



Valley County Planning & Zoning Commission

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Rob Garrison, Chairman
Bryan Cooley, Vice-Chair

Ed Allen, Commissioner
Johanna Defoort, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

December 8, 2016

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Call to Order

[P&Z Commissioner - Ed Allen: Present](#)

[P&Z Commission Chairman - Rob Garrison: Present](#)

[P&Z Commissioner - Scott Freeman: Present](#)

Commissioner Defoort and Commissioner Cooley have been excused.

A quorum was present.

Also present was P&Z Administrator, Cynda Herrick, AICP, CFM.

- B. MINUTES:** Commissioner Allen moved to approve the minutes of November 10, 2016. Commissioner Freeman seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

- 1. P.U.D. 98-1, C.U.P 02-04, and C.U.P. 02-05 Tamarack Resort – Extension Request:** Tamarack Resort is requesting a five-year extension of the planned unit development and conditional use permits. A five-year extension was received in 2011 and an update to the Commission occurred in 2014. The site is accessed from West Mountain Road. The site is located on approximately 3,608 acres of land consisting of 2,124 acres of State of Idaho land and 1,484 acres of private land in T.15N, R.2E; T.16N, R.2E; and T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Garrison introduced the item. Chairman Garrison asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Garrison asked for the Staff Report. Staff presented the Staff Report and summarized the following exhibits:

Exhibit 1 – email from Stephen Lord, applicant

Chairman Garrison asked for the applicant's presentation.

Stephen Lord, 409 W. Jefferson St., Boise, ID, made the following comments:

- Wrote original extension request as submitted on October 24, 2016, for five years.
- Explained ownership and approvals.
- Need to obtain the extension to work through all of the outstanding issues.
- Tamarack is a significant factor to the Valley County economy.
- Construction is not at a complete standstill – there have been a number of permits for individual homes, cottages, etc.
- Phasing plan has been significantly delayed since 2008 due to national and world economy.

Commissioner Allen asked about different owners. Stephen Lord explained ownerships since WestRock LLC, including the sale of the golf course and lease back to Tamarack LLC. When Credit Suisse wasn't paid back, they foreclosed, etc. It would take two hours to explain the intricacies. Explained the golf course and the Village Plaza which was foreclosed to the contractors (UWW). The UWW still owns the Village Plaza. His clients own the bulk of the development. Described the map attached to the Staff Report. Have about 280 dwelling units developed and approximately 130 bare lots.

Commissioner Allen asked about the tax deeds. Stephen Lord said they have all of the critical property.

Chairman Garrison asked about what would be improved during extension. Stephen Lord said they are still stabilizing. As soon as they find a developer or financier they will continue where they left off. Ultimate buildout will cost \$1.5 Billion.

Chairman Garrison asked for proponents.

Brad Larson, General Manager, 40 Twin Creeks, made comments:

- Tomorrow is the big opening.
- They have hired about 220 people.
- Skier visits were up 70% last year.
- This year they have a number of ski passes – increase of 41%.
- Excited about the snow.
- They need more time.

Levi Johnson, Community Manager for TMA (Tamarack Municipal Association), 255 Homer Lane or 218 Birch Lane, Donnelly, ID, made the following comments:

- The TMA has 20 full-time year round employees.
- Average number of years worked at Tamarack is 6 years – they are very dedicated.

Beverley Hellman, 71 Twin Creeks Court, Board of Directors for TMA and investor, made the following comments:

- They are buying properties from NewTrac.
- Working with potential developers.
- Working with other owners too.

- Requested approval of the extensions for future of significant employment opportunities, tourism, tax base, and other businesses in the county.
- There has been a lot of money invested – well over \$500 Million.

Chairman Garrison asked for uncommitted. There were none.

Chairman Garrison asked for opponents. There were none.

Chairman Garrison asked for rebuttal. There was none.

Chairman Garrison closed the public hearing.

The Commission deliberated:

Commissioner Allen appreciated the presentation and stated we should grant the extension.

Commissioner Freeman agrees with the response concerning lack of specifics in operations plan.

Chairman Garrison would like a COA, as follows: **Annual updates shall be made to the P&Z Staff with bi-annual updates to the Planning and Zoning Commission.**

Commissioner Allen moved to approve a five year extension for P.U.D. 98-1, C.U.P. 02-04 and C.U.P. 02-05 with condition of approval. Commissioner Freeman seconded the motion. Motion carried.

