

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Fax: 208-382-7119
Email: cherrick@co.valley.id.us

STAFF REPORT: P.U.D. 22-01 Roseberry Park PUD - A Manufactured Home Park and C.U.P. 22-10 – Preliminary Plat

HEARING DATE: May 5, 2022

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director

APPLICANT: Roseberry Park LLC
221 Main Street, Suite 2039
Los Altos, CA 94023-9051

OWNER: Timberline Development LLC
132 SW 5th AVE STE 100
Meridian ID 83642
Mark Reichman
3826 Thousand Oaks Cir
Salt Lake City, UT 84124

ENGINEER: KM Engineering LLP
5725 N Discovery Way
Boise, ID 83713

LOCATION: Parts of Parcels RP16N03E170945, RP16N03E170965, and RP16N03E171485 in the NE ¼ Section 17, T.16N, R.3E, Boise Meridian, Valley County, Idaho

SIZE: 39 acres

REQUEST: Manufactured Home Park

EXISTING LAND USE: Bare Land

BACKGROUND:

Previously, PUD 04-01 The Meadows at West Mountain was approved at the location of the current application. Only the first 3 phases were completed prior to the 2008 recession. Attached is a copy of the land use table and map. (Attached) The permit for PUD 04-01 was extended for a number of years, but expired in September of 2020.

CURRENT:

Roseberry Park LLC is requesting approval of a mobile home park, community club house, and park amenities. The manufactured residential single-family homes are clustered within the development to provide a more affordable option to the work force housing needs of Valley County. The land would remain under one ownership and the home sites would be leased.

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 within the PUD is 5.15 residential units per acre. Staff created maps showing approximate densities within the general neighborhood ranging from 0.39 dwelling units/acre to 9.6 dwelling units/acre (attached).

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 within the large gathering area include a clubhouse with social room, office space, kitchen, bathrooms, and a gym. The open space would include a playground, dog park, trails, bike repair station, and a pickle ball court. The site has designated snow-storage areas.

Utilities for the development would include central water and sewer systems, underground power, and telecommunications. The developer intends to connect into the on-site water supply which is owned and operated by Timberline Development LLC. The developer will connect to the existing North Lake Recreational Sewer and Water District central sewer system.

Occupancy of the homes is expected for July 2023.

The applicant submitted additional application information in April 2022:

- Typical Building Setbacks
- Snow Storage
- Emergency Access
- Parking
- Fact Sheet

All manufactured homes will be placed on a permanent foundation that adheres to the Idaho Manufactured Home Standards, January 2018, as stated in an email on April 11, 2022. (Attached)

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 and Title 9 CUP requirements.
3. Standards for Manufactured Homes in accordance with Title 12 Mobile Homes.

FINDINGS:

1. The application was submitted on March 22, 2022.
2. Legal notice was posted in the Star News on April 7, 2022, and April 14, 2022. Potentially affected agencies were notified on March 25, 2022. Property owners within 300 feet of the

property line were notified by fact sheet sent March 25, 2022. The site was posted on April 8, 2022. The notice was posted online at www.co.valley.id.us on March 25, 2022.

3. Agency comment received:

Central District Health will require an application and engineering report as well as approvals for central sewage and central water. The central sewage and water plans must also be submitted to and approved by the Idaho Department of Environmental Quality. (April 14, 2022)

Jeff McFadden, Valley County Road Department Superintendent, stated that County-maintained roads that will see increased traffic would include West Roseberry Road, Norwood Road, Tamarack Falls Road, and West Mountain Road. It is expected that transportation services including all season road maintenance, road resurfacing, road rebuilds will be impacted by increased traffic. Three recommendations were made concerning dedication of road right-of-way, payment of road improvement costs, and cooperation with a feasibility study for the "S" bridge repair/replacement. Applicant will need to negotiate an agreement with the Board of County Commissioners. (April 27, 2022)

Kelly Copperi, Valley County Communications Supervisor, and Laurie Frederick, Valley County Cadastral Specialist, responded with comments regarding proposed road names. Aster ST and Buttercup CT are not acceptable as they conflict with existing names. (April 11, 2022)

