

Valley County Planning and Zoning Commission

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Neal Thompson, Chairman
Ken Roberts, Vice-Chair

Sasha Childs, Commissioner
Katlin Caldwell, Commissioner
Scott Freeman, Commissioner

MINUTES

Valley County Planning and Zoning Commission

May 5, 2022

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m. by Chairman Thompson. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Sasha Childs:	Present
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Neal Thompson:	Present
PZ Assistant Planner – Lori Hunter:	Present

B. NEW BUSINESS:

1. **P.U.D. 22-01 Roseberry PUD – a Manufactured Home Park and C.U.P. 22-10 Preliminary**

Plat: Roseberry Park LLC is requesting approval of a manufactured home park, community club house, and park amenities. The manufactured residential single-family homes are clustered within the development to provide an affordable option to the work force housing needs of Valley County. The property owner is Timberline Development LLC

The PUD includes 24.58 acres of residential manufactured home sites, 0.64 acres of new right-of-way dedication along West Roseberry Road, and 4.71 acres of private streets. The maximum number of residential manufacture home sites would not exceed 201. The average density would be 5.01 residential units per acre. The land would remain under one ownership and the sites would be leased.

The proposal includes approximately 9 acres of recreation/open space, including the club house area, open space, and a 15-foot landscape buffer located between the Meadows at West Mountain's existing single-family residential units and the manufactured home sites. The proposed amenities include a clubhouse with social room, office space, kitchen, bathrooms, and a gym. The open space includes a playground, dog park, trails, bike repair station, and a pickle ball court. The site has designated snow-storage areas.

The developer intends to connect into the on-site water supply which is owned and operated by Timberline Development LLC. The developer would connect to the existing North Lake Recreational Water and Sewer District central sewer system. Underground power and telecommunications would be included

Occupancy of the homes is expected for July 2023.

Contained within the application is a combination of permits, as follows:

1. **Concept Approval and Planned Unit Development** in accordance with Title 9 Land Use and Development.

2. **C.U.P. 22-10 Roseberry Park PUD – Preliminary Plat** in accordance with Title 10 Subdivision Regulations.
3. **Standards for Manufactured Homes** in accordance with Title 12 Mobile Homes.
4. **Variance from Typical Lot Standards for Proposed Leased Sites:**
 - Width reduced from 90-ft to 41-feet
 - Size reduced from 8000-sqft to 3813-sqft for single-wide manufactured homes and 5,340-sqft double-wide units.

The 39-acre site is in the NE ¼ Section 17, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Thompson introduced the item and re-opened the public hearing. Chairman Thompson asked if there was any *ex parte* contact or conflict of interest. There was none.

Chairman Thompson referred to the Valley County Comprehensive Plan and stated that Planning and Zoning Commissioners must not make decisions based on personal opinion. Idaho Statute 67-6502 states the purpose of local land use planning is to promote the health safety and general welfare of people of the State of Idaho. This statute lists many requirements including to protect property rights while making accommodations for other necessary types of development such as low-cost housing and mobile home parks; ensure that adequate public facilities and services are provided to the people at reasonable cost; ensure that the economy of the state and localities is protected; ensure that the important environmental features of the state and localities are protected; encourage the protection of prime agricultural, forestry and mining lands and land uses for production of food, fiber and minerals, as well as the economic benefits they provide to the community, etc.

Chairman Thompson asked for the Staff Report. Director Herrick presented the staff report summarized the following exhibits:

- **Exhibit 1** – Email from Applicant’s representative with draft development agreement. (May 3, 2022)
- **Exhibit 2** – Paul Ashton, Valley County Engineer, responded with preliminary comments. (May 5, 2022)
- **Exhibit 3** – Valley Soil and Water Conservation District Board’s response. (May 5, 2022)
- **Exhibit 4** – Responses received from the public after the staff report was compiled:
 - Kerry Lofy, April 30, 2022
 - Michael E Murphy, April 30, 2022
 - Jennifer Lofy, May 1, 2022
 - Greg and Kellie Kalichak, May 1, 2022
 - Edward and Faris Charonneau, May 2, 2022
 - David Robbins, May 3, 2022
 - Trent Randall, May 4, 2022
 - Matt Hella, May 5, 2022

Chairman Thompson asked for the applicant’s presentation.

