

McCALL AREA PLANNING AND ZONING COMMISSION

Minutes

July 10, 2007 –6:00 p.m.

McCall City Hall – Lower Level
216 East Park Street

COMMISSION MEETING – Begins at 6:00 p.m.

1. CALL TO ORDER AND ROLL CALL

Chairman Youde called the meeting to order at 6:00 p.m. Commissioner's Sarah Jessup, Shane Jeffries and Doug Russell were present. Phil Feinberg joined the meeting at 6:30 p.m. Kim Apperson and Claudia Delaney were absent. There was a quorum present.

City staff Steve Hasson, Michelle Groenevelt and Debra Smith were also present.

2. REVIEW & APPROVAL OF MINUTES

The minutes for the June 4, 2007 and the June 5, 2007 meetings were reviewed. Robert Youde motioned to approve the minutes; seconded by Sarah Jessup and Shane Jeffries; carried.

3. PRE-APPLICATION MEETINGS

Per MCC 3.15.02, the applicant will present to the administrator and commission, in a scheduled meeting, but a nonpublic hearing, a preliminary development plan for review and discussion. All materials to be reviewed and discussed shall be provided, or be available, to commission members at a regular scheduled meeting of the commission.

PRE-APPLICATION MEETING (ZON, CUP, DR)

808 Lakeside Avenue

Lance Daniels: A pre-application to discuss the zoning map amendment to change the zone from R-8 to Community Commercial to allow the construction of a 12 unit residential complex for affordable housing.

Lance Daniels explained his request to rezone this property for mixed use residential and a laundry facility. The commercial use would be 50% of the property with three residential units downstairs and six units upstairs. Snow storage and affordable housing were questioned and Michelle Groenevelt suggested that he visit with the Housing Authority.

PRE-APPLICATION MEETING (ZON, SUB, PUD, SR, DR)

John Sabala representing Whitetail: A pre-application to discuss the conversion of the Whitetail Hotel to a condominium hotel for 36 fractional ownership units and 5 hotel rooms.

John Sabala explained that the restaurant and all other amenities would remain available to the public. He also said the rooms would be available to rent to the

public when the owners were not using them. Whitetail and the owners would control the rental of these units.

4. CONSENT AGENDA

All matters which are listed within the consent section of the agenda have been distributed to each member of the McCall Area Planning & Zoning Commission for reading and study. Items listed are considered routine by the Commission and will be enacted with one motion unless a Commission Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

ROS-07-7

Corner of Gamble Rd. and Hewitt St.

Carrie Carter representing the McCall Church of Nazarene: A record of survey application to adjust the lot lines between Lots 11 & 12, and between Lots 10 & 11, so that Lot 12 becomes 0.5 acres and the other lots conform better to setbacks from existing structures.

ROS-07-12

509 Boydston Street

Joel Droulard representing JJEMS Properties, LLC: A record of survey application to create two 50' x 250' parcels with 11, 758 sq. ft. each from an existing 100' x 250' parcel.

DR-07-44

411 Deinhard Lane

Sharlene and Tom Stredwick: A design review application to display a UPS Store sign.

DR-07-48

1101 N. 3rd Street

David Carey representing Rupert's Restaurant at the Hotel McCall: A new sign for the restaurant.

Phil Feinberg motioned to approve ROS-07-7, ROS-07-12, DR-07-44 and DR-07-48; seconded by Shane Jeffries; carried.

5. OLD BUSINESS

DR-07-36 (Application continued from June 4, 2007 meeting)

317 E. Lake Street

Steve Tansill: A design review application to renovate the existing McCall Mall building and convert the use to a bar/night club. Steve Tansill presented four recorded parking agreements with various business owners to use their parking spaces during the evening hours which had been requested at the June 4, 2007 meeting. He also presented the floor plan for his renovation with ADA accessible restroom facilities.

Vicki Wade, the owner of the building, presented a plan for the new sign for the businesses located in her building. She said that the reader board will be taken down. Phil Feinberg suggested that since the restaurant in the basement has

close to one half of the occupancy of the building, they should have one half of the space on the sign. Vicki said that she would speak with the owners of the restaurant to see if they would agree to that and remove the old sign for their restaurant.

Phil Feinberg motioned to approve the use of the floor plan and renovation and to continue to remainder of the application until the August 7, 2007 meeting the exterior building color, signage color and the winter trash enclosure; seconded by Sarah Jessup; carried.

CUP-07-7

Collin Autobody Relocation

317 N. 3rd Street

Robert Collins: An application for a conditional use permit to construct an auto body repair shop according to MCC 3.4.02 behind the current Napa Auto Store and Paradise Burgers.

