

MCCALL AREA
PLANNING AND ZONING COMMISSION
Meeting Minutes
September 26, 2006 –6:00 p.m.

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:03pm. Chairman Bob Youde, Commissioners Jeff Schoedler, Phil Feinberg, Kim Apperson, and Sarah Jessup were present. Shane Jeffries was absent. A quorum was present.

REVIEW & APPROVAL OF MINUTES

September 12, 2006 minutes will be reviewed October 3, 2006.

OLD BUSINESS

DR-06-25, DR-06-26, DR-06-27, DR-06-28, DR-06-29, DR-06-30 & DR-06-31

*Lots 18-24, Block 11 Townsite of Lardo
Pinedale Street*

John McCarthy for Bridge Development: Design Review applications to build approximately 2200 sq. ft. single family houses on seven non-conforming lots. Four of the houses are proposed to be the submitted plan A and three of the houses are proposed to be the submitted plan B. The property is more particularly described as:

Lots 18-24, Block 11 Townsite of Lardo, McCall, Valley County, Idaho. A
PUBLIC HEARING.

Chairman Youde asked for the staff report for these applications.

Michelle Groenevelt stated the applicant has revised the site plan since the September 12, 2006 application, and the units have been moved to the west to create a zero lot line configuration, and they also moved two units together, creating more space between the units. The landscape plan was also resubmitted, as well as submitting all exterior construction materials.

The city architect John Larson recommended approval. The city engineer is still working with the applicant to make sure they can get approval.

Michelle stated there was one public comment, an email from neighbor John Rygg, who has concerns regarding the project. The letter was given to the Commissioners prior to the meeting.

Staff is recommended approval of DR-06-25, DR-06-26, DR-06-27, DR-06-28, DR-06-29, DR-06-30 and DR-06-31 with the following condition:

1. Applicant shall obtain letter from CH2MHill recommending engineering approval of the construction drawings, drainage and storm water plan before the applicant is issued a building permit.

John McCarthy, with Bridge Development, presented the application, and stated each unit will have its own 10 foot wide courtyard, now that the units have been moved to create the zero lot line configurations. Mr. McCarthy stated that he has worked with City

Architect John Larson to both their satisfactions and he has nothing else to present to the Commission.

Chairman Youde asked if there was a Home Owners Association, Mr. McCarthy stated that there was no Home Owners Association at this time. Chairman Youde expressed concern about parking, fences, snow storage issues, landscaping and how issues like this would be regulated without a HOA. There was discussion regarding the need for an HOA. Michelle asked the applicant if they would be willing to create a HOA and CC&R's for this project and the applicant said yes, they would create both. The issuance of Certificates of Occupancy would be contingent upon approval of the HOA and CC&R's.

Chairman Youde opened the public hearing, there were no testifiers, and the public hearing was closed.

Chariman Youde asked for additional comments and concerns from the Commission.

Chairman Youde made to motion to approve DR-06-25, DR-06-26, DR-06-27, DR-06-28, DR-06-29, DR-06-30 and DR-06-3, contingent upon the letter of approval from the City Engineer, and adding the condition of the creation of a Home Owners Association.

Commissioner Schoedler seconded the motion. The motion was approved for all of these DR applications.

NEW BUSINESS

SR-06-10

210 W. Lake Street

McCall Design representing Dick Ennis: A scenic route application to relocate the home on 213 W. Lake Street to 210 W. Lake Street in expectation of constructing a new residence on the lake. The property is more particularly described as:

McCall Acreage Lot 36, Government Lot 5 of Section 8, T. 18N, R. 3E, B.M.,
McCall, Valley County, Idaho. A PUBLIC HEARING.

Chairman Youde introduced this application, and asked for the staff report.

Michelle stated there were no code issues associated with this application. The project is served by city water and sewer. The proposed access is off W. Lake Street. The City Engineer did not have issues with this application, nor did Public Works or the Fire District. Payette Lakes Watershed Advisory Group did not have any issues either.

There was one email from neighbor Mrs. Whitney, opposing the project.

Staff recommends approval of SR-06-10 with the following conditions:

1. The applicant shall provide natural trees, shrubs, and grasses, or provide and maintain landscaping on all areas not actually utilized for required off-street parking and buildings. A landscaping plan shall be submitted with the building permit.
2. The applicant shall prepare and record a ten foot wide pedestrian access easement across the Lake Street frontage of the property.

Andy Laidlaw, with McCall Design and Planning, representing Dick and Mary Lou Ennis, presented the application. Mr. Laidlaw stated the relocated home conforms to all the set backs and requirements. Mr. Laidlaw commented on Mrs. Whitney's opposition to the project, stating she contends that when Mr. Ennis removed the house that was previously on that lot, it destroyed the sewer connection. She also claims that the Ennis's property drains onto her property. There is also an issue concerning a rock being placed on the southeast corner of her property.

