

MCCALL AREA
PLANNING AND ZONING COMMISSION

Minutes

September 14, 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, Spencer, Russell, Jessup, Betts, and Chairman Feinberg were present.

2. REVIEW & APPROVAL OF MINUTES

Commissioner Corder moved to approve the August 10, 2010 minutes as presented. Commissioner Betts seconded the motion. The motion carried.

Commissioner Jessup moved to amend the agenda to include a second pre-application presentation for Gay Simplot at 2640 Warren Wagon Road. Commissioner Betts seconded the motion. The motion carried.

3. PRE-APPLICATION MEETINGS

PRE-APPLICATION (CUP, DR, SR)

Whitetail Club
607 & 609 Owen Road

Whitetail Club presenting a pre-application for a new private, waterfront club space, utilizing an existing residence, for Whitetail owners.

Dave Peugh and Wayne Ruemelie of Epikos Design presented a plan for a new private, waterfront club associated with the Whitetail Club. Mr. Peugh explained that there would be restrictions placed on the usage of the property, including no overnight guests, hours of operation from 7am-10pm during the summer only (no winter usage), and occasional catered gatherings. Mr. Peugh further explained that the plan would supply additional parking in the location of existing trees along Warren Wagon Road, and that landscaping along the waterfront and sides of the property would be enhanced with landscaping using primarily mature trees.

Mr. Peugh noted that the house behind the primary structure would be inhabited by management-level staff. He further noted that this facility would serve as a fourth amenity for Whitetail members. Mr. Peugh indicated that they had spoken with the Building Official and that no sprinkling was required, and also with the Fire Chief and that the turn-around space was adequate.

Commissioner Corder inquired about the extent of interior remodeling. Mr. Peugh indicated that the interior remodeling would be minimal.

Chairman Feinberg voiced concern over the potential for traffic along the waterfront, including boats, jet skis, and people to a level that was not compatible with the adjacent

residential uses. He noted that the issue of future dock expansion at this location, including limits thereon, should be a part of this Conditional Use Permit application. Mr. Peugh indicated that there were no plans for dock expansion with this application. Chairman Feinberg reiterated his concern noting that dock expansion would need to be addressed in this application so as to avoid uncertainty when dealing with inevitable dock expansion in the future.

Commissioner Spencer inquired about the proximity of structure to high water mark. Mr. Peugh indicated that the closest portion of the existing structure would be 45 ft. and that a fire pit would be added closer to the lake than that.

Chairman Feinberg inquired as to how usage would be managed or whether all 220 potential Whitetail owners and additional guests could show up at the same time. Dan Scott of Whitetail Club indicated that he did not know what the maximum number would be, that he believed it would be self regulating.

Commissioner Russell inquired if usage would be scheduled or by drop-in. Mr. Scott responded by stating that he didn't know the reasonable maximum number of people but that it would likely be self-regulating.

Commissioner Jessup asked if the facility would not be used for weddings. Mr. Scott stated that he did want to do weddings. He further stated that the application was not creating an outlet with food and beverage service and that he preferred to not to have any restrictions on weddings.

Chairman Feinberg noted that the requirement for a degree of relationship to a Whitetail property owner needed to be addressed so that friends of friends would not be able to be using this facility, which would increase usage.

PRE-APPLICATION (VAR, DR, SR)

Gay Simplot
2640 Warren Wagon Road

JoAnn Bulter of Spink Butler, LLP presenting a pre-application for the demolition and reconstruction of a structure within property line setbacks of a constrained property.

Ms. Butler indicated
251 E. Front Street

JoAnn Butler provided a history of the existing structure, noting that she was actively working with the County Road Department to resolve the boundary of the Warren Wagon Road right-of-way and that a neighborhood meeting would be held both in McCall and Boise.

Allen Giltzow described the limitations of the site using the presented visual materials, emphasizing the 300 sq. ft. building envelope articulated by the relevant Shoreline and Warren Wagon Rd setbacks.

Ms. Butler indicated that the attempt in the presented house design was to keep the overhangs on the new structure to a minimum to stay within existing building's footprint.

Chairman Feinberg asked if the existing structure was two stories. Mr. Giltzow noted that half of the structure, towards the road, was two stories, and the other half was currently one story. Chairman Feinberg asked about the current and proposed square footage. Mr. Giltzow indicated that existing was approximately 2,400 sq. ft. and the proposed structure was approximately 4,750 sq. ft.

Commissioner Corder voiced concern over stormwater given the proximity of the structure of the high water mark. Mr. Giltzow noted that the application would meet all requirements.

Commissioner Betts asked why the Commission would approve a newly reconstructed house within the 50 ft. setback, when in the preceding months they had denied applications of this sort. Mr. Giltzow responded that the new structure would be located mostly in the same footprint as the existing structure.

