



Valley County Planning & Zoning Commission

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Ed Allen, Commissioner
Ray Cooper, Commissioner
Johanna Defoort, Commissioner

MINUTES

Valley County Planning and Zoning Commission

April 12, 2018

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:04 p.m.

P&Z Administrator – Cynda Herrick:	Present
P&Z Commissioner – Ed Allen:	Present
P&Z Commissioner – Bryan Cooley:	Present
P&Z Commissioner – Ray Cooper:	Present
P&Z Commissioner – Scott Freeman:	Present
P&Z Commissioner – Johanna Defoort:	Present
P&Z Assistant – Lori Hunter:	Present

B. MINUTES: Commissioner Defoort moved to approve the minutes of February 8th and March 8, 2018. Commissioner Cooper seconded the motion. Motion carried unanimously.

C. OLD BUSINESS:

- 1. C.U.P. 98-6 Camp Cascade – 5 Year Review:** The Commission will review the provisions of Conditional Use Permit 98-6 and determine whether the Camp is in compliance. This C.U.P. is reviewed every 5 years. The owner is Columbia River Conference of Free Methodist Church of North America, INC. The camp is located at 1719 West Roseberry Road in Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff report.

Cindy Vincent, camp manager of Camp Cascade, stated that they don't have any new building projects at this time. They are going to apply for a grant; if funded, they will bring a permit request to Valley County. She requested a longer time period before reviews.

Commissioner Allen stated that the Camp had a number of issues in past which is why they have the reviews. Ms. Vincent said that they met with neighbors and worked on the complaints. Since then there has been no complaints.

Chairman Cooley asked for proponents. There were none.
Chairman Cooley asked for uncommitted. There were none.
Chairman Cooley asked for opponents. There were none.
Chairman Cooley closed the public hearing.

Commissioners deliberated. They discussed the reasons review was required and if future reviews are necessary. Administrator Herrick added that she has not received complaints since the last review.

Commissioner Allen moved to approve C.U.P. 98-6 Camp Cascade, excluding the condition of approval requiring the five year review. Commissioner Defoort seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

D. NEW BUSINESS:

[06:13:01 PM \(00:09:04\)](#)

- 1. C.U.P. 18-04 Elk Creek Church (Amendment to C.U.P. 01-09):** Elk Creek Baptist Church is requesting an amendment to the conditional use permit approved in 2001 which allowed a church building. This request is to add a 23,000 sq.ft. building which includes a gymnasium with a kitchen, classroom area, and stage; parking lot extension; landscaping; remodeling of the existing church building; and, new entry vestibule connecting the buildings. The site is 9.5 acres addressed as 14102 Highway 55, in the NE ¼ Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Letter from Jason Wright dated April 9, 2018. He lives across from the Elk Creek Church at 14107 Highway 55. He has several concerns including safe access, funding, height of building, ground water analysis, effect on neighboring wells, noxious weeds, reducing ingress/egress to a single location, traffic study and stopping-distance analysis, building size, and lighting. He proposes conditions of approval for the following:
 - Limit structure height to 36'
 - Conduct groundwater analysis to ensure peak demand does not adversely affect neighbors
 - Submit a weed control plan for approval

- Limit ingress/egress to a single location to reduce impacts to residents and travelers
 - Require 300' setback of building if 42' structure height is allowed.
 - Require parking lot lights are turned off at 10 p.m.
- **Exhibit 2** – Carole Sackerman, representing the Sackerman Family ranch property at 1588 South Samson Trail, responded via email dated April 8, 2018. Their home is in close proximity to the Church. They request that the Church plant a row of tall trees along the back border of their property to camouflage their view and reduce noise. They are concerned that the Church's well will lower the water level in the aquifer.
 - **Exhibit 3** – Mike and Kimi Houston responded via email dated April 11, 2018. They are concerned about the lighting impacts on the neighbors and would like to know what kind and extent of lighting is proposed. The traffic in and out of the church will get busier with the expansion. Will a turning lane be proposed? Will the speed limit be decreased from Lake Fork to McCall as the growth expands south of McCall?

