

CITY OF NEW MEADOWS
CITY COUNCIL PUBLIC HEARING
MONDAY, OCTOBER 21, 2013 AT 7PM
CITY COUNCIL CHAMBERS, 401 VIRGINIA STREET, NEW MEADOWS

Agenda Item 1) Welcome & Roll Call

Mayor Spelman called the meeting to order at 7:06PM. Mayor Spelman, Council Member Mencer, Council Member Moore, and Council Member Wilde were present. Council President Priddy was excused. City Clerk/Treasurer Jacob “Mac” Qualls, Public Works Supervisor Doug Buys, Animal Control Officer/Public Works Assistant Clayton “CW” White, Office Assistant Jessi Martin, and Crestline Engineer Gregg Tankersley were also present. Public in attendance were: See sign-in sheet (ATTACHMENT A)

Agenda Item 2) Public Hearing: The City of New Meadows City Council will hold a public hearing concerning the Design of a new building at the corner of North Norris Avenue (Highway 95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map):

a) Public Hearing Opened

Mayor Spelman opened the Public Hearing at 7:07PM.

b) Applicant Presentation

Applicant Mr. Bill Brown described the drawings of the proposed building, building addition, storage units and property layout. Brown noted that an area for snow storage on the property had been planned. Vehicle service and repair would take place inside the shop building. Sales would take place inside the proposed building addition, and indicated the outdoor area was planned for vehicle sales. Brown explained that the conditional use application was for the proposed storage sheds and stated that they would act as a visual barrier as well as an additional sound barrier between the commercial lots and the residential neighborhood.

Mr. Brown read from section 8, section 13, and section 14, of the New Meadows zoning code concerning commercially zoned property, conditional use permits, and variances. Mr. Brown specifically noted: uses permitted, required set-backs and hearing procedures.

Mr. Brown referenced a letter from the Idaho Transportation Department Bureau of Aeronautics and noted that the proposed building site was within height requirements for its location at the south end of the New Meadows airport.

Mr. Brown explained that he plans to have the building insulated with spray foam and presented a letter from Energy Seal regarding expected sound decibels after the building is insulated. Mr. Brown noted that decibels referenced were within appropriate ranges.

Mr. Brown conceded that he had started off on the wrong foot with residential neighbors and expressed that if he had it to do over again, he would have spoken and worked with residents regarding his proposal before presenting it to the City.

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Mr. Brown explained that he had been required to obtain a reclamation plan in order to remove and sell rock from the property. He stated he had initially been unaware of the requirement. Brown informed the council and public that when he was made aware of the requirement he had obtained a reclamation plan through the Idaho Department of Lands. Brown stated that he has since been working with Diane Green with the Idaho Department of Lands and urged the council and public to contact her to answer any questions in regards to the reclamation plan.

Mr. Brown stated that he had been working with Mark Woods with Idaho Power to be sure that the proposed building meets all electrical requirements and urged the council and public to contact Mr. Woods with questions regarding power on the property.

Mr. Brown closed by stating that he is requesting to build an appropriate business on 9 lots of commercial property. Brown expressed his willingness to work with the city to choose a suitable color to repaint the structure and to create curb appeal on the property by adding landscaping. Brown declared that he would follow all rules, guidelines, and ordinances while offering an essential service to the community and creating three full time and three part time jobs.

Mr. Brown offered to answer questions of the City Council and public in attendance.

Bill Moats, 315 N Cunningham, New Meadows, ID:

Mr. Moats stated that he understood that the proposed building was deconstructed and moved to New Meadows from the Lewiston area and asked Mr. Brown if the proposed building met local snow load requirements.

Mr. Brown explained that the building does not currently meet Adams County snow load requirements but that he worked with an engineer to reconstruct the building to meet the snow load requirements. Mr. Brown added that a building permit would not be issued by the City of New Meadows unless plans are approved by the building inspector. Mr. Brown urged the council and public to contact Adams County Building Inspector Don Horton with questions in regards to the issuance of the required building permit.

Mr. Moats referenced the two 15 foot overhead doors at opposite ends of one another shown on drawings and asked Brown what the planned use for the doors was.

