



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Rob Garrison, Vice-Chairman

Tom Olson, Jr, Commissioner
Kathy Deinhardt Hill, Commissioner
Ronda Sandmeyer, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: June 9, 2011

TIME: 6:00 p.m. – 7:05 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Ed Allen, Chairman and Commissioners Rob Garrison, Tom Olson, Jr. and Kathy Deinhardt Hill. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator. Ronda Sandmeyer was excused.

OPEN: Call to Order

MINUTES:

Commissioner Garrison moved to approve the minutes as presented for May 12, 2011. Commissioner Olson seconded the motion. Motion carried.

A. OLD BUSINESS:

1. PUD 05-01 Valley County Business Park & Storage Facility – Extension: Highway 55, LLC is requesting approval of a five-year extension of the conditional use permit that expires on June 27, 2011. The 12.68-acre site is accessed from west side of Highway 55, approximately ¼ mile north of West Lake Fork Road. The site is RP17N03E034025A, located in the SWNW & NWSW of Sec. 3, T.17N, R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest. There was none.

Chairman Allen opened the public hearing. Staff presented staff report.

Chairman Allen asked for a presentation from the applicant.

Judy Leister, 107 Plymouth Road, McCall, ID, made the following comments:

- Approved June 26, 2005.
- Did some wetland work.
- Tried to start project in 2005, but excavator could not do it at that time.

- By 2006, recognized there would be economic downturn so did not proceed with project.
- Anticipated a 5 year down turn.
- It would be economic suicide to do at this time.
- Construction loans are not available at this time.
- Secesh did wetland work, have talked with other partners, worked with ITD on turn lanes, etc.
- They could qualify for loan, but cannot gamble on it at this time.
- Should get extension because they are economically viable, will deliver a project that will be successful, committed to completion.
- Still a logical plan – storage for toys and storefronts with massive landscaping.

Commissioner Hill asked if there was a for sale sign. Leister replied, yes

Commissioner Garrison asked, since 2005 has there been any additional work on-site. Leister said, no, except some test holes.

Chairman Allen asked for proponents.

Chairman Allen asked for uncommitted.

Chairman Allen asked for opponents.

Chairman Allen closed public hearing.

Discussion ensued.

Commissioner Garrison said there is not a construction plan that has addressed requirements of the LUDO. This application has already been approved for six years, plus five, would be an approval for 11 years with 3 years to complete. Good location in county for a project of this nature. If still viable in five years, then re-apply. He would be willing to extend for a couple months in order to wait on better plan.

Commissioner Olson stated that at some point there is nothing more to do – why put infrastructure in with no hopes of completion. Would rather see property left undisturbed. Commissioner Garrison said work on the N-P study was suspended. Commissioner Olson said perhaps a 3 year approval would be more acceptable.

Commissioner Hill said five years is too long, does not want to see the land torn up, concerned with the for sale sign. How serious are you if you have the property for sale?

Chairman Allen is leaning towards Commissioner Garrison's statement – 11 or 12 years is a long time for a conditional use approval. There is risk in development. After 15 years, a lot of things have changed. Should come back to table with new changes, ordinances, neighbors, etc.

Commissioner Hill said there may be a different Commission at that time, changing times. They risk losing approval or end up with a better project.

Commissioner Garrison mostly concerned with the suspension of any work or studies. He would

like to see more commitment.

Commissioner Olson interjected with some set points and cutting back time.

Chairman Allen stated they need to be able to start construction when economy rebounds – do the studies now. It is our job to keep projects current to existing times; not establishing a CUP 15 years after it is approved.

Commissioner Garrison would like to see specific goals.

Chairman Allen would like to be able to impose new LUDO requirements.

Commissioner Garrison moved to approve a three year extension for **PUD 05-01 Valley County Business Park & Storage Facility – Extension**, with the following conditions:

- they come back in 90 days with a timeline delineating specific improvements matching the three year extension;
- yearly reporting to P&Z Administrator of progress;
- ability to impose new LUDO changes after three years if and when new extension is applied for.

Commissioner Olson seconded the motion. Motion carried.

Chairman Allen explained the 10 day appeal period

2. C.U.P. 06-02 Settler's Mill # 1 Subdivision – Extension: Knife River Corporation - Northwest is requesting approval of a five -year extension of the conditional use permit that expires on July 1, 2011. The 31.167 acre site is located at the northwest corner of State Hwy 55 and Loomis Lane, in the SWSE Sec. 23, T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item and asked if there was any exparte contact or conflict of interest. Olson recused himself due to past work relationships.