No questions of staff at this time

Eric Ova, 121 Brundage View Court, McCall, is the pastor of Elk Creek Church. He gave information on the number of people attending church and various programs. There has been substantial growth; average weekly worship attendance is over 300 with 400 on peak weekends. There is an active youth ministry of 60+ per children each weekend and 70 high schoolers on Mondays. He discussed other events that attract people. The current facilities are no longer adequate for their use and the community's needs. The congregation wants to make an impact on the community and especially the next two generations.

Vern Brewer, 1418 Club Hill Blvd, McCall, is the chairman of the Building Team. It became apparent to the entire congregation that the youth ministry needs more room. The proposed building would meet needs of the community, including youth, students, wheelchair-bound people, and indoor walking areas for older generation, The highest priority is the high school and junior high youth, then young families, then walking track and a warm environment, then basketball facilities. They want a kitchen serve the congregation, multi-use classrooms and a stage for music and events.

Exhibit 4 – Landscape Plan (24 x 36")

Exhibit 5 – Site plan and floor plan (24 x 36")

Exhibit 6 – Exterior materials for façade of building (24 x 36")

Exhibit 7 – Slide Show Handout. They want to support families and community. Proposed setback is 140 feet which meets required setback. Floor plan was described. There is the potential to use the building during an emergency event for needed disaster services. Mr. Brewer mentioned various possible uses of the building, both religious ones and community non-secular events including social events and trade shows. They are not proposing a day care at the site. Portable walls would allow room configuration changes. The funding is in place to build the structure.

Mr. Brewer addressed the previous comments. There are a number of things that are governed by the fact the church is along the highway. There are no bike paths or sidewalk. The local buses are able to stop there. He doesn't expect foot traffic to be an issue.

He believes the concerns about landscaping and lights have been solved. There are currently two entrances. The south access location has been moved down so the headlights will shine on the grouping of trees and the neighbor's driveway, not the house. Idaho Transportation Department (ITD) stipulated that the northern access needs to be lined up with the driveway across the street to reduce the risk of crashes. Therefore the proposed northern access will be moved further to the north. Landscape has been added to the plan. Parking in front of the church has been eliminated and this area will only be a drop-off zone to minimize impact to neighbors.

In response to the comments requesting a front setback increase, Mr. Brewer said parking would have to move to the front of the building instead of in the back. A large part of the property is wetland which restricts the parking layout. The white Christmas lights have been turned off to the lessen impact to neighbors. Expanding the landscaping to the north will reduce the noxious weeds. The County has looked at the property at least once to look for weeds. The well on site is adequate for this proposed facility. The well was rebuilt two years ago due to sand issues. Mr. Brewer believes that the concerns raised about water issues are probably unfounded. There are a few changes to original proposed plan in the application. The small buildings will need to relocate to the back due to needing the originally proposed area for stormwater retention.

Administrator Herrick stated that the applicant's engineer and the Valley County engineer are working on the stormwater plan.

Mr. Brewer discussed the proposed lighting plan [see application]. The parking lot will be lit with 80-degree downward lights. A photometric analysis has been conducted to determine best light placement; reducing light trespass and giving security coverage. Parking lot lights will not trespass on to neighboring properties. They will automatically dim to 50-percent when not in use and will be motion-sensor activated. They will be on dawn-to-dusk. The two lights at the highway accesses would stay on all night.

Administrator Herrick asked how many lights will be on all-night. Mr. Brewer replied that there will be six or eight that will be dimmed by 50% when no motion is detected.

Commissioner Allen referred to the diagram of lighting poles in the application. Mr. Brewer said they will be the same lighting as in McCall's Albertson's parking lot: 4-ft pedestal and 18-ft pole.