Jess Ellis, Donnelly Rural Fire Protection District, responded with requirements for roads, security, gates, water supply, fire hydrants, fire alarms and sprinklers, and address number posting. (April 18, 2022)

Travis Pryor, North Lake Recreational Sewer and Water District, states NLRSWD has not received a request to receive water services. NLRSWD is currently committed to serving 174 Equivalent Dwelling Unit (EDU) for The Meadows at West Mountain Phases 4-6. The proposed Roseberry PUD, at a minimum would require the Timberline LLC fulfill the requirements of the 2004 Conditions of Annexation, substantially complete the Phase 2 & 3 sewer infrastructure, receive NLRSWD approvals for additional sewer capacity/EDU's, submit infrastructure design for approvals prior to serving any additional development within The Meadows at West Mountain Subdivision. (April 28, 2022)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, and ground water contamination. (April 1, 2022)

4. Public comment received:

Recommends Changes Before Approval

- Reduce density and provide storage areas
- No subletting
- Enforce standards for area outside homes
- Outside areas maintained by landowner, not residents
- Consider future drinking water and well issues for surrounding properties.
- Housing is needed.

1. Paul and Denise Thomas, 318 Burns RD, April 8, 2022
2. Thom Sowers, 269 Buckcamp RD, April 27, 2022
3. Michael Jorgensen, no address given, April 27, 2022

In Opposition – Reasons Given Include:

- Too dense: not enough room for parking, children and play areas, snow storage, or drainage
- Increased traffic will cause issues; the “S-Bridge” is a specific concern
- Negative impacts on water and sewer infrastructure
- Decrease in surrounding property values
- Mobile home ownership will become costly entrapment for working families and are difficult to finance
- Manufactured homes and trailer parks depreciate in value and become a blight
- Building condominiums or houses preferred over manufactured home.
- Not enough infrastructure in the McCall Donnelly School District
- Additional noise and light pollution on community and wildlife
- Homes could be purchased as second residences, preventing the goal of providing affordable housing for local inhabitants
- Fire threat in a densely populated area with one exit route
- Existing wetlands would be impacted; homes are proposed at site of wetlands.
- The combined impact of other proposed developments in the Donnelly area should be considered.
- The application is referring to the previous stormwater best management practices
- Water quality is a concern; the density will exacerbate the pollution problem in Lake Cascade and tributaries.
- The proposed location is not visually acceptable.
- Trailer parks have higher crime, drug use, and domestic issues.
- Lack of foundations for homes
- School bus stop needed
- Lack of walkable and bikeable access within development
- The site has been used for snow storage from The Meadows at West Mountain; where will that snow now be stored?

- 1) Marissa Langa, 12906 Norwood Road, March 29, 2022
- 2) Myron Mccumber, 1818 Schultz Lane, April 3, 2022
- 3) Joy Murphy, 1280 S Samson Trail, April 4, 2022
- 4) Dylan Watts, no address given, April 4, 2022
- 5) Randy Johnson, no address given, April 5, 2022
- 6) Brandon Colglazier, Donnelly, April 6, 2022
- 7) Deidre and Shawn Hushman, owners of 15 Buckskin RD and 13141 Hawks Bay RD, April 7, 2022
- 8) Dave Light, Donnelly, April 8, 2022
- 9) Therese Gibboney, 33 Moore Road, April 8, 2022, and April 22, 2022
- 10) Allison and Rick Hatzenbuhler, no address given, April 11, 2022
- 11) Lenard D. Long, Friends of Lake Cascade, April 11, 2022
- 12) Darryl Johnston, 3310 Shaggy Mane CT, April 11, 2022
- 13) Christopher L Church, 12 Buckskin DR, April 13, 2022
- 14) Susan Drake and Brian Seidel, no address given, April 14, 2022
- 15) Peg Zemke, no address given, April 15, 2022
- 16) Karen Easton, 13094 Hillhouse Loop, April 18, 2022
- 17) Dave Dawson, April 15, 2022
- 18) Cheri Wingert, April 18, 2022
- 19) Cindy Gibleau, 13088 Hillhouse Loop, April 18, 2022
- 20) Chelsea Tuttle, 13090 Hillhouse Loop, April 18, 2022, and April 26, 2022
- 21) Nancy and Doug Young and family, 168 Heath Place, April 19, 2022
- 22) Jan Hamilton, no address given, April 19, 2022