Chairman Allen opened the public hearing. Staff presented staff report.

Chairman Allen asked for a presentation from the applicant.

Dave Turner, Knife River, 10248 Turner Drive, Middleton, ID, made the following comments:

- Knife River is involved due to a foreclosure about 14 months ago.
- Hired consultant to meet with the staff.
- Final plat was approved twice.
- Developer did a lot of negotiation with North Lake – met with them last year – a tentative agreement.
- One well on-site with force main to Fir Grove.
- Believe project is still compatible.
- Would like to keep preliminary plat due to construction on-site – if they have to come back a new preliminary plat may not lineup with existing infrastructure.
- \$1,000,000 in project already.
- Not viable to move forward at this point.
- Unaware staff was confused.

- Does a lot of development down below.

Commissioner Hill asked about developer constructing units. Turner said they would sell the lots for construction.

Chairman Allen said he is leaning towards some time to re-familiarize us with the project.

Chairman Allen asked for proponents.

Chairman Allen asked for uncommitted.

Chairman Allen asked for opponents.

Chairman Allen closed public hearing.

Discussion ensued.

Commissioner Hill would like to give him until October 13 to meet with Staff to clear up gray areas of what is current approval for the development.

Commissioner Garrison said this is the one everybody dreads – the ground has been broken. He would like to see a construction plan.

Chairman Allen said they need to sit with staff to clarify project.

Commissioner Garrison moved to extend to October 13, 2011, in order to meet with staff to clarify gray areas and to do a better timeline for **C.U.P. 06-02 Settler's Mill # 1 Subdivision – Extension**. Commissioner Hill seconded the motion. Motion carried.

Chairman Allen explained the 10 day appeal period

B. NEW BUSINESS:

1. C.U.P. 11-05 Rock Creek Cottages (a Portion of P.U.D. 98-1 Tamarack Resort Phase 1) – Preliminary and Final Plat: The property owners of Block 18 Phase 1 Tamarack Resort Planned Unit Development are requesting a conditional use permit to amend a previously recorded plat. Block 18 currently consists of 5.59 acres with 24 lots and an open space parcel. The amendment would plat the existing access road as Rock Creek Court (private) and create exclusive use common areas over existing garages and hot tubs. The site is served by Northlake Recreational Water and Sewer District and Tamarack Municipal Water System. All utilities are installed. The site is located in Section 5, T.15N, R.3E, B.M., Valley County, Idaho.

Chairman Allen announced the item and asked if there was any ex parte contact or conflict of interest. There was none.

Chairman Allen opened the public hearing. Staff presented staff report.

Chairman Allen asked for a presentation from the applicant.

Dave Papiez, manager, Tamarack, LLC, made the following comments:

- This is a housekeeping matter.
- Current plat did not show the garages and hot tubs due to construction plans being done after platting.
- Garages exist in Parcel I – solution for exclusive use by property owners is a EUCA and tied to the cottage.
- Need to declare the road as a private road to eliminate confusion of finding units.
- On 13 of 24 units the hot tub extends beyond the lot line – all units have a hot tub.
- Homeowner balloting has been done for approval of this action – 50% response and they all approve.

Commissioner Olson asked if phase I is the only area they have with this problem. Papiez said, yes. In subsequent phases, construction plans were done at time of platting – garages are all platted.

Chairman Allen asked for proponents.

Chairman Allen asked for uncommitted.

Chairman Allen asked for opponents.

Chairman Allen closed public hearing.

Discussion ensued.

Commissioner Garrison said best to do it now instead of 30 years from now – best to clean it up now.

Commissioner Olson moved to approve the preliminary and final plat for **C.U.P. 11-05 Rock Creek Cottages (a Portion of P.U.D. 98-1 Tamarack Resort Phase 1) – Preliminary and Final Plat** and authorize the Chairman to sign. Commissioner Garrison seconded the motion. Motion carried.

Chairman Allen explained the 10 day appeal period

C. NEW BUSINESS:

1. Facts and Conclusions

- **C.U.P. 11-02 Midas Gold Tent Camp**

Commissioner Garrison moved to approve the Facts and Conclusions. Commissioner Hill seconded the motion. Motion carried.

ADJOURNED: 7:05 p.m.