



MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- | | | |
|--|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input checked="" type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION | |

PROJECT NAME:

BLACK CANYON STORAGE 2

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: NE Section: 31 Township: 7 North Range: 1 West Total Acres: 5.99

Subdivision Name (if applicable): N/A

Site Address:

Lot: _____ Block: _____

City: EMMETT

Tax Parcel Number(s): RPO7NO1W310790 Current Zoning: MULTI-USE Current Land Use: NONE

PROPERTY OWNER:

Name: IRENE GARCIA REINA

APPLICANT:

Name: LUY HOMES LLC.

Address: 4863 N. LARKWOOD AVE

Address: 503 N. SOUTHWOOD AVE

City: MERIDIAN State: ID Zip: 83646

City: KUNA State: ID Zip: 83634

Telephone: 1208 859-1025

Telephone: 208-230-0005

Email: JENNY AND JES @ GMAIL.COM

Email: FERNANDO@BOISEHOMEBuilder.COM

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

[Signature]

05-30-22

Signature: (Owner)

Date

[Signature]

5-30-22

Signature: (Applicant)

Date

OFFICE USE ONLY

File No.: 508

Received By: [Signature]

Date: 6-23-22

Fee: \$450

Receipt No: 2022-00298

#22-005

Lux Homes LLC DBA Rocky Mountain Contracting

June 2, 2022

503 N Sourwood Ave
Kuna Id, 83634

Letter Of Intent

It is our intent to initially grade out, install county approved drainage system, and fencing for the 5.9 acres at parcel number RP07N01W310790 to accommodate RV parking. Security cameras will be our security with a gate. It will be a self-serv compound with 6am-9pm access though a media kiosk to accommodate. From there our final proposal is to add and install buildings per plan site (included) one at a time.

We Will in fact, constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;

We Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or Zoning Ordinance;

WE Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

We Will not be hazardous or disturbing to existing or future neighboring uses;

We Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools, or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such services;

We Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

We Will not involve uses, activities, processes, materials, equipment and conditions or operation that will be detrimental to any persons, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

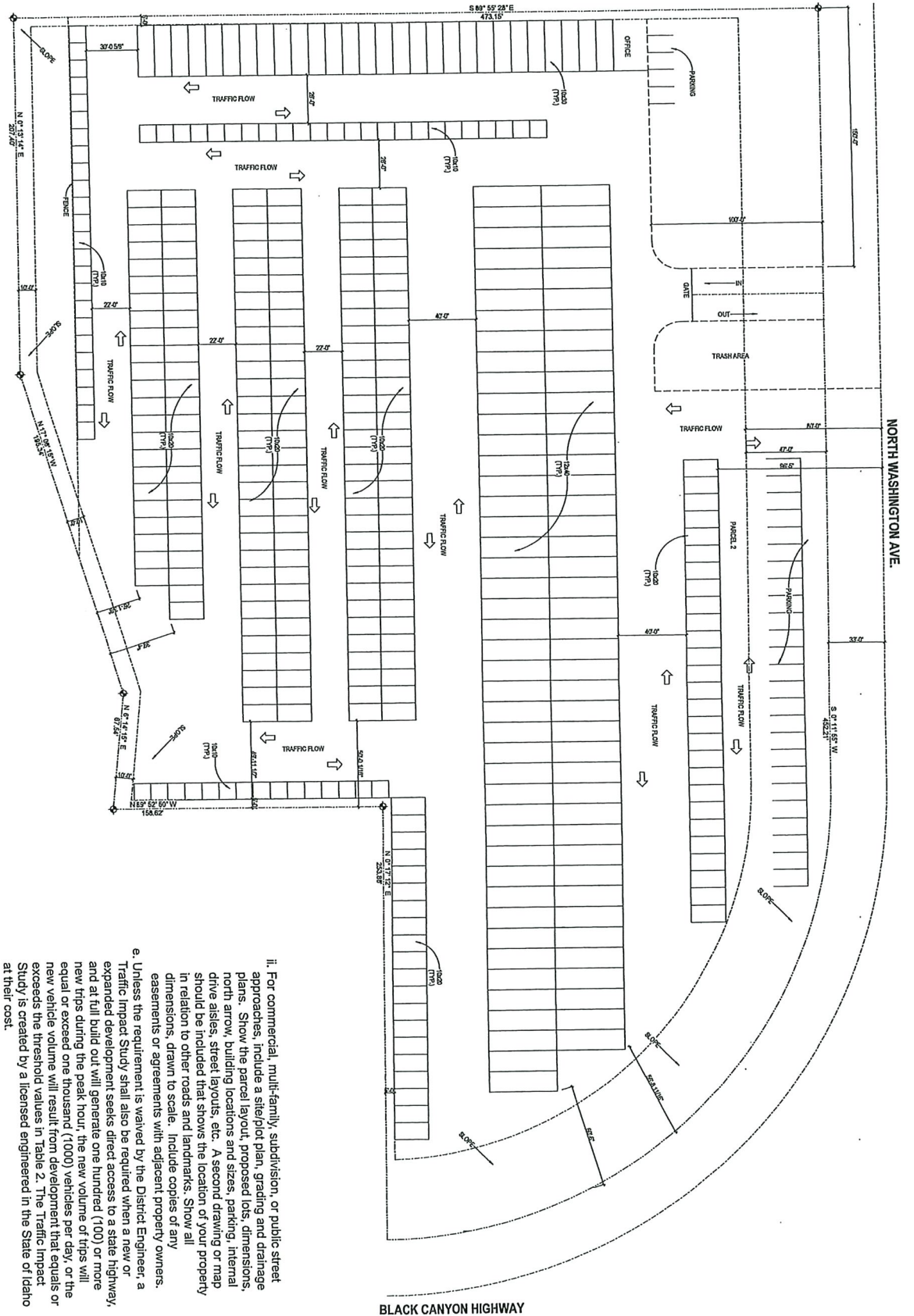
We Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and

We Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Sincerely,

Fernando Alaniz





- ii. For commercial, multi-family, subdivision, or public street approaches, include a site/plot plan, grading and drainage plans. Show the parcel layout, proposed lots, dimensions, north arrow, building locations and sizes, parking, internal drive aisles, street layouts, etc. A second drawing or map should be included that shows the location of your property in relation to other roads and landmarks. Show all dimensions, drawn to scale. Include copies of any easements or agreements with adjacent property owners.
- e. Unless the requirement is waived by the District Engineer, a Traffic Impact Study shall also be required when a new or expanded development seeks direct access to a state highway, and at full build out will generate one hundred (100) or more new trips during the peak hour, the new volume of trips will equal or exceed one thousand (1000) vehicles per day, or the new vehicle volume will result from development that equals or exceeds the threshold values in Table 2. The Traffic Impact Study is created by a licensed engineer in the State of Idaho at their cost.



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

**OFFICE OF THE ADMINISTRATOR
PLANNING & ZONING**

PHONE: (208) 365-5144

WEB PAGE: GEMCOUNTY.ORG

STAFF REPORT

DESCRIPTION: SPECIAL USE PERMIT APPLICATION – STORAGE UNITS

FILE NUMBER: SUP #22-005

PLANNING AND ZONING COMMISSION HEARING DATE: OCTOBER 3, 2022, 6:00PM

**APPLICANT: LUX HOMES, LLC
503 N SOURWOOD AVE
KUNA, ID 83634**

PROPERTY OWNER: MAURICIO GARCIA TORRES AND IRENE GARCIA REINA

SUBJECT PROPERTY: NORTH WASHINGTON AVENUE, IN T 07N, R 01W, SECTION 31

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY

The applicant, LUX Homes LLC, on property owned by, Mauricio Garcia Torres and Irene Garcia Reina, is requesting approval of a Special Use Permit (SUP) to allow the operation of approximately 392 storage units on their property. The use is proposed on North Washington Avenue at the southeast corner of North Washington Avenue and Black Canyon Highway and is located in the MX, Mixed Use zone (1-acre minimum). The subject property consists of approximately 5.99 acres.

“Storage Units” is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category in the matrix. GCC 11-5-3 states that “uses not specifically listed or not deemed similar to allowed uses shall require a special use permit.” The property lies within “Mixed Planned Development” land designation of the Future Land Use Map.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located on the southeast corner of North Washington Avenue and Black Canyon Highway. The property is located in a portion of Section 31, T 07N, R 01W.

B. Current Owner(s): Irene Garcia Reina and Mauricio Garcia Torres
4863 N. Larkwood Pl
Meridian, Id 83646

- C. Applicant(s): LUX Homes LLC
- D. Present Zoning: MX, Mixed Use
- E. Present Comprehensive Plan Designation: Mixed Planned Development
- F. Property Size: Approx. 5.99 acres

3. APPLICATION PROCESS FACTS

- A. Application Submittal:
The application for this item was received and deemed complete by the Development Services Department on June 23, 2022.
- B. Notice of Public Hearing:
Notice of Public Hearing on the application for the Gem County Planning and Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on September 14, 2022. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on September 9, 2022. The physical property was posted for the public hearing on September 13, 2022. Requests for all impact agencies' reviews were mailed on September 9, 2022.
- C. Relevant Ordinances and Required Actions:
The subject application constitutes a Special Use as determined by Gem County Code (GCC). By reason of the provisions of the GCC Title 11, Chapter 7, a public hearing is required before the Planning and Zoning Commission on this matter.
- D. History of Previous Actions on Property: None.
- E. Companion Applications: None.

