



Cynda Herrick, AICP, CFM
VALLEY COUNTY
IDAHO

Planning & Zoning Administrator
Flood Plain Coordinator

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STAFF REPORT
Conditional Use Permit Application No. 20-19
Rocking K Ranch Event Venue

HEARING DATE: August 13, 2020
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
APPLICANT/OWNER: Nick and Sabrina Kertz
25 Pearson Lane
McCall, ID 83638
LOCATION/SIZE: The 10-acre site is addressed at 25 Pearson Lane. It is parcel
RP18N03E276155 and RP18N03E289001 in the SWSW Section
27, T.18N, R.3E, Boise Meridian, Valley County, Idaho.
REQUEST: Public Event Center
EXISTING LAND USE: Single-family Residence

BACKGROUND:

Nick and Sabrina Kertz are requesting approval to establish an event venue. There would be a maximum of 24 events per year with a maximum of 300 guests per event. Existing buildings and tents would be used during events.

Portable restrooms and portable hand-washing stations would be used. Electricity, septic system, and two wells exist at the site.

Amplified music is requested and would end by 10 p.m. Events would conclude by 11 p.m. The south pasture, behind the house, would be used to park vehicles; shuttle services would be recommended for all events.

Access is via an existing driveway off Pearson Lane, a public road. The 10-acre site is addressed at 25 Pearson Lane.

Light strands are proposed for events. The existing lighting is compliant with Valley County Code.

FINDINGS:

1. Application was made to Planning and Zoning on June 29, 2020.

2. Legal notice was posted in the *Star News* on July 23 and 30, 2020. Potentially affected agencies were notified on July 9, 2020. Neighbors within 300 feet of the property line were notified by fact sheet sent July 20, 2020. The site was posted on July 22, 2020. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on July 9, 2020.

3. Agency comment received:

Central District Health said an Accessory Use application is required describing how patrons will be required to use portable toilets and not the residence's facilities. All food must be catered in and out and no ware washing shall occur in the residence. Well may be required to be regulated as a public water system depending on the number of events and people served. Applicant will need to contact Brent Copes at 208-327-8536 for that determination. (July 9, 2020)

Travis Smith, McCall Fire Protection District Deputy Chief, determined that this proposal cannot be approved by the MFPD as currently proposed. The building official would need to reclassify the property from residential occupancy to A-2; many life safety requirements would then be necessary. (July 30, 2020)

4. Neighbor comments received:

Comments in Favor

Elise Bitton, 7 Boulder View Place, also owns acreage directly to the west. She believes they will provide a very well managed event site and have the neighborhood's best interest in mind. (July 27, 2020)

Melanie Holmes said this is the perfect property to safely hold outdoor events with little impact on neighboring properties. It is a necessary addition to our community. (August 5, 2020)

Nicole Youkstetter supports this as a creative way to have community events in an outdoor setting. (August 5, 2020)

Julie Kunde said the site is a amazing mountain country setting for a venue. The applicants pay close attention to details and are good hosts. The McCall area needs more places to hold events. (August 5, 2020)

Comments in Opposition – Reasons given include:

- Event venues do not belong in residential areas.
- There are other existing event venues near McCall, including McCall RV Resort, Brundage Mountain, Shore Lodge, Jug Mountain Ranch, Tamarack Resort, and Roseberry.
- People did not complain about the McCall Prom event as it was a one-time event.

- Approval would impact the peaceful enjoyment of properties on Pearson Lane and Samson Trail and the subdivisions of Pearson Corners, Knob Hill, Knob Hill #2 and Carefree.
- Objections to commercial creep in a rural/agricultural area.
- Events should end before 11:00 p.m.
- The request is for 24 events per year; that is more than one event per week through the summer and fall. Twelve (12) would be better.
- Noise and traffic from weekly events would greatly impact the neighborhood.
- Set-up and take-down activities will increase days impacting the neighbors with noise and traffic.
- Outside noise and music would impact a large area. A sound assessment should be completed.
- Traffic concerns; traffic will stack up on Highway 55, Pearson Lane, and S. Samson Trail. All traffic will not use Pearson Lane and Highway 55 intersection.
- A traffic study of the Pearson/Samson/Highway 55 area should be done.
- Dust and vehicle lights will impact the neighborhood.
- Pearson Lane is already in poor condition.
- Fire suppression concern including vehicles parked in dry field.
- If approved, should allow less than 300 people.
- If approved, porta-potties should be removed from site after each event.
- If events are held in the winter, how will snow be managed?
- How will cars be limited to 100 per event?
- Decrease in property values.
- Concerns about lighting.
- Lake Fork Canal should have been noted as a hazard.
- Questions should not have been marked as "N/A"
- Concerns about public hearing process due to COVID restrictions.

- 1) Mark and Bonnie Sherbourne, July 21, 2020
- 2) Kathy Deinhardt Hill, July 21, 2020
- 3) Anne Carr, Carefree Subdivision, July 24, 2020
- 4) Don Lojek, July 25, 2020
- 5) Johnny Hernandez, 14059 Pioneer Road, July 27, 2020
- 6) Amy Leaf, 14059 Pioneer Road, July 27, 2020
- 7) Christine and Clifford Mann, 152 Carefree Lane, July 27, 2020
- 8) Kristen and Larry Fiorentino, July 24, 2020
- 9) Todd and Bonnie Thompson, 117 Carefree Lane, July 26, 2020
- 10) Laurie Warren-Petersen and Ken Petersen, 14056 Comfort Road, July 25, 2020
- 11) Mike Weiss, 43 Pearson Lane, July 24, 2020
- 12) Ennio and Sherry Avalon, July 27, 2020
- 13) Bill Borg, 45 Knob Hill Drive, July 28, 2020
- 14) Cynthia Berkley, 13968 Wrangler Road, July 29, 2020
- 15) Bruce and Jamie Forsyth, 40 Pearson Lane, July 31, 2020
- 16) Shirley Hicks, 14005 Easy Street, July 31, 2020

- 17) Linda Paul Thompson, 14030 Hideaway Court, August 2, 2020
- 18) Scott and Connie Harris, August 3, 2020
- 19) Garrett and Tawny de Jong, 30 Pearson Lane, August 5, 2020
- 20) Larry and Monica Shake, Pearson Lane, August 5, 2020
- 21) Geoffrey HH and Katharina Roth, August 6, 2020
- 22) Lissa Beebe, 100 Magnetic Rock Road, August 6, 2020
- 23) Nicki Humphries, 108 Magnetic Rock Road, August 6, 2020
- 24) John Humphries, 108 Magnetic Rock Road, August 6, 2020
- 25) Richard D Wildman, 145 Pearson Lane, August 6, 2020

5. Physical characteristics of the site: Relatively flat with single-family residence and outbuildings.
6. The surrounding land use and zoning includes:
 - North: Single-family Residential
 - South: Agriculture (irrigated grazing) and Lake Irrigation District Canal
 - East: Single-family Residential
 - West: C.U.P. 20-09 BP Equipment Storage and C.U.P. 11-01 Nez Perce Office
7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
 - 5. Commercial Uses c. Service Business and e. Recreation Business

Review of Title 9, Chapter 5 Conditional Uses should be done.

9-5B-1: NOISE:

- A. Commercial Or Industrial Activity: The noise emanating from any commercial or industrial activity shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed forty (40) decibels between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., and sixty (60) decibels at other hours at the property line if adjacent uses are not the same.

9-5F-1: COMMERCIAL USES; SITE OR DEVELOPMENT STANDARDS:

Commercial uses requiring a conditional use permit shall meet the following site or development standards, except as may be modified by a PUD:

A. Minimum Lot Area:

1. The minimum lot area shall be unlimited herein except for the provisions of subsection 9-5-3A2 of this chapter, and except the minimum area for a ski area shall be forty (40) acres.
2. Frontage on a public or private road shall not be less than seventy-five feet (75') for each lot or parcel.
3. No frontage is required for recreation business.

B. Minimum Setbacks:

1. The minimum setbacks for neighborhood businesses shall be thirty feet (30') from front, rear, and side street property lines and ten feet (10') from all side property lines.
2. The minimum setbacks for service and recreation businesses shall be fifty feet (50') from rear, front, and side street property lines and thirty feet (30') from side property lines.
3. The minimum setbacks for area businesses shall be the same as those for neighborhood businesses. Salvage yards, auto wrecking yards, or commercial agricultural businesses shall be located not less than one thousand feet (1,000') from any residential development, civic or community service use, or other noncompatible commercial use, unless the impacts are adequately mitigated by implementation of standards as approved by the commission. The setbacks will be determined in relation to impact mitigation.

C. Maximum Building Height And Floor Area:

1. Building heights shall not exceed thirty-five feet (35') above the lower of the existing or finished grade.
2. The building size or floor area shall not exceed the limitations of subsections 9-5-3A and C of this chapter and title 6, chapter 1 of this code.
3. No building or combination of buildings may cover more than forty percent (40%) of the lot or parcel, except recreation business buildings may not cover more than one percent (1%) of the lot and agricultural business buildings may not cover more than twenty percent (20%) of the lot or parcel.

D. Site Improvements:

4. Parking spaces for recreation businesses shall be provided at the rate of one per each four (4) occupants or as determined by the commission. (Ord. 10-06, 8-23-2010)

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a – 5 1/2. **The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).**

Staff Questions/Comments/Recommendation:

- Will there be any dust control?
- Will anything be done to protect guests from entering the canal...concern with small children?

- Do you use irrigation water from the canal?
- Will there be any bonfires?
- Will RV's be allowed on-site?
- Will there be any overnight camping?
- Where are porta-potties located and will they be removed after each event?
- The Commission should consider noise studies.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation
- Compatibility Evaluation
- Vicinity Map
- Aerial Photo
- Assessor's Plat
- Surrounding Land Use Map
- Site Plan
- Picture taken July 22, 2020
- Responses

Conditions of Approval

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The use must be established according to the phasing plan or this permit will be null and void.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.

