconded the motion. All members voted aye. The motion carried.**

**Chairman Bailey moved for the Commission to place on the table both referenced motions for consideration at a later date. Commissioner Youde seconded the motion. All members voted aye. The motion carried.**

**New Business**

***SUB-05-9***

*Nelson Subdivision*

Mr. Millar stated that the applicant is requesting final plat approval to combine a lot with another lot in an adjacent subdivision. He explained the lots are on Jacob Street between Highway 55 and Commerce Street located in the industrial zone. Mr. Millar stated the project conforms to the provisions of the comprehensive plan and the rezoning of the property has been approved by the Planning and Zoning Commission and McCall City Council. He recommended that the Planning and Zoning Commission approve the final plat for SUB-05-9.

**Chairman Bailey moved to approve the final plat for SUB-05-9. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.**

***SUB-04-15***

*Timber Crest Subdivision*

Mr. Millar stated that the applicant is requesting final plat approval for a subdivision containing 16 residential lots on 7.8 acres, located on Verita Road. He said that the project is consistent with the comprehensive plan, and that the Planning and Zoning Commission approved the preliminary plat for the subdivision subject to certain conditions. Mr. Millar recommended that the Commission approve the final plat for SUB-04-15 and adopt the draft findings and conclusions. He explained that the four draft findings require the applicant to enter into a development agreement with the City that shall be signed by the applicant before the application is placed on the City Council agenda for consideration, make final corrections to the plat document listed in the letter from Holladay Engineering and obtain a letter from Holladay Engineering recommending engineering approval of the final plat before the application is placed on the City Council agenda for consideration, and that the Planning and Zoning Commission shall review and approve the design and landscaping of the Community Center prior to the issuance of a building permit for the facility. Mr. Millar stated that the applicant has drafted a development agreement to the City that is being reviewed by the City Attorney.

Chairman Bailey stated that the Commission approved the preliminary plat for the project with additional conditions of approval required of the applicant and wanted to make sure that those conditions will be met. He stated that the Commission requested the applicant's plan conforms to the outdoor lighting standards being drafted by the Commission; and asked if the applicant had been given a copy of the standards.

Brett Walker, representative for the applicant, stated that they haven't received a copy of the standards but would get one from Mr. Millar.

Chairman Bailey asked if progress had been made with the existing County road that connects to Boydstun.

Tim Mokwa, Toothman-Orton Engineering, stated that things have changed substantially since the review by Holladay Engineering. He explained that the developer has obtained the Hubbard Parcel.

Chairman Bailey asked for Mr. Mokwa to identify the property that was obtained.

Mr. Mokwa identified the property that was obtained on map. He stated that the property was purchased in order to realign the intersection of the road which presented concerns to the City Engineer during the preliminary plat review. He explained that the acquisition of the property will allow the developer to dedicate an easement that will straighten the intersection.

Chairman Bailey asked if the continuation of the road would now only pass through the developer's property.

Mr. Mokwa confirmed that the road would only pass through the developer's property. He explained that the straightening of the road is contained in the proposed development agreement.

Mr. Walker explained that two development agreements were sent to the City. He stated that one agreement deals specifically with the North Verita Road intersection at

Boydston and the improvement of Verita Road from Boydston to the far side of the development. He stated that improvements will require that the road is brought up to City Standards and paved.

Chairman Bailey stated that he would like the applicant to consider increasing the ROW to 60 feet where the street traverses the newly acquired property. He asked if the request would work with the plans of the developer.

Mr. Walker stated that he didn't think the request would work with the setback requirements.

Chairman Bailey stated that the developer to the south is dedicating a substantial amount of property as a City park. He stated that the Commission is going to recommend that he provide a pedestrian/bike path through the park as part of the subdivision development. Chairman Bailey stated that he would like to see the bike path be extended along the east side of Verita road but the developer would have to increase the ROW to 60 feet.

Mr. Walker asked Chad Olson if the ROW could be increased with the current setback requirements of the project.

Chad Olson explained that increasing the amount of ROW would further reduce the use of the lot. He stated that the lot is already split in half with the dedication of the 50 foot ROW. Mr. Olson stated that he doesn't think a bike path could be established due to the topography of the land. He stated that the current retaining walls are extremely tall since the roadside currently cuts into the hillside.