Hethe Clark and Dean Warhaft are representing the applicant. Joe Pachner, KM Engineering, is also available to answer questions.

This region has an affordable workforce housing problem. Mr. Clark believes this proposal is part of the solution. Mr. Clark provided a slide show presentation (**Exhibit 5**).

The median sales price of a single-family home increase from \$475,000 in 2020 to \$780,000 in

2022. Property prices, rental prices, and number of short-term rental sites have all increased. The applicant has submitted a market-based, non-subsidized solution to the house shortage. A variety of housing types and a greater supply of housing are needed in Valley County.

Three Pillar Communities has 10,000 residents and 42 communities that are similar to the proposal. Warhaft LLC has 20 plus years of land development experience. They are currently working on a similar project in Bozeman, Montana. The development team has both local and national components. The proposal is not an RV park nor a 1970's era mobile home park. They are proposing a community with quality built manufactured homes for working families and first-time homebuyers with a \$70-85,000 annual household salary. The expected financial plan is a monthly home payment with lot rent for a new 1200 sqft, 3-bedroom/2-bath home is \$1,755. Restrictions include no short-term rentals; owner-occupied or owned by employers for employee housing; only new homes can be installed; and an on-site manager. There would be restrictions on the annual lot rent increase amounts. The price of a home was compared with the price of a single-family home.

The proposed location is near area already designated for affordable housing. Multi-family residential plus commercial already exists or has been proposed for nearby sites. Variances for building setbacks and open space requirements are requested. The proposal includes:

- 201 manufactured home units
- Overall density of 5.1 units per acre
- Hammerheads with additional parking
- Central open space with clubhouse amenities
- Landscape buffers
- Pathways
- Increased front setback from the required 15-ft to 20-ft.
- Requesting reducing the interior lot line allowance to 5-ft instead of 6-ft
- Open space – 25% is proposed, 50% is standard in Valley County Code; this does not include right-of-way or parking areas.
- parking plus a garage large enough for full-sized pickup
- 2.5 parking spots per unit
- Four (4) dedicated snow storage areas
- Two proposed accesses to the property:
 - Primary access to West Roseberry Road, and
 - Emergency access to Timberline Drive, a private road in Meadows at West Mountain
- Amenities including a community center with kitchen and a gym, walking trails, landscaping, dog park, playground, bike repair station, pickleball and basketball courts, and private garages.

The development agreement (**Exhibit 1**) would be binding on subsequent property owners and would include:

- No short-term rentals less than one month allowed.
- Owner-occupied requirement with exception for local employers.
- All homes must be new construction.
- Rent increases for each owner capped at 4% or Consumer Price Index (CPI).
- Proposed \$2000 per unit traffic mitigation fee to be negotiated with Board of County Commissioners and Road Department. This is higher than the \$1840 per unit for the area.
- The developer shall comply with the requirements of Northlake Recreational Sewer and Water District for upgrades and connection requirements.

The applicant agrees with the conditions of approval listed in staff report.

The applicant's representatives responded to questions within staff report and from Commissioners.

- Keycards would be used to access amenities by homeowners.
- Individual garbage service.
- Water and sewer costs will be included in rent although individual meters are planned.
- Will place conduit for fiber optics.
- Landscaping will be place around the perimeter of the development.
- The community center would be used by the homeowner association (HOA) and homeowners; it would not be an event center nor available for general public use.
- The park is an association amenity, not a public park.
- Snow would be retained on roofs and snow load rating required by Valley County would be met. The roof pitch of homes and clubhouse is currently unknown. Either a shingle or metal roof option is proposed. Homes would be installed in 2023. Specific selections of construction have not yet been made.
- The type of foundation will meet requirements of the Valley County Building Department and is dependent on the GeoTechnical Impact Analysis for the site.
- There will be spaces for garages or storage buildings on each rental space. Each must meet architectural specifications.
- Garages will be an option for each homeowner. They will be a four-sided, stick-built structure on a foundation with a dormer connecting the garage to the home. Most people are going to want to have a garage; garages will not be required.
- The drainage on the property slopes north to south. Central stormwater collection center aka pond will also be used for snow storage. This is located on a sandy-soil area. An irrigation crossing that serves property to the south. The existing dike will be rebuilt to allow for drainage. The large open areas will be left open for snow and spring run-off. There will be drain areas around the perimeter. Water discharge must be at pre-development flow rate.