5. All lighting must comply with the Valley County Lighting Ordinance.
6. Shall obtain a sign permit prior to installation of a sign.
7. Shall have dedicated fire truck/emergency vehicle turnaround at the site.
8. Driving and parking will not occur over the existing septic drainfield.
9. Quiet hours shall be 10:00 p.m. to 8:00 a.m.
10. All food will be catered in. All dishes, silverware, glasses, etc., will be catered in and taken off site to be washed.
11. The number of porta potties will be based upon recommendations for number of people from Central District Health.
12. There shall be no fireworks, campfires or bonfires.
13. There shall be no camping on-site.
14. There shall be no ATV's, UTV's, or snowmobile events on-site.
15. The owner or on-site manager shall be in attendance at all events.
16. There shall only be a maximum of two events per month.
17. The parking area should be watered, mowed, and maintained so that vehicle catalytic converters cannot ignite a fire.
18. Must comply with payment of sales tax in accordance with Idaho State Code, Chapter 36.
19. Shall comply with the requirements of the McCall Fire District concerning improvements to the structure, etc.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

Compatibility Questions and Evaluation

Matrix Line # / Use: 18+20

Prepared by: CH

YES/NO X Response Value

(+2/-2) +1/2 X 4 +6

(+2/-2) -1/2 X 2 -3

(+2/-2) -1/2 X 1 -1/2

(+2/-2) -2 X 3 -6

(+2/-2) +2 X 1 +2

(+2/-2) -1 X 2 -2

(+2/-2) -1 X 2 -2

(+2/-2) -1 X 2 -2

(+2/-2) +1 X 2 +2

Sub-Total (+) 10

Sub-Total (-) 15 1/2

Total Score -5 1/2

* Commission can manipulate based on specific use - Use Matrix Values:

1. Is the proposed use compatible with the dominant adjacent land use?

S.F. Residence

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

Agricultural

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

See 1+2 with Commercial / Industrial

Site Specific Evaluation (Impacts and Proposed Mitigation)

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

No - it is flat pasture. There are no hills or trees to lessen noise & views.

5.

Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Same

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

No, when compared to residential uses & newly approved commercial use that is only allowed B trips

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

No - noise will be a large impact

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

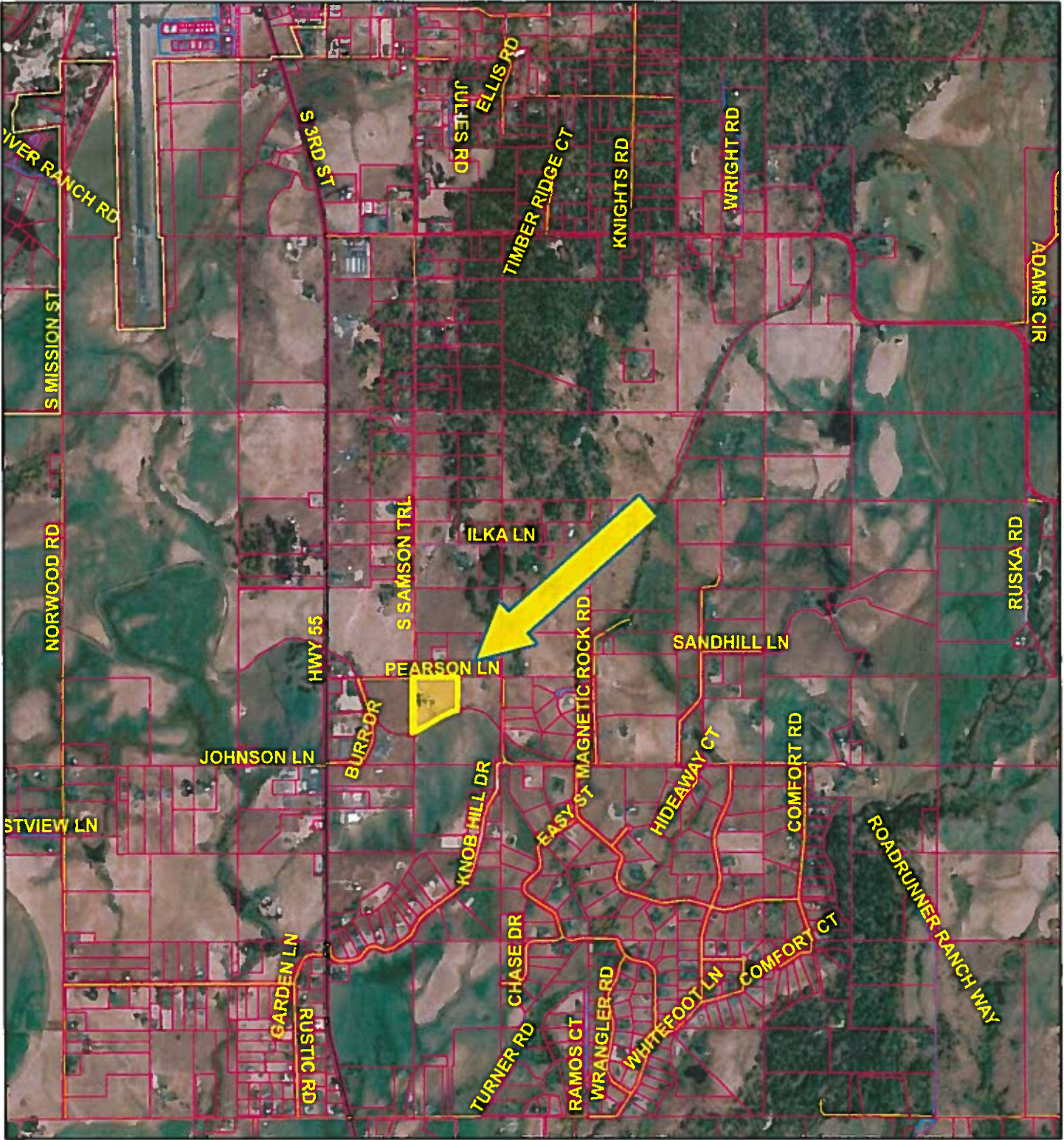
Impact to fire, police, roads

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Will generate funds & jobs, but will impact.

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 20-19 at 25 Pearson Lane



7/2/2020, 11:32:42 AM

Municipalities

Parcel Boundaries

All Road Labels

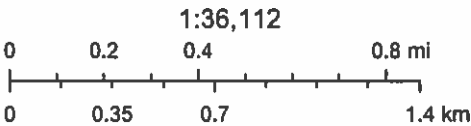
Roads

MAJOR

COLLECTOR

URBAN/RURAL

PRIVATE



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

C.U.P. 20-19 at 25 Pearson Lane



7/30/2020, 9:38:11 AM

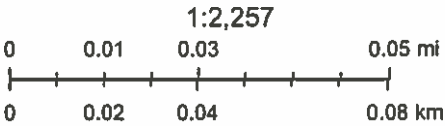
Parcel Boundaries

Addresses

Roads

URBAN/RURAL

All Road Labels

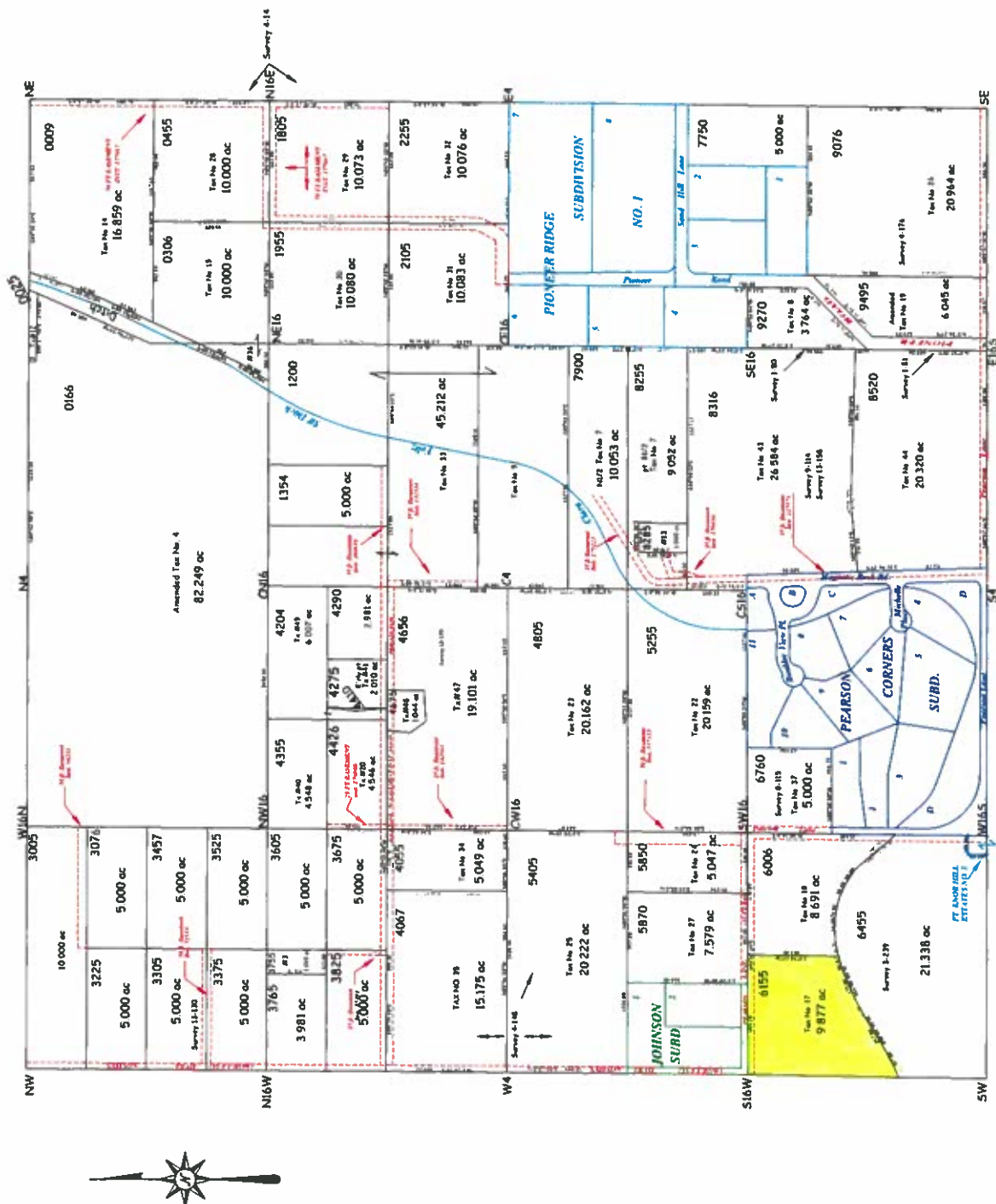


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

TWP. 18N ROSE SEC. 27

VALLEY COUNTY
Assessor's Office
Cartography Dept.
Cascade, ID 83611

Filename: Valley County Base Map
Scale: 1" = 400 ft.
Date: 3/16/2020
Drawn by: L Frederick