Roger Millar explained the sewer connection issue, stating the Whitney's sewer connection was connected to the main system via the Ennis's connection. This situation is common in the City of McCall, and when discovered, the City is making all customers reconnect correctly. When Mr. Ennis moved his house, the sewer connection was disconnected, leaving the Whitney's with no sewer connection either. It is the Whitney's responsibility to pay for the reconnection of their home to the sewer system, not Mr. Ennis's.

Michelle stated that concerning the drainage issue, the City Engineer reviewed the drainage plan and did have any issues with the drainage situation. She added the City Engineer did not see any issues with setbacks either.

Chairman Youde opened the public hearing. There were no testimonies, and the public hearing was closed.

Chairman Youde asked for comments and discussion with Commissioners.

Commissioner Schoedler moved to approve SR-06-10, with the following conditions.

1. The applicant shall provide natural trees, shrubs, and grasses, or provide and maintain landscaping on all areas not actually utilized for required off-street parking and buildings. A landscaping plan shall be submitted with the building permit.
2. The applicant shall prepare and record a ten foot wide pedestrian access easement across the Lake Street frontage of the property.

Commissioner Jessup seconded the motion, and the motion was approved.

PRE-APPLICATION (CUP or VAR)

1170 Aspen Ridge

Brett Irish from Irish Quality Builders representing Duane Jan Horning: A pre-application meeting to discuss a reduction in the side yard setback of approximately 4 feet to account for steep slopes and small building envelope. The property is more particularly described as:

Lot 92 Aspen Ridge Subdivision Phase #2, Book 9, Page 45, Valley County.
NOT A PUBLIC HEARING.

Chairman Youde asked for the applicant to come forward and present their application. No one was there to present the application.

Michelle stated there are steep slopes on the building site, and that is why they are applying for a CUP.

This application will be held as an open item in case the applicant does show up.

PRE-APPLICATION (SUB, PUD, and ZON)

TBD West Lake Street

Larry Tiernan representing Advanced Properties: A pre-application meeting to present a subdivision, planned unit development, and rezone applications for a project on approximately 18 acres. The applicant is requesting a rezone from R-1 to the R-4 zone. The submitted project consists of 12 townhouse lots, 12 large SF homes, and 12 community housing units. The property is more particularly described as:

W1/2 of the NW1/4 of Section 17, T. 18N, R. 3E, B.M., Valley County, Idaho. NOT A PUBLIC HEARING.

Larry Tiernan, representing Advanced Properties presented the project. The project is located on an 18.25 acre parcel, which is currently zoned R1. Mr. Tiernan stated they are proposing to build 41 units, including 9 single family units, 14 duplex town homes and 18 community housing units in three 6-plex buildings. Mr. Tiernan stated if the zoning was increased, the project could be expanded to 47 units, and they would increase the number of community housing units by six units by turning the 6-plex units into 8-plex units. The project currently allows 2 parking spaces per community housing unit, but the number of parking spaces would decrease if they increased the number of community housing units.

Commissioner Jessup asked about a pedestrian/bike path through the development. Mr. Tiernan stated they will put a path though the development, adding that construction of these buildings would be 80 feet from the highway.

Michelle asked if they have talked to the community housing authority yet, and Mr. Tiernan stated no, they had not talked with them yet, but they would definitely enlist their help to develop the community housing portion of the project.

Commissioner Apperson asked about a public transportation facility or bus stop. Mr. Tiernan stated they did not have anything planned yet, but they are open to suggestions.

Commissioner Feinberg suggested talking to ITD and taking into account what the speed limit is there when considering driveways and access.

Michelle suggested the applicant look into the code requirements for garages for condominium projects. She stated they are looking at SUB, PUD, ZON, and DR applications.

PRE-APPLICATION (ZON)

TBD Louisa and Fir Street

Claire Remsberg representing Sonia and Joe Wright: A pre-application meeting to discuss a rezone from R8 to R16 to three create conforming lots instead of the existing three non-conforming lots. The property is more particularly described as:

Lots 15, 16, 17, Block 5, McCall 1st Addition. NOT A PUBLIC HEARING.

Claire Remsberg, representing Sonia and Joe Wright, presented the application. Ms. Remsberg stated this project involves three non-conforming lots that are 30 x 120 feet. They are proposing a reconfiguration of the three lots so that the lots would become conforming, adding that there would not be a change in the number of units to be built.