- 23) Dawn and McRay Bryson, no address given, April 19, 2022
- 24) Mickee Ellis, Donnelly, April 19, 2022
- 25) Michael Maini and Melissa Maini, no address given, April 20, 2022
- 26) Tammy Angier, 13125 Cameron Drive, April 20, 2022
- 27) Kathy Campbell, Crane Shores Subdivision, April 20, 2022
- 28) Suzan Van Uitert, 17 Charters DR, April 20, 2022
- 29) Kevin H. Cobb, 302 Broken Creek, April 21, 2022
- 30) Kirk and Dawnetta Earnest, 14 White Swan Court, April 21, 2022
- 31) Jim and Pat Tennyson, Donnelly, April 22, 2022
- 32) Lisa Mohler, 47 Johnston Lane, McCall, April 22, 2022
- 33) Richard and Deborah Schultz, 33 Buckskin DR, April 22, 2022
- 34) Jeffrey Jacobs, Donnelly, April 22, 2022
- 35) Pamela McChrystal, Donnelly, April 24, 2022, and April 26, 2022
- 36) Jeff & Lauri Dennett, 13100 Hillhouse Loop, April 25, 2022
- 37) Gregg Gibboney, 33 Moore Road, April 25, 2022
- 38) Janet and Trent Talbot, Hawks Bay Subdivision, April 25, 2022
- 39) Colin Gamble, 13104 Hillhouse Loop, April 26, 2022
- 40) Jered and Tesh Coles, 21 Mangum Circle #6, April 26, 2022
- 41) Rich McChrystal, no address given, April 26, 2022
- 42) Chris Renfro, representing the Board of The Meadows at West Mountain HOA, April 26, 2022
- 43) Bill and Linda Eddy, 13041 Hillhouse Loop, April 26, 2022
- 44) Cacia Lewis, 41 Mangum Circle, Unit #6, April 26, 2022
- 45) Christian Tuttle, 13090 Hillhouse Loop, April 26, 2022
- 46) Jason and Leslie Hansen, 32 Timberline DR, April 26, 2022
- 47) Donna and Lucas Wheeler, 30 Timberline DR, April 26, 2022
- 48) Jolene Parini-Shipley, 13100 Hillhouse Loop, April 26, 2022
- 49) Keri Williams, no address given, April 26, 2022
- 50) Justin and Alisha Scott, 46 Buckskin DR, April 26, 2022
- 51) Michelle and Scott Reagan, Donnelly, April 26, 2022
- 52) Brian "B.J." Lewis, 41 Mangum Circle, Unit #6, April 27, 2022
- 53) Molly Johnson, 14 Timberline DR, April 27, 2022
- 54) Randy Nelson, no address given, April 27, 2022
- 55) Tracy Geisler, 13159 Cameron DR, April 27, 2022
- 56) Suzie Lindskog, no address given, April 27, 2022
- 57) April Roberts, The Meadows at West Mountain resident, April 27, 2022
- 58) Ginger and Patrick Hughes, no address given, April 27, 2022
- 59) Karianne Fallow, 29 Buckskin DR, April 27, 2022
- 60) Geri Gallupe, Cascade, April 27, 2022
- 61) Mike Tari, 13044 Hillhouse Loop, April 27, 2022
- 62) Richard Jakious, 179 Margot Drive, April 27, 2022
- 63) Jill and Chris Gaughan, 13134 Hawks Bay Road, April 28, 2022
- 64) An electronic petition was submitted in opposition with many comments. We did not print the petition.