Mr. Brown explained that the 15 foot overhead doors were existing and that they would be used in the case of a large truck in need of repair.

Mr. Moats stated that he did not believe that there was adequate space on the north end of the building for a large truck to turn.

Mr. Brown replied that he had measured the property and that there would be enough room for a large truck to make the corner in and out of the 15 foot overhead doors.

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Mayor Spelman read aloud an e-mail dated 09/03/2013 Mike Pape with the Idaho Transportation Department, Division of Aeronautics.

Mr. Brown stated that the location of the proposed building at the south west corner of the property had been established with the New Meadows Airport in mind. Mr. Brown also explained that according to his research the majority of planes that use the New Meadows Airport take off from South to North and land from North to South.

Mr. Brown reported that city owned McLain Street which extended with a 60 foot right of way from North Cunningham to North Norris and bordered the north edge of his property and the south edge of the airport. Brown stated that the city had the option of using that property to meet his slope requirements.

Council Member Mencer asked how Brown expected to employ six people.

Mr. Brown stated that he planned to recondition vehicles, service vehicles, provide vehicle repair, as well as sell vehicles, tires, and parts.

Mr. Brown stated that the proposed building and business was located within a commercial zone and that removing parts from vehicles is not allowed within a commercial zone. Brown expanded by saying that recycle and or salvage of vehicles is allowed by city ordinance in industrial zones. Brown stated that he had recently discussed with Mayor Spelman the possibility of obtaining industrial zoned property within city limits to remove parts from and recycle vehicles which would create two to three additional jobs in the future.

Council Member Mencer asked if Mr. Brown had a dealer's license.

Brown stated that the State does not require a dealer's license unless nine or more vehicles are sold annually. Brown explained that not all vehicles exhibited on his property belong to him and that the property is being used as a park and sell lot. Brown added that all of the vehicles currently on the property are clean vehicles that run. Mr. Brown added that he does plan to obtain a dealer's license.

Wes Jeffs, 409 N Cunningham, New Meadows, ID 83654

Mr. Jeffs asked when Mr. Brown planned to replace material that had been removed from the City's McLain Street right of way adjacent to Brown's property. Mr. Jeffs stated that at least one truck load of material had been removed from city owned McLain Street right of way between North Norris and North Cunningham.

Mr. Brown stated that he is trying to start a business in the community and that in other communities, city officials and residents try to make it easy for new businesses to open, but that it does not seem to be that way in New Meadows. Mr. Brown explained that his proposal is within city rules and that nothing else should be a factor.

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Tim Farrell, 3667 Farrell Rd, New Meadows, ID:

Mr. Farrell stated as an Adams County Commissioner, Mr. Brown should be aware of the protection ends of runway zones. Mr. Farrell stated that he believes that it is Brown's job as an Adams County Commissioner to discourage building so near the end of a runway.

Mr. Brown said that he was unaware of the protected end of runway zone when he purchased the property. He stated that in his opinion the airport should not be in its current location. Brown referred to Mr. Farrell trying to have the airport relocated in the past and Brown stated that he had been all for that proposal, though he is not sure what happened with the situation. Mr. Brown estimated that not more than five pilots utilize the airport. Brown reiterated that he is attempting to create jobs and economy within the community and that he believes that he has the right to use his property as it is zoned.

Wes Jeffs, 409 N Cunningham, New Meadows, ID:

Mr. Jeffs asked Mr. Brown if he had been responsible for the Council airport getting an overlay and not the New Meadows airport.

Bill Moats, 315 N Cunningham, New Meadows, ID:

Mr. Moats asked if the New Meadows airport was rated as an airport or an airstrip.

Marsha Shriver, 216 N Cunningham, New Meadows, ID:

Mrs. Shriver stated that the last time she had an aeronautics manual, approximately 6 years ago; the New Meadows Airport had been considered an Emergency Airstrip.