Director Herrick stated that Valley County previously purchased land north of Schultz Lane to solve much of the drainage problem north of this site.

- Donnelly Fire Department requirements will be met.
- They would create a central site for a school bus stop.
- A better landscaping plan has been prepared.
- Information on rent caps, etc. is contained within in the proposed development agreement.
- The spaces would be rented with annual lease agreements. If the area rental prices changes, then the land lease would be renegotiated based on the free market.
- If space rent is not paid, foreclosure procedure as allowed per State of Idaho Statute would be followed.
- Not paying for the land allows people to afford a home, particularly those feeling economic hardships. This proposal would provide workforce housing.
- The applicant will comply with the Idaho mobile home landlord tenant act.
- National lenders would be used for chattel loans; the applicant is also in discussions with local and regional banks.
- CCRs and Bylaws would be enforced by the landowner.
- Operation costs and cost overruns such as snowplow costs during a year with greater snowfall would be covered by the landowner.
- Paved streets and rollover curbs are proposed.
- Parking and snow storage was discussed further.
- Front setbacks would be the same as Meadows at West Mountain with the exception of

a few proposed sites. The snow is pushed into the front yards at Meadows at West Mountain and also stored in additional areas within the subdivision. This proposal includes allocated snow storage areas. Snow would be pushed to the side and then moved to central locations prior to the next snow event. The snow storage areas would be covered with either grass or a structural compaction component depending on engineering.

- This is a rural area that needs additional housing. The existing plans and approvals of neighboring properties was discussed.
- Development agreement would be discussed with the Board of County Commissioners. The cost would impact the cost of the rental spaces.
- The applicant responded to the comments regarding the impact to surrounding property values; the similar homes in Brookings, Oregon, have continued to appreciate in value since the early 1980's. The proposal includes quality infrastructure.
- The applicant prefers a development agreement as it would have more flexibility than requiring deed restrictions.
- The HOA would be involved when homes are sold; the new owner would need to be approved by HOA. The landowner would continue to own the property.
- Median income for workforce in Valley County was discussed.

Director Herrick stated that the City of McCall has been doing a housing study; information on information on median income can be provided to the PZ Commissioners.

A development agreement will be binding to future landowners even if the property is sold by the applicant.

5 minute recess

Chairman Thompson asked for proponents who wished to speak.

Mark Reichman, Timberline Development, was part of the Meadows at West Mountain development. He understands there is a lot of concerns and questions; he has researched building options. The homes within Meadows at West Mountain were built at cost of approximately \$75 per square foot. Unfortunately building prices have climbed to approximately \$600 per square foot. This is a very good proposal for affordable housing.

Chairman Thompson asked for undecided. There were none.

Chairman Thompson asked for opponents.

Chris Renfro, 44 Buckskin DR, Meadows at West Mountain HOA manager, spoke on behalf of the property owners of the 216 lots. Concerns include the snow storage plan, emergency access, out-of-area investors, noise, traffic, light pollution, deterioration over time, negative impact on surrounding property values, sewer and water infrastructure, fire hazards, and migratory bird and animal impacts. The proposal is not a viable solution. There are 711 signatures in opposition on a petition. He appreciates the question the commissioners have asked tonight.

Mike Maini, 169 Margot Drive, added that parking cars in hammerheads would not be allowed by the fire department. He is a teacher and ski instructor and would not want this style of home nor could he afford one of these homes. He provided pictures of existing units the company has in stock in different developments (**Exhibit 7**). The majority are located on major thoroughfare and/or commercial areas; this site is not. Are the setbacks large enough to allow minimum setbacks for propane tanks?

Dan Nokes, 26 Mangum Circle #6, is a full-time resident of the area. This is a tough neighborhood, and he is already concerned with the safety of his child at his home. Concerns include drugs, misbehavior, dog issues, trash, and renters. This proposal would allow businesses to have long-term rentals which could lead to issues. Reviews of the company are poor.