4. LAND USE

- A. Existing Land Use(s): Bare pastureland.
- B. Description of Character of Surrounding Area: Irrigated pastureland and rural single-family dwellings.
- C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	County Residential Area, Priority Growth Area #3	R-2, Residential Transitional	Rural Residential, pastureland
South of site	County Residential Area, Priority Growth Area #2	MX, Mixed Use	Rural Residential, pastureland
East of site	County Residential Area, Priority Growth Area #2	A-2, Rural Transitional Agriculture	Rural Residential, pastureland
West of site	Mixed Planned Development and County Residential Area, Priority Growth Area #2	MX, Mixed Use	Rural Residential, pastureland

D. Physical Constraints and Opportunities:

1. Wastewater & Domestic Water: Currently, the property doesn't have an individual domestic well and a septic system will be installed.
 2. Topography: Relatively Flat. Property slopes slightly to the east towards the waste ditch.
 3. Vegetation: N/A.
 4. Floodplain: FEMA Community panel number 160127-0319 B, Zone X: areas determined to be outside of the .2% annual chance of floodplain.
 5. Hazards: Staff is not aware of any existing or potential hazards on the property. The applicant should disclose any other known hazards on the property at the public hearing.
- E. Special Use Information: A Special Use Permit application is required for the storage units in the MX zone.
- F. Building Setback Information. Any new structures over 120 square feet in size would have to receive a building permit and comply with setbacks in effect at the time.
- G. Streets and/or Access Information: Proposed vehicular access to the property will be taken directly off North Washington Avenue.

5. **COMPREHENSIVE PLAN POLICIES & GOALS** [Staff comments and analysis are shown in *italics*.]

The Comprehensive Plan **Future Land Use Map** identifies the subject property as Mixed Planned Development.

The Comprehensive Plan defines the "Mixed Planned Development" category (in **Chapter 12**) as follows:

The Mixed Planned Development designation is intended for compatible land uses and these lands are anticipated for a variety of planned, compatible mixed uses.

This property is located in an MX zone and within the Mixed Planned Development designation of the Future Land Use Map. The proposed use is only allowed in the existing zone (MX) if the Commission grants a SUP. No amendment to the Comprehensive Plan is necessary to allow the use since it is allowed with a SUP under the current zone.

6. **ZONING ORDINANCE** [Staff comments and analysis are shown in *italics*.]

- A. Schedule of Zoning Regulations: "Storage Units" is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category in the matrix. GCC 11-5-3 states that "uses not specifically listed or not deemed similar to allowed uses shall require a special use permit."
- B. Purpose Statement of Zone: Gem County Code 11-4-6.A. lists the purpose of the MX, Mixed Use zone as follows: "Mixed Development of residential, offices, commercial and light industrial along designated corridors of Gem County."

The Commission must find that the proposed use is consistent with the purpose of the zone.

7. **REQUIRED FINDINGS & STAFF ANALYSIS** [Staff comments and analysis are shown in *italics*.]

- A. Will in fact, constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;

Staff finds that the subject property lies within the MX, Mixed Use zone. "Storage Units" is not a land use that is listed in Gem County Code (GCC) 11-5-5, Zoning Matrix. It is a unique category in the matrix. GCC 11-5-3 states that "uses not specifically listed or not deemed similar to allowed uses shall require a special use permit." Therefore the storage units are found to constitute a special use as established on the Official Schedule of District Regulations.

- B. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Zoning Ordinance;

Staff finds that the proposed use, if operated according to the proposed conditions of approval, will be in accordance with the objectives and policies of the "Mixed Planned Development" designation on the Future Land Use Map of the Comprehensive Plan, as outlined in Section 5 of this report. The increased traffic may cause a nuisance.

- C. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

Staff finds the existing character of the area is rural and agricultural, with single-family residential and agricultural uses in the vicinity. The intended character of the area (as defined in Chapter 12 of the Comprehensive Plan) is for compatible land uses and these lands are anticipated for a variety of planned, compatible mixed uses such as commercial, multifamily residential, light industrial, office, public and related land uses. The proposed storage units' will change the existing character of the area due to the number of proposed units and the amount of traffic associated with the use. The Commission should consider if there are any mitigation measures to protect the character of existing properties in the vicinity to meet this finding.

- D. Will not be hazardous or disturbing to existing or future neighboring uses;

Four written comments were submitted by neighboring property owners in response to the public notice for this application. Their concerns were related to the traffic, lighting, drainage, irrigation, fencing, landscaping. Based on the number of proposed units and the amount of traffic associated with the use, it could be disturbing to existing and future neighboring uses.