Commissioner Defoort asked about traffic plans and if there will be turning lanes, designated entrance/exit lanes, or speed limits changes. Mr. Brewer responded that the Church has requested that ITD make Highway 55 a no-passing zone along their property. They would not be opposed to a speed limit decrease. Using only a single exit/entrance can delay traffic. Emergency personnel generally want multiple entrances.

Chairman Cooley asked for proponents.

Jared Montague, 655 Elo Road, spends considerable time with the youth at the nearby LDS church. Having a place for kids to go has a positive effect on the community.

David Holland, 616 North 3rd Street, McCall, believes this would be a positive thing to see as people drive into McCall. The community needs to support these types of activities.

Lynn Wood, 1019 Violet Way, McCall, supports this program due to the current growth in Valley County and McCall. She wants McCall to be a family-friendly town. As the grocery stores expand, the hospital expands, and the library expands, this proposal is a positive thing for our community.

Chairman Cooley asked for uncommitted.

Tim Deinhard, 14111 HWY 55, lives directly across from the proposed driveway. There were two accidents last summer at this spot and another crash 30 ft. away. Accidents aren't from vehicles passing but from animals on the road or drivers not paying attention. He is not opposed. However, the proposed building is five times the size of the existing church. He would like the new building to be set back further east. He is concerned with traffic patterns and increased traffic as this area is already a traffic problem.

Jason Wright, 10407 HWY 55, referenced his letter [exhibit 1]. He is not opposed to the idea but has design concerns. Some of the stated community needs already are supplied in the community. There is a basketball court available to the public in McCall and the library has tech access for the public. There are no current plans to upgrade the Frontier internet lines in the highway corridor. He proposes only the south access with dedicated left and right turn lanes. Mitigation is allowed for wetlands if they need the area for parking. He is concerned about the light trespass in the air through windows, not just ground surface illumination. This is an issue for the neighbors near his work location. There is possible impact to sandhill cranes nesting in area.

Chairman Cooley asked for opponents. There were none.

Chairman Cooley asked for rebuttal from the applicant.

Mr. Brewer responded to issues mentioned. ITD is reviewing the transportation component. ITD requested the change in the northern access. Illumination is an issue especially on snow or in a fog; however, some lighting is needed for security. They will consider non-reflective surfaces on windows now that they know this is an issue. A single access would be a safety concern.

Commissioner Allen asked about the lighting. The Lighting Ordinance requires poles that are 20 ft. or less in height and asked if the applicant would consider the height of the poles that are at the nearby LDS church. Mr. Brewer responded that they would consider. The proposal

includes LED lighting built into the fixture and the light bulbs will not protrude down below the fixture. Lowering the poles would require more poles and more lights.

Chairman Cooley closed the public hearing.

The commissioners deliberated. All appreciated the completeness of the application and the work they have done with neighbors. Commissioner Defoort stated that this is a good proposal needed by the community and that anything of this scale is going to have some opposition which needs to be mitigated. The building in front will shield the lighting in the back. ITD is the expert for the traffic and access issues. The applicant has done a good job working with neighbors.

Commissioner Allen agrees. He complimented the work the applicant has done in this application, particularly the photometric plan. The road is an issue. ITD was asked to reduce the speed limit when the churches were originally built; perhaps it is time to request this again.

Commissioner Freeman agrees with comments.

Commissioner Cooper agrees this is a nice application and it meets a community need. He believes that two entrances are necessary.

Chairman Cooley agrees the application is complete and has addressed the concerns of the neighbors.

COA – Ingress and egress accesses shall be at locations identified by ITD.

COA – Shall eradicate weeds when needed in cooperation with Valley County.

COA – Lights shall not exceed 20 feet in height.

COA – Shall use non-reflective windows if possible.