Chairman Youde expressed his concern over rezoning the lots to R16, stating the applicant could apply to build more units. Chairman Youde realizes that this application is being made to improve the design options, but that if they increased the zoning here, it sets a precedent and others may apply for rezone with the intent of higher density and that would be undesirable.

Commissioner Feinberg stated this reconfigured project looked much better than the non-conforming lot options and Commissioner Jessup agreed.

Michelle stated she would check with the city attorney regarding spot zoning, and see if an ROS would suffice instead of a rezone. There was discussion around the issue of non-conforming lots, and rezoning versus a Record of Survey.

Chairman Youde asked Michelle to get back to the Commission regarding what she finds out regarding spot zoning from the city attorney and present the information at the October 3, 2006 meeting.

PRE-APPLICATION (CUP, SR, DR)

Lick Creek Road

Matt Anthony for IDAZONA, LLC/Greg Hoyt: A pre-application meeting to discuss the construction of a two car garage with living quarters above. The property is more particularly described as:

Government Lot 3, Section 2, T. 18N, R3E, B.M. McCall, Idaho. NOT A PUBLIC HEARING.

Andy Laidlaw, with McCall Design and Planning, for Matt Anthony, presented the application. Mr. Laidlaw stated the proposed project would be an accessory structure to the main residence with no kitchen. The project would be two bedrooms over a garage. This project would be subject to SR, DR, and CUP applications.

Michelle asked if they had held the neighborhood meeting, Mr. Laidlaw stated no, but that they had had conversations with neighbor Mr. Norquist.

Roger Millar commented that it needs to be clear who shares docks, paths, etc. in case there is ever different ownership and recommended designing the joint use areas as if non family members are sharing the amenities, to avoid disputed issues in the future.

Chairman Youde stated he did not see any problems and it seems like a reasonable project.

PRE-APPLICATION (SUB, DR)

McCall RV Resort

Greg Pittenger representing Kevin O'Leary for Glenveigh LLC: A pre-application meeting to discuss the subdivision of 24 'park model' condominiums within PUD-01-1. The property is more particularly described as:

A portion of the property in the E1/2 of the SW1/4 and Government Lot 6 of Section 17, T.18N., R. 3E, B.M., McCall, Valley County, Idaho. NOT A PUBLIC HEARING.

Kevin O'Leary presented this application, stating this subdivision is part of a 54 acre project with 250 units. Mr. O'Leary defined a park model as a cabin like structure with cedar siding, composite roofs, and large windows. Mr. O'Leary stated this was actually an application for a 21 unit subdivision, not 24 units.

Chairman Youde asked if Roger Millar had issues regarding water and sewer, Roger stated he did not have any issues, adding that the project is served by a large meter at this time, but would move towards individual meters at each unit in the future.

There was discussion regarding fractional ownership and modular hotel units.

Commissioner Schoedler questioned covered parking for condominiums, which is required per the city code. Mr. O'Leary stated they have a large area for the storage of vehicles, recreational vehicles, trailers, etc. Commissioner Feinberg stated he had concerns about the storage of recreational vehicles and cars if these units became long term rental units.

Mr. O'Leary stated they had a neighborhood meeting last night and the main concern he heard in regards to building near the industrial area was the level of noise. Mr. O'Leary stated he lives there and does not feel that noise is a big concern.

Roger Millar identified the issues with this project as parking and community housing and suggested the applicant work with the housing authority, adding they would probably need 40 community housing units.

Commissioner Apperson stated she thought these units could provide much needed seasonal housing.

PRE-APPLICATION (CUP)

436 Ringle Street

John and Julie Ghio: A pre-application meeting to discuss the construction of a garage with a guesthouse above. The property is more particularly described as:

Evergreen Terrace #3 Lot 76. NOT A PUBLIC HEARING.

There was no one present to present this application.

PRE-APPLICATION (SR)

955 Westshore Place

Heather Friedrichs from McCall Design representing Jeff Stoddard: A pre-application meeting to discuss Recreational equipment storage with living space above. The property is more particularly described as:

Jews Harp Jack Lot 14 AKA Tax #136. NOT A PUBLIC HEARING.

Andy Laidlaw, with McCall Design and Planning, presented this project for Jeff Stoddard. The application is for SR approval. Mr. Laidlaw stated this building would be care takers quarters and toy storage only, and not a rental facility.

There were not a lot of issues in regards to this project, or opposition to this project. There are no issues with water and sewer or community housing.

PRE-APPLICATION (SR)

3751 Eastside Drive

Heather Friedrichs from McCall Design representing John Panhake: A pre-application meeting to discuss the construction of a storage barn. The property is more particularly described as:

Tax #1 in Government Lot 1 in the NW ¼ of the NE1/4 of Section 23, T. 19N, R. 3E, B.M., Valley County, Idaho. NOT A PUBLIC HEARING.