- E. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such services;

Staff finds that the proposed use could be adequately served by Gem County Sheriff's Department, Mosquito Abatement District, Emmett Sanitation and Gem Rural Fire District #1. The Idaho Transportation Department submitted comments requiring a Traffic Impact Study before they can address the potential impacts of the proposed use. The Commission should also refer to any comments submitted from impact agencies during the course of the open public hearing.

- F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff finds that the proposed use will not significantly increase demands on public facilities or services, assuming all conditions of approval are met. No public service providers raised this as a concern during

the public comment period. The applicant is responsible for paying all improvement and other costs associated with ensuring the operation complies with public requirements. There are no anticipated negative impacts on the public facilities and services. If operated in accordance with county regulations, it should not be detrimental to the economic welfare.

- G. Will not involve uses, activities, processes, materials, equipment and conditions or operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

As noted in finding D above, the main foreseeable detriment to the general welfare could be intermittent traffic with the number of units proposed. Staff finds that the use will not be detrimental to persons or property if operated in accordance with Gem County laws and the conditions below.

Staff finds that determining what is "detriment" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after reviewing the written comments and hearing from existing residents and the applicant and their plans to address any such concerns.

- H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

The driveway shown on the site plan have not been approved by ITD. ITD is requiring a Traffic Impact Study before they will make a comment as to the impact of the proposed use.

- I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Staff finds that the application would not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. There are no known historical structures in the area.

8. IMPACT AGENCIES NOTIFIED

Gem County Road Department
Gem County Mapping
Gem County Sheriff
Fire District #1
Emmett Irrigation
Idaho Transportation Department

9. STAFF RECOMMENDATION

The Commission must consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application. Staff has raised questions concerning findings "C", "D", "E", "G" and "H" that the Commission should address at the public hearing. Any minor outstanding concerns can be included in the County's permit as conditions as the Commission deems necessary for mitigation measures. If the Commission proceeds with approval, we recommend at a minimum the conditions in Exhibit A be placed on the permit.

EXHIBIT A

PRELIMINARY SITE SPECIFIC CONDITIONS OF APPROVAL BLACK CANYON STORAGE FILE #SUP-22-005

◆*These conditions of approval, if the SUP is granted, shall be met prior to the operation of the business.*◆

1. This permit is subject to an annual review by the Development Services Department.
2. The permit is non-transferable to another property and is only valid on parcel number RP07N01W310790.
3. The applicant shall provide a minimum 20-foot wide open fire and emergency vehicle access lane to the storage units. The applicant shall submit a letter from Fire District #1 stating that their standards have been met prior to operation.
4. The site plan shall be revised to show the minimum required setbacks for the buildings. A minimum of 8' is required from the back and south property lines and a minimum 80' from the center of the highway is required for the front and north property lines. **(this could potentially reduce the number of units)**
5. The applicant shall comply with the September 26, 2022 letter from the Idaho Transportation Department.
6. The applicant shall comply with the September 26, 2022 letter from the Emmett Irrigation District.
7. All trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four feet in height or within an enclosed building or structure.
8. No permanent off-premise signs are permitted with this permit and all on-premise signs shall comply with the Gem County Sign Ordinance.
9. The applicant shall install a 6-foot privacy fence (not chain link) along all property lines.
10. The applicant shall obtain a Certificate of Zoning Compliance, (submitting an engineered site plan for storm water drainage) and a Building Permit from the Development Services Department prior to the start of any site work, building of structures more than 120 square feet in size or remodeling of existing buildings. This includes obtaining a valid septic permit through Southwest District Health prior to issuance of any building permit, if applicable.
11. A 25' landscape buffer along Washington Avenue shall be designated on the site plan. The applicant shall comply with GCC 11-6-6 for landscaping prior to operation.

GCC 11-7-11: LAND USE TIME LIMITATIONS:

- (1) Commencement: When a special use permit is granted, the land use or construction of its facility proposed in the application must have commenced within one (1) year of the date of the final decision by the Commission, or the Board or a court of appropriate jurisdiction (if appealed) and completed within two (2) years of the same date.

Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application for review by the Commission.

- (2) Expiration: After the one (1) year period has expired, if any person, including staff or member of the Commission, files a written notice presenting sufficient evidence, as determined by the Administrator, to establish that the land use or construction of its facility provided for in the special use permit, has not commenced, or after the two (2) year period that said use has been abandoned or has ended, the Commission may find that the use has not been implemented or has been abandoned or has ended. If so, the Commission shall set aside the prior approval and order the property to revert to its prior status. An aggrieved person may appeal any Commission decision made under this section to the Board pursuant to Chapter 11-7-9 of this chapter.

GCC 11-7-12: REQUEST FOR EXTENSION:

- (1) Request: An applicant may request extension of the time period provided by this section by filing an application for extension with the Administrator. Such application must be filed at least sixty (60) calendar days prior to expiration of the one (1) year period for commencement of the land use or sixty (60) calendar days prior to the expiration of the two (2) year period for completion of the project. The matter shall be heard at a public hearing before the Commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of this chapter. If the application is not timely filed, it shall be denied. A renewal extension, if granted, may be limited to three hundred sixty five (365) calendar days, which shall commence at the expiration of either period.
- (2) Decision: The Commission or the Board may extend the commencement period or the completion period as provided above upon proof of good cause by the applicant. The burden of proof as to the showing of good cause for the extension shall be on the applicant, and good cause shall be determined at the discretion of the Commission or the Board.

Stephanie Crays

From: Andrew Marini <Andrew.Marini@itd.idaho.gov>
Sent: Monday, September 26, 2022 3:09 PM
To: Stephanie Crays
Cc: Vincent Trimboli
Subject: RE: LUX Homes LLC (Black Canyon Storage) SUP

Hello Stephanie & Jennifer,

After review of the Special Use Permit for Lux Homes, ITD's comments are as follows:

1. Traffic generation numbers were not provided with this application. ITD needs more information to determine how this proposed use will impact the Regional Highway system. A Traffic Impact Study (TIS) is required. Any necessary mitigation for traffic impacts identified by the TIS shall be the responsibility of the applicant to install. ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.
 - a. Supplemental requests.
 - i. ITD requests trip generations on weekends to be included in TIS.
 - ii. Turn movements of largest vehicle (including vehicles in-tow).
2. Right-turn & left-turn warrants.

Thank you

Respectfully,

Andrew Marini

District 3 | Development Services Coordinator
Idaho Transportation Department
208-334-8336
andrew.marini@itd.idaho.gov



YOUR Safety ... **YOUR Mobility** ... **YOUR Economic Opportunity**

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From: Stephanie Crays <scrays@co.gem.id.us>
Sent: Monday, September 26, 2022 1:30 PM
To: Andrew Marini <Andrew.Marini@itd.idaho.gov>
Subject: LUX Homes LLC (Black Canyon Storage) SUP

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Mr. Marini,

Please take a look, I sent this to the old ITD person and not sure this got over to you, Jennifer Kharri, Planning Director wanted me to make sure that you saw this, it is very important that we have a comment from your department please, if you can get this to us ASAP that would be greatly appreciated.

Disregard the yellow highlighted irrigation. Thanks

Be Blessed

Stephanie Crays
Development Services Coordinator
109 South McKinley
Emmett, Id 83617
(208)365-5144

GEM COUNTY CONFIDENTIALITY DISCLAIMER: *This message (including any attachments) may be privileged, confidential and/or protected from disclosure under applicable law. It is intended only for the use of the individual or entity above-named. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient please notify the sender by reply email and immediately delete this email.*

Michelle Barron

From: Lux Homes <fernando@boisehomebuilder.com>
Sent: Thursday, June 23, 2022 10:24 AM
To: Michelle Barron
Subject: Fwd: [EXTERNAL] Site
Attachments: 2109.docx; ITD Standard Drawing Rural Approaches 405-1_0607a.pdf; Guidelines for Temporary Traffic Control.docx; Draft Approach Civil Drawing.pdf; Excavation and Paving.pdf; Pages from IDAPA 390342 Encroachments.pdf

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From: Sarah Arjona <Sarah.Arjona@itd.idaho.gov>
Sent: Thursday, June 9, 2022 2:19:16 PM
To: Lux Homes <fernando@boisehomebuilder.com>
Cc: Vincent Trimboli <Vincent.Trimboli@itd.idaho.gov>
Subject: RE: [EXTERNAL] Site

Fernando,

Thank you for sending in your site plan and describing your project for me. To summarize, the parcel is located in the southeast corner of SH-52 and West Black Canyon Highway near milepost 33.61. I just wanted to follow up on our conversation about access to the State Highway System and the permit process. The location you have inquired about is along a section of highway identified by ITD as a Regional Highway Corridor type. Per the Idaho Administrative Procedures Act approaches in a rural area must have must have 1000' of separation upstream from a public road, 650' of separation downstream from any public road and 650' of separation between un-signalized accesses other than public roads. The parcel has plenty of frontage to meet the spacing distance requirements however the location within the curve would cause it to be less safe. Therefore ITD would request the approach be constructed on the southern edge of the parcel approximately 150 feet north of the southern neighbors approach.

I have attached a couple of Snip-its of the parcel to verify I am looking at the correct site. I have also attached a copy of the permit application, a copy of the ITD standard drawing for approaches, a copy of the excavation and paving requirements, and a list of requirements for the Traffic Control Plan.

Once you have completed an application for the requested approach, you will need to sign the application and submit it along with the following:

1. Copy of the latest deed for the parcel. If parcel has been split please supply a copy of the latest deed for each parcel.
2. If the parcel is split or there are multiple parcels, provide a recorded cross access or access easement documentation for all parcels showing they will be utilizing the requested access point.
3. Site plan for the full site at buildout.
4. If the site will be used for any commercial business or does not meet IDAPA 39.03.42 access requirements, a Traffic Impact Study may be required.
5. Civil drawings for the approach showing approach style, radii dimensions, approach width at back of radii or right-of-way line, and materials typical section. Using the standards from the draft approach civil drawing please fill in the red boxes.
6. Photos looking each direction away from the proposed (or existing) approach as if you were a driver exiting the approach.

7. \$100 non-refundable application fee for a commercial approach (Payable by phone at 208-334-8300 ext 2 between 8 am and 3 pm Monday through Friday, \$1.50 electronic payment fee; other payment arrangements maybe made by calling 208-334-8300 ext. 2).
8. You will need to submit a Traffic Control Plan designed by a certified Traffic Control Supervisor (must include signature, certification number, and contact information) or designed and stamped by an Engineer licensed in Idaho. This may be done at any point prior to beginning any work within the ITD right-of-way. No work is allowed within the ITD right-of-way without an approved traffic control plan.

All documents may be submitted electronically.

Once the application is completed and signed by the property owner it can then be submitted by email. If there is more than one approach requested, an application packet will need to be submitted for each approach.

If the application is signed by anyone other than the deeded owner we will need a legal document from the owner certifying that the individual has the right to represent the owner.

Here is a short list of the most common things that will get an application held back for revision:

1. No signature on the application
2. Application signed by someone other than the current property owner without a letter granting signatory status
3. Deed that does not show current owner
4. Submission of purchase documents in place of the current deed
5. Lack of recorded cross access or joint access documents if shared access point
6. Civil drawings missing measurements or showing incorrect measurements
7. Civil drawings missing the typical section showing the materials layers
8. Civil drawings with a typical section missing one or more layers
9. Civil drawings with a typical section showing incorrect depths of materials
10. Documents that are not clearly legible
11. Broken email chain.. Please use "Reply" button instead of starting a new email in order to maintain consistent subject line and minimize confusion.

In addition to these items, several things can delay the installation of an approach once the permit is issued to include the following:

1. No traffic control plan submitted
2. Traffic control plan with errors such as missing signs, incorrect sign spacing, or incorrect taper lengths
3. Incorrect installation of the traffic control devices
4. Failure to give the 5 day notice to ITD's assigned inspector

It will likely take about 30 days to process your application once we have all the correct documents.

Please be sure that all work within the Right-of Way is designed and constructed to meet current ITD Standards and Specifications.

Please submit all documents by email to:

ITDD3Permits@itd.idaho.gov and sarah.arjona@itd.idaho.gov

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

From: Lux Homes <fernando@boisehomebuilder.com>

Sent: Thursday, June 9, 2022 12:29 PM

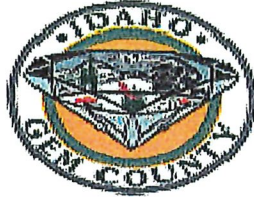
To: Sarah Arjona <Sarah.Arjona@itd.idaho.gov>

Subject: [EXTERNAL] Site

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Gem County
Road & Bridge Dept.
402 N. Hayes Ave.
Emmett, ID 83617



Neal Capps, Director
Phone: 208-365-3305
Fax: 208-365-2530
Email: gcrb@co.gem.id.us

September 14, 2022

Jennifer Kharri
Development Services
109 S. McKinley Ave.
Emmett, ID 83617

RE: Special Use Permit (RV Parking & Mini Storage)

Dear Jennifer,

Gem County Road & Bridge Department (GCRB) has reviewed the Special Use Permit Application of Lux Homes LLC, property located on/at N. Washington Avenue. GCRB has no comments in regards to this application, ingress/egress is located within the jurisdiction of Idaho Transportation Department (St. Hwy 52).

If you have any questions, please contact our office at 208-365-3305.

Thank You,

A handwritten signature in blue ink, appearing to read "Neal Capps", is written over the "Thank You," text.

Neal Capps, Director
Gem County Road & Bridge

222 E. Park St.
Emmett, Idaho 83617



208-365-4582
Fax 208-365-1324

Serving the Valley Since 1910

emmettirrigationshop@gmail.com

9/26/2022

Gem County Planning and Zoning
Attn: Michelle Barron



RE: Special Use Permit RV Parking, Mini Storage for LUX Homes LLC
Parcel # RP07N01W310790

1. Emmett Irrigation District would require piping of the irrigation delivery lateral on the west side of the property along its frontage with Washington Street.
2. Engineer certified plan for piping of the lateral to be delivered to Emmett Irrigation District for review, all work to be done to Emmett Irrigation District Standards and Specifications.
3. Lateral piping to be done in the water off season and must be completed by March 1st 2023.
4. Waste ditch on the east side of property line to remain accessible and maintenance is the responsibility of property owner and any beneficial users.
5. This property has 8 acres of water assessment that are non transferable. The assessment is to be paid each year to avoid tax lien.
6. Emmett Irrigation District meets the first Tuesday of each month. For project approval plans need to be delivered to EID office at least 48 hours before the start of meeting.

Thank You
Andrew Griggs
Emmett Irrigation District
emmettirrigationshop@gmail.com
Cell: 208-365-8983

Stephanie Crays

From: Pat Sinclair <pat@pnjsinc.com>
Sent: Monday, September 26, 2022 12:50 PM
To: Stephanie Crays
Subject: The property located on North Washington Ave T07N, R01W, Section 31.

Greetings Stephanie:

I hope this email finds you well.

I hope that I am not too late, I have been out of the country on business for the past 10 days.

Reasons that there should not be a storage unit/ RV park built at the corner of Washington and Black Canyon Hwy.

- Great impact to an already high traffic area, traffic coming in and out of this area could easily create a safety concern.
- With the increase of traffic, there will also be an increase in noise which is already a concern.

Regards,

Pat Sinclair

277 W Black Canyon Hwy, Emmett, ID 83617



Stephanie Crays

From: Angela Ellison <info@thebarnatblackcanyon.com>
Sent: Monday, September 26, 2022 7:47 AM
To: Stephanie Crays
Cc: ellisonbillye@msn.com
Subject: Comment on Special Use Permit Application for Black Canyon Storage

To Whom It May Concern:

My husband, Billy Ellison, and I live at 321 E. Black Canyon Hwy., which is the property directly to the east of the subject property. We also operate our business, The Barn at Black Canyon wedding and event venue, at the same address.

Our wedding and event venue currently operates seasonally during the warmer months and offers a barn and "countryside" experience for our clients and their guests. Our main concerns about having a storage facility as a neighbor are related to maintaining the aesthetic and visual harmony of the property, as well as the potential for light pollution from lighting used at the storage facility, both of which could negatively impact the experience our clients expect, if not initially constructed and then managed properly. Our business currently brings in an average of 100 people per weekend during our season, many from outside of Gem County, who in turn bring money into our town and county's economy. At the close of our first full season this October, we estimate that over 1,000 people will have visited our property just since May. We seek to protect and continue to grow our business that helps to boost our local economy.

We seek to understand the following and hope to have these questions answered at the public hearing next week:

- 1) Whereby the applicant has stated that they will be "designed, constructed, operated, and maintained to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area", what is the design and look of the proposed buildings?
 - a. Do you have drawings or renderings of the design?
 - b. How tall will each building be?
- 2) What is the construction schedule for the buildings?
- 3) Currently the property slopes down toward the east. Are there plans to change the slope of the property? If so, what is the plan?
- 4) Where will the RV parking be located on the property? In the short-term, as well as in the long-term once buildings are in place?
- 5) What is the landscape plan for the site?
 - a. How will the fence be constructed, with what materials, and how tall will it be?
 - b. Will roadways within the facility be paved? If so, with what material? If not, what material will be used for the roadways?
 - c. What plants and trees will be planted on the property, particularly on the east side that borders our property?
 - d. If plants and trees are not planned currently, will the owners agree to plant multiple trees, each standing no shorter than 12 feet at the time of planting and at a distance of no more than 20 feet apart, on the east side of the property?
- 6) How does the applicant plan to light the area after dark?
 - a. What type of lighting will be installed?
 - b. Where will lighting be installed?
 - c. How high off the ground will lights be installed?

At this time, we are neither for nor opposed to the proposed use since we need more information to form our opinion.

We look forward to having our questions answered and learning more at the hearing next week.

Regards,
Angela Ellison

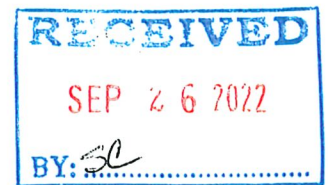
Co-Owner
(208) 713-2232



321 E. Black Canyon Hwy.
Emmett, Idaho 83617

09/25/2022

Gem County Development Scvs
109 S McKinley Ave
Emmett ID 83617



Re: Special Use Permit by LUX Homes

Herein are comments/questions by nearby residents of the application so requested in your notice of September 9 2022:

Irrigation water is a primary concern of users and has been problematic in the past because of the rules of the Irrigation District requiring owners be responsible for the unobstructed use of the canals/ditches provided for the purpose of conveying a constant supply of water for its intended use. Since no 'owner' is in residence at the location of the proposed Special Permit exactly who will be responsible and responsive to performing any maintenance to such conveyance.

Is access to be provided (driveway(s) for patrons of the facility from North Washington Ave only and is there to be any other/additional entrance provided? Can left-turn entrance be avoided; making right turn only into the facility possible/preferable?

It is stated in the request that "add and install buildings per plan site one-at-a-time " ... how long a time is required for a complete build-out?

Security is stated by cameras with a gate. Will any local contact be named along with means of such, phone number, etc? Will there be any lighting provided for visual night observation? Will any alarm system be employed? Another feature mentioned is fencing. Please describe features of such; material, height and be a see-through element or solid?

Will any personnel be on site at any prescribed time? Then Letter of Intent states the facility will be a self-serve compound.

Will there be any signage installed at the compound?

Will any maintenance be provided? Frequency and type.

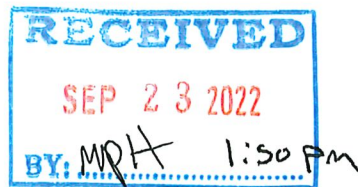
A well for water will be required as well as a septic system installed it is presumed. Please confirm such and state if this is correct or not. Goes to whether any intrusion of current water source is anticipated.

These and other/additional questions will no doubt come before the commission and we welcome any comments that should be pertinent.

Sincerely,

Joseph & Martha Gaynor
2712 N Washington Ave
Emmett ID 83617

9/22/22



Special use permit by Lux Homes, LLC

The access off of highway 52 will have to be changed to enable large RV's to enter the property without impeding the on-coming traffic. This will impact my access to my property.

How is road access off highway 52 going to be controlled? As large RV's will be trying to get into the gate and without changing the current gate they will be in the opposite lane of traffic in order to turn in.

How is the lighting going to be? How many lights, how bright and where at on the property? Is the lighting going to be bright? Will it be on the buildings or on poles? How will this impact our property? We don't want it to be as bright as a parking lot.

What type of fencing is going to be used, what will happen to the existing fence. Will our chainlink fence be replaced and will we have to change our yard setup. Do they plan to build one fence on the property line and both existing fences removed.

The slope of the land near the drainage ditch needs to be addressed. Right now it drains down to the south-east corner, and fills up with water, which fills our north-east corner. There is pretty much a swamp in the area.

Will it have 24 hour access with the electronic gate or will it be timed so that there isn't people and trailers all hours of the night?

The main irrigation ditch has to be maintained by the property owner according to the ditch company. They have to maintain the main irrigation ditch keep it dug out or put a pipe in to bring the water down to the other customers. Doesn't work if it is full of weeds and trash for those below them.

If all the criteria are met, our questions answered, and Zoning says they can legally use the property for that purpose, then we will not object.

Kary F. Mavencamp

Ann Mavencamp

2722 N Washington Ave
Emmett, Id 83617

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of September, 2022, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Mauricio Garcia Torres
T07N, R01W, Section 31

Joseph Gaynor
2712 N. Washington Ave.
Emmett, ID 83617

Kary Mavencamp
2722 N. Washington Ave
Emmett, ID 83617

Ronald Sinclair
277 W. Black Canyon Hwy
Emmett, ID 83617

Jerry Jennison
P.O. Box 421395
Atlanta, GA

Syringa Networks LLC
12301 W. Explorer Dr. Ste 100
Boise, Id 83713

Carol Benton
3013 Van Deusen Rd
Emmett, ID 83617

Karl Peterson
2434 Haw Creek Blvd.
Emmett, Id 83617

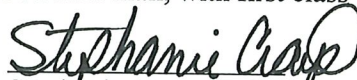
Bryce Walker
3920 Diana Ln
Emmett, Id 83617

Loretta Conrad
312 W. Black Canyon Hwy
Emmett, Id 83617

Joann Urcaregui
316 E. Black Canyon Hwy
Emmett, ID 83617

Billy Ellison
321 E. Black Canyon Hwy
Emmett, Id 83617

By depositing a copy thereof in the United States mail, with first class postage prepaid.



Stephanie Crays, Development Services Coordinator