Mr. Mokwa explained that they will be cutting into the hillside six to seven feet to provide for the roadway. He stated that it would be difficult to honor the request on the existing grade and still provide a safe slope to the intersection.

Commissioner Feinberg questioned if the establishment of the bike path was really necessary since it would only be serving 30 homesites.

Chairman Bailey asked the applicant to consider studying his request. He stated that the establishment of the bike path would be an amenity to the subdivision.

Mr. Walker stated that they study the property and see if the project can be designed to establish a piece of the bike path system.

Chairman Bailey asked if the final version of the development's CCR's and Homeowner Association by-laws have been submitted to the City.

Mr. Walker confirmed that final versions had been sent to Mr. Millar and Holladay Engineering.

Chairman Bailey stated that in the preliminary plat a shared driveway existed for lot 8 and 9. He asked if anything had changed in the final plan.

Mr. Mokwa stated that they don't know how the final design will work out for those two lots. He explained that a note was added to the plat that says a slope stabilization plan will be made for grades in excess of 15%.

Chairman Bailey suggested that the developer build the driveway if it has to be shared in order to avoid possible arguments between the neighbors.

Chairman Bailey asked if Verita Road would be finished to City standards and is a part of the development agreement.

Mr. Walker confirmed that it would.

Commissioner Feinberg asked if the developer was planning on including signage for the development on Boydston.

Mr. Walker stated that they will be including signage for the development.

Commissioner Feinberg stated that the Commission would like to review their design.

Chairman Bailey suggested adding the review of the development signage to the design review process for the development.

Chairman Bailey asked if there were any outstanding problems identified in the City Engineer's letter.

Mr. Millar stated that he understands that the applicant's engineer has been working with Holladay. He stated that one of the conditions of approval for the application is for the applicant to have a signed letter from Holladay Engineering recommending approval before it is placed on the Council agenda.

Chairman Bailey asked if Idaho Power would be removing the existing power poles.

Mr. Walker confirmed that Idaho Power will be removing the poles and the power to the development will be underground.

**Chairman Bailey moved to approve SUB-04-15 with the conditions written on the staff memo dated 5/11/05 with the added conditions that the applicant look at the possibility of continuing a bike path on the west side of Verita Road to Boydston and adding signage review to the design review. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.**

***SUB-05-3***

***Fairways Condominiums #3***

Mr. Millar stated that that the applicant is requesting final plat approval for a subdivision containing 4 condominium units as the last phase of a three phase project east of Fairway Drive. He stated that the Planning and Zoning Commission approved the preliminary plat for the subdivision subject to the conditions that a drainage plan be submitted with the final plat application and the applicant agree to upgrade the water line in Fairway Drive from Reedy lane to the south end of the applicant's project and install a fire hydrant per the direction of the Fire Marshal. Mr. Millar stated that the applicant was informed during the preliminary plat process that a "will-serve" letter couldn't be issued by the City. He explained that the applicant contends that the submitter of the project has already paid for the sewer taps when it was originally approved. Mr. Millar stated that he hasn't had time to research the contention of the applicant and recommends that the Commission continue the application until he is able to research the claim further.

Commissioner Schoedler asked why Mr. Millar recommends continuing the application instead of approving it under the condition that the sewer hookups have been paid.

Mr. Millar explained that the applicant is seeking final plat approval for the project which requires that a will serve letter be issued. He stated that he must research if the original applicant had already paid for the sewer taps before recommending approval. Mr. Millar said that if the sewer taps weren't paid for in advance, he would recommend continuing the application until the City is able to dedicate capacity at the wastewater treatment facility or write a "will-serve" letter for the project's submission to the Department of Environmental Quality.

**Chairman Bailey moved to continue SUB-05-3 to the July 12<sup>th</sup> regular meeting of the Commission. Commissioner Schoedler seconded the motion. All members voted aye. The motion carried.**

**Adjournment**

Commissioner Youde moved to adjourn. Commissioner Schoedler seconded the motion. All members voted aye. Chairman Bailey declared the meeting adjourned at 7:55 p.m.

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Don Bailey  
Planning and Zoning Commission Chairman

ATTEST:

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Dan Irwin  
City Clerk