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: C.U.P. 23-37 Tamarack Resort P.U.D. 98-1 – Amended Village Plaza

Condominium – Preliminary Plat

HEARING DATE: October 19, 2023

TO: Planning and Zoning Commission

STAFF: Cynda Herrick, AICP, CFM

Planning and Zoning Director

APPLICANT / TRH-Village LLC, c/o Scott Turlington

PROPERTY OWNER: 311 Village DR PMB 3026, Tamarack ID 83615

REPRESENTATIVE: Amy Pemberton, Millemann Pemberton & Holm LLP

PO Box 1066, McCall, ID 83638

SURVEYOR: Dan Dunn

25 Coyote Trail, Cascade, ID 83611

LOCATION: Part of Lot 16, Tamarack Resort Phase 2 Village in the NW 1/4

Section 5, T.15N, R.3, Boise Meridian, Valley County, Idaho

SIZE: 4.37 Acres

REQUEST: Amendment of Tamarack Resort Village Plaza Condominium Plat

TRH-Village LLC is requesting a conditional use permit to amend a portion of Tamarack Resort Planned Unit Development to correct the locations and dimensions of certain common areas, exclusive use common areas, residential units, and commercial units.

Tamarack Resort Village Plaza Condominium Plat was recorded on October 18, 2005, as Instrument # 301738.

As the Village Plaza developed, common areas were combined or constructed into commercial or residential units, and commercial units were constructed into common areas. Additionally, the amended plat includes one additional residential unit with an exclusive use common area (Unit 60G07). Additional commercial units are also included in the amended plat; however, these include elevators, mechanical rooms etc.

As built, the Village Plaza contains six buildings with a total of 394,158 sqft of residential, commercial, and common areas, which is an overall increase from the original plat by 18,742 sqft. Total residential area and common area increased; commercial area decreased.

The Amended Plat will bring the units into compliance with the project "as-built".

FINDINGS:

1. The application was submitted on August 23, 2023.

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- 2. Legal notice was posted in the *Star News* on September 28, 2023, and October 5, 2023. Potentially affected agencies were notified on September 18, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on September 26, 2023. The notice and request were posted online at www.co.valley.id.us on September 18, 2023. The site was posted on October 4, 2023.
- 3. Agency comment received:

Central District Health stated if the County requires a new plat and re-lifting of the sanitary restrictions, a new application, engineering report, and purveyor letter is required. (September 19, 2023)

Jess Ellis, Donnelly Fire Marshal, has no comments or concerns. (September 25, 2023)

- 4. Public comment received: None
- 5. Physical characteristics of the site: Buildings have been constructed.
- 6. The surrounding land use and zoning includes: Tamarack Resort P.U.D. 98-1
- 7. Valley County Code (Title 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.

Standards are allowed to be relaxed as part of the planned unit development:

STAFF COMMENTS / QUESTIONS:

- 1. A compatibility rating form was not completed, since this is a portion of the approved PUD 98-1 Tamarack Resort (fka WestRock).
- 2. This site is within the Donnelly Fire District. It is not within an irrigation district or a herd district.
- 3. The Commission should be aware that the original Planned Unit Development approved documents included a provision for flexibility in Section I Application Overview. It reserved the right to modify the Facilities Plan in a number of ways; provided for preliminary and final platting in future phases; and stated the modifications do not materially change any component of the prior approvals, as listed. (attached) In the future if there is a material change the Planned Unit Development would need to be formally amended and process through the Planning and Zoning Commission along with the Board of County Commission as per 9-5H-8.5.
- 4. The original approved application is available for review in the Planning and Zoning office.

ATTACHMENTS:

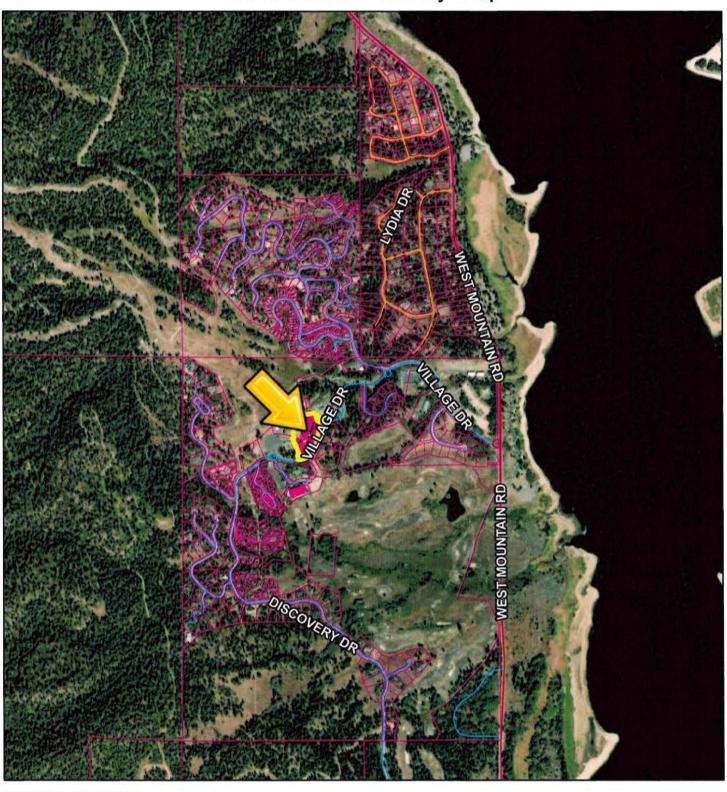
- Proposed Conditions of Approval
- Vicinity Map
- Aerial Map
- Preliminary Plat Page 1
- Photos taken October 4, 2023
- Responses

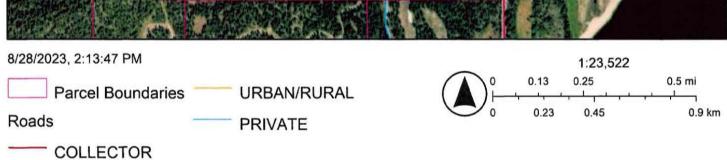
Conditions of Approval

- 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. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
- 2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
- 3. 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.
- 4. The final plat shall be recorded within two years, or this permit will be null and void.
- 5. Must comply with all requirements previously approved as P.U.D 98-01 Tamarack Resort and any subsequent amendments.
- 6. Must have a will-serve letter from the North Lake Recreational Sewer and Water District guaranteeing that sewer capacity is available for immediate service prior to recordation of the final plat.
- 7. CCR's should address, lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.
- 8. Shall place addressing numbers at each unit.
- 9. All easements shall be shown on the final plat.
- 10. Notes on plat should duplicate original plat.

END OF STAFF REPORT

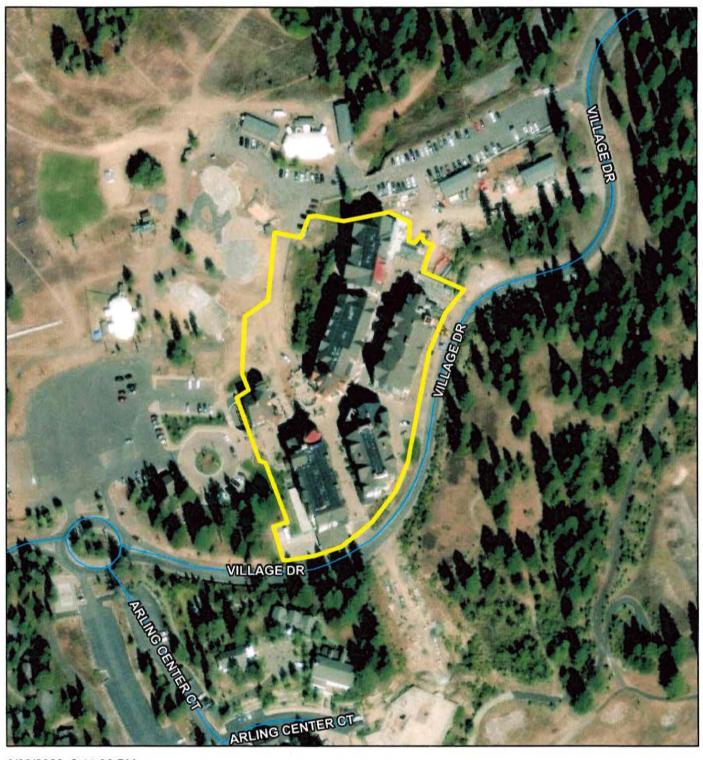
C.U.P. 23-37 Vicinity Map





Maxar

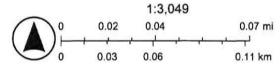
C.U.P. 23-37 Approximate Boundary



8/28/2023, 2:11:36 PM

Roads

PRIVATE



Maxar, Microsoft

1. All properties shown on the Prote as subject to and operated by the conceiver of the Second Amender and Restorad General Description of the Second Amender and Restorad General Description of Proceedings and Supplemental Experimental Proceedings (Response of Reset (Wages Plaza Condominium) (Amender Supplemented Description for Wages Plaza), the Second Amender and Restorated Authors to the Proceedings for Termonal Reset Association, in and the Cheurth Amender and Restorated and Restorated Bytes of Termonal Reset in Second Amender and Restorated for the Amender and Restorated Bytes of Termonal Reset in Secondary, first, which nor field of record as intimment these The Deciorant, TRH-Village LLC, reserves the right, without limitation to assign its rights to any and all easements, open spaces or common areas which are depicted on this Plat, in whole or in part. by this dispensation as a Commercial Unit in the Supplemental Decientian for the Manager Place may be further divided or completed with monther Unit, parametric the terms of the Supplemental Externation and Manager Place and Supplemental Decientian to a Chapter of the Decientian Decientian for Wileya Place unity not be further divided. Supplemental Decientian In Wileya Place. purchase of my full depicted on this four, the purchaser of city full greats to Bestorant, and Decircant hereby reserves; the safe understant jets, fallout the future consent of the purchaser; to mend this polt, or take such other oction on its deemed necessary, in mend this polt, or take such other oction on its deemed necessary, in checkmost is such descriptor, confirm the boundaries of the Uniti-tion on this Polt to the Units of Subst. 2. All properties shown on this Plot are subject to and governed by the Tombook Resort Design and Development Guidelines, as may be amended or supplemented. 4. At properties shown on this Plot are subject to and governed by the provisions of Conditional Use Permit Nos. 02-04 and 02-05, os issued and modified by Valley Counts, Idaho. the Office of Recorder, Volley County, tishoo, copiler with any amendments thereto and additional Declarations and/or Sub-associa Actions of incoparation and Bylans which are recorded by the Declarant pursuant to the General Declaration. 25 COYOTE TRAIL CASCADE, ID 8361 SHEET I OF 25 14217_s SET 5/8" X 24" REBAR WITH PLASTIC CAP LS14217 SET MAGNETICALLY LOCATABLE BRASS PLUE LS14217 CALCULATED POWT, NO MONUMENT SET OR FOUND TAMARACK RESORT AMENDED VILLAGE PLAZA CONDOMINIUM IMMARACK RESORT PLANNED UNT DENELOPEMENT PINSE I MELAGE BOOK 9 PAGE 66 OF PLATS --- EASEMENT LINE BOUNDARY LINE CENTERLINE Located in Lot 16, Tamarack Resort Phase 2 Village TAMARACK RESCRI PLANNED UNT DEVELOPMENT PRASE 2 NELAGE BOOK 10 PAGE 25 OF PEATS BUILDING 6.1 9,247 S.F. SEE SHEETS 15-20 In the NW 1/4 of Section 5, T.15N., R.3E., B.M. LEGEND A COLOR OF THE PARTY OF THE PAR Valley County, Idaho BUILDING 7.1 12,460 S.F. SEE SWEETS 27-31 11,905 S.F. SEE SHEETS 9-14 BUILDING 6.0 S1872707 TAMARACK HESSRT PLANNED UNT DEVELOPU PHASE 3 MLAGE BOOK 11 PAGE 3 OF PLATS CURVE LENGTH RADIUS DELTA BEARDAG CHORD C13 30.10' 46.00' 3778'39' 54690'13'W 28.55' C14 34.47' 46.00' 3075'42' 58020'55'W 24.14' 17.61° 34.50° 25.72° 52.78° 75.88° 75 SITATOON SELSE ACRESS AND URLIT EASTMENT 100.00' 14'46'23' 511'06'49'T 100.00' 10'34'19' 52337'10'T 100.00' 10'34'19' 52337'10'T 38.50" 25'48'46" S84'24'23'W 1,250'48" \$10'08'01'E 300,005.TM BUILDING 3.0 CURVE TABLE 50.00 BUILDING 7.0 11,203 S.F. SEE SMETS 21-26 75.76 PROSPICY ACCESS EASTACH! 571 28'08'V 10.99' - 51870'00'E 138.35 BUILDING 4.0 14,892 S.F. SEE SHEETS 4~8 | 0 845.00 | 3870.71 | 5879.7207 | 1889.7 | 0 845.01 | 7770.24 | 1820.7 | 0 845.01 | 1710.24 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 | 172.07 TAMARACK RESORT SECOND AMENDED BELVEDERE REDGE HOTEL CONDOMINEAL BOOK 12 PAGE 2 OF PLATS C2 338.30° C10 47.71° C11 54.63° C12 38.24° CS 4261' CS 4261' CS 11.88° 41.28 BASIS OF BEARING READINGS BASED ON THE PLAT OF TAMARKY RESORT PLUE PAUSE I WILAGE, BOOK 9, PAGE 86, MST, NO. 291350. MARCHAN CARREST REPORT IN COMMENT DELAS. PORT CARREST TO THE SECOND SECO TAMBACK RESORT MILAGE PLAZA CONDOMINA BOOK 10, PAGE 28, MST, MO. 301738 TAMBACK RESORT PAMPED DAT DESCORDENT PHASE 1 MILAGE, BOOK 8, PAGE 66, MST, MO. 291350. HORIZONTAL SCALE IN FEET R.O.S. BOOK 14, PAGE 307, INST. NO. 455483 જ 5707070" 25.40" 5705735" 34.70 5170277 55.15" 105185" 14.20 03.201 W.201020 03.201 T.02.202 03.202 W.20272 03.202 T.02.202 13.202 T.02.202 617







D***Tank	******	
		CENTRAL Valley County Transmittal County Transmittal
	Rez	tone # Donnelly McCall
		nditional Use #Cup 23 -37
		liminary / Final / Short Plat Transance Resort PUD 98-1 Amended Valley County
<u> </u>	THE HER HEA	
	1.	We have No Objections to this Proposal.
	2.	We recommend Denial of this Proposal.
	3.	Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
	4.	We will require more data concerning soil conditions on this Proposal before we can comment.
	5	Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of: high seasonal ground water waste flow characteristics bedrock from original grade other
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
	7	This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
	٤.	After written approvals from appropriate entities are submitted, we can approve this proposal for: central sewage
******	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality: central sewage
	10.	Run-off is not to create a mosquito breeding problem
	***************************************	This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
]	:2	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho Stata Sawage Regulations
	ij	We will require plans be submitted for a plan review for any:
Z		If the country is requiring a new plat and re-litting of Sandary Restorcher
		COH Will require A New opplication, enqueering report & purveyor letters.
		Factored by Leff R
		Date: <u>9 19 23</u>

Donnelly Rural Fire Protection District



P.O. Box 1178 Donnelly, Idaho 83615 208-325-8619 Fax 208-325-5081

September 25, 2023

Valley County Planning & Zoning Commission P.O. Box 1350 Cascade, Idaho 83611

RE: C.U.P. 23-37 Tamarack Resort P.U.D. 98-1 Amended Village Plaza Condominium-Preliminary plat.

The Donnelly Rural Fire Protection District has no comments or concerns on this matter.

Please call 208-325-8619 with any questions.

Jess Ellis

Fire Marshal

1491.

Donnelly Fire Department