

SUMMARY MINUTES  
GEM COUNTY ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
October 3, 2022

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**NOTE: AN AUDIO RECORDING OF THE FULL PROCEEDINGS IS AVAILABLE THROUGH THE DEVELOPMENT SERVICES DEPARTMENT. THE EXHIBITS LISTED HEREIN CAN BE FOUND IN THE RESPECTIVE FILES AT DEVELOPMENT SERVICES DEPARTMENT.**

**MEMBERS PRESENT:** Dan Eichelberger, Debra Jones and Stacy Heimlich.

**MEMBERS ABSENT:** Justin Vickery

**OTHERS PRESENT:** Planning Director – Jennifer Kharrl, Associate Planner – Michelle Barron (Moderator), Development Services Coordinator – Stephanie Crays, Road and Bridge Director- Neal Capps, Deputy Prosecuting Attorney- Tahja Jensen (online).

**6:00 P.M.**

### **REGULAR MEETING**

- 1. CALL TO ORDER:** Chairman **Eichelberger** opened the virtual public meeting at 6:05 PM. via Zoom, held in the Commissioner Chambers.
- 2. ROLL CALL:** Dan Eichelberger- present, Debra Jones – present, Stacy Heimlich– present.
- 3. REVIEW AGENDA:** Commission reviewed the agenda as written.
- 4. APPROVAL OF MINUTES of September 12, 2022**  
Commissioner **Jones** approved the minutes as written.  
Commissioner **Eichelberger** seconded the motion.  
**Vote:** Unanimous.

### **PUBLIC HEARING – ACTION ITEMS**

#### **ACTION ITEM # 1**

**A SPECIAL USE PERMIT BY LUX HOMES LLC (BLACK CANYON STORAGE) ON PROPERTY OWNED BY MAURICIO GARCIA TORRES TO ALLOW A STORAGE FACILITY, LOCATED AT THE CORNER OF BLACK CANYON HIGHWAY AND N. WASHINGTON AVENUE.**

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**Director Kharri-**The applicant, LUX Homes LLC, is requesting approval of a Special Use Permit to allow the operation of approximately 392 storage units on property on North Washington Avenue at the southeast corner of North Washington Avenue and Black Canyon Highway and is located in the Mixed Use zone(1 acre minimum). The property consists of approximately 5.99 acres. They have not received an access approval from ITD they are asking for an impact study.

**Applicant:**

**Fernando Alaniz-** 1357 N. Truman Ave, Eagle, ID. They want to put a RV storage on this property. They have not heard back from the engineer. They can't answer the impact questions. The irrigation, they have a lot of questions about the drainage. They have questions about lighting? The time would be 7am to 9pm open and closed. They need a building permit. They just want to open up as a RV storage, no higher than 25 feet. Road will be paved. They will put up chain link fence around the entire property.

**Favor:** None

**Neutral:**

**Angela Ellison-**321 E. Black Canyon Hwy. Emmett, Id. They sit east of the property and the concerns are the lighting, the look of the landscaping. What is this RV storage going to look like? Concerns are the construction time line. Where is the RV parking going to go? They would like to see trees planted. They would like low lighting or no lighting so it doesn't interfere with their event center.

**Opposed:**

**Varden Brunsell-**2700 E. Black Canyon, Emmett, Id. Emmett already has five storage places now, they don't need anymore. That property was agriculture land. They moved here for the quiet and country living. The owner doesn't even live here. 25 feet storage is very tall almost like a two story.

**Debbie Brunsell-**2700 E. Black Canyon, Emmett, Id. They are concerned with the commercial buildings that are taking away from farm land. They wanted to live in the country. Concerned with light issues also.

**Mitchell Stark-**1116 Lower Bluff Road, Emmett, ID. They have the same concerns. They would like to see zoning input. They have concern with traffic, they are getting a lot of traffic coming

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down Lower Bluff, and feels that if this goes through that would bring a lot more traffic. They already have a lot of storage areas.

**Martha Gaynor**-2712 N. Washington Ave. Emmett, ID. They live two doors down from this property. They have a lot of wild life on their property it is a habitat. This will disrupt the wild life. The water will be a problem.

**Carl Peterson**-2434 Haw creek Blvd. Emmett, ID. They have concerns about the intersection and if ITD is looking at it, it needs to be addressed. They need to also be following the Comprehensive Plan.