C.U.P. 20-19 Surrounding Use



6/4/2020, 10:06:42 AM

Parcel Boundaries

Roads

URBAN/RURAL

C.U.P. 87-4 High Mountain Cabinet Shop

C.U.P. 12-10 M-D School District Transportation Facility

C.U.P. 18-06 & 20-08 RMC

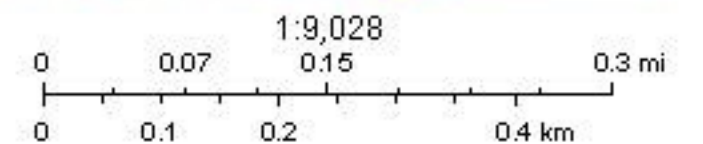
C.U.P. 17-09 Kesler Storage

C.U.P. 12-11 ASAP Portables

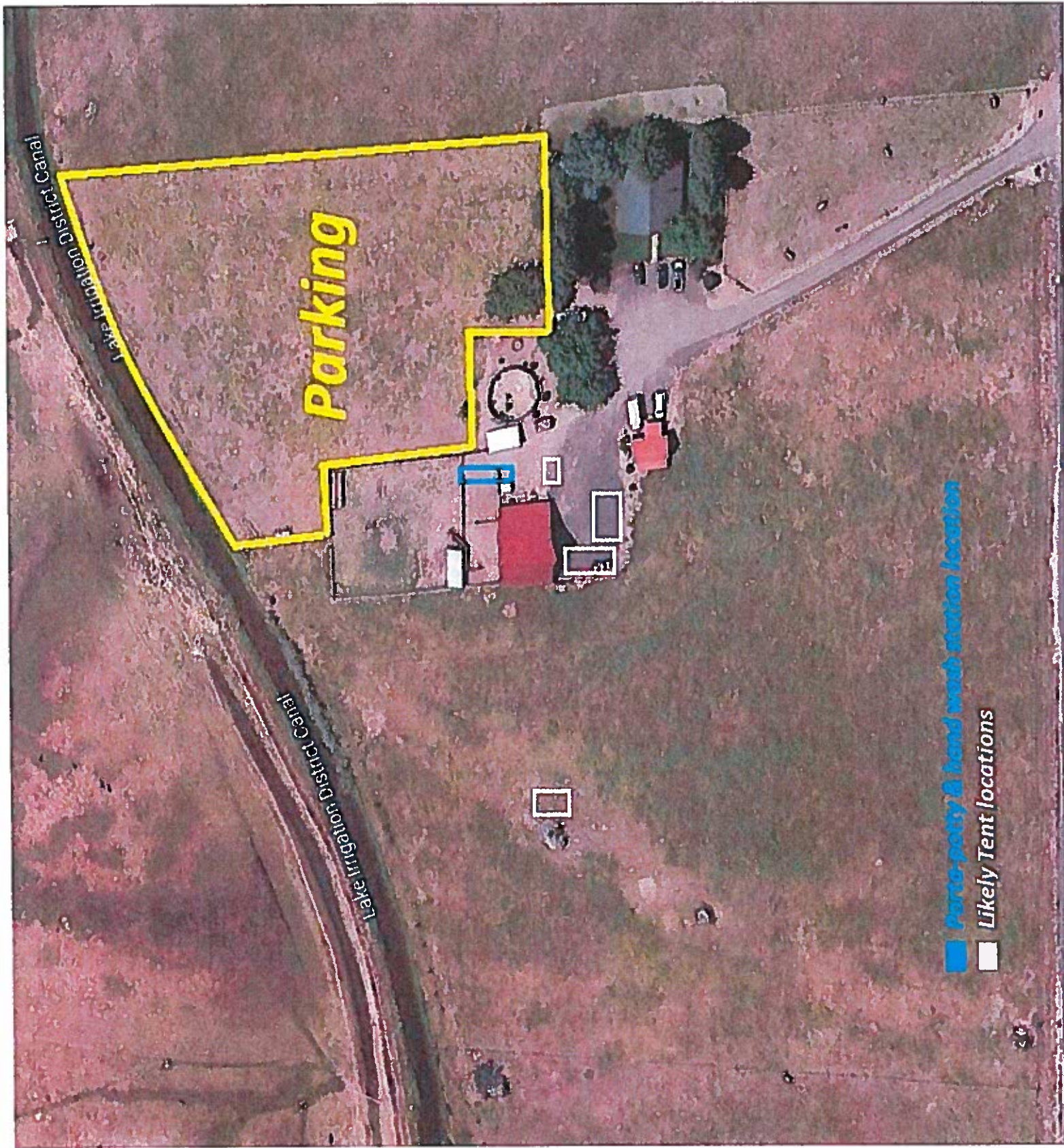
All Road Labels

MAJOR

PRIVATE



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





0202-22-1



Valley County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ Cascade
☐ Donnelly
☐ McCall
☐ McCall Impact
☒ Valley County

Rezone # _____

Conditional Use # CUP 20-19

Preliminary / Final / Short Plat Rocking K Ranch SUBMIT UGAGE

SEC 27

25 PEARSON LANE

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store

- ☒ 14. An Accessory use is required describing how patrons will be required to use portable toilets & NOT the residence's facilities. All food must be catered in & out and no warewashing shall occur in the residence. Well may be required to be regulated as a public water system. Please have applicant contact Brent Copes @ CDH 208 327-0536 for that determination
- Reviewed By: E H R
Date: 7, 9, 20

7/30/2020

• • •

Travis Smith
McCall Fire Protection District
201 Deinhard Lane
McCall, ID 83638

Valley County Planning and Zoning Commission

I have reviewed the planning and zoning proposal for the C.U.P. 20-19 Rocking K Ranch Event Venue submitted by Nick and Sabrina Kertz. In the review, I applied pertinent sections of Idaho Title 39-4116 (3) and (5), International Building Code (IBC), and the 2015 International Fire Code (2015 IFC) to make life safety determinations that are of concern to the McCall Fire Protection District (MFPD) related to this project. C.U.P. 20-19., cannot be approved by the MFPD currently proposed by Kurtz for the following reasons.

The address proposed for the Rocking K is currently classified as a residential occupancy, per the IBC, and referenced by the 2015 IFC (International Code Council, 2015). While most closely related to an R-3 occupancy, the IFC does not address single-family residence as they are specifically regulated by the International Residential Code (IRC). Based on the C.U.P. 20-19 submission, the new use classification would be an A-2 occupancy requiring a re-classification by the building official†. The requirements of an A-2 is significantly different from a residential occupancy when applying fire and life safety considerations and regulations. Occupancy re-classification to the appropriate A-2 will bring about various requirements not required by the residential code. I will address these requirements in general in the following paragraphs, submitted as an assumption that the Valley county building official grants a change of occupancy.

†[A] 102.3 Change of use or occupancy. "Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the International Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code and the International Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use." (International Code Council, 201

Idaho statute 39-4116 (5), allows exemption of single-family homes and family dwellings (up to two) from the IFC and has not adopted the IRC. Furthermore, local governments may exempt agricultural buildings from the requirements in various adopted codes such as the IFC. However, the proposed usage of the existing properties and structures changes the land use to commercial nature. It must fall under the codes and regulations, as indicated previously (State of Idaho, 2020). It is worth noting the definition of agricultural buildings ~~by~~ the IFC, as the intended use would not fall under this definition.

~~§~~[BG] AGRICULTURAL BUILDING. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public: beauty parlors and post offices. If a beauty shop moved into an old post office while remaining a Group B building, there would be a change in the level of activity; therefore, this would be considered a change of occupancy. (International Code Council, 2015)

In pointing out some of the differences between occupancy classifications and helping the Kertz's begin to understand potential requirements if re-classification is granted, I have bulleted several of the life safety requirements that will be necessary A-2 occupancy.

1. Interior and exterior finishes as determined in table (IFC 803.3).
2. Fire protection sprinkler system designed and installed by an Idaho approved company will be required based on the proposed occupancy load. (IFC 903.2.1.2, 903.2.1.7)
3. A manual fire alarm system will be required based on the proposed occupancy load (IFC 907.2.1) at minimum.
4. There is many means of egress issues that will arise when re-classifying occupancies and without a detailed plan it is impossible to determine each of these (IFC 403.2, 1001.1 applicable sections)
5. Fire apparatus access roads must be installed and maintained (503.1.1, 503.2.3, 503.2.4, 503.2.5)
6. Fire flows for an A-2 will require higher than "normal" residential, rural water supply systems; this requirement is more demanding if a fire sprinkler system is needed (507.1).

I have listed several of the MFPD's concerns with the proposed Rocking K Ranch Event Venue proposal, C.U.P. 20-19, and re-iterate our position that we cannot approve of the proposal without re-classification and subsequent bringing the facility to meet the re-classified code requirements. We are always willing to help or answer any questions the developers have for us by contacting us at the McCall Fire Protection District during regular business hours.

Sincerely,

Travis Smith
Deputy Chief of Operations
McCall Fire Protection District

From: Elise Bitton <elise@pinetopmccall.com>
Sent: Monday, July 27, 2020 6:33 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Support of CUP 20-19 Rocking K Ranch Event Venue

Cynda-

I am emailing in support of CUP 20-19, Rocking K Ranch Event Venue. I live just one mile from the Kertz residence, at 7 Boulder View Place. In addition, I, along with my partners, own the acreage directly to the west of them. I have personally met with the Kertz and discussed with them their proposed plans. I believe they will provide a very well managed event site and that they have the neighborhood's best interest in mind.

Please confirm receipt of this email. Thank you for all your time and effort you put into our community, you are very much appreciated!

From: Melanie Holmes <mholmes2393@outlook.com>
Sent: Wednesday, August 5, 2020 10:57 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Event venue on Pearson

Good Morning Cynda,

I am writing to you I'm favor of The Rocking K Ranch event venue plans.

Nick and Sabrina have the perfect property to safely hold events at this challenging time. People may gather and distance outdoors and enjoy with very little impact on neighboring properties.

I believe this is not only a necessary addition to our community as a business, but a perfect place to locate it.

Thank you,
Melanie Holmes

rom: Nicole Youkstetter <nicoley@remax.net>
Sent: Wednesday, August 5, 2020 1:49 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Rocking K Ranch

Hello Cynda,

I understand that The Rocking K Ranch is looking for a conditional use permit to host event venue plans. I am in support of this as a creative way to continue to have community events in an outdoor setting - with the proper precautions, of course. I hope you will consider approving Nick and Sabrina's request.

Thank you, and stay well! :o)
Nicole Youkstetter



Nicole J. Youkstetter

*Broker/Owner - **RE/MAX Resort Realty** 208-315-5387*

Ask about our River's Bend Vacation Condo in McCall, Idaho

"You'll come to play. . . and want to stay!"

From: Nicole Youkstetter <nicoley@remax.net>
Sent: Wednesday, August 5, 2020 1:49 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Rocking K Ranch

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Thank you, and stay well! :o)
Nicole Youkstetter



Nicole J. Youkstetter

*Broker/Owner - **RE/MAX Resort Realty** 208-315-5387*

Ask about our River's Bend Vacation Condo in McCall, Idaho

"You'll come to play. . . and want to stay!"

From: Julie <kundejj@gmail.com>
Sent: Wednesday, August 5, 2020 5:59 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Kerts venue

Hi Cynda,

I am sharing my support for the Kerts and their request to make their property a venue for events. The Kerts have a beautiful home and property with a very fun old barn that gives an amazing mountain country setting. The Kerts pay very close attention to details and are amazing hosts. I think McCall needs more places to hold events and it would be a great thing for the community as well as for those that are visiting.

Thank you for your time,

Julie Kunde

From: marks <boneandbon@frontiernet.net>
Sent: Tuesday, July 21, 2020 9:17 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Cc: boneandbon@frontiernet.net <boneandbon@frontiernet.net>
Subject: Rocking K Ranch

Dear Ms. Herrick,

We just received word that the Rocking K Ranch is trying to create a large gathering venue in an otherwise peaceful residential area approximately two miles south of McCall. Residential areas should not be polluted by the noise associated with this type of activity. There are plenty of gathering venues currently established in commercial areas that do not negatively impact private households. Please consider this letter an objection from my wife and I concerning this permit application.

Sincerely,

Mark and Bonnie Sherbourne.

From: kathy deinhardt hill <deindh@frontiernet.net>
Sent: Tuesday, July 21, 2020 6:53 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: CUP 20-19

Dear Cynda and Commissioners

I am opposed to CUP 20-19, Rocking K Ranch event venue as written. Here are my reasons:

1. The application requests that music and other amplification go on until 11 p.m. That's too late in an area where the sound can carry a great distance.
2. The application requests 24 events per year. That will equate to more than one event per week throughout the summer and fall.
3. 300 people, 100 cars, turning off highway 55 onto Pearson Lane, onto a single lane driveway. Doesn't take much to imagine what kind of cluster this is going to create. The applicant states they will recommend transportation services. That won't happen.
4. Porta potties and hand washing stations will be provided—for 300 people. Do these remain on site throughout the summer and fall or will they be removed between events?
5. Hot cars, dry fields. What type of fire suppression will be provided?

This business venture will have a negative impact on all neighbors and people in the Carefree area. Traffic, noise, and nuisance will be an issue with anyone trying to access Highway 55 during an event.

If you still think this is a good idea, please consider the following:

Limit night hours to 10 p.m.

Limit the events to 12 per year.

Limit number of people and require/provide transportation services.

Require porta potties to be removed from the site after each event. The applicant may state this is an inconvenience. His event venue will be an inconvenience to all who live in the area.

Provide fire suppression vehicle or pump/hose system in the field where cars are parked.

Even these restrictions will alter the area and the lives of the people who live there.

Some people buying property in Valley County seem to disregard common courtesy for their neighbors. We look to the commission to protect the the privacy and quiet comfort of our homes.

Kathy Deinhardt Hill

Cynda Herrick, AICP, CFM

July 24, 2020

Valley County Planning and Zoning

P.O. Box 1350

Cascade, Idaho 83611

Re: CUP 20-19

Dear Ms. Herrick,

I am writing to oppose the Rocking K event center proposed by the Kertz family via CUP 20-19.

I think it is possible that McCall might need another venue in which to hold weddings and things of that nature. But this infringement on the residential nature of our neighborhood to the south of Pearson and the surrounding area falls on the heels of 2 very recent – and still unresolved – requests for commercial enterprises to be allowed in our residential neighborhood. These are CUPs 19-26 by Cody Monroe and 20-09 by BP Properties.

To be clear, it is my position, and that of our neighbors, that the residential neighborhoods east of highway 55 and accessible from Pearson Lane are and should continue to be residential and agricultural as currently zoned. CUP 19-26 - to turn residential property into an equipment and trailer parking lot - was rejected by the P&Z Board; CUP 20-09 - to turn the entrance to our neighborhood into a heavy equipment parking lot - should have been rejected by the Board, and this CUP, 20-19, to turn our neighborhood into an event venue with music and noise going on into the night, certainly should be rejected. All are incompatible with the residential nature of this area. Approval of any one of these 3 CUPs is an invitation for more commercial or industrial creep, a clear infringement on the original zoning intent.

The most recent CUP – the one proposed by Nick and Sabrina Kertz – leaves a lot of questions unanswered for me, as it also should for you, before you can, in good conscience, either approve or deny it. But before I put them to you, I wish to address an even bigger concern: how will these questions even be answered?

Everyone who came to the June 11 hearing of CUP 20-09 was denied entry to hear the testimony of Dusty Bitton, as he laid out his plans to store large equipment on his 12 acres on Pearson Lane. We all had a lot of questions, but there was no EFFECTIVE way to ask them, hence no means of having them answered. (The reasons for this are outside the scope of this letter, but it is a big, big issue.)

So if I ask these questions in this letter, how can I expect to ever get them answered? I can't ask them of the Kertzes in person, as that is inappropriate. You won't pass this along to them and have them answer them for me. I can appear at the hearing and ask them, but I don't have any expectations that they will be answered in that setting. And even if they are, how will the people who attend the hearing (and probably would be standing outside on the sidewalk

unsuccessfully trying to listen to the hearing) find out so they can present a more informed testimony? So how can any of us who are evaluating the CUP, in order to determine if we approve or oppose it, provide an educated, informed testimony to the Board?

Specifically, I have the following questions and comments:

- What kinds of 'events' do they expect to hold? Weddings? Political rallies? Musical concerts? Bachelor parties? Sports events, like motorcycle races?
- How long will an event last? One evening? A morning? An entire day? More than one day?
- Will they hold them 12 months a year? If so, that would average 2/month.
- Will they hold them only in the summer? If so, assuming summers are June, July, and August, that will be 8/month, or 2/week. If it takes one day to set up, one day for the event, and one day for takedown, that means there will be 6 days a week in the summer when some event is either being held or dealt with. That means 1 quiet day/week.
- If they hold them in the winter, how will they deal with parking in the snow?
- What will the porta-potty situation be like? Will there be outhouses sitting in their fields all year long? Only in the summer? Will they be trucked in and out for each event? Where will they be located?
- How will they limit the number of vehicles to 100 per event? We all know that this is a noble goal, but are they really going to stop the 101st car and tell them they have to go home?
- The Kertzes indicated N/A regarding dust, but do they really think there won't be any dust thrown up – and spread to all their close neighbors - by 100 cars parking in their field?
- The Kertzes indicated their installed lights wouldn't bother the neighbors, but think of all those cars, many not leaving until the wee hours of the morning, shining their lights into the windows of the neighbors.

Regardless of the answers to all of these questions, I am still opposed to this CUP, mostly on the grounds that the residential neighborhoods surrounding it to the north and east should stay residential neighborhoods, as was the original design by the county planners, and is the desire of most of the residents who live in the area affected by this proposed CUP.

Respectfully,

A handwritten signature in cursive script that reads "Anne Carr".

Anne Carr

Resident of Carefree Subdivision

July 25, 2020

Cynda Herrick, AICP, CFM
Valley County Planning & Zoning
P.O. Box 1350
Cascade, Idaho 83611

Re: CUP 20-19

Dear Ms. Herrick:

In my letter to you dated May 28, 2020 opposing the application of BP Properties for a heavy equipment parking lot (CUP 20-09), I offered the slippery slope argument: "Once you allow an 11.8 acre fortress on this rural lane, every other nearby parcel of any significant size becomes fair game for a conditional use permit." Clearly, we are sliding down that slippery slope already.

The area in question is presently zoned rural/agricultural. The specific site in question is a residence. Its owners, Mr. and Mrs. Kertz, stated their **opposition** to any commercial development along Pearson Lane as recently as May 30, 2020 because such development "would greatly diminish the value of our property as well as our right to enjoy our property." They correctly observed in their May 30th letter to you "that there are **zero** commercial/industrial properties on [Pearson Lane]; that there will be a significant negative economic impact on the property values of our property as well as the other residences in the area; that there is no reason to change the zoning from residential to commercial; that the property is zoned agricultural, not industrial; and that the property owned by BP Properties was purchased knowing that its zoning does not match their intended use."

The Minutes of the June 11th hearing on the BP proposal p.12 also reflect the firm and clear opposition of Mr. and Mrs. Kertz to commercial developments on Pearson Lane. They are quoted as saying that the commercial development on Pearson Lane "violates the purpose of the Valley County Comprehensive Plan and would significantly depreciate the value of their property" and noting correctly that "currently, Pearson Lane is not home to any commercial traffic." Like me, they waited patiently on the Courthouse sidewalk so as to have a scant three minutes to attempt to avoid a life-changing, ugly, commercial development on their very doorstep.

Now, less than two months later, the Kertz's are suddenly and incredibly enthusiastic about commercial development on Pearson Lane. It is probably unimportant to guess at the reasons for one of the greatest 180-degree reversals since St. Paul switched from persecuting Christians to becoming one. An exchange of money? A wink and a nod from Mr. Bitton that there might be a gap in his wall so as not to block the Kertz's westward view? Sudden visions of dollar signs dancing in their heads? No matter. The

proposal is a bad one and the undersigned objects to this commercial creep down Pearson Lane.

A series of "events" as is contemplated does not interrupt the peace and quiet of the neighborhood for only a few hours on the day of the event. There must be necessary set-ups of equipment allowing sound amplification and musical instruments. There must be rehearsals. There will be a rush of cars and trucks entering the property for the event. There will be parking attendants and dust and noise and confusion. It is likely that there will be a consumption of alcohol of various sizes and tastes. Drugs will be inevitably present. When the music stops at 11:00 p.m., there will be an initial rush for the exit. Engines will rev up. Horns will blare. Headlights will pierce the neighborhood homes. Many people will linger past midnight enjoying that last beer or joint. This is the nature of the promised "venue". It should not trump the present residential/agricultural zoning just because the owners have a vague idea of how to make a few bucks while disturbing their neighbors.

Then, too, how will Planning and Zoning categorize this intended use? It cannot be a "residential business" as defined in Section 9-1-10 of the Valley County Code: "A business owned and operated by the occupant of a residence, located on the same lot or parcel as the residence, which retains the residential character." The concept of "residential character" does not fit a crowd of 300 people or 100 cars entering and leaving and the noise of singing and drums and the twang of amplified electric guitars. Sound carries in the countryside for miles. It cannot be contained on the Kertz's property. The annoyance to dozens of households is unavoidable.

Conditional uses are defined in Chapter 5 of Title 9 of the Valley County Code and Table 3-A. Section 9-3-1 is a guide to land use classifications and their status as permitted for conditional uses. None of the uses listed appear to cover the proposed multiple gala events at the Kertz's residence.

I see nowhere in the Valley County Code a full listing of land use classifications for controlled uses. Table 1-A which has been used by Valley County P & Z does not include a category which will fairly describe the object of the Kertz's Application. The barn on their property cannot possibly contain 300 people. It is far too small. Outdoor seating will therefore be necessary with much unstacking, unfolding, folding and stacking of the seats. An outdoor venue will additionally promote light pollution and sound annoyance. Porta potties will be necessarily set up and -- how does one say this politely - they get stinky in the summer. If an outdoor venue in Valley County is desired, there are already several venues, among them Brundage Mountain, Roseberry, Tamarack, the Donnelly public dock area, the Cascade waterfront and the McCall city parks.

Finally, I respectfully point out Section 9.5H-11 with respect to the conduct of hearings. There is no prescribed location or size of the "hearing room." In order to fulfill your obligation to comply with Idaho open meeting laws, particularly I.C. Section 74-203(1), since social distancing is presently encouraged, it is requested that the hearing on

Cynda Herrick
July 25, 2020
Page 3

this matter be conducted in a location other than the Valley County Courthouse in Cascade. Alternatives might include the Roxy movie house or the gym at the local high school. This will allow all interested persons the opportunity of full participation. Clearly, your expressed intention of allowing only five persons in opposition to the Application is a violation of state law and your published procedures. Please review Idaho Code Section 67-6512(b) which requires that interested persons must have an opportunity to be heard.

Respectfully,

A handwritten signature in cursive script, appearing to read "Don Lojek".

Don Lojek

From: Johnny H <johnny.hernandez@gmail.com>
Sent: Monday, July 27, 2020 12:50 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: C.U.P 20-19 - Notice - Rocking K Ranch Event Venue

Cynda,

I am submitting the enclosed in opposition to the C.U.P 20-19 application for the Rocking K Ranch Event Venue. I reside at 14059 Pioneer Rd, McCall, ID 83638.

1. This is a residential area, not a commercial. Allowing commercial activities of this size into our neighborhood is negatively impacting the community.
2. There is no suitable parking, other than parking in the fields. If parking in the fields, is there an environmental issue with the leakage from the vehicles?
3. The additional traffic. 100 cars turning off and onto Pearson will cause very high congestion at the intersection of Pearson and 55, or Pearson and Samson Trail.
4. The wear and tear on the roadway. At the intersection of Pearson and 55, Pearson is very torn up with multiple potholes, cracks, seams, and failing repair patches. Adding additional traffic to it will quicken its deterioration.

In less than a year, we have seen multiple commercial level efforts introduced into this neighborhood and area and it was not expected when we purchased. Our expectation was a quiet residential neighborhood, not an industrial park.

Thank you!

--

Johnny Hernandez
214-934-1171

From: Amy Leaf <amy_l_leaf@yahoo.com>
Sent: Monday, July 27, 2020 9:30 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Rocking K Ranch Venue

Dear Cynda,

I reside at 14059 Pioneer Rd in McCall and am opposed to the Rocking K Ranch Event Venue being located at 25 Pearson Lane for several reasons.

1. This is a residential area, not commercial. Allowing commercial activities of this size into our neighborhood is negatively impacting to the community.
2. There is no suitable parking, other than parking in the fields. If parking in the fields, is there an environmental issue with the leakage from the vehicles?
3. The additional traffic. 100 cars turning off and onto Pearson will cause very high congestion at the intersection of Pearson and 55, or Pearson and Sampson.
4. The wear and tear on the roadway. At the intersection of Pearson and 55, Pearson is very torn up with multiple pot holes, cracks, seams and failing repair patches. Adding additional traffic to it will quicken it's deterioration.

Thank you!

Amy Leaf

From: Chris Mann <cmann33@gmail.com>
Sent: Monday, July 27, 2020 9:02 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Cc: Chris Mann <cmann33@gmail.com>
Subject: C.U.P. 20-19 Rocking K Ranch Event Venue

Dear Ms Herrick:

I strongly oppose the proposed C.U.P 20-19 Rocking K Event Venue on 25 Pearson Lane. This is another Huge attempt to intrude into a residential area with business and industrial expansion. This outrageous plan would be a major detriment to the neighborhood.

It would:

- Increase traffic
- Increase noise
- Burden potholed roads
- Decrease safe entry into our neighborhood
- Make our neighborhood less desirable
- Decrease property values
- Incourage further zoning variances

There is no plan to landscape or mitigate damage to aesthetic values caused by this proposal. Noise studies should be required. Most neighbors would not welcome hearing concerts until 11:00. They would also not welcome the traffic from 300 people on the roads at that time. Pollution caused by parking lot runoff into the irrigation canal must be mitigated. How long will tents be up before and after events? What will they look like? Will they be a permanent fixture to further degrade the property? Will advertising posters be plastered around the neighborhood? Will they be taken down or create trash and a trashy look?

This will be a complete assault on the neighborhood values. There are other large parcels of land leading to my neighborhood. This would encourage owners to consider denser and more commercial and industrial development also. What does zoning mean if this is allowed?

Please do not allow C.U.P. 20-19.

Sincerely

Christine and Clifford Mann
152 Carefree Lane
cmann33@gmail.com

From: kristen fiorentino <krfior@hotmail.com>
Sent: Friday, July 24, 2020 9:51 AM
To: Cynda Herrick <cherrick@co.valley.id.us>; larmonster@hotmail.com
<larmonster@hotmail.com>
Subject: Opposition to CUP 20-19

Hi Cynda,

Please share with the Commisioners our frank opposition to the CUP for the Rockin Ranch Venue on Pearson Lane. Please also add me to the list of people giving testimony for this issue at the August 13 meeting for this issue.

Approval would severely impact the peaceful enjoyment of hundreds of properties on Pearson, Sampson, and the subdivisons of Pearson Corners, Knob Hill, Knob Hill #2, Carefree.

We already know that the noise from 52 Knob Hill having venues of only 48 people has affected residences all the way out to Jug Mountain. So, a venue of 300 would be asking an excessive amount of tolerance from many County residents.

We are depending on the Commission to help protect and preserve to the residential integrity of residential areas, including nearby loud commercial activity that disturbs so many people who vote and pay taxes.

We ask for complete denial of this venue due to impact on hundreds fo surrounding residents.

Thank you,
Kristen and Larry Fiorentino

July 26, 2020

Cynda Herrick
Valley County Planning and Zoning
P.O. Box 1350
219 N. Main St,
Cascade, ID 83611-3150

RE: Rocking K Ranch Event Venue

To Whom it May Concern;

We are writing to oppose the approval of the Rocking K. Ranch Event Venue CUP. In addition to the questionable permissions allowed by county zoning, we oppose for the following reasons:

- This is a residential subdivision not a commercial event venue.
- The CUP states 24 events per year – that's every weekend for 6 months!
- 300 quests, music, alcohol, traffic. This will quickly ruin the quiet family subdivision atmosphere.
- Increased traffic on Pearson – which is already deteriorating due to subdivision traffic and not getting fixed by the County.
- SAFETY: Increased traffic merging on and off of Hwy 55. 100 vehicles coming and going and trying to exit onto Hwy 55, at 11:00pm.
- With the increased traffic in the McCall area the entry and exit to and from Hwy 55 is a real danger. There are no turning lanes and the speed limit is 55 mph.

The residents of Carefree and surrounding subdivisions chose to make our homes here due to the residential nature of the area – not to be bombarded with commercial properties/venues that will cause increased traffic, noise and safety issues.

Thank you.

Todd & Bonnie Thompson
117 Carefree Lane
McCall, Idaho 83638

From: Laurie Warren-Petersen <auroramishelle@gmail.com>
Sent: Saturday, July 25, 2020 1:38 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: C.U.P 20-19 Rocking K Ranch Event Venue

Cynda –

This correspondence is in response to the C.U.P 20-19 Rocking K Ranch Event Venue. We strongly OPPOSE this C.U.P. The properties in this area are zoned residential/agricultural for a reason. People live out here to be away from large events, parties and venues and industrial sprawl - please respect that.

Laurie Warren-Petersen
Ken Petersen
14026 Comfort Road - McCall
208-850-1729

PO Box 205
43 Pearson Ln
McCall, ID. 83638



Ms. Cynda Herrick, AICP, CFM
PO Box 1350
Cascade, ID. 83611

RE: C.U.P. 20-19

July 21, 2020

Dear Ms. Herrick:

I can't believe I have to write again so soon. This is exactly the feared "commercial creep" into an area zoned agricultural and residential in Valley County. First, they want to run a snowmobile rental out of a home. Then they want to put a 14 ft embankment around 11 acres to store heavy equipment. Now, they want to run an event center out of a house and barn. They want to host an event 24 times a year, which, because of our short season, is 3-4 times a week, 300 people at a time, which means 100-150 cars.

They do not plan to do any construction. That means they have no plans for parking that many cars, which means a large number will have to be parked along Pearson Lane. They must intend to leave in place tents, port-a-johns (20-30) and hand sanitizer stations up all season long, since it would not make sense to take them down and set them up again every few days. This is clearly a large, commercial business and unsuited for an area zoned residential and agricultural. Also, doesn't health and safety regulations require a commercial kitchen and fire suppression for the barn, if it is to host a commercial event?

This is what happens when P&Z allows a project, such as Dusty Binton's proposal. Soon the area will cease to be agricultural and residential and will be de facto zoned commercial.

Needless to say, I am opposed to this C.U.P., and would ask P&Z to uphold current zoning as part of the Valley County plan and would ask the committee to deny this application.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Mike Weiss", with a stylized, flowing script.

Mike Weiss

From: E Avalon <maui.paradise26@yahoo.com>
Sent: Monday, July 27, 2020 8:29 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: CUP 20-19

Hi :

This application by Rocking K Ranch should be denied. As new owners buy into our area, almost every one now wants to change the existing restrictions to suit their needs. My wife Sherry is on the architectural committee here in Carefree and is facing the same problems. We have lived in the Carefree Subdivision since 2003 and have seen the dynamics of our area change. We now have 3 CUP's in our area to contend with. Are there no protections in place for our residences not to have to contend with noisy, disruptive business enterprises in our midst?

The fact that Rocking K Ranch says their venues will not impact anyone east of them is incorrect. You have approximately 200+ existing homes that use Pearson Lane to get to Hwy 55 or Samson Trail on a daily basis. Pearson Lane is full of deep potholes and the highway crews can't seem to keep up with that situation. It is also inconceivable that someone would subject their neighbors in a residential neighborhood. In middle of Corona virus there will be that many people gathering to spread the virus in our community? Septic will be overwhelmed and is not built for that. Neighbors will be subjected to the noise of so many people and many cars where people walk daily. This is a neighborhood not a industrial/commercial area. Please consider, would you want this next to your home? Seriously?

Ennio and Sherry Avalon
13396 Easy St
McCall, Idaho
208 634-1233

Application by Rocking K Ranch - CUP 20-19

From: Bill Borg <Bill_Borg@hotmail.com>
Sent: Tuesday, July 28, 2020 10:05 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Opposition to C.U.P. 20-19 Rocking K Ranch Event Venue

Dear Cynda:

I'd like to express my opposition to C.U.P. 20-19 for the Rocking K Ranch Event Venue. While I appreciate the owners' support for a high school prom event earlier this year, the proposed recurring use goes far beyond that in terms of noise, traffic, etc. There are many homes within earshot of that location, especially given the number of people proposed. I also think the application understates the impact of the increased traffic on Hwy 55, Pearson Lane, and Samson Trail.

Sincerely,

Bill Borg
45 Knob Hill Dr
McCall, ID 83638

From: Cynthia Berkley <cynberk@yahoo.com>
Sent: Wednesday, July 29, 2020 5:23 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: CUP 20-19 Rocking K Ranch Event Venue

I would like to voice my opposition to CUP 20-19. This is located in a residential neighborhood with occupied homes on adjacent properties. "Event Venues" do not belong in residential areas!

The CUP states a Maximum of 300 guests, Events ending at 11:00 PM, with a maximum of 24 events per year.

So breaking this down:

300 people.

Music "possibly" ending at 10pm,

Alcohol served? Not addressed.

100-300 vehicles enter and exiting the property onto a major access road into Carefree Subdivision.

Events to end by 11pm. Which means that the site will be active until at least midnight. Probably 30+ minutes to clear out attendees and an hour to close down the event.

And last but not least, this could occur up to 24 times a year. Realistically, this means 24 times between May and September as these will be outdoor events. Potentially every weekend there could be at least one event and possibly two.

Note that holding events Sunday through Thursday are not addressed. This would magnify problems related to noise, traffic, etc. as many neighbors work.

Application noted that no more than 100 cars (how will they limit that with up to 300 guests?), and that it wouldn't affect the residential neighborhood (how will 100 to 300 vehicles not affect access in and out of the neighboring subdivisions?)

Application noted amplified sound system. Until 10pm? How will this be managed? In the midst of a couple of neighborhoods? Regardless of County Ordinance, this affects neighboring homes.

Simply put, none of the above is appropriate in residential areas! This CUP should be denied!

Cynthia Berkley
13968 Wrangler Rd
(Carefree Subdivision)
McCall, ID 83638
208-634-2852

A footnote: It is commendable that this property hosted senior prom. However, that was a one off and totally community oriented during unusual time. That should not be considered when reviewing this CUP.

From: Jamie Forsyth <jamalyn1@hotmail.com>
Sent: Friday, July 31, 2020 8:22 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: C.U.P. 20-19 Letter from a neighbor. Thank you for your time.

Dear Cynda Herrick, A ICP, CFM
July 30, 2020
Planning and Zoning Administrator

In regards to the C.U.P. 20-19 (Nick & Sabrina Kertz Event Venue), 25 Pearson Lane.
We live directly across from this property. Please, please, please, hear what we have to say. This is a QUIET RESIDENTIAL NEIGHBORHOOD!

They are requesting 24 "events, meaning weddings and such," that are held outdoors typically in nice weather, on Saturdays. So, April through November there will be LIVE BANDS playing loudly in front of their barn, in our front yard. Pounding drums into our bedroom windows until 11pm minimum. Then they claim 300 people will stop drinking, dancing and partying, and stop the wedding celebrations on command, at 11pm. Partying people don't stop and leave on command.

They had "an event" about a month ago, with aprox. 40+ -, or so. The music was so loud we could not sleep. We didn't even have our windows open, like we usually must have in the summer, to cool off our home. We wanted to complain to them, but we thought it was a one-time deal, so we didn't.

Out front of the barn, facing all the neighbors, live bands pounding drumbeats, whooping and hollering, late into the night. Even bars downtown have their noisy bands beating their drums inside. We can't start our lawn mower until after 8am, so as not to disturb the peace, yet they want to blast the neighbors with unwanted outdoor loud music and partying(disturbing the peace), late into the night.

This is not right. A party station for hire, in the middle of lovely quiet neighborhood.
Five little kids, also live across the street from this barn.

It can't be reversed, after everyone realizes it's a huge mistake.
THIS IS A RESIDENTIAL NEIGHBORHOOD.

Just because one owns a barn, doesn't mean one has the right to disturb the peace of a residential neighborhood.

Please, please, please, don't let this mistake happen! It's a "forever after sentence " of drums rattling closed hot summer windows, sleepless nights, dismayed, crying kids, and homeowners.

Most sincerely,

Bruce and Jamie Forsyth
40 Pearson Lane, McCall, Id.

From: Shirley <shirleyinmccall@gmail.com>
Sent: Friday, July 31, 2020 9:39 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Rocking K Venue CUP

To whom it may concern, I stand in opposition to the CUP for the Rocking K Event Venue located on Pearson.

Reason #1. We have lived in Carefree Subdivision 19 years and during that time Pearson Rd has been a mixture of small to very large potholes! Yes the County tries to patch them and they do a good job but as soon as they are patched the current usage recreates them. If 100 more vehicles are added to the current usage even for a short time we will never have a smooth road.

Reason #2. We built our home in this subdivision because it is relatively quiet! Yes we do have more traffic but the only partying comes from the home on Knob Hill at this time! All of my neighbors in Carefree are wanting to enjoy the quiet! The CUP for this venue calls for music up to 11:00 pm. This is unacceptable to all of us!

Reason #3. A few years back we had one of our neighborhood ladies out for a walk and a woman who was drunk hit and almost killed her. She sustained severe injuries and was never comfortable walking in our subdivision after that. This CUP would allow 300 drunks to drive through our neighborhood where we have seniors walking daily, younger people walking with their pets and children riding bicycles on a daily basis all day! Yes someone leaving this venue area would get into the subdivision get lost trying to get out and yes hurt or kill someone out for a walk or cause some kind of property damage!

Please do not grant this CUP!

Shirley Hicks
14005 Easy St.

From: Linda Thompson <lindathompson700@gmail.com>
Sent: Sunday, August 2, 2020 1:04 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: CUP 20-19 Rocking K Ranch event venue

Ms. Herrick,

In 2019, the residents in the vicinity of Pearson Lane successfully opposed CM Backcountry Rental's application for commercial utilization at their address on Pearson Lane. Now, three additional applications have been filed that impact the vicinity of Pearson Lane. It is time to set some better standards for this residential and agricultural area.

These comments relate to the CUP 20-19, a request to establish The Rocking K event venue on Pearson Lane.

This application is wrong on many levels but primarily I feel it is not an appropriate use of this land.

NOISE

The application states there would be approximately 24 events per year. Undoubtedly the potential could exist for more events than that. Upon reviewing the site plan and the existing structures, I think it is safe to assume these are primarily outdoor events and this activity would occur during the summer months. Given 16-20 weeks of good summer weather would mean at least one event per week. Sound carries a long way, and I for one, am not enthusiastic about having my peace disturbed 24 times in a summer from amplified music, announcements, cheering, perhaps fireworks, and noise from traffic. I live in the countryside for a reason that does not include commercial party venues! I believe no one complained about the MDHS Prom because we all assumed it was a one time event created from special circumstances.

TRAFFIC

I don't want to travel on Samson Trail or Pearson in the evening and encounter one hundred cars entering and leaving this address at any time. The MDHS Prom event probably (hopefully) did not include alcohol. Undoubtedly this would not be the case with most events. Weddings, family reunions, and other parties typically include alcohol. The danger of these cars on Hwy 55 or on Samson Trail is unimaginable. The Application stated that all residential traffic is east of the proposed venue. The residents east of the Pearson/Samson intersection —the site of the proposed venue—travel west and north on Pearson, Samson, and Hwy 55. We all would have to travel right past the proposed venue.

While the application states these events would typically start in the late afternoon, consideration also needs to be given to traffic caused by catering trucks, party supply trucks (tables, chairs, etc) and other delivery vehicles. And then there is the typical rehearsal for

wedding events that would occur earlier in the day or perhaps the day before, increasing traffic again.

INDUSTRIAL AND COMMERCIAL SPREAD

In 2019 residents in the area successfully opposed CM Backcountry Rentals from expanding commercial operations into the Pearson vicinity. Now we are faced with an application to industrialize Pearson with construction storage, and we are asked to consider two other applications that would significantly increase traffic, noise, and general congestion on Pearson Lane (Rocking K and The Gathering Place on Knob Hill). There is some commercialization near Pearson Lane—Idaho Power, Falvey, Nez Perce, etc. However all of these places are all on Burr Road and generally not visible from Pearson. Beyond that, the vicinity is a pristine area of homes with acreage, views, and peace. Let's keep it that way.

Limits need to be put on allowing commercialization of Pearson Lane. It is a narrow street, that supports a residential area. The roads are not maintained to the standards needed for all of this expansion. We are just not a party or commercial neighborhood.

Please reject the proposed CUP 20-19, Rocking K Ranch Event Venue.

Thank you,

Linda Paul Thompson
14030 Hideaway Court
McCall, ID 83638
253-691-6133

From: Linda Thompson <lindathompson700@gmail.com>
Sent: Sunday, August 2, 2020 3:11 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: RE: CUP 20-19

Ms. Herrick,

Would you please amend my recent e-mail about the Rocking K Ranch event venue to include a request for sound assessment as well as a traffic study of the Pearson/Samson/Hwy 55 corridor?

Thanks,
Linda Paul Thompson
14030 Hideaway Court
McCall, ID 83638

From: Scott Harris <scottconnie777@gmail.com>
Sent: Monday, August 3, 2020 1:46 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Objections to CUP 20-19

Dear Valley County Planning and Zoning Commission:

We are writing in opposition to CUP 20-19. It was with some incredulity we learned of the Kertz's CUP application for an event center, after their written and verbal testimony about CUP 20-09, next door to their property just a month ago adamantly against such commercial encroachment into a residential area. They objected for many of the same reasons we object to this CUP 20-19: noise, traffic, dust, safety, lights, encroachment into a residential neighborhood.

Looking at the application, it seems they have employed the same successful strategy used by the applicants for CUP 20-09, which was to skip over impacts by marking them "N/A", denying there would be impacts when clearly there would be, and offering minimal to no explanation of the impacts they do admit to. This worked for the Bittons, due to the measures taken at the courthouse to limit public exposure to the coronavirus, in which answers to the questions concerning their application were delivered only to the P&Z Commissioners. Those waiting for 4 hours outside to testify, including the Kertzes, were not privy to the new info being presented inside, which, on review of the recording, included substantial new information which we were not able to address in testimony.

We are hard pressed to think of a use which would be more disruptive to our quiet residential neighborhood. We live over a mile away with a small hill separating us from the subject property, yet we clearly heard the loud prom party held at this property, going into the night. Yes, we did hear it, and, yes, it was disruptive. With 24 events planned to be held annually, limited by nature to the temperate 4 months, that would mean 1.5 boisterous parties per week, with 300 people, complete with bands and alcohol, whether served there or brought in, running until 11 pm. Subsequent packing up and departure of at least 100 vehicles would be added confusion and noise, and then the revelers would depart, creating yet another hazardous impact.

According to the Kertz's written answer to P&Z staff question concerning traffic pattern, they stated "Traffic would return to town after the event by turning west on Pearson Ln exiting our property, and then north onto Highway 55" and further "None of the traffic would pass any residential driveways on Pearson Lane". The assumption all traffic will take this route is preposterous. South Samson Trail ends at Pearson directly opposite the proposed party venue, and offers a much more attractive, more peaceful alternative to Pearson with the dangerous intersection at Hwy 55. In fact, it is frightening to think about a

string of 100 cars with intoxicated partiers lined up at the stop sign at Pearson and Hwy 55, waiting, or not waiting for their turn to enter traffic on the highway.

The application states "As all residential traffic is to the east, it will not be affected by the events". This is not true for several reasons. First, residents in the approx 200 homes to the east, and growing, would certainly be affected as they drive, walk or bicycle to and from their homes past the entrance to the concert party venue. Second, traffic choosing Samson Trail, would then pass many more residences and lanes on their way to town. Third, Samson has become a favorite route for walkers and bicyclists, more and more important as many folks commute to and from town by bicycle. We take an evening walk daily with our dog down S. Samson the half mile from the entrance to our lane, Ilka Lane, to the junction with Pearson, just opposite the Kertsz's driveway. We usually see at least one bicyclist, including the Kurtzes, and several walkers, including children, and dogs in that short half mile, and when we use Samson to drive to and from town.

The following is a further review of the application item by item:

In response to the question asking for "A lighting plan", the Ketzts answered "N/A", yet photos they provided of the prom party show bright lights strung about.

In answer to question 4 "ARE THERE ANY KNOWN HAZARDS ON OR NEAR THE PROPERTY (such as canals...), the answer is "none", yet the large Lake Fork Canal borders the entirety of the south side of the proposed venue, and the proposed parking lot. This surely poses a hazard, especially with alcohol involved.

Question 5. ADJACENT PROPERTIES HAVE THE FOLLOWING BUILDING TYPES AND/OR USES, property to the south marked "N/A", but the assessors map lists all surrounding property as residential use. The property to the west is currently in review for a CUP to allow an equipment parking lot, but the rest is either open ground or residences.

Question 7a. asking for number of non-residential structures and square feet, also marked "N/A", however it appears several structures are being planned to be used.

Question 10, PARKING, questions are not answered.

Question 18, site prep, marked "none", but a parking lot is planned adjacent to the canal, and a grass pasture would not stand up to the amount of traffic planned, and inevitably, would be pounded to dust, creating another issue not addressed.

In the IMPACT REPORT, Item 1, traffic is discussed above as well, but the assertion "As all residential traffic is to the east it will not be affected by the events" is simply untrue, as all residents will need to pass by the entrance to the venue when going to and from

home. Should the parties choose the more likely route north on Samson trail, at least 200 additional residences accessing Samson will be impacted.

Items 4 and 5, marked "N/A" are certainly applicable, as vehicles in the parking lot will generate windshield glare, and, as discussed, the grass lot will inevitably become pulverized to dust.

Item 11 calls for comment on site grading or improvements, including efforts for sound buffers, also noted as "N/A".

Item 13, applicants state commercial property to the south, which is not the case and not the current use.

Item 19, also stated as "N/A" requests description of the buildings to be used, when clearly there is the stated intent to use them.

Please deny this application. The proposed use is entirely incompatible with the existing residential neighborhood. Please help us protect our peaceful neighborhood from unwanted and dangerous and disruptive commercial creep.

Thank you,

Scott and Connie Harris

From: Garrett de Jong <garrettdejong@mail.com>
Sent: Wednesday, August 5, 2020 8:12 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Cc: Tawny de Jong <tawnydejong@hotmail.com>
Subject: Opposed: CUP 20-19 Rocking K Ranch

Dear Valley County Planning and Zoning Commissioners,

We live at 30 Pearson Lane with our four children. We are located directly to the north of 25 Pearson Lane, the proposed event venue. Our home and bedroom windows are located 300 feet from their property, separated only by Pearson Lane. We are opposed to the CUP application for the Rocking K Ranch.

The applicants recently hosted PROM for the McCall-Donnelly High School students. The amplified dance music was heard very clearly from our house, even inside of our home, with the windows closed. The previous owners of the property also had a couple of family weddings over the past few years. In all cases, we were able to hear their amplified party music very clearly, as if it were being played in our living room. We have not raised any issue with any of those events, as they were seldom, and we were being neighborly. In the case of PROM, the Kertz family hosting the event was a wonderful gift to the students in our community, as other venues were unavailable due to COVID-19. We are grateful that the Kertz family made their property available for such a worthy cause during a difficult time for our local student body.

This year's PROM event, and the lack of complaint from us, is not in any way an indication that we support similar "for-profit" events. Our family intentionally moved out of the City of McCall and into a quiet area in Valley County to enjoy a peaceful quality of life. When these events have taken place at 25 Pearson Lane, the music is so loud that we are not able to enjoy a family dinner on our back porch or sleep with a window open. The proposed venue is surrounded by homes with working class, fulltime Valley County residents. Having an event venue in this location does not benefit anyone in the area other than the applicants themselves. All the residential homes in the area would clearly see a decrease in their property values, and it would undoubtedly decrease their marketability. McCall has a lot of event venues. New ones, when considered, should be outside of residential neighborhoods. Applicants should be able to show a direct benefit to the community and area, not detract from it. This application shows only anecdotal support for the event center with no evidence of benefit to the neighborhood or Valley County.

The applicants for this CUP are on the legal Valley County Planning and Zoning record, just last month, in opposition to commercial growth directly west of their new home at 25 Pearson Lane (CUP 20-09) citing a violation of the Valley County Comprehensive Plan, a depreciation in the value of their property, and an increase of commercial traffic on Pearson Lane. Now these same applicants are proposing a commercial event venue with parking for 100 cars and 300 people with amplified music, 24 days a year. As long time residents we all know those 24 dates are very likely to squeeze into the precious and few Summer evenings when we can truly enjoy an outdoor meal. Since the Kertz's were opposed to their neighbors' commercial impact, they should certainly understand and appreciate the concerns of their neighbors regarding a commercial event center in the same residential neighborhood.

No homeowner would want an event center for out of town people's weddings, funerals, and parties next to their home. We are fully supportive of private property rights as long as they do not negatively affect the personal wellbeing and livelihood of the neighbors. We urge the Planning and Zoning Commissioners to consider the balance between private property rights and the negative or positive benefits to neighboring properties; Neighbors who also have private property rights: the legal right to personal enjoyment, maintaining property values, and continued property marketability.

Please thoughtfully consider this, as if it were next to your home, when you make your decision. How would it affect your wellbeing, your home's value, and your family's right to peace and quiet? Most of us have chosen to live in peaceful, rural Idaho for the quality of life it provides our families.

Thank you all, most sincerely, for your service to Valley County.

Respectfully,

Garrett and Tawny de Jong
30 Pearson Lane
McCall, ID

**Valley County Planning and Zoning
P.O. Box 1350
219 North Main Street
Cascade, ID 83611-1350**

Date 8/5/2020

DENY C.U.P. 20-19

RE: C.U.P. 20-19 Rocking K Ranch Event Center

We are in OPPOSITION !!!

C.U.P 20-19 Applicant Nick and Sabrina Kertz, Rocking k Ranch Event Venue.

Proposes a Venue at 25 Pearson Ln. details include Maximum of 24 events per year, guest number Max at 300, cars 100, music till 11p.m., Full catering, including alcohol. Impacts to include loud Music, late nite traffic and noise, trash, dust and major disruption to mostly weekend summer nites..... note the applicant doesn't shy away from weekdays.

My Wife and I live across the street from this Venue and will be the most impacted. The Applicant said that the old farm hosted the McCall Donnelly High School Prom this spring. That's true and she also stated no one complained... That's not true. My wife and I complained to each other starting fairly early in the evening, the amount of traffic began long before the start time. Keep in mind, every major event requires, Caterers, hauling tables, chairs, food, beer, hard alcohol, ice and bar products, bar tenders, wait staffs, cooks and labors. The staff to build the dance floor, lights and setup the tents, and the band with set up crews and band members, all come throughout the whole day. I almost forgot the sanitary portajohn delivery truck and trailer comes and and leaves during the day and the day after.

When Prom crowd came, again the disturbance was significant, the dust rose as much as the noise. My wife is very ill and sometimes bed ridden, this nite she went to bed around 7 pm and this function kept her awake till way past 1 a.m. with both of us laying there as the music ended and the onslaught began. Our home unfortunately is not located far from Pearson or Samson and maybe 75 feet from the entrance to the old farm road. We could hear everything from setup crew hollering at each other, the Loud Speaker blaring and then the music began. It was so loud we couldn't hear our bedroom television. This condition lasted till after eleven, of course no one wants to leave a party, so it keeps roll'n even after the music ends. Now is when the work crews begin to take down, put away, haul away what took all day to put up. Sometimes the Tent and Light man will need to come in after everybody leaves and take his stuff, which may be well after 1 a.m.

The applicant is new to town, and new to these kind of events, having no experience with hosting rock concerts, weddings etc. It was indicated that there would be no impact created by the traffic. I can tell you after having years of experience of professionally hosting such events, many, many things can go wrong. It seems to me that most all the 300 guests and the remaining workers, caters, band etc. will all be leaving between 11 p.m. to well after 1 or 2 a.m. Most all of this traffic will use Samson Trail to get back to town. It is easy to determine, because after partying or working for hours, the highway will be avoided because of the probability of meeting the State Police. That will put between 100 and 200 vehicles driving past my house for more than 2 or 3 hours in the middle of the night!

Now all that traffic passing 35 feet from my front door is bad for me, but all the rest of the residents that live on Samson Trail will experience the exodus in the same manner. Remember, most of these party goers will have been drinking, smoking or dropping some form of substance. There will be times, when medical emergencies or law enforcement will need to be called on, which will mean loud sirens, flashing lights etc.

We didn't complain about this particular (first time without a permit) party because we usually don't like to cause our neighbors trouble.

This Event Center will create a massive disruption to our whole neighborhood. Its not uncommon for us to hear cranes calls over a mile away. I'm not convinced the Kertz's are aware of why we all live in McCall, it has been a quiet peaceful way of life, until someone who doesn't appreciate what we have moves in, yes in this instance, my wife and I believe, "NOT IN MY FRONTYARD".

Sincerely, Larry and Monica Shake

Valley County Planning and Zoning should deny the CUP 20-19 sighting "proposed use is **not consistent** with the **Valley County Comprehensive Plan**" "The application is **not compatible with surrounding land uses.**" And "The **proposed use is not in harmony** with the general purpose of **Valley County ordinances and policies** and will be otherwise **detrimental to the public health, safety and welfare.**" **The Impacts to traffic, noise, dust and our general way of life are unacceptable!**

From: Geoffrey HH ROTH <ghhr@gr-we.com>
Sent: Thursday, August 6, 2020 8:16 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Rockin" K Event Center

To The Valley County Planning And Zoning Board

From Geoffrey And Katharina Roth

Really? Now we have the Kertz's wanting to fill our neighborhoods with somebody elses noise two to three days a week throughout the summer?

Noise, dust, port-a-potties coming and going, tents coming and going, all kinds of stuff coming and going for days before and after an event, and then the event itself, over-the-top noise, "one hundred cars" - who's going to police that? - so maybe two hundred cars, "three hundred people", who's going to police that? - so maybe five hundred people, all descending on our neighborhood every friday and saturday for the entire summer - our wonderfully peaceful outdoor time, 'till eleven at night, who's going to police that?, the noise won't simply shut off at eleven like pushing a switch, more noise, really?

REALLY? - someone wants to do that to us, very hard to understand the selfishness of some in our midst

These recent attempts to destroy the peace and tranquility for hundreds of residents in this area are simply not acceptable.

How about "NO"

Please, do not let this happen in any form or frequency.

Geoffrey HH And Katharina Roth

From: lissabeebe@yahoo.com <lissabeebe@yahoo.com>

Sent: Thursday, August 6, 2020 11:02 AM

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

Cc: Willy Beebe <wsbeebe85e@gmail.com>

Subject: CUP 20-19 Kertz

I am writing to strongly oppose the application for a party barn on Pearson Lane. Following this week's approval of the parking lot next door to this property on Pearson Lane if this CUP is approved it will be the very definition of "industrial creep". **Where does it stop?**

Commissioner Maupin suggested in Tuesday's County Commissioner meeting that the boundary for businesses on Pearson Lane should be Samson Trail. It was only an observation on her part. If Samson Trail were extended beyond Pearson Lane it would intersect the property in this CUP.

I agree with Commissioner Maupin that there needs to be some boundary--I maintain that the business boundary should be as close to Hwy 55 as possible.

IF this CUP is approved I strongly urge you to put a two event PER MONTH limit on any events so that our neighborhood is not overrun with 10+ parties in the two months of the year with weather nice enough for outdoor events.

For reasons to deny this CUP you need look no further than the opposition letter written by these very applicants on May 30 of this year opposing the CUP next to their property. Their letter says it best: "Pearson Lane is home to many single family homes...not commercial and industrial businesses. **This property was purchased by the applicants knowing that its zoning does not match their intended use.**" THE WORDS OF Nick and Sabrina Kertz less than 75 days ago.

PLEASE PROTECT OUR RURAL NEIGHBORHOOD.

Thank you for the work that you do. Sincerely, Lissa Beebe, 100 Magnetic Rock Road (formerly titled as 100 Pearson Lane)

From: Nicolette Humphries <hohump@frontiernet.net>
Sent: Thursday, August 6, 2020 10:51 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Proposed CUP 20-19 Rocking K Ranch Event Venue

Dear P & Z Members:

Thank you for this opportunity to express my opposition to CUP 20-19, the proposed event center in our single family residential community.

First, before you even consider this application, I would suggest you perform due diligence and drive out Hwy 55 and attempt to turn onto Pearson Lane at 5:00-6:00 pm on a Friday or Saturday evening. (Anytime on those days, or any other day in the summer, actually). Then ask yourself what the impact to this intersection would be with 100 cars attempting the same thing. Then consider how this might impact the numerous residents that use Pearson Lane to access their homes.

Then think about the fact this Rocking Ranch has no trees or any structures to block the travel of sound to the east, south and west and consider the noise generated by a d.j. or live band music and the impact in this large residential area lasting until 11 pm. And consider how much you would appreciate this impact on your neighborhood.

Considering also the dust in their parking area generated by the repeated use of 100 cars at a time, and the impact on poor little old Pearson Lane of that many extra cars using it, I am registering a plea that you **not** approve this CUP or any other **ever** for this use in this location.

Thank you;

Nicki Humphries
108 Magnetic Rock Rd
McCall, ID. 83638

To: Valley County Planning and Zoning Commissioners

Subject: C.U.P. 20-19, Rocking K Ranch

Date: August 6, 2020

From: John Humphries, 108 Magnetic Rock Rd. McCall ID

I am very much opposed to this Conditional Use Permit application and urge you to deny it. Here are a few reasons why it should be denied.

In the Impact Report of the application concerning traffic volume, character, etc., the applicant states that no event will have more than 100 vehicles and that all residential traffic is east of the site. This is incorrect since residential traffic uses Pearson Lane to access Highway 55 going past the proposed site to the west. I can't imagine how 100 vehicles turning off Highway 55 onto Pearson Lane and then leaving the same way is not going to greatly impact the existing use of Pearson Lane.

Noise from these events such as bands, D.J.'s, speeches, etc. will carry long distances as the surrounding area is open pasture land and single family residential. Prevailing winds will exacerbate the noise problem into residential areas. My quality of life will be seriously impacted listening to this noise possibly until 11:00pm at night.

The applicant states that this will provide an additional and unique location that is not currently available for large events. There are numerous existing locations around McCall that provide venues for large events such as McCall RV Resort, Brundage Mountain, Shore Lodge, Jug Mountain Ranch, Tamarack Resort, and Roseberry to name just a few. This is absolutely the wrong location to host up to 300 people, 100 vehicles, loud music and other noises, 24 times during the summer months.

Thank you for accepting my comments and please, please, deny this application.

John Humphries

From: Dr. Wildman <drwildman@frontier.com>
Sent: Thursday, August 6, 2020 1:35 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Kertz, CUP 20-19 aka Rockin' K event center

To Cynda Herrick & the Valley County Commissioners:

I would like you to know that I oppose the Rockin' K event center, proposed by Nick and Sabrina Kertz, via CUP 20-19 for the following reasons:

- What kinds of 'events' do they expect to hold? Weddings? Political rallies? Musical concerts? Bachelor parties? Sports events, like motorcycle races?
- How long will an event last? One evening? A morning? An entire day? More than one day?
- Will they hold them 12 months a year? If so, that would average 2/month.
- Will they hold them only in the summer? If so, assuming summers are June, July, and August, that will be 8/month, or 2/week. If it takes one day to set up, one day for the event, and one day for takedown, that means there will be 6 days a week in the summer when some event is either being held or dealt with. That means 1 quiet day/week. If they hold them in the winter, how will they deal with parking in the snow?
- What will the porta-potty situation be like? Will there be outhouses sitting in their fields all year long? Only in the summer? Will they be trucked in and out for each event? Where will they be located?
- How will they limit the number of vehicles to 100 per event? We all know that this is a noble goal, but are they really going to stop the 101st car and tell them they have to go home?
- The Kertzes indicated N/A regarding dust, but do they really think there won't be any dust thrown up – and spread to all their close neighbors - by 100 cars parking in their field?
- The Kertzes indicated their installed lights wouldn't bother the neighbors, but think of all those cars, many not leaving until the wee hours of the morning, shining their lights into the windows of the neighbors.

My question to those of you who will make the decision on this issue is: Would you want to live next door to this business in your residential neighborhood? Porta Potties? Really? Music until all hours of the night! Dust from 100 vehicles? Lights? Noise when you want to sleep. All this will make your quiet neighborhood with your lovely home a thing of the past if the business community is allowed to encroach upon your home and your chosen way of life.

Thank you for your time and your honest evaluation of this very important issue.

Sincerely,

Richard D. Wildman
145 Pearson Lane