

**MCCALL AREA
PLANNING AND ZONING COMMISSION**

Minutes

April 6, 2010 – 6:00 p.m.

McCall City Hall – Lower Level

216 East Park Street, McCall, ID 83638

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

1. CALL TO ORDER AND ROLL CALL

Staff called roll. Commissioners Corder, Betts, Spencer, Apperson, and Chairman Feinberg were present. City Staff, including the Staff Attorney were also present.

Staff noted that the current agenda was changed within 48 hours of the meeting time and, to comply with Idaho Open Meeting Laws, that the Commission should make a motion to amend the agenda as presented, including the removal of the March 2, 2010.

Commissioner Apperson moved to amend the agenda as noted. Commissioner Betts seconded the motion. The motion carried.

2. REVIEW & APPROVAL OF MINUTES

Commissioner Betts moved to approve the March 15, 2010 minutes as presented. Commissioner Spencer seconded the motion. The motion carried.

3. PRE-APPLICATION MEETINGS

PRE-APPLICATION (DR, SR)

Building 101B McCall Airport

John Anderson representing the City of McCall: A pre-application meeting for a new, approximately 4,000 sq. ft. storage building on the airport property, near Deinhard Lane.

John Anderson, McCall Airport Manager, introduced the project, noting that the new building would be for cold storage, including doors large enough to store plowing equipment. Mr. Anderson indicated that the building would have electricity, but no water or sewer, and siding to match adjacent buildings plus composition shingles.

The Commissioners had no comments for Mr. Anderson.

PRE-APPLICATION (DR, SR)

1250 Warren Wagon Road

Phil Corder representing Shawn Davis: A pre-application meeting for a new primary residence in place of an existing structure. The property is located in the Scenic Route.

Mr. Corder introduced the project noting that they were proposing to remove existing structure and replace it with new manufactured home. Mr. Corder noted that the applicant had contact the Fire Chief about using the old structure as a training tool and that Mr. Lembers had been enthusiastic. Mr. Corder also noted the a large tree abutting the existing structure would need to be removed, but that additional planting would compensate for the loss.

The Commission had no comments for the applicant.

4. CONSENT AGENDA

Commissioner Betts requested to pull DR-10-07 from the consent agenda. Commissioner Apperson requested to pull DR-10-08 from the consent agenda.

DR-10-09

617 N. 3rd Street, Suite B
PC Plus/G.I. Janie's

Gregg Bradshaw representing Jason Colton: A Design Review application for four new signs, totaling 62 sq. ft. The signs will be unlit. The property is zoned CC and is located in the Scenic Route.

ROS-10-01

912 S. Samson Trail
Dillon Lot Split

Rod Skiftun representing Clyde Dillon: A Record of Survey application to combine a 9.839 acre lot with a 0.162 acre lot, then splitting the combined lot into a 5.000 acre and 5.001 acre lot. The property is zoned Residential Estate.

Chairman Feinberg moved to approve DR-10-09 and ROS-10-01 as the consent agenda. Commissioner Corder seconded the motion. The motion carried.

DR-10-07

1007 W. Lake Street
Mountain's Edge Café

Kathleen and Andrew Roberts: A Design Review application for a new 24 sq. ft. sign in the location of the existing roof-mounted sign. The property is located in the Scenic Route, is zoned CC.

Chairman Feinberg noted that the quality of the presented materials did not meet expectations. Mr. and Ms. Roberts responded by showing a computer generated version of the proposed sign via a projector, indicating that the sign would be routed and carved from wood and then painted.

Commissioner Apperson inquired if the lettering would be free-hand. Ms. Roberts indicated that it would not be.

Commissioner Spencer noted that it was easy to envision the appearance of the sign and that she was not concerned about the final product.

Commissioner Spencer moved to approve DR-10-07. Commissioner Apperson seconded the motion. The motion carried.

DR-10-08

301 Lenora Street
MCPAWS Thrift Store

Barb Hutchinson representing MCPAWS Regional Animal Shelter: A Design Review application for three new signs, in the location of existing signs, totaling 70 sq. ft. The property is zoned CBD.

Commissioner Apperson inquired about requirement to reduce the size of the sign as well as the loading zone upkeep. Ms. Hutchinson noted that all material will be processed on the day that it is dropped off and that a new dumpster will be hired specifically for the new thrift store business.