Chairman Feinberg noted that if the rules are bent for one application, then they have to be bent for all applications, which is obviously not possible. Ms. Butrler responded saying that the reasoning for the reconstruction within the setbacks was because of the superimposition of the current setbacks on a structure that was built to conforming standards in 1920. She also noted that the design team could examine the issue of square footage.

Commissioner Betts asked Attorney Chaudoir about the implications of handling applications with structures in the 50 ft. setback differently. Attorney Chaudoir noted that the Commission needed to look at the variance standards in handling these applications, and that depending on the specific characteristics of an application these standards might dictate different outcomes.

Staff noted that the Commission might be well served to separate their feedback to the application into two categories: the variance and the building design; staff noting that the proposed application met the criteria for a variance and that the Commission may want to focus their comments on the design of the structure.

Commissioner Spencer asked if the skeleton of the structure was sound enough to allow for an extensive remodeling using the frame of the existing structure. Mr. Giltzow indicated that it would be difficult to use the existing skeleton while meeting current building codes.

Chairman Feinberg and Commissioner Betts noted that starting with a structure that was the same physical extent as the existing structure would be agreeable.

Commissioner Corder asked if the applicant would be willing to consider a green roof to compensate for the structure's proximity to the water. Mr. Giltzow indicated that he could not speak on behalf of the applicant in that regard, but that it could be explored. Chairman Feinberg: stressed importance of stormwater for this application.

4. CONSENT AGENDA

Staff noted that DR-10-30 should be pulled from the consent agenda to discuss whether or not the application was approvable at the current meeting.

Commissioner Jessup moved to approve the entire Consent Agenda, with the exception of DR-10-30. Commissioner Spencer seconded the motion. The motion carried.

ROS-10-06

970 and 980 Sylvan Creek Road
Warner Lot Split

Secesh Engineering Inc. representing Paul Warner: A Record of Survey application to split an existing lot, undoing a previous combination. The property is zoned R4.

ROS-10-07

924 Strawberry Ln

Rod Skiftun representing Brenda Janssen: A Record of Survey application to split and existing .909 acre parcel into three new lots. The property is zoned R4.

DR-10-29

616 N. 3rd Street
Alpine Village Carports

Michael Hormaechea representing Alpine Village Company: A Design Review application for the addition of carports at Alpine Village Phase 1. The property is zoned CC.

DR-10-31

1101 E. Lake Street
RE/MAX Resort Realty

Kevin Batchelor and Susan Ulrich: A Design Review application for a new, hanging sign. The property is zoned CBD.

DR-10-32

204 E. Park Street
Washington Federal Savings Bank Sign

Tony Meade representing Washington Federal Savings Bank: A Design Review application for a new, free-standing sign. The property is zoned CBD.

DR-10-33

1000 and 1010 State Street and 200 Forest Street
McCall Memorial Hospital and Allen-Nokes Center

Tracy Broome representing the Hospital: A Design Review application for new signage at multiple locations on the hospital property. The property is zoned CV.

DR-10-34

215 Commerce Street
Lawn Belt USA

Larry and Sharon Burke: A Design Review application for a new hanging sign. The property is zoned I.

DR-10-35

600/601 Floyde Street
Woodlands HOA

Tuck Miller representing the Woodlands HOA: A Design Review application for new signage and landscaping at the entrance to the subdivision. The property is zoned R4.

DR-10-30

306 N. 3rd Street
Lucky Dutch Tattoo Studio

Bryan Paul representing Lucky Dutch: A Design Review application for a new, free-standing sign. The property is zoned CC.

Staff introduced DR-10-30, noting that the sign was already hung with temporary approval; that the sign was not completed because the applicant was awaiting final approval; and that the applicant was willing to work with the Commission to find an agreeable design.

Commissioner Spencer inquired about the lettering on the sign. Mr. Paul indicated that it was a computer font called Black Adder ITC.

The Commission discussed the various elements of the sign, with Commissioner Spencer indicating that it might be better to remove "Sterile Environment", Chairman Feinberg indicating that the phone number was tastefully designed, and Commissioner Corder noting that the address should be removed.

Chairman Feinberg moved to approved DR-10-30 with the conditions that "Sterile Environment" and the address be removed, as well as the conditions of approval in the staff report. Commissioner Jessup seconded the motion. The motion carried.

5. OLD BUSINESS

None

6. NEW BUSINESS

DR-10-21

1624 E. Lake Street
Ryberg Residence

Network Architects representing Claire and Steve Ryberg: A Design Review application for the construction of a new 5,800 sq. ft. residence in place of an existing residence. The property is zoned R4, located in the Shoreline Zone.

Staff noted that, prior to the meeting, the applicant indicated that the application should be continued to the November 2, 2010 meeting.