Commissioner Allen moved to approve C.U.P. 18-04 Elk Creek Church (Amendment to C.U.P. 01-09 with the stated conditions of approval. Commissioner Cooley seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

10 minute break

[07:36:09 PM \(01:21:01\)](#)

2. C.U.P. 18-05 The Grove McCall - Event Venue: The Grove McCall LLC is requesting a conditional use permit for an event venue. It would include a covered pavilion, conference building, eight 800-sq.ft. cabins for overnight guests, a manager's residence, and a storage building/workshop. Septic systems and an individual well would be used. Access is via an existing gravel driveway off of Boulder Lake Road, a public road. The 20-acre site is in the E ½ SW ¼ SE ¼ Section 19, T.18N, R.4E, Boise Meridian, Valley County, Idaho.

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *ex parte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff report and also presented an Addendum with the following attachments:

- Assessor's plat showing Boulder Lake Road thru parcel owned by State of Idaho.
- Instrument 253759 – Road Easements between State of Idaho and U.S. Forest Service.
- Instrument 116831 – Declaration of Public Road – Boulder Lake Road
- Instrument 117811 – Declaration of Public Road – Boulder Lake Road

Administrator Herrick reminded the commissioners that Valley County has one zone – Multiple Use. The Commissioners should make a finding if the request is for a Recreational Business or Service Business. The Commissioners may complete the compatibility rating matrix sheet.

Staff summarized the following exhibits:

- **Exhibit 1** – Proposed lighting plan from the applicant. Lighting will meet standards in the Valley County Lighting Ordinance (Valley County Code Title 6 Chapter 2).
 - No mounted light fixtures or illumination source will exceed 30 feet.
 - No flashing or intermittent or moving lights will be permitted.
 - Nonessential exterior lighting not needed for safety will be turned off at midnight.
 - Any LED lights used will not exceed 3000 Kelvin.
 - Once the C.U.P. has been obtained and a detailed site plan has been developed, we will submit an extensive lighting plan showing location, type, and height. The lighting plan shall be reviewed and approved by the P&Z administrator and the building official before the installation of any permanent exterior light source.
- **Exhibit 2** – The applicant submitted a proposed to-scale site plan on April 9, 2018.
- **Exhibit 3** – Andrew Mentzer, Executive Director of the West Central Mountain Economic Development Council, responded via a letter on April 10, 2018. The Council supports all beneficial vertical industries that enhance the viability and prosperity of our local economy. Wedding facilities bring a positive benefit to hotels, restaurants, tour services, event planners, and many other segments of economy. We strongly encourage you to consider these parallel markets when evaluating any request for permitting of wedding venues.
- **Exhibit 4** – Mike Vineyard, President of the McCall Area Chamber & Visitor Bureau, responded via letter dated April 10, 2018. The organization is happy to endorse projects such as “The Grove” which promote economic development in and around McCall. There is a growing need for facilities such as “The Grove”.
- **Exhibit 5** – Stephanie Nelson, 206 Titus Lane, responded via letter dated April 12, 2018. The Barn at Roseberry is a well-used and attended location for weddings, concerts, and special events. At its inception it was not easily view as a reasonable addition to the residential and agricultural location. And yet, it has proved to be a good neighbor and embraced by the community at large. And it is in her backyard. This proposed project has similar value to the growing resort community of Valley County. This area faces

large changes in the use of timbered real estate surrounding Long Valley. Resort and recreational infrastructure will be required if we are to survive the loss of our timber economy.

