

**MCCALL AREA**  
**PLANNING AND ZONING COMMISSION**

**Minutes**

**October 4, 2016 – 4:30 p.m.**

**McCall City Hall – Lower Level**

**216 East Park Street, McCall, ID 83638**

**COMMISSION MEETING – Began at 4:30 p.m.**

**CALL TO ORDER AND ROLL CALL**

*Chair Fereday, Commissioner Williamson, Commissioner Thompson, Commissioner Tunnell, Commissioner Callan, and Commissioner Clements were present. City Planner Delta James, Permit Technician Morgan Bessaw, and Community Development Director Michelle Groenevelt were also present.*

**1. REVIEW & APPROVAL OF MINUTES**

*Commissioner Williamson made a motion to approve the September 6, 2016 minutes. Commissioner Thompson seconded the motion. All commissioners voted aye and the motion passed.*

**2. PRELIMINARY DEVELOPMENT PLAN REVIEW MEETINGS**

**3. CONSENT AGENDA**

**ROS-16-13**

**1774 & 1778 Crescent Dr.**

Skiftun Land Surveying representing Mark Bottles and David Hinchman: A Record of Survey application to adjust the lot line between the two properties to remove the non-conformity of one home and to provide more equitable lake frontage. The properties are zoned R4 – Low Density Residential and are more particularly described as:

S/2 of S. 120 and Tax Parcel 132 in Block G, Amended Crescent Beach Subdivision, Lots 1 & 2, Section 5, T18N, R3E, BM, Valley County, Idaho.

*Commissioner Williamson made a motion to approve ROS-16-13. Commissioner Tunnell seconded the motion. All commissioner voted aye and the motion passed.*

**4. NEW BUSINESS**

**CA-16-01**

**Formula Business**

Millemann Pittenger & Pemberton LLP representing Alpine Village: A Zoning Ordinance Amendment application to modify the definition of "Restaurant, Formula" within McCall City Code Title 3, Chapter 2 (MCC 3.2.02) to exempt restaurants or businesses from this definition that have commonality with five (5) or fewer other restaurants or businesses sharing the same business name, standardized menus, like interior décor, common architecture or signs, use of trademark or logo, or is substantially identical in name, appearance, or food preparation format.

**PUBLIC HEARING**

Steve Millemann, resident of 706 N. 1<sup>st</sup> Street, presented the application on behalf of the applicant: Current language of the McCall City Code states that any restaurant with another location is considered a formula restaurant. This code amendment came about after working with City staff and changes the definition of formula restaurants to any restaurant that has 5 or more similar

locations. Originally the proposed amendment allowed up to 10 restaurant locations but was changed to five after staff recommendation. This amendment keeps with the original intent of the code, to protect the unique character of McCall by minimizing franchise restaurants, while increasing flexibility.

Mike Hormaechea, the owner of Alpine Village Co., spoke in favor of the code amendment. He has been speaking with the owners of The Griddle for several years about the restaurant's interest in opening a location in McCall but they are currently unable to because they already have four other locations in Boise, Meridian, Eagle, and Winnemucca. The challenge of current code is that a business with two locations is being treated the same as businesses with 20,000 locations. Mr. Hormaechea does not believe that this was the intent of the code originally. This is an economic development hindrance and amending this code could help boost the local economy.

Ashley Fergeson, owner of The Griddle, spoke in favor of the amendment. The Griddle has been a family business since 1948, serving breakfast and lunch from scratch. The restaurants currently employ almost 100 people at 4 locations. Opening a restaurant in McCall would create approximately 25 jobs for the community. They have experience working in seasonal locations and having been successful in several other locations makes them more appealing to Alpine Village to bring into their facility.

Michelle Groenevelt, Community Development Director, presented the Staff Report: This is a proposed amendment to the restaurant code, and is not about a specific restaurant. The amendment does not change the percentage of formula businesses that are allowed. The City Attorney felt comfortable with this code amendment and that it was legally defensible. The original code has been around since 2006 and was instituted to promote the unique character of McCall experiences. A survey about public input relating to code was passed around and is attached. Ms. Groenevelt read public feedback gathered on social media into the record supporting the code amendment, also attached.