Andy Laidlaw, with McCall Design and Planning presented the application for John Panhake. This is a SR application for storage barn. There is a house on the property where the barn will be built.

There were no apparent objections to the project.

PRE-APPLICATION (CUP)

700 Reedy Lane

Fredrick Certano representing Brundage Mountain Resort: A pre-application meeting to discuss converting a care facility to employee housing. The property is more particularly described as:

McCall Acreage Tax # 386 in the Se ¼ of the NW1/4 of Section 9, T. 18N, R. 3E, B.M., McCall, Valley County, Idaho. NOT A PUBLIC HEARING.

Rick Certano, president of Brundage Mountain presented the application. The applicant wants to convert a care facility into employee housing. Application is for a CUP. Mr. Certano stated this is a well suited building for employee housing.

Commissioner Apperson asked about parking, and how many spaces were available and if there was adequate parking facilities.

Roger Millar suggested creating a development agreement to minimize the number of cars that would need parking spaces.

Mr. Certano stated they intend to work with other entities to keep this building full during the off season, or summer months.

There were no major issues other than the parking issues, and noise levels.

Chairman Youde made a last call for Irish and Ghio applications.

OTHER

Discussion of Title 3 and Title 9 Code Amendments

Chairman Youde opened the discussion. Roger Millar requested keeping this discussion in "housekeeping mode" and not create huge changes at this time, rather keep it a workshop to bring ideas to a public hearing.

Chairman Youde questioned how a kitchen defined. There was much discussion regarding how to define a kitchen, and it was decided it still needs to be more clearly defined in the building code.

Roger Millar began the discussion of how to determine the height of a building, suggesting taking the average elevation of the buildings footprint for a beginning elevation and going to the ridge on the roof.

Chairman Youde stated the tree committee will work on defining tree stems, and Michelle added they are waiting to hear from Shane regarding tree stem definitions.

The only professional offices allowed in Residential zones are home offices and is defined by having only one employee.

Side yard setback needs to be redefined to avoid huge walls. DR was supposed to fix this issue, but it is not. It was suggested to have a "step back" condition built into the definition, and use DR as a way to go up higher.

Roger Millar stated the "non-conforming chapter" does not address any lots other than residential lots. Lots under 10,000 in industrial zone are currently non-conforming, so Roger suggested reducing the lot size requirements to 3,000. Roger recommended dropping it to 3,000 sq. feet, but for any new lot created it must be at least 10,000 sq. feet.

Roger commented on clarifying the language used to define the intent of structures beyond 150 feet, but visible from the scenic route.

Commissioner Feinberg stated they are working on the building envelope and the remainder of the lot.

Michelle thought it prudent to define the dimensions of a compact parking space, because she gets frequent calls about this.

Regarding chapter 9, #3 Roger suggested granting administrative approval for some exceptions.

Regarding parking requirements in commercial vs. residential, the code states there are 1.5 in multi-family commercial zones and 2.5 in residential zones, and Michelle questioned those numbers. There was discussion regarding parking in the city of McCall, how much should be required, and how much is needed.

Internally lighted signs are not preferred. Commissioner Feinberg requested to put something in the code to bring old signs up to standard. There was much discussion regarding signs, including clarification on how to determine the size of signs and how to bring outdated signs up to code.

Michelle stated in the SR applications, the administrator can write a letter and get approval, but they can't for DR and some really minor items are being brought before the Commission unnecessarily.

R8 zone was accidentally left out of the code and needs to be added.

The issue of "boarding houses" was brought up, and how many people can live in a single family residence. Roger stated the Federal housing law states related family members plus 3 unrelated persons. Chairman Youde expressed great concern with creating a law suit and emphasized that this is a very delicate situation. Roger suggested duplicating what HUD uses as a standard.

Michelle asked about building height and how to measure it. Roger suggested that the building height should be the difference in elevation between the highest point on the roof and the average of the footprint of the building footprint. In order to address sloped lots, when the slope is greater than 20%, the project would be subject to DR.


Chairman Youde also addressed the up-zone issue and there was much discussion in regards to up zoning.

Commissioner Feinberg questioned the city's involvement in fractional ownership projects. Roger stated the city code is currently silent to fractional ownerships, and suggested the code address them in the future to make sure that there is someone "accountable" for these projects when necessary.

ADJOURNMENT


Commissioner Schoedler made the motioned to adjourn, Chairman Youde seconded motion, and the motion was approved.

The meeting was adjourned at 9:22 pm.



Robert Youde, Chairman
Planning & Zoning Commission

ATTEST:



Brenna Chaloupka
Administrative Assistant