Chris Church, 12 Buckskin Dr, attended the previous neighbor meeting held by the developer. He is concerned about wetlands near the intersection of Price Street and Timberline Drive; no wetland survey appears to have been completed. Waterfowl and other bird species use these wetlands. The applicant wants to double the density of the original proposal for this location. The townhouses are two-story homes which are very different from these trailers. This project would not provide affordable housing for someone making \$14 per hour or less. Homes are difficult to finance when ownership does not include the ground.

Lenard Long, Cascade, submitted **Exhibit 8** in addition to previous written comments. This proposal would be at the expense of infrastructure, environment, rural lifestyle. It does not meet the Valley County ordinance standard of 2.5 dwellings per unit. The proposal is too dense and crowded. A goal within the Valley County Comprehensive Plan is to retain the rural atmosphere of Valley County by protecting its natural beauty and open characteristics and preserving its historical and scenic beauty. This proposal would change a rural community into a more congested area. He referred to wetlands mapped by US Fish and Wildlife Service on the property. The owner of the water right should be determined.

Cindy Gibleau, 13088 Hillhouse Loop, says the site floods every year. She owns an adjacent 4.98 acres with a 1300-sqft mobile home and did not get permission for another full-sized residence. She had to build an accessory dwelling unit (ADU) at only a half the space of her existing mobile home. The applicant should not be able to build at this high density when she could not.

Linda Eddy, 13041 Hillhouse Loop, owns two lots in Hillhouse Loop, and also submitted written comments. They have spent 46 years in this area, 25 years as permanent residents. Water and snow storage are concerns. Previous flooding of Mud Creek took out bridges, multiple culverts, and sewer pipe. The water currently floods out the lower end of Lake Cascade Forest Subdivision. 9 pictures of snow storage (**Exhibit 9**).

Joey Pietri, 225 Valley Springs Road, asks that the Commissioners do what is best for the community. The developers are here to make money. This proposal is not what people need.

Geri Gallupe, 10148 Timberrim Drive, moved to area in 2019 due to beauty of area. There is not anything positive about this proposal. The high density would require variances from Valley County Code and is inconsistent with the rural setting. Other concerns include blight, utilities, wetlands, and migratory patterns of wildlife. This proposal is not affordable to Valley County residents. The proposal fails the compatibility matrix. She submitted a map of the surrounding area, photographs of nearby homes, and current Zillow values of nearby homes (**Exhibit 6** received by staff during earlier recess).

David Gallipoli, McCall, is convinced a pause in building is needed if developers and investors are here to take advantage of the market. This project does not meet Valley County Code. affordable housing for social change submitted to BOCC. Median home values in McCall have greatly increased. Families are struggling to pay for transportation, food, etc. This proposal would not be affordable workforce housing.

Mike Heyer, 21 Mangum Circle Unit 2, concurs with previous comments. A starting price of \$70,000 is not affordable work force housing for the support staff who need it the most.

Kurt Holtan, 20 Mangum Circle Unit 7, is the current Meadows at West Mountain HOA President. There are requirements for the Meadows at West Mountain Phases 1-3 that the developer has not completed. Many variances requested to allow this density. He has been involved in the mortgage industry for many years. Chattel loans are not affordable housing; will be worse when interest rates increase. Three Pillar Communities website shows this as a “slam dunk”. The proposal grossly underestimates costs for sewer hook-up, etc.

Camille Schiller, 52 Buckskin Drive, is also opposed for safety reasons. Space rent plus mortgage will cost over \$1700 per month. The development does not allow “walkability” for any occupations or services. Overflow vehicle parking was not addressed. Illegally parked vehicles will impede emergency vehicles. There should be a reduction in density or a different location chosen.

Bryant Kerrigan, 4 Charters Circle, agrees that affordable housing is needed. Future housing in Valley County should create safe communities while also protecting the qualities that bring people here in the first place. This should include alternative building designs and site plans while preserving sense of privacy and mountain aesthetic. This dense application states that a goal is to maintain the rural characteristic of the area. In contrast, the proposal is not cluster of housing in open areas but a single mass of housing units surrounding a flood basin. Variances to increase density and a decrease amount of open space should not be approved. Most of the proposed open space is dedicated to snow storage and water storage. Too many compromises would be made. Avoid setting precedent for substandard developments to the community under the guise of workforce housing.