The public Hearing was opened:

- Robert Looper, resident of 953 Strawberry Ln., spoke in favor of the application. Mr. Looper remembers the original code adaption in 2006 and believes the intent was to promote a unique character, which this code also does. It will be a good thing for McCall.
- Karen Higley, resident of 616 N. 3<sup>rd</sup> St., spoke in favor of the application. As a resident of Alpine Village she supports the code amendment and increasing the ability to bring in more commercial businesses to fill vacant commercial space and provide more diverse restaurant options.
- Kirk Smith, resident of 616 N. 3<sup>rd</sup>, spoke in favor. He owns the Best Western Hotel and often has guests asking about breakfast options, which would increase with this code adoption.
- Harriet Crosby, resident of 106 E. Lake St., asked about the impacts of this code adoption.
- Sherry Maupin, resident of 376 Verita Rd., spoke in favor of the application. The VCEDC has received numerous survey responses that say people would like more restaurants and retail in McCall. This code would support that, as well as provide restaurants a means of sustaining the lag season by having other established locations that helped financially.
- Steve Millemen – readdressed the commission and the public's questions. The code does not apply to a specific business, but any business that has fewer than five locations.

The public hearing was closed.

*Commissioner Williamson made a motion to recommend the application to City Council for approval with a second public hearing. Commissioner Tunnell seconded the motion. All commissioners voted aye and the motion carried.*

## **CA-16-02**

### **Building Height Definition**

City of McCall: A Zoning Ordinance Amendment application to modify the definition of "Height, Building" within McCall City Code Title 3, Chapter 2 (MCC 3.2.02) so that building height is measured from any point on a building element to the existing grade or modified grade, whichever is greater, directly below said building element point.

### **PUBLIC HEARING**

City Planner James presented the Code Amendment: This amendment proposes to change how building height is measured. Currently height is measured from existing grade to the highest point of the building element. The amendment would measure height from either existing grade or modified grade, whichever is greater. Staff is bringing forward the code amendment at P&Z's request as it has recently come to the attention of the commission that several recent applications have exceeded the height limit by excavating down below existing grade.

The public hearing was opened:

- City Planner James presented public comment included in the staff report from local architect Claire Remsberg against the project, she also read into the record an email received from Jevon Treux, stating the code amendment will negatively impact the character of town.
- Heather Susemihl of McCall Design and Planning, resident of 912 Valley View Ln., spoke in opposition to the code amendment. She is concerned about creating additional nonconforming structures in the City Limits.
- Wayne Ruemmele of Epikos, resident of 1050 Fireweed Ln., agrees with the earlier testimony. Clients are not going to change what they are asking for and three stories gets very close to 35 ft. Mr. Ruemmele looked through old jobs and had two that would not now meet code. The height limit ends up cutting off the gable, which is a style that defines mountain character. He thinks the City should consider a form based code or consider reviewing design guidelines from some of the neighborhoods in the City that have very different guidelines.
- Steve Minor, resident of 307 Mather Rd. and design principle for McCall Craftsman Homes, spoke against the amendment and agrees with the other architects that have spoken.
- Lisa Beck, resident of 249 Moon Dr. and design professional with Epikos agrees with the previous commenters. The City comp plan talks about building character and this would change our mountain character by modifying the design of new homes. Makes non-conforming structures difficult to maintain, leading to dilapidation.
- Steve Millemann, resident of 706 N. First St., recommend the City be cautious about changing a code that would put homes into the nonconforming structure category and he would recommend the City consider adding language that specified homes constructed legally prior to this amendment are not considered non-conforming.

Public hearing closed.

Commissioners discussed the public comment, the need to work with the design community, and the problem of creating non-conforming structures. Staff discussed the current comp plan update and upcoming code rewrite and the possibility of reevaluating the design code as a whole and not just building heights in the coming year.

*Commissioner Tunnell made a motion to withdraw the Code Amendment Application. Commissioner Clements seconded the motion. All Commissioners voted aye and the motion passed.*

#### **PUD-14-02 DA & Minor PUD Amendment**

##### **Village on Lake St.**

Steve Millemann representing Lake Street Company LLC: Development Agreement and PUD General Plan Minor Amendment applications to extend the schedule identified within the Preliminary Phasing Plan for the Village on Lake Street PUD by two additional years. The property is zoned R16 – High Density Residential and is more particularly described as:

Williams-Mayfield Addition, Lots 10-13, Block 1 and McCall acreage Tax No. 178, 179 and 180 in Gov't. Lot 4, City of McCall, Valley County, Idaho.