Jeff Roff, 111 N Cunningham, New Meadows, ID:

Mr. Roff asked what the City Council needed to address. Mr. Roff stated that he would like to hear more information on what Mr. Brown is asking for on the Conditional Use Permit Application and the Variance Application. Mr. Roff asked if proposed set-backs were within City code.

Mr. Brown stated that he had been advised by Clerk / Treasurer Qualls to apply for a variance permit for relief of being required to construct a sidewalk along North Norris adjacent to his property. He was also advised to apply for a conditional use permit for the proposed storage units. Brown stated that he had worked with the Planning & Zoning Commission to determine other requests that would help the property to look appropriate which had included a 3 foot high split two rail fence along North Norris as well as trees, shrubs, planter boxes and landscaping. Brown replied that proposed setbacks did meet city requirements. Brown mentioned that in the future he would like to add a carwash to the outside of the south west corner of the proposed building.

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Wes Jeffs, 409 N Cunningham, New Meadows, ID 83654

Mr. Jeffs stated that if a carwash was added to the south west corner of the proposed building Mr. Brown should be required to add an 8ft tall privacy fence.

Mayor Spelman stated that outdoor vacuums to be included, if a carwash were to be added to the outside of the building, may cause noise pollution and asked Mr. Brown how the issue would be addressed.

Mr. Brown replied that the carwash and vacuums would be open only during hours of operation. Brown expressed that he does not want the property to be considered a junk yard. He stated that items would be sold in a display area inside the addition of the proposed building and that clean running vehicles would be sold outside.

Jeff Roff, 111 N Cunningham, New Meadows, ID

Mr. Roff stated that as a citizen he appreciates Brown's business of selling affordable vehicles. Mr. Roff stated that it is not the government's choice to say what is junk and what is not.

Mr. Brown stated that Mrs. Dixie Jeffs had helped him to understand that he should have gone about proposing the business differently. Mr. Brown stated that he is hopeful that the business is an asset to his family, himself, and the community. Mr. Brown stated that it is his belief that the community is in need of affordable vehicles that are in working order. Mr. Brown explained that he is willing to be held accountable for only selling appropriate vehicles at the property being discussed.

Bill Moats, 315 N Cunningham, New Meadows, ID 83654:

Mr. Moats asked if the city had fielded any complaints regarding noise levels from his shop. Moats stated that he often uses numerous commercially graded tools in the shop on his property.

Clerk/Treasurer Mac Qualls replied that the city had not received any noise complaints.

Mr. Brown stated that pouring the cement pad and insulating the proposed building with spray foam would be the most expensive part of the proposed project and will be an effective noise barrier. Mr. Brown apologized for getting off on the wrong foot with the community regarding the building and business proposal and declared that he would work with the city to do all that he can to ensure a successful business that he, his family, and the community can be proud of.

Council Member Wilde asked if the proposed storage units would be accessed from the alley bordering the west edge of Brown's property.

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Mr. Brown replied that there would be no storage unit access from the alley. Brown stated that the north half of the storage units would be behind a secured gate and that upon rental of storage units, customers would be informed that all units could only be accessed during business hours. Brown also stated that the property would be equipped with appropriate lighting that would not disturb residential neighbors or drivers.

Council Member Mencer stated that Brown would need to adhere to the Idaho Transportation Department requirements for signage along Highway 95.

Council Member Wilde asked if Brown planned to install air-conditioning in the shop to avoid working with doors open to keep cool during summer months.

Mr. Brown stated that he planned to install swamp coolers. Mr. Brown added that there may be times that it is necessary to do some work on a vehicle outside of the shop building.

Mr. Brown stated that he had spoken with an owner of property adjacent to his who stated that he was not concerned about the noise or look of the building but about Mr. Brown not completing the project due to possible financial setbacks. Mr. Brown stated that he owns the property and the building outright and that the only large expenses he foresees is the spray foam insulation and the pouring of the concrete pad. Mr. Brown explained that he is prepared for those costs and will complete the proposed project following approval from the city.

Council Member Mencer asked if Brown had submitted FAA form 7460-1.

Mr. Brown stated that he was unaware that he was required to submit the form and that he had not done so. Brown agreed that he would submit the form after receiving the green light from the City.

Council Member Wilde asked if a survey of the property had been completed.

Brown stated that the survey had been completed by Rod Skiftun.

Council Member Wilde asked if Brown would be financing the purchase of vehicles.

Council Member Mencer commented that Brown would need to obtain his dealers license in order to finance vehicles.

Council Member asked for clarification regarding vehicle access shown on drawings.

Mr. Brown stated that City Ordinance states that access should be allowed from the alley, but Brown's proposal shows access from Taylor Street only.

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c) Public Testimony

i. Written comments

Wes Jeffs, 409 N Cunningham, New Meadows, ID:

Mr. Jeffs read aloud written comment that he had submitted.

Dennis Nau, PO Box 738, New Meadows, ID:

Mr. Nau read aloud written comment that he had submitted. Mr. Nau added that the New Meadows Airport is used by more than just five pilots: McCall Smoke Jumper School, McCall Aviation as well as other serious users utilize the runway for business and training purposes.

ii. Supporter Testimony

None

iii. Neutral Testimony

Jeff Roff, 111 N Cunningham, New Meadows, ID:

Mr. Roff stated that a building at the south end of the runway may be an asset to pilot training at the New Meadows airport providing a change in the overhead view of the runway.

Shanna Roff, 111 N Cunningham, New Meadows, ID:

Mrs. Roff suggested that the Mayor and City Council discuss issues that were listed on the agenda and that the dealer's license, mining, and condition of vehicles on the lot are a separate issue and should not be discussed at this time.

Gregg Tankersley, 323 Deinhard Lane, Suite C, McCall, ID:

Mr. Tankersley stated that his company, Crestline Engineers, had reviewed over 40 land use issues in McCall and that this is their first for the City of New Meadows. Tankersley stated that overall he felt that Brown's business proposal would be a great addition to the community but that he did have some concerns regarding the proposal. Tankersley suggested that Mayor Spelman and City Council Members carefully read details noted in written staff report submitted by Crestline Engineers before making a decision. Tankersley said that some concerns are the unknown plan for grading and drainage of the property which could cause a flooding problem, parking requirements being met, a possible infiltration & inflow problem for the city's sewer system if a car wash is added and other details that had not been addressed by Brown in the proposal.

Mr. Brown stated that drainage had been addressed in the reclamation permit.

Tankersley said that drainage addressed in the reclamation permit was specific to a gravel source, not for a commercial project.

iv. Opponent Testimony

None

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v. *Rebuttal by applicant*

vi. *Close Public Hearing*

Mayor Spelman closed the Public Hearing at 8:58PM.

Agenda Item 3) Deliberations (Design Review): The City Council is to approve, approve with conditions, deny, table for up to 30 days following hearing for further information on the application of the Design of a new building at the corner of North Norris Avenue (Highway 95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map).

Mayor Spelman and the City Council asked Mr. Brown to provide more detailed information.

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Agenda Item 4) Deliberations (Conditional Use Permit): The City Council is to approve, approve with conditions, deny, table for up to 30 days following hearing for further information on the Conditional Use Application for the corner of North Norris Avenue (Highway 95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map).

Mayor Spelman and the City Council asked Mr. Brown to provide more detailed information.

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Agenda Item 4) Deliberations (Variance): The City Council is to approve, approve with conditions, deny, table for up to 30 days following hearing for further information on the Conditional Use Variance Application for the corner of North Norris Avenue (Highway 95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map).

Mayor Spelman and the City Council asked Mr. Brown to provide more detailed information.

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Agenda Item 4) Adjourn

- Council Member Wilde moved to table Bill Brown's design review, conditional use application and variance application until November 21, 2013 at 7pm or a later date depending on advice to be obtained from the City's attorney and to adjourn; Council Member Moore seconded the motion. Voice vote indicated no opposition to the motion with all members voting aye. Motion carried.

Meeting adjourned at 9:16pm.

OFFICIAL: /s/ Julie Spelman
Julie Spelman, Mayor

ATTEST: /s/ Jacob Qualls
Jacob Qualls, City Clerk