Randy Odenbrett, 6 Charters Circle, concurs with most of the previous comments. He is an accountant and disagrees with numbers presented by the applicant. The applicant is pandering to people with few resources; their entire nest egg would be invested into property that they do not own. Variances should be granted when they improve the area overall; this application does not.

Christian Tuttle, Hillhouse Loop, is a service worker, a trained ski patroller and raft company employee who the applicant states is the target buyer. He and his wife, a photojournalist with the local *Star News*, could not afford this home. The developer does not even know what type of foundation they will need so the actual home price is unknown. This development will not work during a higher snowfall winter.

Kerry Lofy, 117 Forest Lake Circle, is a bartender at multiple bars, ski patroller at Tamarack Resort, and a ski coach at Brundage Mountain. His wife works at the hospital. They also could not afford a home in this development. Census.gov website states the median household income for Valley County was \$63,124 in 2020.

Therese Gibboney started “Stop Roseberry Park Development” to inform neighbors and locals of this proposal. She attended neighbor meeting done by developers and left very concerned. The group has 379 members. Everyone needed to be notified about this large-scale project. There are many reasons to deny. The proposed density is much higher than the neighborhood. Request for variances should be denied. This would result in a congested community. Proposed setbacks from Timberline Drive are inadequate. Landscaping will not hide 201 homes. The petition has 711 signatures.

Mike Tari, 13044 Hillhouse Loop, concurs with previous comments. A larger area should have

received the neighbor notice. Wetlands, snow storage, runoff, and increase increased chemicals and other residue into Lake Cascade are concerns. Draining the wetlands will impact the water aquifer and neighboring wells.

Jamie Coffey Kelly is a licensed social worker in Valley County. The proposed \$1700 per month is not low-income housing and is not appropriate for most of the local dual-working families. Daycare is already problem. This development would be for people who are moving into the area. She is also the Veterans' Service Officer for Post 60. Three veterans currently need to move their mobile homes as they cannot afford the increase in space rent. Noise and night-time light are concerns. The S-Bridge already has many wrecks, this development would increase the traffic problems. There is not a viable alternate route during the winter. Who pays for changes to road and bridge? The average household income for service industry, dual income, is likely \$50,000 to \$60,000 or lower depending on type of service job. The dollar rate per hour for the local service industry, such as home care to daycare, likely ranges from \$12 to \$20 per hour.

Alex Jones, 17 Buckskin Drive, is a UPS driver. The proposal has 12 dead-end roads which would be a disaster for UPS, the US Postal Service, garbage trucks, etc., as a lot of backing up of vehicles would be required. One entrance is proposed, this is a security and safety issue. In addition, many people would be leaving for and returning to work at the same time, using this one entrance. How would mail be delivered? The nearby developments have multiple entrances with good flow.

Myron McCumber, 1818 Schultz Lane, previously submitted a three-page letter. This would not be a community I want to live in. After 30 years, the homeowner would still owe space rent while owning a house that has depreciated in value. There would be no pride in ownership. Water is a concern; his road is flooded every year.

Patrick Hughes, 162 Platt Place, works as a driver. The S-Bridge had many vehicle accidents this past year, a low snow year. People do not want to buy these homes. People at this income level do not have down payment funds. This proposal is not affordable. Do not take lifestyle away from us so

Heather Klinker, 13160 Hawks Bay Road, grew up on welfare near a mountain lake in government-subsidized housing located walking distance to store. She was a commercial real estate developer. This is not affordable housing; math does not make sense.

Jeff Selmer, 115 Forest Place, the owner of Cougar Dave's in Donnelly, has struggled for employees since he bought the place seven years ago. He desperately wants a local affordable housing; this is not it. This is scam to put poor people in debt for provide monthly rental fees to the developer.