##### **PUBLIC HEARING**

Steve Millemann, resident of 706 N. First St., presented the application. The Village on Lake St. is located west of Albertsons and runs from Lake St. to Park St. It is a multi-phase mixed use development that was approved in 2014. This application does not change anything other than to extend the phasing plan. The first final plat was originally due in December 2016 and the applicant is proposing to extend the deadline to December 2018 and each other phase extending by two years as well.

The public hearing opened. No one was present. The public hearing was closed.

*Commissioner Williamson made a motion to recommend the application to City Council for approval. Commissioner Callan seconded. All commissioners voted aye and the motion carried.*

#### **DR-16-38**

##### **Lots 10 & 11 Half Moon Cove**

Matthew Shepard representing Steve & Colette Shepard: A Design Review Application to construct a new single family residence with attached garage of 4622 sq. ft. upon the newly combined lots. The parcels are zoned R4 – Low Density Residential and are more particularly described as:

Lots 10 & 11, Half Moon Cove Subdivision, Section 5, T18N, R3E, BM, Valley County, Idaho.

##### **PUBLIC HEARING**

Matt Shepard, resident of 1761 Crescent Dr., presented the application for a new single family home and attached garage totaling 4600 sq. ft. The footprint is 2988 sq. ft. with a living space of 2800 sq. ft. The project is designed to look cottage like and has the support of the neighbors. Trees have already been removed. Updated landscaping plan and outdoor lighting fixtures have been submitted.

City Planner James presented the findings and staff report. The project will be on a well. The public hearing opened. No one was present. The public hearing closed.

*Commissioner Williamson made a motion to approve DR-16-38 with the added condition that all disturbed areas shall be seeded and/or planted with native plant materials. Commissioner Clements seconded the motion. All commissioner voted aye and the motion carried.*

**5. OTHER**

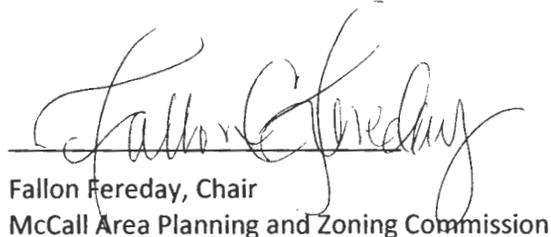
- Review of signs approved administratively
- 2017 meeting schedule and application deadlines  
*Commissioner Williamson made a motion to approve the 2017 meeting schedule. Commissioner Tunnell seconded. The motion carried.*
- *McCall in Motion* - Comprehensive Plan update

**6. ADJOURNMENT**

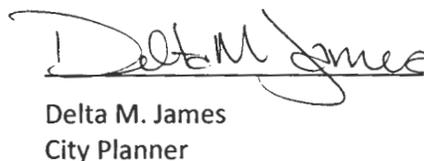
*Commissioner Williamson made a motion to adjourn the meeting at 6:32PM. Commissioner Thompson seconded the motion. All commissioners voted aye and the motion carried.*

Signed: November 1, 2016

Attest:



Fallon Fereday, Chair  
McCall Area Planning and Zoning Commission



Delta M. James  
City Planner

## Delta James

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**From:** Erin Greaves  
**Sent:** Tuesday, October 04, 2016 11:32 AM  
**To:** Delta James  
**Subject:** 1 Comment to date.

[Shelly DeMoss](#) Thank you for posting this. I personally feel that a restaurant with only 5 (or fewer) locations outside of McCall could be a benefit to our town. Restaurants of this size hopefully have "ironed out the kinks" so to speak and may have a greater chance to succeed and financially weather our slack seasons. I believe that KB's, Stax, Pueblo Lindo, Chapalas are all great examples, yet still have a "small town" feel.