**Ann Mavencamp**-2722 N. Washington, Emmett, ID. They have concerns about the height of the building, the water concerns. Concerns about the water piling up, the rocks are not going to help. Concerns about the turning into the driveway, it's going to be a traffic problem.

#### **Applicant Rebuttal**

**Fernando Alaniz**-1357 N. Truman Ave, Eagle, ID. To address the 25 feet building it will be a single story, it won't be that tall. RVs will be parked in the center. Light pollution was a concern, everything taken in tonight will be very much considered. They are on board with the turning lane and all.

Chairman **Eichelberger** closed public hearing 6:46pm

#### **Commission Discussion**

Chairman **Eichelberger** Discussion on ITD and what they need and want for safety. Commissioner **Heimlich** brought up the safety of vision. Waiting on traffic study. Commissioner **Jones** there is too much unknown here. They need to wait on the traffic report. Lighting is an issue. Talk about fencing. Addressed the draining issue. Discussed the landscaping and the requirements.

Chairman **Eichelberger** made a motion to postpone until they have traffic study information, also a proposal to address the buffer to the east between the owner and neighbor.

Commissioner **Jones** Seconded the motion.

**Vote:** Unanimous

#### **ACTION ITEM #2**

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**A SPECIAL USE PERMIT BY MICHAEL & VERONICA BRATCHER (SAPPHIRE RV PARK)  
ON PROPERTY OWNED BY XENA VISION LLC TO ALLOW AN RV PARK, LOCATED AT  
2002 N. WASHINGTON AVENUE.**

**Director Kharri**-The applicant Michael Bratcher is requesting approval of a Special Use Permit to allow a recreational vehicle park. The location is located at 2002 N. Washington Ave. The applicant is proposing 12 RV spaces with hook-ups and 6 dry camp/tent spaces. This is a resubmittal.

**Applicant:**

**Michael Bratcher**-2080 Washington Ave. Emmett, ID. They have done everything asked of them from the first time, they have permits from all that they needed. Any issues from the last meeting they have addressed.

**Kirk Wille**-9235 N. Hwy 52, Horseshoe Bend, ID. Attorney at law, they just have two things to address. They reached out to Emmett Irrigation, Mr. Bratcher put up a privacy fence on the outside of the old fence by the ditch and they have not heard from Emmett Irrigation. They have researched the 30 day requirement stay, there is no required amount of stay in the State of Idaho. They are asking to reconsider that 30 day restriction. They have listed a set of rules for the RV guest and grounds to follow as an alternative.

**Favor:**

**Larry Bratcher**-P.O. Box 71 White Bird, ID. They are snowbirds and go from all over. They stay at RV parks and it's hard to find places and find that this would be a great addition.

**Peter Blockhan**-2200 N. Plaza Rd, Emmett, ID. They stay in an RV on some friend's property. They would like to be able to go to an RV Park here in Emmett. They would like to see this one open.

**David Bratcher**-2080 Washington Ave, Emmett, ID. They are in favorer of this RV Park. It's very hard to find a place to live and this can help.

**Neutral:** None

**Opposed:**

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**Michael Frederick**-374 E. Idaho Blvd, Emmett, ID. They have a potential to lose money not make money like them. There has been dust, noise that has not gone away and it just keeps going. They feel this is personnel.

**Applicant Rebuttal**

**Michael Bratcher**-2080 N. Washington, Emmett, ID. They as a neighbor are trying to just be good neighbors. They have taken care of everything that was asked of them. They will be close to the site so they can be watching.

**Veronica Bratcher**-2080 N. Washington Ave. Emmett, ID. They have done everything asked of them that was required. They don't understand why the neighbor is so hostile.

Chairman **Eichelberger** closed public hearing 8:02pm

**Commission Discussion**

Commissioner **Jones** they have addressed many concerns.

Chairman **Eichelberger** read through the required findings. The irrigation has been taken care of. Commissioner **Heimlich** was asking about landscaping. Chairman **Eichelberger** read through the recommend approval of conditions by the Staff.

Commissioner **Jones** made a motion to approve the SUP with conditions listed in exhibit A with addition of #3, 12 RV spaces with sewage hook-up and 6 spaces for dry camp.

Commissioner **Eichelberger** second the motion.