Commissioner Betts inquired about signage to direct donors towards the rear drop-off location. Ms. Hutchinson noted that there would be small signage on the entry door directing people to the drop-off location to the rear of the building.

Commissioner Apperson moved to approve DR-10-08. Commissioner Corder seconded the motion. The motion carried.

5. OLD BUSINESS

DR-07-64

300 E. Deinhard Lane

McCall Aviation, Inc. Dan Scott representing McCall Aviation, Inc: A one-time, six month extension request for a previous approved Design Review application to construct a new commercial hangar building and an attached commercial building The property is located in the Scenic Route Zone and is zoned AP.

Wayne Rummeule, representing Dan Scott, indicated that new issues had arisen in the past year in planning the design of the property's drainage as an explanation for the extension request.

Commissioner Apperson moved to approve DR-07-64. Commissioner Spencer seconded the motion. The motion carried.

6. NEW BUSINESS

DR-10-02, SR-10-01

1504 Warren Wagon Road
Dillon Residence

LeGrand Bennett representing Joan and Dennis Dillon: Design Review and Scenic Route applications for a new 2883 sq. ft. residential structure, including a two-car garage. The property is located in the Scenic Route is zoned R4.

Mr. Bennett introduced the project.

Chairman Feinberg opened the public hearing. Hearing no comments, Chairman Feinberg closed the public hearing.

Commissioner Apperson moved to approve DR-10-02 and SR-10-01, with the deletion of condition #7. Commissioner Betts seconded the motion. The motion carried.

DR-10-03

1870 Warren Wagon Road
Peterson Addition

LeGrand Bennett representing Kerstin Peterson: A Design Review application for a 100 sq. ft. addition to an existing residence. The property is located in the Shoreline Zone.

Mr. Bennett presented the project. Commissioner Betts asked if the addition would be located within the 50 foot setback from the High Water Mark. Mr. Bennett indicated that it would not.

Chairman Feinberg opened the public hearing. Hearing no comments, Chairman Feinberg closed the public hearing.

Commissioner Spencer moved to approve DR-10-03. Commissioner Apperson seconded the motion. The motion carried.

CUP-10-02, DR-10-05, SR-10-02

324 W. Lake Street
Hess Market

LeGrand Bennett representing Gabriela Hess: Conditional Use Permit, Design Review, and Scenic Route applications for the remodel of, and addition to, an existing structure to accommodate a store/market. The property is zoned R4.

Mr. Bennett introduced the project.

Mr. Bennett read two comment letters into the record (see attached).

Commissioner Spencer inquired about whether the previous use as a gas station had been remediated. The Commission indicated that it had been.

Chairman Feinberg noted his displeasure of the hours on the sign. Mr. Bennett indicated that they would be removed. Chairman Feinberg noted that this should be added to the conditions of approval.

Chairman Feinberg opened the public hearing.

Linda Klind, 137 Mather Road, inquired about the EPA remediation. The Commission noted that a condition should be added requiring proof of EPA approval of any remediation activities, prior to appearance at City Council.

Murray Dagleish, 309 Edgewater Circle, noted his support of the project and also some questions that he thought should be addressed. Mr. Dagleish made comments and voiced concerns as to whether certain aspects of the project had been addressed, including hours of operation, lighting, traffic and parking on Mather Road, the old gas station sign, and pedestrian safety.

Staff responded to Murray indicating that the hours of operation would be 7:00 am to 7:00 pm, that the lighting would conform to the City's outdoor lighting ordinance, that parking on Mather was outside the purview the application (but that the applicant had attempted to address the situation), that the removal of the sign should be a condition of approval, and that the City painted the sidewalk across Highway 55, but that it was State property.

Hearing no further comments, Chairman Feinberg closed the public hearing.

Commissioner Apperson noted that any development agreement addressing sidewalks should have a timeline not to exceed five years.

Commissioner Corder move to recommend CUP-10-02 for approval by McCall City Council with the noted additions to the conditions of approval. Commissioner Betts seconded the motion. Commissioner Apperson amended the motion to include a recommendation that a second public hearing is not necessary. The amended motion carried.

Commissioner Spencer moved to approved DR-10-05 and SR-10-02 with same stated additions. Commissioner Corder seconded the motion. The motion carried.

CUP-10-03, DR-10-06, SR-10-03

501 N. 3rd Street
Pitcher Bar Remodel

Steve Millemann representing Woody Woodworth: Conditional Use Permit, Design Review, and Scenic Route application for the remodel, and addition to, an existing structure as well as extensive site improvements. The property is zoned CC, is located in the Scenic Route.

Mr. Millemann introduced the application, noting the present application would, pending approval, supplant the previous Conditional Use Permit for a drive-thru window. Mr. Woodworth explained the details of the project including phasing.

Commissioner Feinberg commented about the changeable nature of the sign and the hours of operation. David Peugh, also representing the applicant, noted that the hours could be removed and that they would look into various methods of having changeable information on the sign.

Commissioner Spencer commented upon the lack of coniferous trees in the landscaping plan. The applicant noted that they would look into adding coniferous trees.

Staff noted various minor corrections to the Findings and Conclusions, including a new Finding referencing the phasing plan in the presented development agreement.

Chairman Feinberg opened the public hearing. Hearing no comments, Chairman Feinberg closed the public hearing.

Commissioner Spencer moved to recommend CUP-10-03 for approval by the McCall City Council, subject to the presented Findings and Conclusions, including the changes noted by Staff. Commissioner Apperson seconded the motion. The motion carried.

Commissioner Spencer moved to approve DR-10-06 and SR-10-03, subject to the presented Findings and Conclusions, with the same modification as with the previous motion. Commissioner Apperson seconded the motion. The motion carried.

PUD-09-04

401 Jacob Street – The Springs Apartments

Steve Benner of CSHQA representing Douglas Peterson of The Housing Company: A Planned Unit Development Final Plan applications for a 36 unit, affordable housing apartment project, including a community building, street development and open space, that is the first phase of a potential three phase development. The property is currently zoned R16

Mr. Benner introduced the project.

Staff reviewed the presented Staff Report and Findings and Conclusions.

Commissioner Betts asked the applicant if they were satisfied that drainage for the subject property was going to be properly addressed. Mr. Benner noted the applicant has a civil engineer on staff. Staff noted that the applicant had included a Stormwater Management Plan and a Geotechnical Report as a part of their Final Plan submittal.

Commissioner Spencer moved to approve PUD-09-04, subject to the presented Findings and Conclusions. Commissioner Apperson seconded the motion. The motion carried.

CA-10-01

Code Amendment – Micro Livestock

The City of McCall presenting a Code Amendment that would regulate small farm animals in residential, commercial, and other zones.

Staff provided a summary of the provided materials, including a review of the proposed amendments.

Commissioner Spencer inquired about the reasoning behind the setbacks of the proposed coops. Staff explained that other municipalities had found that larger setbacks had made

the raising of micro-livestock in smaller lots difficult, so the setbacks had been chosen to make the coops feasible on all lots.

Commissioner Spencer inquired about the inclusion of pygmy-goats. Staff replied that they were not allowed as a part of the proposed ordinance

Chairman Feinberg opened the public hearing.

Claire Remsberg, 14003 Comfort Road, noted that this ordinance was consistent with the national local-food movement and that places like Boise, Portland and Seattle have already done the same thing. Ms. Remsberg stated that she agree with the draft ordinance and would like to provisions that might allow bird to occasionally time outside of a coop.

Bill Thomas, 650 Brady Ave, noted the negative comments from individuals in areas that already have attempted urban chickens, indicating concern over smell and noise. Mr. Thomas also indicated concern over second with second home owners having chickens and the problems that lack of attention could create. He also included that the issues associated with chickens would have a greater impact in areas with smaller lots, which would unfairly diminish the value of property for the people would could least afford it. Mr. Thomas also noted that there would not be a significant economic benefit to the individuals raising chickens. He urged the Commission to consider the external costs of the ordinance, and not to adopt it as an experiment.

Ed Elliot, owner of Rudy's Gym, noted that the ordinance was a great idea, that he supported the idea of micro-livestock, and that we already live in a rural community.

Mellissa Newell, 1103 Alpine Street, voiced support of the ordinance, indicating that people should have the ability to chose whether or not they produce their own food. She noted that it takes a responsible individual to raise chickens because and that will stem many potential issues.

Debbie Fereday, 315 Burns Road, indicated her support of the ordinance. She stated that the ordinance was important when thinking about the future, because the world is changing. She noted relatives in BoDo that raised chickens and that it was not an easy task that just anybody would or could pursue.

Linda Klind, 137 Mather Road, noted that the proposed ordinance would, indeed, not allow for anyone to pay major expenses via micro-livestock, but that perhaps it would provide a teaching opportunity. She noted that she does not consider this ordinance an experiment, but rather a return to a previous way of life. Ms. Klind also noted that second home owners will not be doing this because, by comparison, they do not leave their dog's behind. Lastly, she noted that people cannot and do not casually raise chickens.

Judy Anderson, Lake Fork, noted that she had raised chickens for 35 years and that she loved them. She noted that in the 1970's there were many people in McCall who raised chickens and that they are not noisy. Ms. Anderson cited Detriot as a location where millions of dollars were being spent on urban, micro-agriculture projects to help the economy and turn around the property values. She also noted that "Agri-Tourists" are a new phenomenon in tourism and that this consumer group could perhaps be stimulated.

Ms. Anderson . Has student who want to do a senior project of raising chickens. Have to be around every day to manage chickens. They don't wake people up either.

Eddie Allen, Lake Fork, voiced support for allowing chickens and noted that they are not a "stinking bird". Mr. Allen also noted that there is a simple way, with a high success rate, to determine the sex of a chick, removing the potential issue of ending up with many roosters. He reiterated his support of the ordinance.

Colby Neilson, 505 Colorado Street, that he supported the ordinance, and that every small step helps reduce our carbon footprint. He also noted that the ordinance could allow for educational opportunities and lifestyle choice regarding for eggs and meat. Mr. Neilson thought that residents should have the option to choose whether or not they raised micro-livestock. He noted that every person in town will not raise chickens and that second home owners may be interested in other residents' chickens.

Rick Ferdey, 315 Burns Road, voiced his support idea even though he did not have plan to raise chickens himself. He noted that raising chickens involves much work and that, based upon comments from friends already raising chickens, they only generate about a five gallon bucket of manure per year, so smell shouldn't be an issue. Mr. Fereday noted that people should have the ability to choose whether or not they can raise chickens.

Staff read three comments into the record (see attached).

Hearing no further comments, chairman Feinberg closed the public hearing.

Commissioner Spencer inquired if an increased setback requirement would placate those individuals with concern about smell.

In response to questions from the Commission, Staff explained the current state of code enforcement for planning related issues.

Commissioner Betts read prepared comments (see attached).

Commissioner Apperson inquired about Commissioner Betts' facts regarding declining property value. Commissioner Betts noted that his thoughts on property value were based on opinion.

Commissioner Spencer inquired about clean-up of upon sale. Chairman Feinberg noted that this would be best dealt with in a sales agreement.

Commissioner Spencer made comments regarding the need for people, for economic and health reasons, to be able to know where there food comes from and to have the opportunity to choose where your food comes from.

Commissioner Corder inquired about the administrative fee and about Commissioner Betts' comments regarding property values. Staff noted that the fee for administrative approvals was set by Council resolution, currently \$50.

Commissioner Apperson noted that it was the right thing to do to allow people to raise their own food.

Chairman Feinberg moved to approve CA-10-01 with a note to staff to look to further address opponent comments to the extent possible. Commissioner Spencer seconded the motion. The motion passed 4-1 with Commissioner Betts dissenting.

CA-10-02

Code Amendment – Street Banner Policy

The City of McCall presenting a Code Amendment that would change approval of banners hanging across City streets from a City Council matter to administrative approval as defined in a newly drafted policy.

Chairman Feinberg opened the public hearing. Hearing no comments, Chairman Feinberg closed the public hearing.

Chairman Feinberg moved to recommend CA-10-02 for approval by the McCall City Council. Commissioner Apperson seconded the motion. The motion carried.

7. OTHER

Staff provided a written Community Development Director update.

Staff also introduced the circulation plan for the Urban Renewal Districts streetscape upgrades planned for the upcoming summer. Staff explained the routes for vehicles, boats, bicycles and pedestrian for the two competing circulation plans. Staff noted that a recommendation could not be made at this meeting, because it had not been properly noticed.

The Commission discussed the various circulations plans. The Commission members unanimously supported the existing circulation plan, including northward traffic flow on E. Lake Street, from Pine Street to Hemlock St.

8. ADJOURNMENT

Hearing numerous motions, Chairman Feinberg adjourned the meeting at 9:35 p.m.

Signed: April 6, 2010



Phil Feinberg

Chairman, P&Z Commission



Bradley Kraushaar

City Planner, City of McCall