Larry Shake, 1612 Samson Trail, concurs with comments in opposition. Growth will continue. We need to look at planning and zoning regulation, processes, and notifications, and then make changes to the Valley County Code. Commissioners must make the hard decisions necessary. Why does not Valley County Code require the developers to post a large notification sign and newspaper advertisement?

Jason Hansen, 32 Timberline Drive, a pharmacist in McCall, states affordability is a concern. Long-term affects to the area should be considered. He wants the community to grow to have more houses; however, this proposal will just degrade the area. Affordable housing is needed but this proposal is not a solution.

A copy of the petition was submitted (**Exhibit 10**).

Short recess

Chairman Thompson asked for rebuttal from the applicant's representatives.

Hethe Clark stated that they want to provide a solution for Valley County housing. The project will be to mobile home standards. No roadside parking would be allowed as required by Valley County Code. Management would be by the property owner, not a homeowner association. Lease agreements will state requirements. No gas fire places. There would be a centralized postal and package facility at the clubhouse for deliveries. Valley County requires 1.25 parking spaces; the proposal has 2.25 parking sites.

Joe Pachner agrees that flooding is a serious concern. He has worked on multiple (~ 40) projects in Valley County. This site is relatively flat, and the water currently flows unobstructed. Water flow in the development would be directed by site grading. The previous flooding over Roseberry Road was due to plugged culverts. Creating a snow storage basin on the property is good for the lake. Typically, the much of the snowmelt at this site will drain through the soil instead of flowing off site. The original approval included a permit for the wetland areas. The applicant will be required to obtain approval from the U.S. Corps of Engineers.

Mr. Pachner discussed area roads and the increase of traffic already occurring. There are limited access routes to Highway 55. The original traffic impact study done for Tamarack Resort identified the different areas and traffic improvements needed for intersections, causeway, West Mountain Road, and Highway 55. He has had discussions with Jeff McFadden, Road Department Superintendent, regarding improvements. Everyone needs to contribute but the developers, Road Department, and County Commissioners need to discuss appropriate improvements and contributions,

The applicant would do a wetlands delineation that is site specific and would update the wetland map shown on the County's GIS map. The U.S. Corps of Engineers will state specific requirements and impact mitigations.

Commissioner Roberts referred to the 2004 materials testing report, soils at the site, and percolation levels. There is a clay layer under a sand layer. Water does not percolate thru the clay layer; therefore, the runoff water will not just percolate. During flood events, water races across the ground. Irrigation ditch feeder canals capture the water and assist in drainage.

Wetland map was discussed further. Mr. Pachner stated the drainage was tiled thru the Meadows at West Mountain. The soils in the multi-family area were silty-sand almost clay. He spoke about the existing drainage ponds in the Meadows at West Mountain. The proposed development would require excavation into free-draining material.

Density is consistent with nearby multi-family development. The Valley County Comprehensive Plan encourages a variety of multiple housing types. Affordable housing solutions will require a variety of housing types. This is a non-governmental subsidized solution. A P.U.D. allows different standards. The application does address site considerations; the engineer is familiar with the site. Many of these issues, such as wetlands, snow storage, and drainage are determined after preliminary plat approval.

The Planning and Zoning Commission will make recommendations to the Board of County Commissioners for a future public hearing.

The Commissioners have agreed to take in large submittals that were submitted during the public hearing; thus, Director Herrick recommends that the public hearing be continue to the regular Planning and Zoning Commission meeting on May 12, 2022. The Commissioners agreed that this would give them time to review the information and testimony, new submittals, and Valley County Code.

Commissioner Roberts moved that P.U.D. 22-01 Roseberry PUD be continued until May 12, 2022, at 6:00 p.m. Commissioner Caldwell seconded. Motion passed unanimously

The public hearing was not closed. However, no more public testimony and submittals other than what was received tonight will be accepted unless the Commissioners have further questions for the applicant.

C. MEETING DATES – JUNE 2022

Eight new agenda items are scheduled for June 2022. Staff requested that the Commissioners schedule two public hearings in June to allow for enough time for all items. The Commissioners agreed to have public hearings on June 9, 2022, and June 23, 2022. A work session will be added to the agenda on June 9, 2022. No work session will be held on June 14, 2022.

Chairman Thompson adjourned the meeting at 9:28 p.m.