Chairman Garrison explained the ten day appeal process.

2. P.U.D. 04-02 Gold Fork Bay Village – Extension Request: Gold Fork Bay LLC is requesting a three year extension of the conditional use permit that expires December 2016. The approved permit allows for a mixed-use development of single-family homes, duplexes, townhomes, and amenities. The site is accessed from Old State Road and Paradise Lane. It is 30 acres located in the SESE Section 34, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Garrison introduced the item. Chairman Garrison asked if there was any *ex parte* contact or conflict of interest. There was none.

Chairman Garrison asked for the Staff Report. Staff presented the Staff Report and summarized the following exhibits:

Exhibit 1 – letter from Gregory Brown, 90 Golden Place.

Chairman Garrison asked for the applicant’s presentation.

Steve Martinez, 9165 W. State St, Boise, ID, 83714, made the following comments:

- 88 units had been approved and they came back and asked for a reduction in units.
- In June 2017, they plan on coming in with a reduction to ten lots along the lake.
- There is existing sewer and well on the property.
- Originally there were 44 dock slips; this will be scaled back to two slips – the bay does dry

up and there are other docks.

- Have worked with Rod Higgins on irrigation.
- The existing pond only has water in the spring – it is not currently full year around.
- They did list the property for sale in order to bring in investment dollars.
- The secondary home owner market is challenging and wanted to bring in outside investors. They wanted to develop, as is, but he wants to decrease density.

Commissioner Allen asked about ten lots along the lakefront. He confirmed single family homes – currently 34 lots with improvements.

Commissioner Allen verified that there are less docks and it is a dry pond. Steve Martinez confirmed and explained the dry pond. He said 99% of the year it is dry.

Chairman Garrison commented on improvements made – he asked about phases 2 and 3. Steve Martinez stated that they have not made a decision on everything east of Paradise Lane. He does not believe that is the direction they are going. The clubhouse, pools, etc. will come out for 10 lots.

Chairman Garrison asked for proponents. There were none.

Chairman Garrison asked for uncommitted. There were none.

Chairman Garrison asked for opponents. There were none.

Ernie Mazorol and Shelley Johnson, 126 Paradise Lane, representing Paradise Lane Homeowners Association, made the following comments:

- Read exhibit 2 into the record.
- Talked to developer prior to the hearing – they are not opposed to the ten lots.
- Opposed to development as proposed.
- Not opposed to extension to allow time to redo project.
- Under current plan he could sell with 88 units.
- The pond does have standing water and there is a mosquito infestation.
- Concerned with cow manure going into the lake.
- His part of cove is littered with stumps and it dries up faster.

Chairman Garrison asked for rebuttal.

Steve Martinez rebutted:

- He is coming close to resolution on this project.
- Aware of neighbors' concern.
- Have known this was contentious when he purchased it – believes 10 lots would appease neighbors' concerns.

Commissioner Allen asked about immediate sale and effect on current plan. There is a well already dug on the property – must be an error in the MLS listing. They have agreement with Northlake Sewer. When they purchased they thought market would recover more quickly.

Chairman Garrison closed the public hearing.

Commissioner Allen said it is a tough one. Commissioner Freeman asked if they could approve with a contingency. Chairman Garrison recommended they come with preliminary plat sooner. He does not like to see infrastructure that is in the ground abandoned. Commissioner Allen likes the idea of scaling it down and it sounds appealing to the neighborhood. Chairman Garrison doesn't think it would take 3 years.

Commissioner Allen moved to approve a one year extension for PUD 04-02 with the thought that they would be seeing a reduced density plat. Commissioner Freeman seconded the motion. Motion carried.

Chairman Garrison explained the ten day appeal period.

D. NEW BUSINESS:

- 1. C.U.P. 16-20 Ion Electric Shop and Housing:** Justin Jones is requesting approval to establish a commercial shop and equipment storage area for his business. In addition, he is requesting approval to allow the upstairs living quarters to be used as employee housing. He is proposing a 2240 sq. ft. building with 3-bay garage and studio apartment on the second floor. The site is one acre addressed as 13975 Highway 55 and located in the east half of Lot 4 in Eld's Country Subdivision in the SE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Garrison introduced the item. Chairman Garrison asked if there was any *exparte* contact or conflict of interest. Commissioner Allen recused himself due to *exparte* contact in the past.