**Vote:** Unanimous.

**ACTION ITEM #3**

**A PRELIMINARY SUBDIVISION PLAT (DOBIE RANCH PP SUBDIVISION) APPLICATION BY EL PASO INVESTMENTS, LLC TO REQUEST APPROVAL OF 17 BUILDABLE LOTS ON APPROXIMATELY 102.01 +/- ACRES, LOCATED ON EL PASO ROAD AND DOBIE ROAD.**

**Director Kharrl:** The applicant, El Paso Investments, LLC, on property owned by Sintra, LLC. The property is currently bare. The property is zoned A-3, Rural Agriculture. The PP application proposes 17 building lots. The average building lot size is 5.80 acres. Individual wells and septic systems are proposed for each lot. Two new private roads are proposed through the development.

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**Applicant:**

**Brian Burnett**-1125 W. Two Rivers Ln, Eagle, ID. They went through Road and Bridge for design to county standards even though they are private roads. This is pressurized irrigation, paved roads, they worked with the fire department. to have them be able to tap into the pressurized irrigation in case of fire. They have followed all agency regulations and requirements. The water table seems to be fine.

**Favor:**

**Elwin Butler**-P.O. Box 683 Middleton, ID. They have everything in order. They have had a public neighborhood meeting. They have met with the Southwest District Health and everything is ready to go.

**Neutral:** None

**Opposed:**

**Brittney Ketcherside**-7353 Cloud Ct, Caldwell, ID. They have concerns with water, roads, soil, it's going to affect the land owners and they have rights also. They just want everything getting checked off, it seems this application was rushed.

**Karen Youngstrom**-6355 El Paso Rd, Caldwell, ID. They have the same concerns. They had to drill a new well. This is a farming community. They depend on that water.

**Penny Guillard**-134 Longview Drive, Emmett, ID. They are getting a subdivision in as quickly as they can. Concerns are the septic and water.

**Frances Gale**-6930 El Paso Rd, Caldwell, ID. They own farm ground around that area. Farmers are feeding America. The Chinese is coming in and buying up all the farm ground. Please let the farm ground stay farm ground. Go build in Mt. Home.

**Chance Hamilton**-6805 El Paso Rd, Caldwell, ID. They have concerns about water, soil also, they just want the commissioners to listen to their concerns.

**Vicki Holmes**-6345 El Paso Rd, Caldwell, ID. They have concerns about the water and septic system. Stop punching so many holes in the ground.

**Janice Tuma**-5500 El Paso Rd, Caldwell, ID. They have concerns with all of the above. They have concerns about the roads. There will be no more water. Concerns about septic system. They don't need any more wells. They should have community wells.

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**Mark Rose**-9950 Blanc Lane, Caldwell, ID. The issues are not going to come up tomorrow, it will be in the next five to ten years and they have all moved on. There is no long term liability, which is the concern here.

**Rignee DenBeste**-6805 El Paso Rd, Caldwell, ID. The concerns here are all of the above. When do they draw the line? This does not go with the area, these million dollar homes. The lines are getting fuzzy now.

### **Applicant Rebuttal**

**Brian Burnett**-1125 W. Two Rivers Ln, Eagle, ID. Addressing these concerns this is 5 acre lots. They are being responsible in leaving this to 5 acre and not smaller. The water is all engineered and they are told it is fine. They have followed all the agency rules and the County rules.

Chairman **Eichelberger** closed public hearing 9:08pm

### **Commission Discussion**

Chairman **Eichelberger** read through required findings. No concerns from the commissioners. Chairman **Eichelberger** read through recommended conditions. No further concerns.

Chairman **Eichelberger** made a motion to recommend approval to the Board of Commissioners, with the conditions of approval by staff.

Commissioner **Jones** seconded the motion.

**Vote:** 2 to 1

### **REGULAR MEETING**

1. **ITEMS FROM THE PUBLIC:** none
2. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** Director **Kharrl**- Update on the Comprehensive Plan there will be a meeting with the Steering Committee on October 27 to go over the public and staff comments. There will be another joint meeting November 14, with the Board.
3. **ITEMS FROM THE ZONING COMMISSION:** none

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4. **ITEMS FROM/OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:**  
**Tahja Jensen**-Need to remind the public of Sergeant of Arms. Working on training.
5. **UPCOMING MEETINGS:** November 14, 2022 at 6:00pm

**ADJOURN:**

Commissioner **Jones** made a motion to adjourn.

Chairman **Eichelberger** seconded the motion.

**Vote:** Unanimous.

Chairman Eichelberger

A handwritten signature in cursive script, appearing to read "Dan Eichelberger". The signature is written in black ink and is positioned below the typed name of the Chairman.