

MCCALL AREA
PLANNING AND ZONING COMMISSION

Minutes

December 7, 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

Commissioners Corder, Russell, Jessup, Betts and Chairman Feinberg were present. Staff Michelle Groenevelt, Bradley Kraushaar, and Attorney Merideth Chaudoir were also present.

Commissioner Jessup moved to amend the agenda to include an additional application of the consent agenda. Commissioner Betts seconded the motion. The motion carried.

2. REVIEW & APPROVAL OF MINUTES

October 22, 2010 Work session Minutes

November 2, 2010 Minutes

Commissioner Jessup moved to approve the October 22, 2010 and November 2, 2010 minutes. Commissioner Corder seconded the motion. The motion carried.

3. PRE-APPLICATION MEETINGS

None

4. CONSENT AGENDA

Commissioner Corder requested that DR-10-42 be pulled from the consent agenda for separate consideration.

ROS-10-13

1485 Dragonfly Loop
Burns Lot Combination

Skiftun Land Surveying, Inc. representing Geoff Burns: A Record of Survey application to combine two existing lots in the Aspen Ridge #3 subdivision. The property is zoned R4.

DR-10-44

317 E. Lake Street
Red Pavilion Restaurant – Sign

Rocky Mountain Signs representing Red Pavilion: A Design Review application for a new business sign. The property is zoned CBD and located in the Scenic Route Zone.

DR-10-46

122 E. Lake Street
Juniper Mountain Design

Tim Smith representing Juniper Mountain Design: A Design Review application for a new business sign. The property is zoned CBD and located in the Scenic Route Zone.

Commissioner Corder moved to approve the consent agenda, not including DR-10-42. Commissioner Jessup seconded the motion. The motion carried.

DR-10-42

200 Scott Street
McCall RV Resort – Sign

Kris Freedman representing McCall RV Resort: A Design Review application for two new entrance signs. The property is zoned R8.

Commissioner Corder noted confusion regarding the proposed sign.

Kris Freedman briefly described the proposed signs.

Staff clarified the location of the proposed signs, and which presented designs would be which locations.

Commissioner Jessup moved to approve DR-10-42. Commissioner Corder seconded the motion. The motion carried.

5. OLD BUSINESS

CA-10-07

Airport Zone Overhaul

City Staff presenting a code amendment, developed by a dedicated working group, overhauling the airport zoning code.

Staff noted that the proposed code changes were scheduled to go back to the airport code revision committee and that no action was required at present. Staff further noted that it was the intention at this meeting to retract the application until the airport committee had a final product, so that the public hearing before the Commission could be re-noticed.

No action was taken on the retracted application.

6. NEW BUSINESS

DR-10-41

1634 E. Lake Street
Butterfield Addition

Network Architects representing Susie and Scott Butterfield: A Design Review application for the enclosure of a first-story space below and existing porch. The property is zoned R4 and located in the Shoreline Zone.

Staff provided an introduction to the project, reviewing the presented documents, describing the proposed addition, and noting the staff recommendation.

Commissioner Russell voiced concern that the proposed alteration would result in new construction within the fifty-foot setback from the high water mark.

The Commission, with assistance from Mr. Eckhart, reviewed the plans from the project to clarify where certain changes would be made. Mr. Eckhart noted that the existing stairway in the setback would be removed. Commissioner Russell reiterated that there would be new construction within the fifty-foot setback.

Staff clarified that there was an existing nonconforming deck that was being partially removed, but that a small portion of that deck would remain in the setback and that the applicant was planning on finishing the relocated edge of the deck, but that a new deck was not being constructed within the fifty-foot setback. Commissioner Russell noted that a new beam was proposed underneath the reduced deck and that a small portion of that beam was located in the setback.

Mr. Eckart clarified that the existing beam supporting the deck was rotting and unsafe, and that the proposed beam was merely a replacement.

Chairman Feinberg opened the public hearing.

Dan Scott, of 1718 E. Lake Street, voiced his support of the project and the applicant's investment of their property.

Commissioner Corder inquired about 60 ft construction boundary indicated on the plans.

Mr. Scott clarified that the construction boundary was a result of CC&Rs established for the subject property and his own.

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

Commissioner Betts moved to approve DR-10-42. Commissioner Corder seconded the motion. The motion carried.

CUP-10-07, DR-10-43, SR-10-17

607 & 609 Owen Dr
Shore Lodge Beach Club

Dan Scott representing Sabala Whitetail LLC: Conditional Use Permit, Design Review, and Scenic Route applications to convert an existing residence into a private club for Whitetail members. The property is zoned R4 and located in the Shoreline and Scenic Route Zones

Staff noted that additional public comments had been provided at the start of the meeting and suggested a recess to allow the Commissioners time to review these materials.

Betts moved to recess for fifteen minutes. Commissioner Jessup seconded the motion. The motion carried.

Chairman Feinberg reopened the meeting.

Commissioner Betts recused himself noting that he was a non-property owning member of the Whitetail Club.

Dan Scott, Whitetail/ShoreLodge; Scott Thomas, Whitetail Club Director; and Dave Peugh, Epikos Land Planning and Design were present representing the project.

Mr. Scott provided an overview of the proposed beach club. He noted that 228 resident memberships were available and that, currently, there were 72 members. He stated that the beach club facility managed by the Whitetail Club and that this would be different than a typical HOA run club. He further explained the club would be for day use and catered events, but that a new food and beverage facility was not being opened (the kitchen would only be for catering prep). He indicated that there would be no exterior changes to the existing structures and that interior changes would be limited to those things necessary to meet codes. Mr. Scott noted that the landscaping on the property had been and would continued to be enhanced.

Commissioner Jessup asked whether the 228 memberships were for individuals or households. Mr. Scott indicated that it was for households.

Mr. Peugh presented the visual plans for the project, noting that the westernmost house was and would continue to be used to house the golf pro. He noted the proposed parking lot (19 spaces) and the pathway from Warren Wagon Rd to the clubhouse and the beach. He also stated that the existing dog run would continue and that no dogs would be allowed off-leash or on the beach. In response to a question, Mr. Peugh indicated that the concrete pad leading to the dock was existing and would remain unaltered. He stated that the existing dock can accommodate four boats and four personal watercraft, and that the proposed dock would accommodate eight boats and four watercraft for day use only.

Commissioner Corder noted concern about lawn to the beach and fertilizer runoff.

Rick Mooney, Whitetail Golf Course Superintendent, noted concern about phosphorus loading for water bodies, but indicated the phosphorous is held by contiguous turf and that erosion is the main cause of nutrients going into the lake.

Staff asked if the existing lawn was proposed to be fertilized. Mr. Moon indicated that the law would be fertilized.

Mr. Thomas introduced himself, noting his club management qualifications and history with Whitetail. He reiterated that the beach club would be professionally managed, that there would be no overnight stays and that events at Whitetail would be limited to two per month. Mr. Thomas indicated that the two event per month limitation would span across and include all Whitetail facilities (i.e. Fish and Swim, Golf Clubhouse, and proposed Beach Club). He further noted the hours of operation would 9am to 10pm and that for events, music would not be allowed outside after 10pm.

Commissioner Corder inquired about active management and whether whitetail staff would be on site for events. Mr. Scott indicated that there would be Whitetail staff present on-site to manage all events.

Chairman Feinberg opened the public hearing.

Dennis McDowell, of 604 and 602 Whipkey Lane, noted that he lived immediately adjacent to the property on the lakefront. He provided a family history and noted the process involved in his choosing to purchase his property. He noted the sense of community in the area around the project.

Mr. McDowell discussed the agreement between Whitetail Club and its property owners requiring a private club, and that the proposed beach club was intended to satisfy this requirement. Mr. McDowell discussed the potential usage of the structure, beach, and dock based upon build-out of the Whitetail project. He further commented on the potential for future lot sales and the possibility of Whitetail expansion onto adjacent property further increase potential usage. Mr. McDowell indicated that he had not purchased his property to have a commercial club next door. He also discussed the potential for lake traffic on an already busy part of lake, and that the proposed use could create hazardous situations. He further commented on the devaluation of property because of proposed use, and provided a copy of an appraisal of his property to staff noting the mention of decreased value based on the potential adjacent use. Lastly, Mr. McDowell noted a lack of proper notification, the traffic volume associated with the new use, and his opposition to the project.

Millford Terrell, owner of three cabins on Whipkey Lane and the Hayes Street Right-of-Way, introduced himself and noted his history in McCall. He asked the Commission for clarification regarding the potential of the expansion of Whitetail.

Mr. Scott noted that, in theory, Whitetail could expand in many directions with the purchase of adjacent pasture land.

Mr. Terrell noted that the total proposed daily usage for the beach club, of two hundred people, is more than Camp Ida Haven's usage for an entire summer. He further noted that the intense usage at Camp Ida Haven resulted in a tremendous amount dust, and that this is carried into the lake in runoff. He further noted that he observes the existing docks and that based on water levels throughout the summer the actual use of the dock is only two, maybe three, not the presented four boats, and not including the proposed personal watercraft. He indicated that the proposed personal watercraft would undoubtedly have to be parked on the beach because there would be no room on the dock. Mr. Terrell lastly noted the current usage of the adjacent properties, asked not to have a boat club in the neighborhood.

Tim Armstrong, of 602/604 Whipkey (part owner), introduced himself and noted his personal history and history in McCall. He referenced JoAnn Butler's letter on behalf of the group of property owners and it contains issues that need to be addressed. He noted that the concern with the proposed club was an issue of numbers relating to the potential use of the facility. He indicated that he had only seen a maximum of 20-30 people on a single property in the area. Mr. Armstrong stated that there needed to be clarification as to how the project works with the sewer and whether or not it is commercial or industrial.

Staff clarified that the project is in the R4 Zone and that the use, per McCall City Code wasn't necessarily commercial, but that according to various agencies, such as Central District Health Department and Payette Lakes Recreation Water and Sewer District, it was considered a commercial use.

Mr. Armstrong asked where 200 potential people would park, given that only 19 spaces were provided. He also asked whether people would be able to park on the street. He also voiced concern over the detrimental effects on property value because of an adjacent use that did not fit with the neighborhood.

Helen Klinge, of 608 Whipkey Street, noted the neighborhood community in and around the project area. She also noted the commercial nature of the use and the potential issues with safety, ultimately expressing her disapproval of the project.

Dallas Young, of 609 Whipkey Street, provided her personal history and noted the neighborhood community. She indicated that she had no problem with change, but was concerned with impact of beach club on adjacent property. She noted that there would be increased traffic, noise, pollution, fumes, and water traffic, and that property values would decrease. She stated that she had not bought her property to live next to a beach club. She expressed concern about child safety on lake associated with increase boat traffic. She reiterated that she had many concerns, and hoped that the Commission would not recommend approval.

Ramon Yorgason, owner of property on both sides of Hayes Street, voiced his assumption that Whitetail will execute an excellent product and facility, in terms of the quality, but that the nicer the facility, the more likely the increased usage. He stated that the usage of the beach club would not be a little bit different from the adjacent residences, but a lot different. He explained that in examining properties for purchase he had specifically avoided other property near club-like uses. He reiterated his assumption that the quality of the proposed club would be high. He explained that at a family reunion 30-40 people had made his 200 ft of lake frontage seem crowded and that the number of people allowed at the club would need to be substantially reduced.

Keith Darling, caretakers for the Manchester O'Shaughnessy property and residents of 608 Owen Drive, indicated that they had not received notice of the project until two days prior to the meeting and that there is much ambiguity and uncertainty in the presented materials. He expressed that more information should have been provided with the application. He explained his recent experience with a 130 person membership party at the proposed club and the resulting commotion and significant parking along Warren Wagon Rd. He noted that he had been assured by Whitetail management that this was a one-time event and that any future plans would have full transparency. He noted that new sand had been hauled into the subject property to increase the size of the beach and that he assumed the applicant had secured the necessary permits for such activity.

Mr. Darling read the O'Shaughnessy letter into the record (see attached) and referenced the Manchester letter (see attached).

Mr. Darling noted that the numbers represented between lots and memberships and usage were inconsistent.

Seth McDowell, of 602 and 604 Whipkey Street, noted his personal history and history in McCall. Mr. McDowell noted some stories of his past experience in the neighborhood that illustrated the close quarters of the neighborhood, including a potential wedding, small beach gatherings, and general outdoor conversations at night.

Grace Terrell, of 605, 607, 611 Whipkey Street, noted the neighborhood character and collective concern over the presented project, including the lack of boat safety and awareness and the implications from adding more boat traffic to the area. She voiced her assumption that the project would be of high quality, but that it was proposed in the wrong location.

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

Mr. Scott responded to the comments noting various misrepresentations of facts. He explained how the appropriate public notification process had been followed, noting that many people had been contacted individually regarding the project, who had claimed otherwise. Mr. Scott indicated that additional data regarding usage specifics could be brought to the next meeting.

Commissioner Jessup noted the criteria of approval for a CUP included harmony with neighborhood and asked Mr. Scott to convince her that this criteria could be met by the proposed use.

Mr. Scott noted that use was same as other properties, just at a different quantity. He stated that he thought that the usage numbers were adequate, but that based upon the public comments he would need to look at a different number for usage.

Chairman Feinberg indicated that he had no concern about the quality of the product, but noted that the biggest issue of the Commission and the commenting public was daily usage and potential build-out usage.

Chairman Feinberg asked about the number of slips on the Shorelodge dock. Mr. Scott noted that the recent expansion had been completed and that there was approximately 32 new slips and 44 existing.

In response to a question, Mr. Scott indicated that the potential for Whitetail expansion was only limited by the amount of adjacent land, but suggested that the CUP application could contain a limit on the number of potential people with access to the beach club.

Commissioner Jessup noted that members may not be interested in sharing a beach with another 150 guests and that a limit on usage could meet both the applicant's and the public's needs.

Mr. Scott noted that usage for facilities like this tend to self regulate. He stated that the "150" number had been set up for context of event and that outdoor usage numbers were relevant to neighbors, not inside usage numbers.

The Commission, staff, and the applicant discussed the best next steps. Staff recommended an additional neighborhood meeting, subsequent written information from the application, and time to comment thereupon, prior to the next meeting. Staff noted the time between the present meeting and the January Commission meeting would not be sufficient to accomplish these goals and suggested continuation to the February 1st Commission meeting.

Commissioner Russell moved to continue the application to the February 1st meeting to allow time for another neighborhood meeting, subsequent materials from the application, and a comment period. Commissioner Corder seconded the motion. The motion carried.

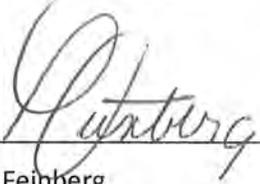
7. OTHER

Community Development Director Update

8. ADJOURNMENT

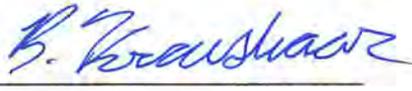
Chairman Feinberg adjourned the meeting at 8:46 p.m.

Dated: January 4, 2011



Phil Feinberg

Chairman, P&Z Commission



Bradley Kraushaar

City Planner, City of McCall