DR-10-26

1800 Crescent Drive
Novoselski Residence/Shed

McCall Design and Planning representing Denise and Tim Novoselski: A Design Review application for a new 1,400 sq. ft. residence and shed. The property is zoned R4 and located in the Shoreline Zone.

Andy Laidlaw of McCall Design and Planning presented an overview of the project with special attention to the site plan, landscaping plan, elevations, and floor plans.

Staff asked if the lawn indicated on the landscaping plan was existing. Mr. Laidlaw indicated that it was new lawn, which was in the location of a previously removed building and foundation.

Commissioner Corder noted a discrepancy between the materials indicated in the description and those on the plans. Mr. Laidlaw noted that the applicant had changed their mind and that the materials on the plans were the most current.

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

Commissioner Jessup moved to approved DR-10-26. Commissioner Betts seconded the motion. The motion carried.

DR-10-27

502 Garnet Street
Pape Remodel

McCall Design and Planning representing Nancy and Terry Pape: A Design Review application for the exterior remodel of an existing structure. The property is zoned R4, located in the Shoreline Zone.

Luke Vannoy of McCall Design and Planning presented an overview of the project with a focus on the site plan, elevations, floor plans and site photos, noting that the new addition will match the existing structure and the roof will be changed to a composition material.

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

Commissioner Spencer moved to approve DR-10-27. Commissioner Jessup seconded the motion. The motion carried.

VAR-10-01

1204 Mill Road
Ventress Addition

LeGrand Bennett representing the Ventress Family: A Variance application for an addition onto an existing Single Family Dwelling that is no longer a permitted use in the CBD zone. The property is zoned CBD.

Le Bennett provided an overview of the variance request, noting the code amendment CA-10-05 and its relationship to the variance.

After reviewing the major points of the staff report and findings and conclusions, Staff suggested that the Commission continue the variance application and deal with the code amendment first. Mr. Bennett requested that a decision be made at the meeting and that the application not be continued.

The Commission briefly discussed the interplay between the variance and the upcoming code amendment with regards to timelines.

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

Mr. Bennett reiterated his desire for a decision, and not a continuance.

Commissioner Spencer moved to deny VAR-10-01. Commissioner Jessup seconded the motion. The motion carried.

CA-10-04

Accessory Dwelling Units

The zoning code amendment adds (D) in MCC 3.8.11, to include "All development standards for the zone in which an accessory dwelling unit is constructed will apply, such a lot line setbacks, building height, and lot coverage (where lot coverage calculation will include both the main dwelling unit and accessory dwelling unit footprints, if separate structure(s))".

Chairman Feinberg opened the public hearing.

LeGrand Bennett asked for clarification of the code amendment. Staff provided an explanation of the code amendment, noting that the amendment would solidify the current practice. Mr. Bennett indicated that he was opposed to the amendment because it forced development to the middle of the lot. Staff reiterated that the practice for the past years was consistent with the proposed amendment, and that the amendment would not be changing anything.

Hearing not further comments, Chairman Feinberg closed the public hearing.

Commissioner Feinberg moved to continued CA-10-04 to the October 22, 2010 work session. Commissioner Jessup seconded the motion. The motion carried.

CA-10-05

Single Family Dwellings in the CBD

The zoning code amendment changes MCC Table 3.4.02 to conditionally permit the construction of a new single family dwelling in the CBD with approval of a conditional use permits. Additions and remodels of existing dwellings shall require Administrative Approval. Currently, single family dwellings are not permitted in the CBD but are conditionally permitted in the Community Commercial (CC) zone.

Staff explained the three recommended actions.

Chairman Feinberg noted that the proposed amendment would make the CBD Zone consistent with the CC Zone. Commissioner Coder asked what was meant by this, and whether the CC and CBD Zones need to be consistent.

Staff distributed materials indicating the location of zoning boundaries and single-family residences within the CBD.

Commissioner Jessup stated that the amendment would provide a way to address the many existing situations where property owners were constrained.

Commissioner Corder stated that she was not comfortable with the amendment.

Chairman Feinberg opened the public hearing.

LeGrand Bennett voiced his support of the propose code amendment.

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

Commissioner Spencer moved to approved CA-10-05. Commissioner Jessup seconded the motion. The motion passed 5-1, with Commissioner Corder dissenting.

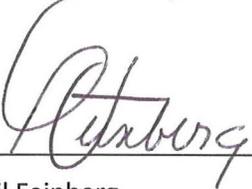
7. OTHER

Staff provided a Community Development Director Update

8. ADJOURNMENT

Chairman Feinberg adjourned the meeting at 8:25pm.

Dated: October 5, 2010



Phil Feinberg

Chairman, P&Z Commission



Bradley Kraushaar

City Planner, City of McCall