Chairman Garrison asked for the Staff Report. Staff presented the Staff Report and summarized the following exhibits:

Exhibit 1 – letter from Lori Bateman, 13970 Rustic Rd,

Exhibit 2 - letter from Jeremy & Kimberly Onthank, 13974 Rustic Road,

Exhibit 3 – letter from Greg & Karen Topliff, 13977 Rustic Road

Chairman Garrison asked for the applicant's presentation.

Justin Jones, 13643 Morris Ranch Road, McCall, made the following comments:

- Reason for request is after the fact – it was not his intention.
- The business will be low impact and will not be frequented by the public – no retail – no wholesale.
- Will keep the place relatively free of trailers – will be storing his personal stuff that he does not have room for at his home.
- Employees will be parking on-site between 7 a.m. and 7 p.m.
- Debris that was removed was 65 tires and 12 docks that were there from previous owners plus logs.

- He brought in construction materials, gravel, etc.
- The pole building would be three sided with overhead door toward highway.
- Landscaping will be aspen trees and things that will grow in the riparian type of area.
- Will get a commercial access permit from ITD.
- Activities are off the premises during business hours.
- Lighting is a partial cut-off – will change.
- There will be a job trailer when not needed on the job – there will be one flatbed trailer.
- Parking will be on the south side – a minimum of 50’.
- Narida Jones explained parking – total of 3 spaces.
- They will plant some aspen trees along west, south, and north property.
- Tenant parking on the west.
- Pole building will be in northeast corner or along the north property line.

Chairman Garrison asked for proponents. There were none.

Chairman Garrison asked for uncommitted. There were none.

Chairman Garrison asked for opponents. There were none.

Chairman Garrison asked for rebuttal. There was none.

Chairman Garrison closed the public hearing.

The Commission deliberated and re-worked the conditions of approval.

COA #6: There shall be no outside storage of any equipment or materials, except three trailers – 1) flat trailer, 2) utility trailer, and 3) service vehicle.

COA #7: Removed and included as part of COA #6.

COA #10: change date to July 1, 2017.

COA (new): Shall submit an accurate site plan prior to January of 2017.

Commissioner Freeman questioned why it wasn’t applied for first, but can’t change that now.

Chairman Garrison would like to see a better site plan so we know exactly where parking, trees, structure, storage, etc. are located.

Commissioner Freeman moved to approve CUP 16-20 Ion Electric with the conditions of approval. Chairman Garrison seconded the motion. Motion carried.

Chairman Garrison explained the ten day appeal period.

2. Outdoor Lighting Ordinance – Revision

Chairman Garrison introduced the item. Chairman Garrison asked for the Staff Report. Staff presented the Staff Report and summarized the following exhibits:

Exhibit 1 – newsletter from Mountain Town News “Idaho Group Aims for First Dark Sky Reserve in the U.S.”

Chairman Garrison asked for the applicant’s presentation.

Staff presented.

No one was in attendance.

Chairman Garrison asked for proponents. There were none.

Chairman Garrison asked for uncommitted. There were none.

Chairman Garrison asked for opponents. There were none.

Chairman Garrison asked for rebuttal. There was none.

Chairman Garrison closed the public hearing.

Chairman Garrison questioned flags being taken down at night comment.

Discussed lumens and direction of lighting on flag poles.

Like the new pictures.

Commissioner Allen moved to recommend approval to the Board of County Commissioners.

Commissioner Freeman seconded the motion. Motion carried.

E. FACTS AND CONCLUSIONS:

- C.U.P. 16-11 Moudy Mountain Summer Festival
- C.U.P. 16-13 Activity Barn Expansion
- C.U.P. 16-16 Zemke Bed and Breakfast
- C.U.P. 16-17 Binnion Multi-family Dwelling Unit
- C.U.P. 16-18 Harlow Rose Subdivision - Preliminary and Final Plat
- C.U.P. 16-19 Sleigh Rides

Commissioner Freeman moved to approve the Facts and Conclusions as listed and authorized the Chairman to sign. Commissioner Allen seconded the motion. Motion carried.

F. ADJOURN: 8:05 p.m.