[Like](#) · [Reply](#) · [Message](#) · [4](#) · [September 14 at 2:57pm](#) · [Edited](#)

Erin Greaves | Communications Manager  
216 E. Park Street | McCall | Idaho 83638  
Direct: 208.634.8966 | Fax: 208.634.3038



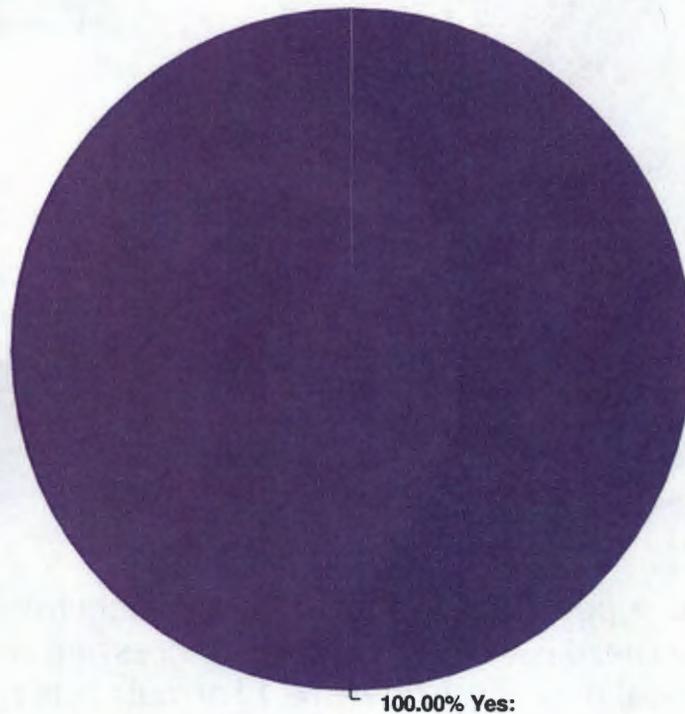
**City of McCall**

[Website](#) | [City Source](#) | [Facebook](#)

# Report for Community Choices

## 1. Key Questions to Consider:

Yes - Do you support the limitation of formula businesses in McCall?  
Currently there is a 10% limitation for restaurants and retail (there must be 9 local businesses before 1 formula business is allowed).



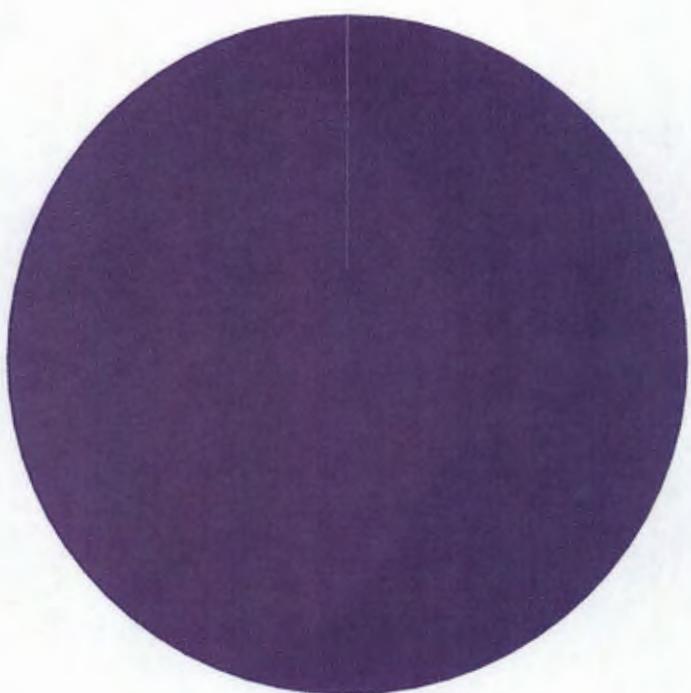
Value	Percent	Count
Yes	100.0%	9
Total		9

No - Do you support the limitation of formula businesses in McCall?  
Currently there is a 10% limitation for restaurants and retail (there must be 9 local businesses before 1 formula business is allowed).

Count	Response
1	ABSOLUTELY
1	Definitely support limits on chains. It keeps unique flavor for in town. This should be enforced in the impact zone too (?)
1	I am in favor of some limits. 10% might be too stringent.
1	Modify what is considered a formula business to allow local businesses with up to 12 outlets.
1	This conversation needs to be had now. Local business is too expensive for local families to eat at and there is very limited competition to keep prices in line. Formula businesses can exist on the outskirts of town and not be allowed in the downtown core if needed.
1	This is huge. No starbucks in Albertsons!!!
1	Very much in support of this!
1	Yes, support limits

# formula

Yes - Where should a new telecommunications tower be located?



100.00% Yes: