

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
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Email: cherrick@co.valley.id.us

STAFF REPORT: P.U.D. 23-01 Garnet Valley and C.U.P. 23-10 Preliminary Plat -
Addendum

HEARING DATE: September 5, 2023

TO: Board of County Commissioners

STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director

The first Staff Report was transmitted to the Board of County Commissioners on August 24, 2023 (attached).

1. ADDITIONAL AGENCY COMMENTS RECEIVED:

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, and ground water contamination. (August 25, 2023)

2. ADDITIONAL PUBLIC COMMENTS RECEIVED:

In Opposition – Reasons Given Include:

- Too dense and does not match surrounding housing density in rural area. A variance should be denied.
- Not affordable housing, particularly when transportation costs are included.
- Increase of 2117 vehicles.
- Road and S-Bridge infrastructure does not support existing traffic. Emergency evacuation concerns.
- Use of private roads within The Meadows of West Mountain is opposed by The Meadows at West Mountain HOA.
- Infrastructure cannot sustain this many people in one place, this includes roads, water, sewer, police, ambulance, and fire.
- Increase noise, light, traffic, and crime.
- Would decrease surrounding property values.
- This high-density apartment complex belongs within the city limits. This location is far from town, unwalkable, and unbikeable.
- Environmental issues including water, drainage, flooding, wetlands, and snow melt concerns.
- North Lake Recreational Sewer and Water District's will serve letter is not for this application.

- The public is overwhelmingly opposed.
- Opposed to manufactured apartments.
- Would decrease quality of life of existing residents.
- Developers have not demonstrated long-term accountability.
- PZ Commission recommended denial.
- Open Space calculation included The Meadows at West Mountain Subdivision Common Area.
- Traffic Impact Study is requested.
- Application does not comply with Valley County Code, Comprehensive Plan, nor Idaho State Code 67-6502.

- 1) Susan Drake, August 26, 2023
- 2) Camille Schiller, August 28, 2023
- 3) Jerry Kelly and Joni Goode, August 28, 2023
- 4) Mike and Kathy Cannon, August 28, 2023
- 5) Angela and Scott Garrard, August 29, 2023
- 6) Dennis and Patricia Scroggins, August 29, 2023
- 7) Barb Spingla, August 29, 2023
- 8) Chelsea Tuttle and Christian Tuttle, August 29, 2023
- 9) Maria and Jim Jacobson, August 29, 2023
- 10) Kevin and Christiane Lukens, August 29, 2023
- 11) Bill Eddy and Linda Eddy, 13041 and 13043 Hillhouse Loop, August 29, 2023
- 12) Therese Gibboney and Gregg Gibboney, August 29, 2023
- 13) Ginger and Patrick Hughes, 162 Platt PL, August 29, 2023
- 14) Pamela McChrystal, August 25, 2023, August 26, 2023, August 27, 2023, August 28, 2023

ATTACHMENTS:

- Attachment A: Additional Agency Comments
- Attachment B: Additional Public Comments

END OF STAFF REPORT

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

August 25, 2023

Cynda Herrick, Planning & Zoning Director
Valley County Planning & Zoning
219 N. Main Street
P.O. Box 1350
Cascade, Idaho 83611
cherrick@co.valley.id.us

Subject: PUD 23-01 Garnet Valley

Dear Cynda Herrick:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:

<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK

Roseberry Park

From: Susan Drake [REDACTED]

Sent: Saturday, August 26, 2023 9:01 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Roseberry Park

Hello,

Why are we still talking about this project? Did you drive through Donnelly this summer? How do you possibly think the 4 way stop can handle an insane increase in traffic? We had to skirt through side streets and business parking lots on multiple occasions to get onto Hwy 55. I'm sure the businesses hate that but after sitting at the stop sign for 10 minutes, had to learn other ways. Adding 300+ units will drastically impact that.

* THE ROAD INFRASTRUCTURE IS SIMPLY **NOT** IN PLACE TO HANDLE THIS!!!

* THIS IS THE WRONG PLACE FOR THIS PROJECT!!!

Please, stop the madness of this project. It needs to be moved to a location off of Hwy 55 and near more services.

Thank you for listening to us Valley County residents. This is OUR community and we should have say in what we want! **This is not what we want.** You were elected to support our wishes and not be influenced by big money from other locations.

Susan Drake

Valley County Resident

Opposition to Garnet Valley Hearing PUD 23-01 CUP 23-10

From: Camille Schiller <[REDACTED]>

Sent: Monday, August 28, 2023 11:49 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Opposition to Garnet Valley Hearing PUD 23-01 CUP 23-10

TO: Valley County Commissioners

FROM: Camille Schiller (52 Buckskin Dr. Donnelly, ID)

RE: Garnet Valley Hearing PUD 23-01 CUP 23-10

DATE: 8/28/2023

This letter is in opposition to Garnet Valley Hearing PUD 23-01 CUP 23-10. I have previously written regarding the issues that I see around this proposal. Since I know that you have heard these concerns previously from myself and other community members, I will be brief in summarizing these concerns:

1. **Density:** The proposed density of this project more than doubles the current population of Donnelly within a small plot of land. This density is not compatible with surrounding residences.
2. **Increased traffic and safety concerns:** Adding 2117 daily trips along Roseberry Rd. will be detrimental to road quality, along with increasing the risk of traffic accidents. Norwood Rd. is not a reasonable route to expect daily traffic to Hwy 55 as it is a rough dirt road. Additionally, the proposal as written will require access to private roads within my neighborhood. We have not granted access for these roads to be used for this development.
3. **Location:** This location is not ideal for a high density development. There are no services close by to accommodate this many people moving into the area. This development should be located closer to the city center.
4. **Affordability:** While it is agreed that Valley county needs affordable housing, the price for these units does not meet this need. With the proposal stating that 34 units will be considered for "affordable housing", there is no guarantee that this development will receive approval for this designation from the Federal Housing Authority. The rest of the units will be at "market rate" which includes a studio apartment monthly rental rate at over \$1,500 per month. These units will not provide the relief that is needed for the area.

Overall, this proposal is just something that is not wanted in the community. This development would be better suited closer to town. While myself, and other members of the neighboring community are in favor of development on this land, we would like to see a proposal with similar single family homes that is congruent to the existing structures. I urge you to deny this request.

Thank you,

Camille Schiller

Garnet Valley is a mistake

From: Gerald Kelly [REDACTED]

Sent: Monday, August 28, 2023 2:14 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Garnet Valley is a mistake

Valley County Commissioners ,

We live on Highway 55 in Donnelly and oppose this giant apartment build in a area .The nearest large employee Tamarack has a 80% part time employee roster.How can they afford these apartments?

Construction crews will be living here and not obeying the rules. Many locals will not qualify to rent do to past credit issues. The S bridge is dangerous.

I suggest a 100 units in a walkable Donnelly location (S. Eld by the Sewer District for example. A 100 units in McCall where the storage units were just turned down and 100 in Cascade.

Again the big thing is it is too far from town.

Jerry Kelly and Joni Goode

13079 Highway 55

Donnelly Idaho 83615



**Valley County P & Z Com. PUD 23-01 Garnet Valley and CUP 23-10
Prelim Plat**

From: Michael Cannon [REDACTED]

Sent: Monday, August 28, 2023 5:36 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Valley County P & Z Com. PUD 23-01 Garnet Valley and CUP 23-10 Prelim Plat

Dear Commissioners:

We have not previously commented on the proposed Garnet Valley project but would like to voice our opinion before the upcoming Public Hearing. We are property owners in Valley County

We are **STRONGLY** opposed to any high-density housing projects located west of the S-Bridge for the following reasons:

- Traffic, bicycle, and pedestrian safety would be seriously compromised.
- Water, sewer, and environmental issues are not adequately resolved.
- High-density projects belong near city services and amenities, not rural areas.
- Developers have not demonstrated long-term accountability.
- Emergency evacuation of high-density development is a serious concern. (recall the West Mountain fire of 2022).
- Approving this project would set a dangerous precedent.

We urge the Commission to deny the proposed Garnet Vally project.

Respectfully yours,
Mike and Kathy Cannon

Letter of Opposition for 9/5/23 meeting

From: scott garrard [REDACTED]
Sent: Tuesday, August 29, 2023 8:25 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Fwd: Letter of Opposition for 9/5/23 meeting

Please confirm receipt of this email.

Valley County Planning and Zoning Department

VIA EMAIL: Cherrick@co.valley.id.us

RE: Opposition against Garnet Valley Development/Roseberry Park,
Opposition against requested variance
P.U.D. 23-01 Garnet Valley and C.U.P. 23-10 Preliminary Plat

We would be in attendance for the meeting on 9/5/2023 but being that it was schedule for an unfeasible time and date made it impossible for us. Therefore I am submitting this letter in opposition to the Garnet Valley Development application and requested variance. The original variance was put in place for a reason, to prevent incompatible densities. This application for 300+ city apartments and over 500 parking spots is too dense and belongs in an urban area, not rural. The development is neither compatible nor harmonious with the local neighborhoods. The traffic projection of over 2,117 vehicle trips a day is absolutely NOT compatible with the rural area and the already strained infrastructure (bridges, sewer, water, EMS). The Donnelly area is not able to handle such a sudden increase in population and the traffic that comes with such a dense project. This development belongs in an urban area where foot traffic would feed a downtown core with access to groceries, transportation, health care, restaurants, postal service and libraries. People in this area live here for its rural aspect. There is a better way to manage growth and maintain the rural areas of Donnelly, we must be patient and take our time to make the right decisions for growth in the area.

The Commissioners meeting on 7/18/2023 recommended a denial of this application. The citizens of the area are in opposition to this application. Deny this application once and for all.

Respectfully,

Angela and Scott Garrard
130 Forest Lake Circle, Donnelly

**Scroggins Opposition to P.U.D 23-01 Garnet Valley & C.U.P. 23-10
Preliminary Plat**

Patty Scroggins [REDACTED]
Tue 8/29/2023 10:15 AM

To: Cynda Herrick <cherrick@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; **Valley County Commissioners** commissioners@co.valley.id.us

Dear Valley County Commissioners & Director Herrick,

This formal opposition to Garnet Valley is from Dennis and Patricia Scroggins, residents of Donnelly, Idaho.

As you know, we've been communicating our concerns to you about the Garnet Valley proposal starting back when it was proposed as Roseberry Park.

Our opposition does not stem from us losing our view, not wanting more neighbors, or thinking that we own the 69 acres of beautiful meadows in front of our house. It stems from the project not meeting the affordable housing needs of the working family in Valley County, the pressure 306 plus homes will put on "all" the existing infrastructure, the density that requires a variance, and the increase of over 2100 vehicles a day on our rural, undeveloped roadways.

Since the applicant presented the outrageous number of 2,117 more vehicles making daily trips on Roseberry Road, every time we wait to turn off Timberline Dr onto Roseberry Road, maneuver across the tight S bridge, then approach the long line of cars at Roseberry and Hwy 55, one us exclaims "and the County thinks we can safely add several thousand more cars on these two lane (during winter even less than two lanes) country roads. You will be creating a very unsafe, unmanageable situation. We have to remember that there are many more new developments besides Garnet Valley happening that will increase the 2,117 vehicles. What is that number? Will it be 3,117, 4,117? Has anyone taken the time to figure those numbers? To use the language of several commissioners, does this pencil out?

To paraphrase one of the commissioners, Garnet Valley cannot mitigate the density, and they cannot mitigate the infrastructure. Therefore, the vote should be a resounding NO to Garnet Valley.

We thank you for maintaining the rural aspect of Valley County and putting residents safety and concerns over development that does not meet the needs of the workforce and the individual residents investing in beautiful Valley County.

Sincerely,
Dennis and Patricia Scroggins
Donnelly, Idaho

Please confirm receipt of our email. Thank you.

Scroggins Request for Online Testimony Option

Patty Scroggins [REDACTED]

Tue 8/29/2023 2:42 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: Douglas Miller <dmiller@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; **Valley County Commissioners** commissioners@co.valley.id.us

Thank you Cynda for the information about the elevator. This may allow me to attend.

I do want to clarify that I was referring to my online participation in the January 17, 2023 Board of Commissioner's hearing. The platform used was Teams and it was very effective. I understand that you cannot change meeting platform at this juncture, but do thank you for your explanations. Hope to see you on September 5.

Thank you,
Patty Scroggins

On Tue, Aug 29, 2023 at 12:48 PM Cynda Herrick <cherrick@co.valley.id.us> wrote:

Hello Patty,

We haven't had virtual meetings or telephonic testimony for P&Z issues at the P&Z level since the courthouse opened back up from the Covid days. (The telephonic testimony was extremely difficult but kept us functioning.) We did allow Ken Roberts to MS Teams into a meeting, but that was a shambles trying to get rid of the feedback and then synchronizing Teams with YouTube. The Board and Commission determined it is in the best interest of P&Z matters to have people present to alleviate bad recordings, etc.

We do have an ELEVATOR. There is handicap parking in the front of the courthouse. When you enter you go directly left and there is an elevator.

Please let me know if you need anything else.

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Director
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest..."

Service **T**ransparent **A**ccountable **R**esponsive

From: Patty Scroggins [REDACTED]

Sent: Tuesday, August 29, 2023 12:23 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: Douglas Miller <dmiller@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; Valley County

Commissioners <commissioners@co.valley.id.us>

Subject: Re: Scroggins Request for Online Testimony Option

Thank you for your prompt reply. I do respect your established guidelines and protocol, which are mostly embedded within law.

I would like to know what criteria are utilized to decide when virtual participation will be available to the public. Again, I am confused why it's available for some hearings and not for others. One last question. Is there a way to access the hearing room upstairs without using the stairs?

Thank you for your get well wishes!

Thank you,
Patty Scroggins

On Tue, Aug 29, 2023 at 11:40 AM Cynda Herrick <cherrick@co.valley.id.us> wrote:
Hello,

We do not have a virtual option for participation in the public hearing scheduled for September 5, 2023. Our goal is to follow our adopted Public Hearing Procedures and have a transcribable record.

I do want to make sure you are aware that if you are unable to attend the Public Hearing in person you can still submit comments to the Valley County Board of County Commissioners via email or regular mail for their consideration. Those comments/statements can be mailed to P.O. Box 1350 Cascade, Idaho 83611 or emailed to me (I do have your previous email). If your written comments are over 1 page, the comments do need to be submitted a week in advance.

There will also be a live YouTube feed that the public can watch the day of the hearing if you are interested in viewing the meeting.

<http://www.youtube.com/@valleycountyidaho6327/streams>

Thanks, Cynda

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Director
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7116

“Live simply, love generously, care deeply, speak kindly, and leave the rest...”

Service **T**ransparent **A**ccountable **R**esponsive

From: Patty Scroggins <[REDACTED]>
Sent: Tuesday, August 29, 2023 11:22 AM
To: Cynda Herrick <cherrick@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; Valley County Commissioners <commissioners@co.valley.id.us>; Douglas Miller <dmiller@co.valley.id.us>
Subject: Scroggins Request for Online Testimony Option

Dear Commissioners and Director Herrick,

I am hopeful that you will be able to assist me, and I thank you in advance for your consideration of my request.

A couple of days ago, I fell and broke my ankle and foot. I am in a non-weight bearing cast and may not be well enough to attend the September 5th hearing. I am requesting that you provide the interactive online feature for giving testimony at the Sept 5, 2023, 1:00pm hearing.

I am confused as to why this is not available, as Mr Miller has organized this feature for prior hearings. I know I participated in providing live, online testimony at a hearing and it was very effective.

Please consider my request, and I look forward to hearing from you

Thank you,
Patricia Scroggins

Garnet valley

From: Barb Spingla [REDACTED]

Sent: Tuesday, August 29, 2023 12:20 PM

To: Valley County Commissioners <commissioners@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

Subject: Garnet valley

Dear Valley County Commissioners and Director Herrick,

This formal opposition to Garnet Valley is from Barb Spingla. I have owned a townhouse in the Meadows for the last 10 years.

I am not opposed to reasonable building in the meadow. In fact, I have assumed that, over the years, more housing would be built there.

However, the Garnet Valley proposal is too much, too dense, and does not fit into the environment. This is not the place for 300 plus apartments and 2000 plus more cars every day. The infrastructure is not there to support this. The S bridge cannot handle it and the intersection at Roseberry and the highway will be a nightmare. It already is too busy. It will be even worse in the winter with all the snow. Besides the roads, the snow removal in the parking lots of the apartments will be extremely difficult to maintain.

Besides the infrastructure, the valley is just not the right place for an apartment complex. Small homes and townhouses are a much better fit for this rural area.

The builders don't care. They don't live here, they don't care about our quality of life. But you, as our commissioners, should care about the future of our valley and want to keep it a great place to live.

Please DENY this proposal.

Sincerely,

Barb Spingla
Donnelly ID

PS. Please send a confirmation of receipt of this email

Fw: Opposition letter for Garnet Valley hearing

From: Chelsea Tuttle <[REDACTED]>

Sent: Tuesday, August 29, 2023 3:50 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Opposition letter for Garnet Valley hearing

To whom it may concern:

As a full-time local employee, resident and homeowner located at 13090 Hill House Loop, Donnelly, ID 83615 - one of the lots that would abut the southern boundary of the Garnet Valley) I am **AGAINST** the Garnet Valley proposal.

The negative effect that this will have on our property and the surrounding property of our similarly full-time resident neighbors that are also locally working and the other existing adjacent neighborhoods is immense and should be considered carefully before buying into a plan that seems to only benefit the developers.

Large concerns include, but are not limited to:

- **Does not match surrounding housing density - will impede on surrounding land/homeowner's rights to a rural setting, which is what the surrounding neighborhoods are.** Allowing this kind of density in this rural area will increase noise, light and traffic pollution. Myself and my neighbors did not decide to purchase land and build our houses or buy houses in a rural setting with the idea that high density apartments would surround us later. A high density apartment complex should be located in a high density area where there is the infrastructure to support it.
- **Lower surrounding property values.** Our house and property value would be adversely affected by this proposed development. Our "peaceful, rural 1-acre homestead" being backed up to a dense apartment complex full of loud cars, headlights, street lights, parking lot lights, music, events, etc would surely be worth much less in the event we choose to sell.
- **Increased crime.** With density, comes crime. With an increase of hundreds of people walking and driving surrounding properties every day, the odds are that increased trespassing will occur, and as a result, possible theft and/or vandalism.
- **Roseberry Rd and S-Bridge traffic increase.** The road infrastructure is already being outpaced by the continued development at Tamarack and the new neighborhood recently approved on Tamarack Falls Rd. This would add hundreds of more cars and drivers to roads maintained by an already strained county roads department. Additionally, this is the one major year-round maintained entrance and exit to all the neighborhoods and property outside of the Donnelly city limits and is a huge risk to emergency evacuation needs with the increased traffic adding to the already common accidents that occur on the bridge shutting down that route to everyone on either side of it.
- **Inappropriate location for a highly dense apartment complex:** Apartment complexes are typically seen in closer relation to the downtown/town center areas in rural places like Donnelly. That is so the increased number of people living in them have easy and safe access to the highway, library, schools, bus

- stop and amenities in town. This location is far from town, unwalkable and unbikeable (due to the narrow road, S-Bridge danger, high traffic volume).
- **Access via privately maintained roads.** Although the developer added another access point, their main access is through a private community (The Meadows) that is privately maintained, which will add immense traffic and wear and tear.
 - **Lack of walkable and bikeable access.** There are no sidewalks beyond where this development is, so walkable and bikeable access to Donnelly, the library and the school is extremely dangerous.
 - **Dark sky ordinance violations.** With their proposed density paired with the clubhouse and other "amenities" the amount of porch lights, parking garage lights, balcony lights and other outside lights will violate the dark sky ordinance.
 - **Increased noise pollution.** The peaceful setting of the rural area in which this development is proposed will be constantly interrupted by the starting of cars, the hundreds of residents on their balconies listening to music, or watching tv loudly with the windows open. This is a city-type environment and should be put in city limits.
 - **Increased pollution.** Imagine the hundreds of cars being started to warm up and idle each morning in the winter. This is not the place for that.
 - **Water/flooding/snow melt.** The water table for this area is already very high. Will my lot and the other neighborhoods be affected by their mitigation of water by pushing more onto ours during the drainoff/melt season?
 - **School bus needs.** The community is already short on school bus drivers and this stop would likely have a lot of school aged children needing to be picked up

The application does not comply with Valley County Code (VCC).

- VCC 9-9-3 (e) - the proposal is likely in violation of the statement "That it is more desirable to have a PUD than a subdivision or some other singular use, and that the PUD is not being proposed simply to bypass or vary the more restrictive standards required of a subdivision, business, industry, or other similar use."
- VCC 9-9-6 (f) – snow removal and storage plan concerns exist.
- VCC 9-9-6 (g) – surface water and flooding planning concerns exist.
- VCC 9-9-7 (d) – refers to density. "It is recognized that the increased residential density of a PUD shall be in relationship to the site and structure location, application of technology, design, construction techniques, landscaping and topography." **Staff prepared adjacent densities; most have two or three units per acre.** The existing townhouses are two-story structures, so the higher density takes up less ground. **The Garnet Valley proposal is nearly 400% that of neighboring areas.**
- VCC 9-9-7 (g) – parking spaces. o VCC 9-9-7 (h) –street width would affect access.
- VCC 9-11-1 (d) – Compatibility evaluation allows for unique considerations, including the density of surrounding subdivisions.
- Northlake Recreation Sewer and Water District's will serve letter is not for this particular application. The applicant would need to reapply for service.
- **The public is overwhelmingly opposed. This opposition is a good indicator this application is not in harmony with the general population.**

- **The Idaho Statutes, Valley County Comprehensive Plan, and the Valley County Ordinances are the foundation for the decision to be rendered. The rule of law must prevail.**

Please thoughtfully consider what this community and its residents need to thrive and see that this proposal goes against that in almost every possible way and vote NO. We need affordable high density apartment housing in the APPROPRIATE place - close to bus stops, stores, libraries and schools and city center.

IF this monstrosity gets approved, they should be required to build an extra large/tall wall as a sound/light/security barrier on the southern border to protect the properties to the south of it from the many adverse effects this development will have on our properties.

Please note TWO people in opposition for this letter

Chelsea Tuttle
Christian Tuttle

Garnet Valley Hearing 9/5 @ 1:00

From: Maria Jacobson [REDACTED]

Sent: Tuesday, August 29, 2023 3:16 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Fwd: Garnet Valley Hearing 9/5 @ 1:00

Dear Ms. Herrick -

We are not able to attend the hearing due to the timing.

We continue to oppose the density Garnet Valley is proposing due to safety concerns.

Last March our renter, whom we provided low cost housing to, was hit head on on the S bridge and thankfully survived. She suffered life threatening injuries that she will suffer with for the rest of her life.

Increasing the traffic on the bridge would only increase the probability of this happening to many more others.

Please reconsider approving their proposal.

Appreciate that you acknowledge receipt.

Maria and Jim Jacobson

39 Moore Rd

Begin forwarded message:

From: Maria Jacobson <[REDACTED]>

Date: August 8, 2023 at 6:55:33 PM MDT

To: Cynda Herrick <cherrick@co.valley.id.us>

Dear Ms. Herrick -

As a concerned citizen and resident of the Meadows at West Mountain, again respectfully request that the hearings be made more accessible and at a time outside of work hours so the hard-working people of Valley County can attend.

Given the impact of the admitted increase of 2117 daily vehicles to this area, this will greatly impact the noise pollution from this proposed dense development and will pose even greater safety risks to the already dangerous S bridge.

Please consider the safety and well-being of the current residents, and encourage development within the City Limits/Impact area and not the geographically challenged location currently proposed.

Thank you and please confirm receipt.

Maria & Jim Jacobson

9/5/23 Public Hearing for Garnet Valley/Roseberry Park LLC PUD 23-01 CUP 23-10

Linda Eddy

Tue 8/29/2023 4:38 PM

To:

- Cynda Herrick <cherrick@co.valley.id.us>;
- Lori Hunter <lhunter@co.valley.id.us>;
- Elt Hasbrouck <ehasbrouck@co.valley.id.us>;
- Sherry Maupin <smaupin@co.valley.id.us>;
- Neal Thompson <NThompson@co.valley.id.us>;
- Douglas Miller <dmliller@co.valley.id.us>

Dear, Valley County Commissioners Elt Hasbrouck, Sherry Maupin and Neil Thompson

Sorry I'm not able to be present in person to testify do to on 8/21/23 I had major surgery to have a total hip replacement. I asked permission to be able to zoom in and testify but was denied because you stated you are unable to accommodate the public with that service. So I'm asking April Roberts to read my denial into the record.

We ask you DENY the Garnet Valley/Roseberry Park, LLC PUD 23-01 CUP 23-10 development of 306 multi family homes and 10 mobile home lots which the developer stated at the P&Z hearing would generate 2117 cars coming or going from this development. This type of traffic would absolutely gridlock the traffic on W. Roseberry, the "S" bridge, the other steel bridges and especially the intersection of W. Roseberry and highway 55. It's almost impossible now to turn left off W. Roseberry onto 55 to go north.

This type of density of apartments will highly affect the quality of life and value of all homeowner properties in subdivisions in the area. In fact Mr. Hasbrouck and Mr. Swain have both testified this type of development DOES NOT belong in the rural part of Valley County.

Please DENY Garnet Valley/Roseberry Park, LLC PUD 23-01 CUP 23-10 on 9/5/23.

Thank you,
Bill Eddy & Linda Eddy
Donnelly, Idaho
13041 Hillhouse Loop & 13043 Hillhouse Loop

Garnet Valley**From:** Kevin Lukens [REDACTED]**Sent:** Tuesday, August 29, 2023 4:43 PM**To:** Valley County Commissioners <commissioners@co.valley.id.us>**Cc:** Cynda Herrick <cherrick@co.valley.id.us>**Subject:** Garnet Valley

We oppose strongly to the Garnet Valley proposal! The density, not affordable housing, increase of over 2000 vehicles on less than well maintained roads. The S bridge comes to mind especially in the winter months, how will first responders get around. Way too many problems to add. We hope you consider all the concerns of the residents of Valley county and deny this proposal.

Thank you for your time.

Sincerely

Kevin and Christiane Lukens

Re: Garnet Valley Opposition

Therese Gibboney <[REDACTED]>

Tue 8/29/2023 8:38 PM

To: Lori Hunter lhunter@co.valley.id.us

Use this email only please. Confirm and that it will be in the staff report.

On Tue, Aug 29, 2023 at 5:16 PM Therese Gibboney <[REDACTED]> wrote:
Lori I did not receive confirmation for ny email below.

Esteemed Valley County Board of Commissioners,

First and foremost this should be noted as Recommendation for Denial." Not Dismissal.

We have emails from the previous hearings, however, we wanted to make sure a few more essential thoughts were added for the 9/5/23 hearing.

No to 306 apartments

No to 2117 vehicles daily

No to over 550 outdoor parking

No just NO to utilizing our private roads, water at the Meadows at West Mountains. No to utilizing the Meadow's at West Mountains green space in Garnet Valleys narrative - within your presentation.

JUST NO!

NO to Garnet Valleys Density.

NO to any manufactured apartments, which the developer waxed back and forth about at a hearing. They may be stick built, they may be manufactured. All so vague. There is no way they can make their completion date if these are stick built on-site. The same goes for the 10 homes.

This is in NO way compatible with existing neighborhoods here in The Meadows at West Mountain and Hillhouse Loop.

Commissioner Maupin we must reiterate that one cannot safely ride your bikes or walk over the S Bridge, period. This project is not walkable nor near services. Add vehicle maitinance to the costs of these apartments that already "don't pencil out", as per P&Z Commissioner Childs on 7/18/23.

No this is not "almost in town" as per Commissioner Caldwell on 7/18/23. Then to have Commissioner Childs say, "where else can Garnet Valley build?"

Well let's see - where there are "walkable" services, which is within city/impact area. Where 2117 vehicles are not utilizing the already stressed S bridge.

Then it was suggested to utilize Tamarack as the same kind of "cluster" building as Garnet Valley. No this is not a viable comparison. Note - Tamarack has a ski area and self contained commercial center. There is NO comparison. All their employee housing should be there. By the way we would take those Tamarack homes here in Donnelly instead if these apartments.

Apartments like this do not belong in rural Donnelly. Period.

All in the name of approximately 46 low income units, that may never happen, and if they do it could be years before they garner that said certificate, as per the developer. That should be required of any developer using the words affordable, work force and low income - obtain those certificates and build those units first and foremost. Not years later.

We were astounded when Commissioner Child's commented that 2117 additional vehicle trips a day are "negligible" compared to Tamaracks (which isn't true from what we've figured/counted). Negligible is not the word that comes to mind...irresponsible is a better word if this traffic is allowed in these quiet neighborhoods. Build from the city center out.

Chair Commissioner Hasbrouck noted on 6/12/23 that this kind of density does not belong out at Pumpkin Village - meaning Pumpkin Patch or The Meadows at West Mountain. Wise words.

Listen to the people who live here and show them that you know you are charged with protecting our rights as well as any developer.

Deny this project.

In closing we found your denial of our requests to add Zoom and/ or You Tube call in exceedingly disappointing, especially since you have utilized both before and you had denied changing the hearing date and time. The public has a right for their testimonies to be heard, not simply written.

Respectfully,
Therese & Gregg Gibboney

Please confirm you received this letter and add it to the staff report.

Note : not exact quotes and this is in our opinion.

Garnet Valley Opposition

From: Therese Gibboney [REDACTED]

Sent: Tuesday, August 29, 2023 4:43 PM

To: Cynda Herrick; Valley County Commissioners

Subject: Garnet Valley Opposition

Esteemed Valley County Board of Commissioners,

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Respectfully,
Therese & Gregg Gibboney

Please confirm you received this letter and add it to the staff report.

Garnet Valley Opposition

From: Ginger Hughes [REDACTED]

Sent: Tuesday, August 29, 2023 9:48 PM

To: Valley County Commissioners; Cynda Herrick

Subject: Garnet Valley Opposition

Dear, Valley County Commissioners,

This is a formal opposition to Garnet Valley development by Patrick and Ginger Hughes. We have attended all of the P&Z Meetings and testified against this development. We would of course be at this hearing also, except we have jobs and can not attend a meeting in the middle of the day. It is very sad that the commissioners find it appropriate to have a meeting at 1:00 pm on a subject that has so much opposition and affects so many Valley County citizens. You were elected by the citizens of Valley County and you are doing them no favors. I hope we all remember this when you come up for re-election.

Back to Garnet Valley opposition, we live at 162 Platt Place Donnelly and drive Roseberry every day. As it is now I will not cross the S bridge if there is any truck pulling a trailer, boat or camper or construction truck, semi truck or anything larger than a car coming the other direction. This bridge is not built to withstand the traffic we have now let alone 2100 more vehicles a day. Norwood is no better and is not an alternate route. I have been passed on Roseberry Road more times than I can count and this will only get worse with more traffic.

I know the developer is trying to make this development seem like worker housing and affordable housing but this is a game of smoke and mirrors to get you to approve this development. We have all testified about the cost of these units, the income needed to afford this rent and it is completely unreasonable. If you think that this development is going to help our housing issues I suggest you go talk to your constituents that live in RV's in the RV parks in McCall and Donnelly to see if they will be moving into these units or even could afford it.

Our infrastructure of roads, water, sewer, police, ambulance and fire can not sustain this many people in one place. Walking and biking to town is not a safe route for these people to use on the S bridge. The density is way too high for this part of the valley. The reasons why this development is completely wrong for this area are long and explained well by Commissioner Roberts and Commissioner Swain when they denied it. Please review their reasoning.

Your vote should be a resounding NO to Garnet Valley development. Please put the current residents of Valley County safety and our concerns above developers that are only here to make money. This development will not help our workforce housing problem one bit so please don't be blinded by that promise.

Please put our opposition email in the staff report. Thank you

Sincerely,
Ginger and Patrick Hughes
Donnelly, Idaho

Re: Garnet Valley PZ denied

Cynda Herrick <cherrick@co.valley.id.us>

Mon 8/28/2023 7:59 AM

To: Pamela McChrystal [REDACTED]

📎 1 attachments (4 MB)

PUD 23-01 Staff Report BOCC.pdf;

Page 3 of 15 states the tie vote is a disapproval of the application.

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Director
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7116

“Live simply, love generously, care deeply, speak kindly, and leave the rest....”

Service T Transparent A Accountable R Responsive

From: Pamela McChrystal <[REDACTED]>

Sent: Friday, August 25, 2023 6:40 PM

To: Cynda Herrick <cherrick@co.valley.id.us>; Valley County Commissioners <commissioners@co.valley.id.us>

Subject: Garnet Valley PZ denied

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Where in all the pages of posted garbage does it make the public aware that this was denied by PZ. It's an important fact for the Commissioners meeting.

Sent from my iPhone

Re: Attachments to GV

Cynda Herrick <cherrick@co.valley.id.us>

Sun 8/27/2023 9:18 AM

To: Pamela McChrystal [REDACTED]

Received...will send after redacted.

Cynda Herrick, AICP, CFM

Valley County

Planning and Zoning Director

Floodplain Coordinator

PO Box 1350

Cascade, ID 83611

(208)382-7116

“Live simply, love generously, care deeply, speak kindly, and leave the rest....”

Service T transparent A accountable R responsive

From: Pamela McChrystal [REDACTED]

Sent: Saturday, August 26, 2023 5:53 PM

To: Cynda Herrick <cherrick@co.valley.id.us>; Valley County Commissioners <commissioners@co.valley.id.us>

Subject: Attachments to GV

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please send me all attachments to your staff report on Garnet Valley.

Please respond that you have received this email for public records.

Sent from my iPhone

Section 67-6535 – Idaho State Legislature

Pamela McChrystal [REDACTED]

Mon 8/28/2023 8:03 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: Valley County Commissioners <commissioners@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Denial or approval not "disapproval "

<https://legislature.idaho.gov/statutesrules/idstat/title67/t67ch65/sect67-6535/>

Sent from my iPhone



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6535. APPROVAL OR DENIAL OF ANY APPLICATION TO BE BASED UPON EXPRESS STANDARDS AND TO BE IN WRITING. (1) The approval or denial of any application required or authorized pursuant to this chapter shall be based upon standards and criteria which shall be set forth in the comprehensive plan, zoning ordinance or other appropriate ordinance or regulation of the city or county. Such approval standards and criteria shall be set forth in express terms in land use ordinances in order that permit applicants, interested residents and decision makers alike may know the express standards that must be met in order to obtain a requested permit or approval. Whenever the nature of any decision standard or criterion allows, the decision shall identify aspects of compliance or noncompliance with relevant approval standards and criteria in the written decision.

(2) The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

(a) Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

(b) Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

(3) It is the intent of the legislature that decisions made pursuant to this chapter should be founded upon sound reason and practical application of recognized principles of law. In reviewing such decisions,

the courts of the state are directed to consider the proceedings as a whole and to evaluate the adequacy of procedures and resultant decisions in light of practical considerations with an emphasis on fundamental fairness and the essentials of reasoned decision making. Only those whose challenge to a decision demonstrates actual harm or violation of fundamental rights, not the mere possibility thereof, shall be entitled to a remedy or reversal of a decision. Every final decision rendered concerning a site-specific land use request shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section 67-6521(1)(a), Idaho Code, may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by chapter 52, title 67, Idaho Code. An appeal shall be from the final decision and not limited to issues raised in the request for reconsideration.

History:

[67-6535, added 1982, ch. 129, sec. 2, p. 371; am. 1999, ch. 396, sec. 17, p. 1111; am. 2003, ch. 142, sec. 8, p. 416; am. 2010, ch. 175, sec. 4, p. 362; am. 2013, ch. 216, sec. 3, p. 509.]

How current is this law?

Search the Idaho Statutes and Constitution

Re: Attachments to GV

Pamela McChrystal [REDACTED]

Sun 8/27/2023 8:06 PM

To: Cynda Herrick <cherrick@co.valley.id.us>; Valley County Commissioners
<commissioners@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You posted staff reports for Garnet Valley early and stated that the attachments were available if we contacted PZ. However when requested the attachments are not available and we have to wait until they are redacted. Just another lie from your department.

This needs to be addressed from VC legal department.

Sent from my iPhone

> On Aug 26, 2023, at 5:53 PM, Pamela McChrystal [REDACTED] wrote:

>

> Please send me all attachments to your staff report on Garnet Valley.

> Please respond that you have received this email for public records.

>

> Sent from my iPhone

Oppose Garnet Valley PUD 23-01, CUP 23-10

From: Pamela McChrystal [REDACTED]

Sent: Monday, August 28, 2023 2:02 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Oppose Garnet Valley PUD 23-01, CUP 23-10

Sent from my iPhone

August 24, 2023

Valley County Idaho Planning and Zoning

Valley County Idaho Commissioner's Public Hearing

Re; Garnet Valley PUD 23-01 and PUD 23-10

Roseberry Park LLC, Three Pillars Communities Manufactured Homes LLC

Timberline Development LLC, an inactive and dissolved business per Idaho Secretary of state.

I strongly **oppose** this development of **324 apartments, 10 mobile home lots, 559 outdoor parking spaces** more than **2000+ daily vehicle trips through the Meadows Subdivision streets**, the S-bridge and Roseberry to Highway 55. I also opposed Roseberry Park 200+ manufactured homes (VC denied) and Valley Meadows/Timberline LLC 74 townhomes, 88 apartments and commercial buildings (VC tabled) This appalling density is all about return on investment!

Variance required Idaho Statutes 67-6516. A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because characteristics of the site and that the variance is not in conflict with the public interest.

Please see Exhibit 1

Open Space Calculations using The Meadows Subdivision common space???

I would like to know how the total open space is calculated at 52% when Garnet Valley is using The Meadows at West Mountain Subdivision HOA's Common Area. Please see exhibit 2 map of open space calculation. This needs to be addressed.

Letter from The Meadows HOA Manager, Chris Renfro

Garnet Valley states they will be assessing the property to be developed by using Timberline Drive, Moore Road and Price Street, all private streets maintained solely at the expense and used for the enjoyment of The Meadows at West Mountain Homeowners.

Please see Exhibit 3 letter from HOA manager.

Letter from North Lake Sewer and Water

Timberline Development LLC/Mark Riechman has still not fulfilled all requirements and conditions from 2004! The Meadows at West Mountain 2 & 3 sewer infrastructure was not substantially completed by Timberline LLC and therefore no further issuing of sewer commitments can be made until Timberline Development LLC has completed the commitments of The Meadows lift station. In addition, there are only 174 EDU's. Please see exhibit 4 letter

Letter from Valley Soil & Water Conservation District

Design criteria for storm water treatment is inadequate.

Drainage, flooding and high-water problems. Local residents experience seasonal flooding.

They question applicant's statement "proposed development will not significantly alter the existing drainage patterns and flows." and it is specious.

Their reference to the old Handbook of Valley County Stormwater Best Management Practices is erroneous.

Plan lacks information regarding wetlands, flow conveyance detail, pond construction and ability to downgrade conveyance infrastructure to accommodate new cumulative developments, flow concentrations and impacts to receiving wetlands. They reference US Clean Water Act Section 319 and 404 (VCC9-5A-1-4) and VCC 9-4-3-4 Comprehensive Plan Chapter 4: Natural Resources Goal 1, 5.

Pond treatment design. They state it is totally inadequate and inconsistent with DEQ criteria (VCC9-4-3-4-E) Please see Exhibit 5 letter.

Additional Letter from Valley Soil and Water District

They address Public Safety and the S-bridge that was constructed 6 decades ago as a rural access road and not an arterial road connecting subdivisions or resorts to town. This is a high-risk community hazard. They reference VCC 9-5-3-D(a) VCC 9-5-3-D2 and Comprehensive Plan Ch 2 goal 1 and Ch 3 goal 1.

Compatibility and Density is more combatable in a city setting and not rural. Ref: VCC9-4-1 & 10-1-5 and Comprehensive Plan Ch 2 goal 1 & 2 and Chap 3.

Open Space Calculations

Drainage and wetlands. Lake Cascade is a 303(d) listed impaired waterbody.

Clean Water Act

Mosquito infestations

Child safety

Loss of cold water

Ingress and Egress

Meadows Streets and common areas are maintained by The Meadows Homeowners.

Please see Exhibit 6 letter

Idaho Transportation Depart letter

IDT has concerns with traffic impacts at the intersection of Roseberry Rd and SH-55 due to the construction of development on the parcels and associated trip generation impacts!

Due to the size and proximity of this development, impacts to the State Highway system can be anticipated. **A TRAFFIC IMPACT STUDY IS REQUESTED.**

The proposal is in conflict with

Idaho Code 67-6502 (d), (f), (g), (h), and (j)

Valley County Comprehensive Plan, Chapter 1, Desire of Citizens, Chapter 2 Goal II, Chapter 3 Goal 1 of Existing Citizens, Chapter 4 Goal I & III, Chapter 8 Goal IV,

Valley County Land Use and Development Ordinance, 9-9-3(e) Chapter 10 Density, 9-9-6 (g) Flooding, 9-9-7 (a) Density

This proposed development does not belong in rural Donnelly, this belongs in an urban setting near a city that has services for all these hundreds of people and hundreds of cars. This isn't workforce housing but a man camp for Tamarack Resort transient construction workers. The density of this development will bring dangerous amounts of traffic, air pollution, water pollution, crime, drugs and will greatly depreciate the value of surrounding single-family homes, homes that belong to Valley County Idaho taxpayers. Taxpayers who are also landowners and who also have rights.

Please deny this egregious application PUD 23-01 & CUP 23-10

Pamela McChrystal

McCall Idaho



Login

Business Search

Searching starts with your entered keyword.

Timberline Development LLC

Form Info

Status

TIMBERLINE DEVELOPMENT, LLC (97183)
Limited Liability Company (D)



Inactive-Dissolved (Administrative)

< **TIMBERLINE DEVELOPMENT LLC (97183)**
Limited Liability Company (D)

Request Certificate

<i>Filing Type</i>	Limited Liability Comp
<i>Status</i>	Inactive-Dissolved (Administrative)
<i>Formed In</i>	IDAHO
<i>Term of Duration</i>	Perpetual
<i>Principal Address</i>	132 SW 5TH AVENUE, : MERIDIAN, ID 83642
<i>Mailing Address</i>	STE 100 132 SW 5TH AVE MERIDIAN, ID 83642-2
<i>Initial Filing Date</i>	01/20/2004
<i>Inactive Filing Date</i>	04/13/2023
 <i>AR Due Date</i>	01/31/2023
<i>Registered Agent</i>	Noncommercial 0128564 TONY HENDRICKS 132 SW 5TH AVE STE 1 MERIDIAN, ID 83642





Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67
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CHAPTER 65
LOCAL LAND USE PLANNING

67-6516. VARIANCE - DEFINITION - APPLICATION - NOTICE - HEARING. Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. Prior to granting a variance, notice and an opportunity to be heard shall be provided to property owners adjoining the parcel under consideration and the manager or person in charge of the local airport if the variance could create an aviation hazard as defined in section 21-501, Idaho Code. Denial of a variance permit or approval of a variance permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

History:

[67-6516, added 1975, ch. 188, sec. 2, p. 515; am. 1999, ch. 396, sec. 13, p. 1109; am. 2003, ch. 142, sec. 5, p. 414; am. 2014, ch. 93, sec. 8, p. 260.]

How current is this law?

Search the Idaho Statutes and Constitution

Exhibit 1

SCHULTZ LN

W ROSEBERRY RD

MEADOWS AT WEST MOUNTAIN SUBDIVISION

Common Lot Area of Meadows Used in Overall
Calculations of Total Open Space for Garnet Valley

WEST
MOUNTAIN
ESTATES

WEST
MOUNTAIN
SUBDIVISION

W ROSEBERRY RD

HILLHOUSE
SUBDIVISION

Exhibit 2

Open Space Calculations	Acres	Percent
Common Lot Area	13.31	34%
Multi-family Lot Area	7.03	18%
Total Open Space	20.34	52%

P.U.D. 23-01 Garnet Valley

From: Tamarack Vista Properties [REDACTED]
Sent: Wednesday, March 29, 2023 9:54 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: P.U.D. 23-01 Garnet Valley

Hello Cynda,

My name is Chris Renfro and my address is 44 Buckskin Drive in Donnelly. I am the manager of The Meadows at West Mountain HOA and I am writing this message on behalf of the 216 properties that comprise our Home Owners Association.

The proposed Garnet Valley development, PUD 23-01, has stated in their application that they will be accessing the property to be developed by using Timberline Drive, Moore Road and Price Street, all private roads which are maintained solely at the expense and used for the enjoyment of The Meadows at West Mountain home owners and their guests.

We have never agreed to allow these new developers to use our private roads for construction purposes or permanent access to the development they have proposed.

These private roads were never designed to handle the additional 600 plus vehicles for which they propose to provide parking. In addition to the added wear and tear on these small private roads there is an added safety concern.

Any more traffic that would be generated by shared access to the rest of the development would put a tremendous burden on our streets and greatly compromise the safety of the rest of our community who use our streets for walking, pet exercise and bike riding, etc.

The only exception we can see is that access to the 10 single family lots (which are cut off from the rest of the project) would be granted and allowed to have their driveways on Timberline Drive IF and ONLY IF they agree to become part of our HOA and in doing so bear the shared expense of maintenance and snow removal by paying the full HOA dues and any applicable account set up fees. In doing so they would agree to be bound by our CC&R's.

We are prepared to stand against this adverse and unsafe use of our roads with every means at our disposal, including legal action, if needed.

Please include this correspondence in your staff report to the Planning and Zoning Commissioners regarding this and any other future proposals that would propose to use our private roads.



*At Your Service,
Chris Renfro*

[REDACTED]

PO Box 385
Donnelly, ID 83615

Exhibit 3



0005332283



STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT
 Idaho Secretary of State
 PO Box 83720
 Boise, ID 83720-0080
 (208) 334-2301
 Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005332283

Date Filed: 7/26/2023 1:49:30 PM

Entity Name and Mailing Address:

Entity Name: **MEADOWS AT WEST MOUNTAIN HOMEOWNERS ASSOCIATION, INC.**

The file number of this entity on the records of the Idaho Secretary of State is: 0000490405

Address: **CHRIS RENFRO
 PO BOX 385
 DONNELLY, ID 83615-0385**

Entity Details:

Entity Status: Active-Good Standing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C161581

The registered agent on record is:

Registered Agent: Chris Renfro
 Registered Agent
 Physical Address: 150 W ROSEBERRY ROAD
 SUITE # 1B-4
 DONNELLY, ID 83615
 Mailing Address: PO BOX 385
 CHRIS RENFRO
 DONNELLY, ID 83615-0385

The new physical (street) address of the existing agent in Idaho is:

Physical Address: 44 BUCKSKIN DRIVE
 DONNELLY, ID 83615

The new mailing address of the existing agent in Idaho is:

Mailing Address: PO BOX 385
 DONNELLY, ID 83615

Corporate Officers and Directors

Name	Title	Business Address
<input checked="" type="checkbox"/> Glen Holdren	Secretary	PO BOX 385 DONNELLY, ID 83638
<input type="checkbox"/> Kurt Haitan	President	PO BOX 385 DONNELLY, ID 83615-385
<input checked="" type="checkbox"/> Jason Hansen	Vice-President	PO BOX 385 P.O. BOX 4322 MCGALL, ID 83638
<input checked="" type="checkbox"/> Trent Gerber	Vice President	PO BOX 385 DONNELLY, ID 83615
<input checked="" type="checkbox"/> Diane Larson	Secretary	PO BOX 385 DONNELLY, ID 83615

B0824-3768 07/26/2023 1:49 PM Received by Office of the Idaho Secretary of State



North Lake Recreational Sewer and Water District
435 South Eld Ln., PO Box 729 Donnelly, ID 83615 (208) 325-8958

March 14th, 2023

Cynda Herrick, Valley County Planning and Zoning Director
Valley County Planning and Zoning Department
PO Box 1350
Cascade, Idaho 83611

Re: P.U.D. 23-01 Garnet Valley, CUP 23-10 Preliminary Plat
April 20th, 2023
Planning and Zoning Public Hearing

Director Herrick:

North Lake Recreational Sewer and Water District (NLRSD) has received Agency Notification and desire to provide the following written comments:

Annexation:

- 1) The subject property is located within The Meadows at West Mountain Subdivision which was annexed by NLRSD in 2004.
- 2) The owner, Timberline Development LLC, is required to fulfill all requirements and conditions as stated in the 2004 Conditions of Annexation for The Meadows at West Mountain Subdivision.
- 3) Conditions of Annexation require Developer/Owner to connect to the central sewer system.

North Lake Recreational Sewer and Water District Central Sewer Services:

- 1) The proposed PUD/CUP/Preliminary Plat varies from "The Meadows at West Mountain Phase 4, 5 & 6" and therefore the existing Sewer Will Serve commitment to Timberline Development LLC would need to be addressed by NLRSD. The prior Will Serve committed 174 EDU's (Equivalent Dwelling Unit) specifically to Phase 4, 5, and 6 of The Meadows at West Mountain Subdivision. The Valley Meadows PUD/CUP would require District approvals and analysis of existing capacity and wastewater infrastructure.

Exhibit 31



North Lake Recreational Sewer and Water District
435 South Eld Ln., PO Box 729 Donnelly, ID 83615 (208) 325-8958

- 2) The Meadows at West Mountain Phases 2 & 3 sewer infrastructure was not substantially completed by Timberline Development LLC and therefore no further issuing of sewer commitments can be made until Timberline Development LLC has completed the commitments in accordance with the Conditions of Annexation and the Phase 2 & 3 Meadows Lift Station Project.

In summary, NLRSD is currently committed to serving The Meadows at West Mountain Phases 4-6 with 174 EDU's. The proposed PUD/CUP, at a minimum, would require that Timberline LLC fulfill the requirements of the 2004 Conditions of Annexation, substantially complete the Phase 2 & 3 sewer infrastructure, receive District approvals for additional sewer capacity/EDU's, submit infrastructure design for approvals prior to serving any additional development within The Meadows at West Mountain Subdivision.

Sincerely,

Travis Pryor
NLRSD Manager of District Operations

Enclosures

cc: Board of Directors, North Lake Rec Sewer and Water District



Valley Soil & Water Conservation District

209 N Idaho Street

PO Box 580

Cascade, Idaho 83611

Telephone: (208) 382-3317

June 1, 2023

Valley County P&Z Commissioners
c/o Cynda Herrick
219 N. Main St.
Cascade, Idaho 83611

Subject: PUD 23-01 & CUP 23-10
Proposed Garnet Valley Subdivision
Donnelly Area, Valley County, ID

Planning and Zoning Commissioners,

The Valley Soil and Water Conservation District would like to comment on the proposed Garnet Valley development. We have the following concerns:

The design criteria for storm water treatment ("Storm water treatment will be for 1/3 of the 2-year event") is inadequate. Drainage in this area is a concern as local residents experience seasonal flooding and high-water problems. Much of the stormwater infiltrates into the open-space soil and some drains through a wetland to a single culvert pipe under Norwood Road.

We question the applicant's statement "The proposed development will not significantly alter the existing drainage patterns and flows" and feel it is specious.

The application's reference to the old Handbook of Valley County Stormwater Best Management Practices is erroneous. This older handbook was replaced with state minimum BMPs and Valley County Addendum to State Manual.

The plans lack information regarding wetland delineations, flow conveyance detail, pond construction and the ability of down-gradient conveyance infrastructure to accommodate new cumulative developments flow concentrations, and impacts to receiving wetlands, so we have inadequate knowledge to be able to comment. Ref: US Clean Water Act, Section 319 and 404 (VCC 9-5A-1-4), and VCC 9-4-3-4, Comprehensive Plan Chapter 4: Natural Resources Goal 1, 5.

Also, as previously mentioned, the pond treatment design criterion of 1/3 of a 2-year event shown on the plan is very small and the pond would be easily overwhelmed in handling both upgradient run-on and accelerated impervious surface onsite runoff pollutants as the design criteria of 1/3 of a 2-year event is totally inadequate and inconsistent with DEQ stormwater criteria (VCC 9-4-3-4-E).

Because of the drainage issues in the area and the fact that Lake Cascade is a 303(d)-listed impaired waterbody, we suggest this criterion be re-evaluated with the county engineer to include a larger treatment volume. Greater treatment volume would be more beneficial for the wetland, Lake Fork Arm and the lake.

Suburban drainage contributes thermal warming and substantial pollutants including nutrients, suspended solids, litter, oil, grease, metals, pesticides, fertilizers and other pollutants to the waterways. These

Exhibit #8

Stephanie Hopkins, MCRP, AICP Sent via email: [REDACTED]
Land Planning Manager
KM ENGINEERING
5725 North Discovery Way | Boise, ID 83713
208.639.6939

Subject: Advance Preliminary Plan Set Review
Proposed Garnet Valley Subdivision
Donnelly Area, Valley County, ID

Dear Ms. Hopkins,

Valley County Soil and Water Conservation District appreciate receiving your preliminary plans and your request for comments on them prior to submitting a formal application to the county. We are supportive of smart growth in the valley ... that which is protective of natural resources and takes into account the beauty and open characteristics of the county, and the harmony of our community in general.

We understand the proposed development is called Garnet Valley Subdivision and it is planned to contain approximately 324 multi-family cluster units and 10 single-family modular home lots. The project is located west of Donnelly and southwest of the intersection of West Roseberry Road and Timberline Drive.

We provided a cursory review and our comments, with reference to where we believe the plans deviate from the intent of Codes/Comprehensive Plan, are provided below for consideration:

1. Public Safety

The main town access road to the proposed subdivision is over the deteriorating and accident-prone "Roseberry Road S-bridge" which is very narrow and eventually needs straitening and widening for a safer passage. Lately, this bridge has been in the local paper newspaper because the bridge was constructed "6 decades ago as a rural access road to a few mountain homes ... not as an arterial road connecting subdivisions or resorts to town. It is outdated, not properly designed (sight distance alignment nor width) for the current or projected daily traffic loads and it is deteriorating. These are facts that make it a high-risk community safety hazard that should be replaced before adding additional traffic loads. Ref: VCC 9-5-3-D(a), VCC 9-5-3-D2 and Comprehensive Plan Ch 2 goal 1 and Ch 3 goal 1, The Star-News.

The county is currently seeking design alternatives and funding to reduce this hazardous risk. Under current conditions, increasing daily traffic loading from 334 new residential units over this bridge is problematic and would exacerbate the problems. A U.S. Department of Transportation county-by-county study indicated that for Valley County, the average trips per household per day was 4 to 5 trips per day. Thus adding 1336 to 1670 additional trips per day over this hazardous bridge (equivalent to somewhere around 2 vehicles per minute during the prime daytime 12-hour traffic period) and could expose the county, developer, and his engineers to negligence or culpable negligence from future traffic accidents and injuries.

We suggest delaying this high-traffic loading project until after the bridge is replaced.

2. Compatibility of Density

The cluster multi-story density suggested on the plan is more compatible in a city setting and not rural areas of Valley County. We suggest the density be more consistent with the area, specifically not exceeding the density of the adjacent Mangum Circle subdivision. Ref: VVC 9-4-1 & 10-1-5, and Comprehensive Plan Ch 2 goal 1 & 2 and Ch 3.

Plan sheet PP1.0 includes open-space calculations. So as not to create future confusion with the intent of open-space conditions for code "permanency requirements", areas included in the open-space calculation such as those designated with a circle 1, 2, 13, and 14, should be labeled as "open-space, not for future development". If these areas have future development potential, they should not be included in the open-space calculation. Ref: VCC 9-9-6.

3. Drainage and Wetlands

Drainage in this area is a concern as local residents continue to experience seasonal high-water problems, flooding in crawl-spaces, perched water and localized ponding annually.

Unfortunately, our ability to comment on drainage is limited since the plans lack information regarding wetland delineations, flow conveyance detail, the ability of down-gradient conveyance infrastructure to accommodate new cumulative flow concentrations and impacts to receiving wetlands. Ref: US Clean Water Act, Section 319 and 404, and VCC 9-4-3-4, Comprehensive Plan Chapter 4: Natural Resources Goal 1, 5.

The pond outline depicted in Area 13 on the plans, in the headwaters of a wetland, is a special concern and as you know VSWCD prefers detention basins as opposed to retention ponds because of senior water rights, mosquito infestations, child safety, and loss of cold water to impaired Lake Cascade and fish habitat. Also, the pond treatment design criterion of 1/3 of a 2-year event shown on the plan is very small and the pond would be easily overwhelmed in handling both upgradient run-on and accelerated impervious surface onsite runoff pollutants. Because of the drainage issues in the area and the fact that Lake Cascade is a 303(d)-listed impaired waterbody, we suggest this criterion be re-evaluated to include a much larger treatment volume.

4. Ingress and Egress

The plans indicate multi-story unit Ingress and Egress from a private road (Timberline Drive) which we believe is maintained by the Meadows Home Owners Association and assume you will obtain permissions for encroaching on private property. We question the ability of this private collector road to accommodate the additional traffic loading and turn-lane access onto and off of Roseberry Road. In addition, it appears that the 10 modular home lots would access Timberline Drive directly. We recommend further evaluations and option of access directly off Roseberry Rd.

Respectfully,

Valley Soil & Water Conservation District Board of Supervisors



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

August 9, 2023

Valley County
Cynda Herrick, AICP, CFM
Planning & Zoning Director
PO Box 1350
Cascade, ID 83611
cherrick@co.valley.id.us

VIA EMAIL

Development Application	PUD 23-01 Garnet Valley and CLIP 23-10 Preliminary Plat
Project Name	Roseberry Park
Project Location	39.1 acres, Parts of parcels RP16N03E171485, RP16N03E170965, RP16N03E170945, in the NE ¼ Section 17, T.16N, R.3E, Boise Meridian, Valley County, Idaho
Project Description	Proposed 306 multi-family units, 10 single-family residential lots, community amenities, and 52% open space
Applicant	Timberline Development LLC

Updated response: The Idaho Transportation Department (ITD) appreciates the opportunity to provide comments regarding the potential development located between W Roseberry Rd and Timberline Dr., Valley County, Idaho. ITD had the opportunity to review the developer's site plan and trip generation numbers and has an updated response:

1. This project does not abut the State Highway system and no direct access to the State Highway system has been requested for this development.
2. ITD has concerns with traffic impacts at the intersection of E Roseberry Rd and SH-55 due to the construction of the development on the parcels, and the associated trip generations/impacts to the State Highway system.
3. Due to the size and proximity of this development, impacts to the State Highway system can be anticipated. A Traffic Impact Study is requested.

ITD reserves the right to make further comments upon review of any submitted documentation. If you have any questions, you may contact me at (208) 334-8377.

Sincerely,

Saran Becker
Development Services Coordinator
Saran.Becker@itd.idaho.gov