- **Exhibit 6** – Deborah Nelson & Jeff Bower of Givens Pursley LLP responded with a memorandum in opposition dated April 10, 2018. It provides a factual background and describes the site and surrounding land. They question if this proposal is a valid use in easement agreement allowed by approval of Variance V-2-15. They state that they application is incomplete and is lacking the required project description, plot plan, landscaping plan, and lighting plan. Court cases are referenced. They state that this should be classified as a Service Business, not a Recreational Business. Traffic, dust, noise & vibrations, fire risk, glare and light pollution, and water, grading, and soil stabilization.
- **Exhibit 7** – Scott and Kristy Bowlden, 14074 Morell Road, responded via email dated April 12, 2018. They strongly oppose an event center or any reason for group gathering rentals at this site. They live in a quiet neighborhood on Morell Road. The inholding was split for residential use. The proposal should be denied.
- **Exhibit 8**– Deirdre Abrams, 14186 Jefferson Road, responded via letter dated April 11, 2108. She is opposed to the application for many reasons, two which have a negative effect on the community:
 - The road to the site has a blind curve and is too narrow for two cars to pass. Logging trucks travel the road frequently. Adding 20 or 30 cars traveling to and from an event is dangerous and would require the County to widen and reroute the road.
 - The site is in close proximity to Poorman Creek, flowing directly into Boulder Creek, which is listed by the EPA as impaired for sediment and temperature.
- **Exhibit 9** – Scott & Laura Windau responded via letter dated April 5, 2018. They own Lots 3, 4, 6, & 7 [as shown on Record of Survey]. They are opposed. Their concerns include access, wildfire, fire & medical access, access thru adjacent properties, noise, inspections, safety, and setbacks.
- **Exhibit 10** – Ira Zunin, owner of Lot 8 [Record of Survey 12-182] responded via email dated April 5, 2018.
- **Exhibit 11** – Ken and Carol Shaw, 355 Boulder Lake Road, responded via email dated April 5, 2018. They have concerns including additional traffic, winter use, affecting on neighboring property, parking, fire danger. A commercial type use does not seem complementary to this quiet, rural area.
- **Exhibit 12#** – Haden Tanner’s email to Geoff Gaukler dated April 11, 2018. This includes listing sheets for the sold lots, Record of Survey Book 12 page 182, and maps of lots and access roads. Mr. Tanner states that sold prices range from \$164,000 to \$221,000. He

believes that a venue will make the property more difficult to sell.

- **Exhibit 13** – Susan Jenkins, United States Forest Service, responded by phone call on April 6, 2018. She stated that the USFS does not track numbers on the usage of the Boulder Lake site/trail/road but it is one of the busiest trailheads in the area. She suggested contacting Durena Farr, Valley County Soil & Water, to get numbers used in a recent grant application. The information from the grant is included

Herrick was unsuccessful obtaining information on traffic counts; all agencies said the road is “busy”.

Chairman Cooley asked for the applicant’s presentation.

Travis Leonard, 1607 Davis Avenue, #124, McCall, said this is an exciting project. He presented a slide show. He has a background in managing properties and rentals. He is aware of the issues that occur in rentals. This project would have activities in one spot without people having to travel for different activities. The topography and size of property allows a private event. They would keep all buildings on east side of the property. People attending events want privacy and don’t want to bother people.

Colby Rampton, 1607 Davis Avenue Unit 47, McCall, said they have had a cordial discussion with neighbors. He will address concerns that will likely be brought up. Both people at the events and the neighbors want serenity and privacy. He showed a video presentation. There is a natural sound containment due to a ridge that divides Lot 1 and 2. The owners of Lot 1 will likely build on west side of their lot due to views and septic limitations. There is significant amount of distance between Lot 1 building area and Lot 2 building proposals. The presentation included videos with sound of excavator and pictures of the site.

The shared driveway agreement states access to all parcel owners and their occupants, agents, employees, etc. The applicants have talked to the State of Idaho and it is very unlikely they would be granted an access easement from the east across State land. Instead of using the current shared easement, the applicants would consider getting another easement across Lot 1, south and east of the current shared easement.

A zipline is coming this year about two miles further east on the road on 600 acres of State land. The State is planning on adding a parking area for recreational use. Boulder Lake Road is becoming a recreational thoroughfare. It is the busiest dirt road in Valley County that IDL maintains. The State has hired a private security contractor because of issues with vandalism which is in direct correlation with increased use of the land. Closure of land previously owned by Potlatch has led to increased use in the remaining public use areas. Valley County is the playground of the Boise area which is growing in population. In 2011, the U.S. Forest Service measured roughly 800 vehicles per summer week on Boulder Lake Road. To extrapolate, traffic through Donnelly has seen approximately 30% growth; $800 \times .30 = 1220$ vehicles on Boulder Lake Road. With the addition of a zipline, conservatively adding 25 cars, six days a week, the estimate is about 1400 vehicles per week in the summer on the road.