Robert Collins requested his application be pulled from the agenda. The application will have to be renoticed if the applicant wants to move the application forward in the future.

CUP-07-10, DR-07-25 (*Application continued to the August 7th meeting*)

1300 E. Lake Street

Mile High Marina

Lynn Johnson representing Mile High Marina, LLC: A conditional use permit and design review application to expand the existing marina.

SUB-06-5, PUD-06-1, ZON-06-3, SR-06-20, DR-06-14 (Application continued from the June 5, 2007 meeting.)

Cross Bar Condominiums

Corner of Rio Vista Boulevard & Boydstun Street

Clayn Snoderegger representing Cross Bar LLC: Applications for preliminary plat, general plan, rezone, scenic route and design review to construct a mixed use development consisting of 8 buildings on 4.5 acres. Each proposed building contains 2 retail spaces (on the ground floor) and 6 condominium units.

Clayn Snoderegger presented the plans for Cross Bar LLC. The commission is not considering the re-zone portion of this application. This would be a 64 unit complex consisting of eight buildings. The applicant has not committed to a mixed use or strictly residential project.

The staff recommends that the Commission deny the application for all reasons listed in the staff report. The applicant submitted a revised site plan a couple of hours before the meeting.

The public hearing was opened for comment. No public comment. The hearing was closed.

Clayn Snoderegger responded that the staff had previously recommended that he could not vary 10% from the original plan and that they did not think they could change that much on the plans. Steve Hasson clarified that percentage of

change applies to an approved plan and that nothing on the Cross Bar Condominiums application has been approved yet.

Phil Feinberg stated that this has been a difficult process for everyone and that the 10% provision does not apply. Doug Russell and Sarah Jessup commented that there is too much density in the plan. Shane Jeffries felt that the this project has been presented so many times and the issues never seem to be addressed.

Robert Youde motioned to approve SUB-06-5 with conditions and evidence of shared access; no second; motion failed.

Phil Feinberg motioned to deny SUB-06-5 with recommendations from page 5 of the staff report; seconded by Sarah Jessup; polled the commission; Phil Feinberg-aye; Sarah Jessup-aye; Shane Jeffries-aye; Doug Russell-aye; Robert Youde-nay; motion carried.

Phil Feinberg motioned to deny DR-06-14; seconded by Sara Jessup; carried.

Phil Feinberg motioned to deny SR-06-20; seconded by Shane Jeffries; carried.

Phil Feinberg motioned to deny PUD-06-1 with recommendations from page 3 and 4 of staff report (excluding sections C and H); seconded by Doug Russell; polled the commission; Phil Feinberg-aye; Doug Russell-aye; Sarah Jessup-aye; Shane Jeffries-aye; Robert Youde-nay; motion carried.

Robert Youde stated that the SUB-06-5 and PUD-06-1 will be forwarded to the City Council. The decisions on DR-06-14 and SR-06-20 can be appealed. Shane Jeffries reiterated that the 10% provision does not apply to this application because the findings were never approved.

5. NEW BUSINESS

CUP-07-11

400 Elo Road

Church of Latter Day Saints

Steve Simmons, LCA Architects, representing Church of Jesus Christ of Latter Day Saints: A conditional use permit application to expand an existing church to increase office space and add classrooms, and provide additional parking spaces.

Steve Simmons presented the application for a conditional use permit for an expansion to the Church of the Latter Day Saints. A new well is needed. The building's addition will have the same stone veneer surface. There will be an additional 74 parking spaces. Stormwater management is on site.

Robert Youde opened the Public Hearing for comments. No public comments. The hearing was closed.

Shane Jeffries motioned to approve CUP-07-11 with staff findings and conditions; seconded by Phil Feinberg; carried.

DR-07-42

2069 John Alden Rd.

Legrand Bennett representing Dan and Mary Poole: A design review application to remove an existing cabin and replace it with a three level residence, including a lower level patio and a main level with both covered and open decks.

Legrand Bennett presented the application for this property. He stated that a boulder retaining wall will replace the railroad ties presented on site. The retaining wall and demolition of old cabin would be done this fall with construction on cabin to begin in the spring.

Robert Youde opened the Public Hearing for comments. No public comments. The hearing was closed.

Phil Feinberg motioned to approve with staff findings and conditions; seconded by Shane Jeffries; carried.

DR-07-43

2460 Sharlie Lane

Claire Remsberg representing Allen Derr and Judy Peavey-Derr: A design review application to restore a log cabin, including a remodel and building a two story addition with a basement and a single car garage.

Claire Remsberg presented the plans to the Commission. The variance on this application was approved and signed by the Valley County Commissioners on July 9, 2007.

Robert Youde opened the Public Hearing. No public comment. The hearing was closed.

Phil Feinberg motioned to approve with findings and conditions from the staff report; seconded by Sarah Jessup; carried.

DR-07-8 (continued to August 7, 2007 meeting)

312 Samson Court

Robert F. Burnop: A design review application to modify a previously approved application as the applicant wishes to expand the tree storage area and change the hours of operation.

SUB-06-7, PUD-06-3

Alpine Village

616 N. 3rd St.

Steve Millemann representing Alpine Village Company c/o Michael Hormaechea: A request for final plan and final plat approval for Phase I of Alpine Village Planned Unit Development.

Michael Hormaechea presented the Final Plat with some minor changes. The request to wait on constructing the bike path during Phase One of construction was addressed.

Michelle Groenevelt asked for the approximate time line for phasing as it related to the construction of the bike path.

Phil Feinberg motioned to recommend to approve with the amendment to condition #3 being; whichever is the earliest to occur, January 2012 or the submitted Phase Three final plat; seconded by Sarah Jessup; carried.

6. CODE AMENDMENTS

CA-07-5

Calculating Side Yard Setbacks

3.3.04 Residential Zone Lot Width vs. Side Yard Setback

The code amendment proposes to delete Figure 3.3.04.

Figure 3.3.04

Page 3-6 Chapter 3, Residential Zones and Standards March 16, 2006 City of McCall Title 3, Planning and Zoning, City of McCall

However, for lots up to one hundred (100) feet wide the sum of both side yard setbacks shall equal a minimum of twenty percent (20%) of the lot width when measured at the location of the setback. For lots over one hundred (100) feet in width, the requirement is for the sum of both side yard setbacks to equal at least thirty percent (30%) of the lot width when so measured. The Administrator may approve, for lots up to 125 feet wide, a relaxation of total side yard setback to up to twenty five percent (25%) of the lot width if conditions of topography, adjacent buildings, vegetation, or wetlands impact the location of the proposed building site.

Side yard Setback Requirements and Determination:

No building element shall be closer to a side property line than five feet or one-half the building element height, whichever is greater. See Figure 3.3.04 for determination of building element height.

Building height of the building element or structure element shall be determined as follows: in all instances the height shall be measured from the existing grade prior to construction; and, if that existing grade and the top of the element are not parallel, height is determined as an average of three distances, one computed at each of the two ends of the furthestmost projecting element and one computed at the middle of the element. In the case where multiple elements such as gable dormers, shed dormers, decks or other building element protrusions will affect setback determination to a greater extent, those building element setbacks shall be determined for the particular building element. See Figure 3.3.04 for determination of building element height.

CA-07-6

Definition of Building Height

In McCall City Code Title 3, Chapter 2 Definitions, delete the following:

Height, Building – ~~The vertical distance measured from the elevation of the existing grade prior to construction at the lowest point of the building, to the highest point of the roof. Building height of the building element or structure element shall be determined as follows: in all instances the height shall be measured from the existing grade prior to construction; and, if that existing grade and the top of the element are not parallel, height is determined as an average of three distances, one computed at each of the two ends of the element (if the greatest vertical distance is at an end of the element, the midpoint of the element shall be~~

~~substituted for that end of the element), and the third being the greatest vertical distance of the element.~~

Add **Height, Building** – Within any building footprint, height shall be measured vertically from any point on a proposed or existing roof to the existing grade directly below said point on a proposed or existing roof. (The highest to lowest measurement at any given vertical structure line.)

Delete graphic and replace with new graphic.

Robert Youde opened the public hearing for both the sideyard setback and building height. Legrand Bennett explained the proposed changes to both Code Amendments. Phil Feinberg said that the layman would really struggle with the proposed graphics. Wayne Rummele introduced the building height code amendment. Claire Remsberg liked the proposed change but pointed out a possible problem with the definition of an existing grade. Brian O'Morrow responded that he agrees with the new drawing and wording.

There was a lengthy discussion on the code amendments and why the amendments are important to building design and enforcement. It was acknowledged that there are flaws with the current sideyard setback requirements and building height. The public hearing was closed.

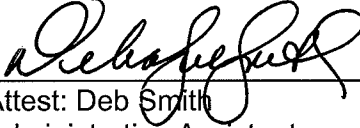
The code amendments were continued to the August 7, 2007 agenda to allow the Commissioners to check notes from the revision of planning and zoning code meetings.

7. **OTHER - None**

8. **ADJOURNMENT** The five members of the commission moved to adjourn at 10:06 p.m.; seconded by all; carried.



Robert Youde, Chairman
Planning & Zoning Commission



Attest: Deb Smith
Administrative Assistant