5. Physical characteristics of the site: Relatively Flat Bare Ground

6. The surrounding land use and zoning includes:

North: Meadows at West Mountain PUD

South: Single-family Residential Subdivisions and Agricultural

East: Meadows at West Mountain PUD

West: Single-family Rural Parcels

7. Valley County Code (Title 9, Chapter 5 and Chapter 9): In Table 9-3-1, this proposal is categorized under:
 - 2. Residential Uses (h) Planned Unit Development
 8. Valley County Code (Title 10): Subdivision Regulations. This title should be reviewed for determination of technical issues of the plat.
 9. Valley County Code (Title 12): Mobile Homes. This title should be reviewed for requirements of mobile homes and manufactured homes.
-

SUMMARY:

(Questions to Planning and Zoning Commission)

Does this application meet the standards of a Planned Unit Development in Title 9-Chapter 9 Planned Unit Development & Chapter 5 Conditional Uses, Title 10 Subdivision Regulations, and Title 12 Mobile Homes?

 A Planned Unit Development is required to allow for the relaxation of the standards as follows:

- Title 9 density of the Manufactured Home Park to allow for 5.15 dwelling units/acre versus the 2.5 dwelling units/acre as shown in 9-5C-6 below.

9-5C-6: DENSITY:

A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.

- To not require street illumination as listed in 12-1-5 D
- Interior lot line allowance for 5' versus 6' in 12-1-6.
- Lot size decreased from 60' x 100' to 101' x 53' and 41' x 101' in 12-1-6.
- Common Open Space for residential developments is 50%; however the commission may reduce this requirement if they find a decrease is warranted by the design of, and the amenities and features incorporated into the development (9-9-7-I). This development is providing approximately 25% open space not including rights-of-way or parking areas.


(Attached is Title 9, Chapter 9 Planned Unit Development Regulations.)

 **The Commission should review Title 12 for compliance with the standards presented.**

12-1-1 DEFINITION:

MOBILE HOME PARK: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use.

(Attached is Title 12 Mobile Homes)

 **Title 10 Subdivision Regulations** are what allows the portions of three unplatted rural parcels to be split and then combined into a single ownership.

STAFF COMMENTS and QUESTIONS:

- Staff's Compatibility Rating was a +15.
- Will toilet facilities be accessible during certain hours for use by residents using amenities?
- Will each manufactured home owner contract for garbage pickup or will there be central dumpsters? What if the individual owner does not pay for garbage pickup?
- Will there be individual meters at each residence for water and/or sewer? Does each owner pay their own sewer/water bill or is it included in the rent? Will the lines in the development be owned by the developer or the service provided?
- Conduit for fiber optics is required.
- Will there be landscape around all perimeters?
- Will public events such as weddings be located at your community center? What activities will be allowed in community center?
- Will the pickleball court, etc., be open to the public?
- Will snow be retained on roofs or will there be metal roofs?
- Will each leased space be allowed to have a storage unit for lawnmowers, etc.?
- What are the large spaces between Poppy ST and Hillhouse Subdivision? Is it manicured snow storage areas?
- Will you comply with all the requirements listed by the Donnelly Fire Department letter? The letter states you have to have two separate access points and cannot place storage in the hammerhead turnarounds, in addition to other matters.
- Will there be a central location for school children to wait for the school bus that is protected from the weather?
- A better landscaping plan should be submitted.
- Please explain the rent, the rent cap, rent increases and who can people sell their homes to in the future.

Questions/Comments from Original Review Letter. Restated unanswered questions above.
Other plat note issues will need to be corrected:

1. Note 2 should state setbacks will comply with approvals of the planned unit development versus future codes. Then, Setback note for garage is 19' and residential space is 20', but all drawings show garage set further back, please explain. The 19' setback to the face of garage is also in Section IV.
2. Note 7 – zoning will continue to be Multiple Use unless there is an ordinance amendment.
3. Note 10 – conduit should be placed for fiber optic for broadband.
4. Note 15 – disturbed surfaces should be reseeded to prevent Noxious Weeds.
5. Note 23 – shall conform to Title 12 unless a variance through the PUD is granted.
6. Road names will need to be approved prior to final plat. Some of the proposed road names will need changed.
7. Table D Parking (pg 13) says there will only be 1.5 spaces per home. Section IV states there will be 2 parking spaces at a minimum. Will there not be a space in the garage and then a space between garage and road?
8. Section III F states Preliminary Development Agreement is in Appendix C – Appendix C is Community Rules and Regulations.
9. There is no Appendix D. The Table of Contents state this is the Preliminary Development Agreement.
10. Section IV addresses the out-of-date local land use ordinance. Valley County codified all of our ordinances a very long time ago, so it is difficult to follow this section.
11. Section IV states lighting, landscaping, and fencing is in the CCR's in Appendix B; I could not find this information. Some of this information was in the Community Rules and Regulations in Appendix C.
12. Have you considered the extension of the pathway from the south through this development?
13. Will there be landscape around all perimeters?
14. Will public events such as weddings be located at your community center? What activities will be allowed in community center?
15. Will the pickleball court, etc., be open to the public?
16. Will snow be retained on roofs, or will there be metal roofs?
17. Will each leased space be allowed to have a storage unit for lawnmowers, etc.?
18. What are the large spaces between Poppy ST and Hillhouse Subdivision? Is it manicured snow storage areas?
19. Will all structures meet snow loads?

ATTACHMENTS:

- Conditions of Approval
- Compatibility Rating by Staff
- PUD 04-01 The Meadows Excerpts
- Title 9, Chapter 9 PUD Regulations
- Title 12 Mobile Homes
- Supplement from Applicant: Site Plans/Foundations, Snow Storage, Parking, Fact Sheet
- Neighborhood Densities, Vicinity Maps, and Pictures
- Agency Responses
- Public Comments

Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The final plat for shall be recorded prior to issuance of building permits or this permit will be null and void.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
6. Prior to final plat, the applicant's engineer shall certify that the roads have been built to approved standards or be financially guaranteed.
7. Wetlands must be shown on the final plat.
8. Must bury conduit for fiber optics with utilities.
9. Applicant's engineer shall confirm all utilities were placed according to the approved plans.
10. A Private Road Declaration is required to confirm that the roads will be maintained.
11. A Declaration of Installation of Utilities is required with the final plat.
12. Must comply with the requirements of the Donnelly Rural Fire Protection District letter dated April 18, 2022, unless specifically allowed as a variance in regards to a planned unit development or a letter of approval is received from Donnelly Rural Fire Protection District. For example, we cannot require them to access from Price ST since it is a private road.

13. Community rules should address, lighting, noxious weeds, and wood-burning devices.
14. All lighting must comply with the Valley County Lighting Ordinance.
15. Shall place addressing numbers at each residence.
16. The following note shall be placed in the notes on the face of the final plat:
 "The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."
17. There should be a note that states all lots shall be accessed from internal roads and not West Roseberry Road.
18. A Development Agreement should be agreed upon for off-site road improvements and matters agreed upon in application and presentation memorializing such things as owner-occupied housing and no rentals unless specifically approved by Valley County to allow for housing purchases by Valley County employers for employees, community rules, densities, landscaping requirements, individual site plans with setbacks, submit finalized fact sheet to dispel any discrepancies in the application, and provisions for what happens to land if project is not completed.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: #4 Mobile Home Park

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) +1 X 4 +4

1. Is the proposed use compatible with the dominant adjacent land use?

Planned Unit Development

(+2/-2) +1 X 2 +2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

Single Family Residential Subdivision
(Highland Woods LLC is NOT an agricultural use.)

(+2/-2) +1 X 1 +1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

See 1 + 2 with limited agricultural.

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) -1 X 3 -3

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

The property is large and density is high. Landscaping will need to be added around perimeters. However multi family is 9.6 units /

(+2/-2) +1 X 1 +1

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Same as structures, but building site is not as large.

(+2/-2) +2 X 2 +4

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Adjacent uses are residential uses. The multi family is higher density. West Raspberry serves Tamarack PUD and other T density areas.

(+2/-2) +1 X 2 +2

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

They are consuming water from same central water & sewer. There will be increased "people noise".

(+2/-2) +1 X 2 +2

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Fire department has requirements. Roads will have requirements. Will be providing housing opportunities for major employers: schools, etc.

(+2/-2) +1 X 2 +2

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Will greatly increase tax revenues and her ability to provide much needed housing opportunities.

Sub-Total (+) 18

Sub-Total (-) -3

Total Score +15

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.