Suggested restrictions by the applicant are:

- 10 p.m. noise curfew for events
- Noise monitoring
- Company representative onsite when noise may be an issue
- Downward-facing/shielded lighting and no concert lighting as they are wanting clients to see the night sky.
- Designated smoking area and campfire rings to mitigate fire risk
- The applicant covers all maintenance costs of the easement.
- Remove no more than 10% of trees if other owners agree to same.

This proposal benefits Valley County. It would be a boon to local business by local bank business loan, easing the shortage of accommodations for visitors, decreasing DUI's by keeping people on site, adding employment, adding tax revenue, and providing a beautiful and serene venue. It has the support of WCMEDC, McCall Chamber of Commerce, and local community members.

General considerations to take into account include the applicants' history managing large rentals with no issues. Commercial lots outside of Highway 55 and downtown McCall are difficult to find. There are no CCRs or other restrictions to this lot. It is 20 acres located 15 minutes from McCall.

Chairman Cooley asked for proponents.

Jared Montague, 655 Elo Road, McCall, lives on a road that leads to this location. He works in tourist industry and has quite a bit experience hosting events of large people. McCall has transformed into an area coming from major cities that connect with the Boise airport and is not just a destination for Ada and Canyon County homeowners. People are coming; how are we servicing them? When people come, they spend money and benefit the people living here. There is a shortage of venue sites in Valley County. This would be a unique venue. People will drink at events; therefore, having a site where people can spend the night onsite is good.

Aaron Jones, 701 Kasper Street, McCall, owns a photography business and previously managed a boy-scout ranch in a rural area. He understands the challenges; with open communication it can be successful. The applicants are able to deal with problems and are level-headed people who understand the concerns.

Chance Hobbs, 3818 Osprey Circle, New Meadows, is on the board of the West Central Mountains Housing Trust. He appreciates the fact the applicants want to house people on site which will help people who looking for long-term housing. Two years ago, his sister rented a big house in Donnelly area which led to 30 cars lined up the road and unhappy neighbors. His other sister could not find a place for a wedding this summer.

Craig Campbell, 601 Thompson Avenue, understand the concerns. However, by serving on local boards, he has seen the needs of Valley County. There is rapid growth and the area is going to

get developed. He wants someone who will develop the land responsibly and work with neighbors. This proposal is neither a Marriot hotel nor a huge development.

Chairman Cooley asked for undecided. There were none who wished to speak.

Chairman Cooley asked for opponents.

Deborah Nelson of Givens Pursley, is representing five individuals that own the other seven parcels. All object to this proposal. They want homes here. The application is incomplete, especially compared to the previous church application. They are concerned with the overall compatibility, particularly with the lack of details in the application. The proposed use does not meet County code. The County is to protect value of privately-owned property. Commercial development should be concentrated. The infrastructure is not at this site; it is not designed for commercial business. The proposal is problematic whether it is classified as a service business or a recreational business. She believes it should be a service business due to the type of use, lodging, lot coverage, and intensity of parking and traffic. The designation does impact the compatibility matrix. The Valley County Code requires a 75-foot frontage public road which is not met by the application. Frontage is required to keep impact on the road instead of the neighbors. The parking requirement is not met. The site is not appropriate for this use. It also does not meet the one-percent maximum lot coverage standard. Regarding the variance, at issue is the number of homes and number of buildings that are accessed via the shared driveway easement. This was part of the Commissioners' discussion on V-2-15. Legally, she considers business use would be an invalid scope of the easement. Under Idaho law, reasonable use is based on current expectations. A residential area is expected.

Geoff Gaukler, 2712 Belmont Road, Grand Forks, North Dakota, owns Lot 1 Boulder Lake Road. He asked the Commissioners if they owned his land, would they want this commercial business next door. The use will include guests as well as caterers, photographers, etc. When he thinks about his property, he pictures the sound of the creek not cars. He has met with local builders and architects. He and his wife have been good stewards of the land. The taxable value is not the market value. They do not to sell the land that they choose above any other piece of land.

Ron Howell, 14171 Jefferson Road, lives in nearby Lake Fork Estates. As a landowner in this area he bought land in a wonderful quiet community. Boulder Lake area has become so busy that he doesn't take fly-fishing customers up that road anymore. The road is in bad shape.

John Schott, 14191 Hancock Road, does support the entrepreneur effort. As a doctor, he wants to speak from a medical standpoint. Boulder Lake Road is problematic and increasing traffic would not be good. The proposal is a great idea but not in a good location.

Bobbie Shaw was born, raised, and lives on Boulder Lake Road. This is a residential and agricultural area. The road is a narrow one-lane road from the top of Morell Road junction, where the pavement ends. The road is dangerous and has had multiple accidents. There is heavy traffic including atv and snowmobile use. Who will maintain the road? This is rural residential area, not a commercial zone.

Cory Corbet has lived at 14155 Jefferson for 15 years. She is on the Board of Mountain Central Association of Realtors. I am not speaking for the Board but want to give a realtor's perspective that this project would result in a negative impact on real estate value. I support the business but not at this location. The project does not meet the Comprehensive Plan objectives to protect property values and public access. There would be long term effects. She questioned what would happen if the business failed.

Haden Tanner, 1312 Dawson Avenue, McCall, has been a real estate agent since 2004. He was asked to speak on the impact of selling the nearby parcels. Majority of people looking for land are retired, second-home owners, or vacation home owners. They look for access to public grounds and quiet areas. A realtor would need to disclose the neighboring use. Weddings are loud and more people will attend the wedding than stay overnight. Market value in the County is higher than Accessor's value. Most people would not like having this proposed business nearby. The Gaukler's would have to decrease the price to be able to sell. The project would have a huge economic impact to the adjacent neighbors. The impact of people driving on the shared driveway is greater than the impact from the road use.

Jim Crawford, 14075 Morell Road, has lived there since 1987 and is president of the Morell Road Association which was formed in 1997. Morell Road is privately maintained and located at the top of the hill where the pavement ends on Boulder Lake Road. This venue would increase the traffic on their private road in quiet residential area. He is concerned about the change to the area and noise. The project is a good idea but this is an incompatible area. He believes public notification was limited and another hearing should be considered.

Julia Newman, 14183 Jefferson Road, was walking from her house and saw the notice sign posted on Boulder Lake Road. The idea was unbelievable. She choose the area to live in due to the great recreational opportunities near their house. Her family uses Boulder Lake Road daily and sees the impact of heavy traffic. Extra things like logging trucks are very noticeable and make an impact as would this proposal.

Margo Conitz, 14075 Morell Road, once applied to the Valley County P&Z Commission for a plant nursery on Smylie Lane. The neighbors were opposed to a business at that site so she found another location. There are other places for this proposed business which is not compatible for the location.

Aaron Billingsley, 14160 Jefferson Road, is opposed. He and others who are opposed are full-time members of this community.

John Kwiatkowski, 14175 Franklin Road, is a full-time resident who lives 1 ½ miles from the proposed venue. He believes noise will be an issue. At times, the road is busy and dangerous, although not year-round. If this event goes in, the road will be busy more often. This is an outdoor recreational area. The intended purpose of these private inholding parcels is not what is proposed. The proposal is detrimental to the residents and property values and is not consistent with the overall comprehensive plan. He spent a year looking for a quiet peaceful location to live.

Larry Bender, 14080 Morell Road, complimented the proposal but is opposed to the site location. It would affect other properties. He wishes to keep the area quiet.

Michael Gurney, 14130 Jefferson Road, recreates in the area two or three times per week. He believes noise will be an issue. His property is approximately one mile away; when the previous owner logged the property, he could hear the logging noise daily. The area drains into Poorman's Pond which is stocked biannually with fish.

Chairman Cooley asked for rebuttal from the applicant.

Mr. Rampton appreciates everyone's input. Regarding traffic, people use Farm to Market Road or Elo Road to get to Boulder Lake Road. Much of the traffic is from visitors exploring the area. As far as proposed infrastructure locations, they still need to soil tests. Building sites will be determined once the well and septic locations area known. According to their calculations, there is approximately 8500 sq.ft. of building space; they are willing to reduce the square footage. The applicants understand the shared driveway issue. We do feel that the neighbors do not want to work with us and are not willing to compromise. Many people have said that this proposal is a "great idea but not in my neighborhood", so where can it be. The valley is growing; growth will happen. The applicant's state that their track record is a responsible one, they love this area, and are willing to have restrictions. Boulder Lake Road is a state-federal cost-share road. The zipline will increase use and the State saw that use as appropriate for this area.

Chairman Cooley asked if the Commissioners had questions for applicant

Commissioner Defoort asked if the number of people would be restricted per event. Mr. Leonard replied that the average wedding is 60-70 people and they are willing to restrict to a maximum of 125 people per event. Commissioner Allen asked if other uses are proposed. Mr. Leonard replied that there will be other events such as family reunions and business retreats. He added that the McCall Party Rentals provides equipment for 20-30 events per weekend during the summer, in campgrounds, people's yards, etc.

Administrator Herrick asked about the number of events per week. The applicants replied two perhaps three groups per week at most, including one event per weekend with a two-night minimum as well as rentals(s) midweek. The entire property would be rented per event.

Chairman Cooley closed the public hearing with the option of reopening if needed.

The Commission deliberated. Commissioner Defoort believes that specific details are needed before making a decision and that there are many pros and cons. She does not like the "not in my backyard attitude" as change and growth is expected. She believes the shared driveway easement is the largest issue.

Commissioner Cooper agreed the shared access easement is biggest issue. From a fire standpoint there should be two accesses for this project. He is concerned about the impact to the adjacent "Lot 1".

Commissioner Allen also mentioned the shared driveway access. This is a desirable playground area with some lakes that one can walk to. People are concerned about a serious change to the area; however, private property rights are important. The road is an issue. He wants a more in depth plan to visualize what it would look like. Noise will be an issue. He mentioned previous applications that have been denied and then the applicants found better locations.

Commissioner Freeman also talked about the shared access easement and the expectation of a house with minimal traffic using the access. He sympathized with the owner of "Lot 1".

The commissioners discussed the intention of the shared driveway.

Chairman Cooley stated that the application needs more specific details. He also is concerned about the shared driveway. The variance was granted due to topography he is concerned about changing the amount of traffic. He is personally familiar with this area. The road is not in good shape. He wants to ensure private property rights but this may not be a good spot for this proposal.

The Commissioners continued deliberation and discussed if this is a viable project for the site. Commissioners questioned if they should ask for more details from the applicant if the Commissioners do not feel that the location is compatible. The shared driveway access was repeatedly mentioned as a reason to deny this application. While they appreciate that the applicant is looking for a private site near McCall, there are issues that cannot be fixed.

Commissioner Allen moved to deny C.U.P. 18-05 The Grove McCall Event Venue based on our discussion and most specifically the shared driveway that crossed "Lot 1". Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

[09:43:56 PM \(03:28:48\)](#)

E. FACTS AND CONCLUSIONS:

- C.U.P. 18-01 Amendment to C.U.P. 15-11 IDA-HOE Backhoe
- C.U.P. 18-02 Amendment to C.U.P. 06-45 Alpha Nursery and Garden Center

Commissioner Defoort moved to approve the Facts and Conclusions as listed and authorized the Chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

Comprehensive Plan work session to be held May 17, 2018, at 6:00 p.m.

Chairman Cooley adjourned the meeting at 9:46 p.m.