



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 7, 2019
6:30 P.M.**

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATIVE BUILDING

Commissioners Present: Richard Hall, Chairman
Sandi Levi, Secretary
Rod Garrett, Commissioner
Rick Fried, Commissioner
John Carpenter, Commissioner
Patrick Williamson, Commissioner

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Dan Lister, Planner
Kathy Frost, Recording Secretary

Chairman Richard Hall called the meeting to order at 6:30 p.m.

Secretary Sandi Levi proceeded to the business items on the Agenda.

OLD BUSINESS – ACTION ITEMS

TRADITION CAPITAL PARTNERS Case: RZ2018-0038, sign revised FCOs

MOTION: Commissioner Williamson moved to adopt the revised Findings of Fact and Conclusions of Law, forwarding a deemed recommendation of denial to the Board of County Commissioners of Case RZ2018-0038. Seconded by Commissioner Carpenter. Voice vote, motion carried.

LINFIELD ESTATES SUBDIVISION CASE: SD2018-0002

MOTION: Commissioner Carpenter moved to table Case SD2018-0002 to date certain 3/21/2019. Seconded by Commissioner Williamson. Voice vote motion carried.

LOVELACE KIDO/ LAKESIDE VENTURES CASE: CU2018-0023

The applicant, Scott Kido of Lovelace Kido Lakeside Venues LLC, is requesting a conditional use permit to allow a special events facility on parcels R29325 and R29294. The use includes an indoor event venue with viewing patio for weddings and other events, and three outdoor event locations. The property is located at 1003 W. Locust Lane, Nampa; also referenced as the NE ¼ of Section 8, Township 2N, Range 2W and the SE ¼ of Section 5, Township 2N, Range 2W, Canyon County, Boise-Meridian, Idaho.

Commissioner Levi is recused

Planner Dan Lister, reviewed the staff report for the record, including late exhibit #6

Chairman Richard Hall, affirmed the witness to testify and entered the late exhibit into the record.

Testimony:

Scott Kido - Applicant in favor - 1220 Torrey In Nampa ID 83686

- Mr. Kido, stated that he purchased this property last summer, and would like to build a special events center for the area, this is a beautiful area and we want to share it with the community. We will live onsite and have consultants and my son to help run the events center. The part of the land not dedicated to the events center will be farmed, the venue will help pay for the farming activities. Most events will take place in the warmer months. Mr. Kido would like to have the ability to have smaller events during the week. Neighbors that attended the neighborhood meeting were in favor of the project.

MOTION: Commissioner Garrett moved to close public testimony on Case CU2018-0023, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Garrett, moved to approve case CU2018-0023, including the Findings of Facts, Conclusions of Law and Conditions of Approval, modifying item #4 to include Monday - Thursday events with no more than 75 guests per event. Seconded by Commissioner Fried. Roll call vote 5 in favor 0 opposed, motion carried.

PROVOST / ALL TERRA CONSULTING CASE: RZ2018-0017

Jay Walker of AllTerra Consulting, representing the owner, Mike Provost, is requesting the rezone of parcel R36328 from an "A" (Agricultural) zone to an "RR" (Rural Residential) zone. The vacant parcel is located off lower Pleasant Ridge Road, Greenleaf; also referenced as the SW ¼ of Section 22, Township 4N, Range 4W; Canyon County, Boise-Meridian, Idaho.

Planner Dan Lister, reviewed the staff report for the record.

Chairman Richard Hall, affirmed the witnesses to testify.

Testimony:

Jay Walker - applicant representative in favor - 849 E State St Eagle Id 83616

- Mr. Walker gave an overview of the project, including the preliminary plat. The future land use in the area is residential. Southwest District Health has been on site and made suggestions for well and septic systems. This property is not ideal for farming. We have met with many agencies without opposition. The average lot size in the area is smaller than what we are proposing. A record of survey from 2014 shows that this is a growing area. Mr. Walker addressed the neighbor concerns and input that came out of the neighborhood meeting. They are not in agreement with the City of Greenleaf's opposition.

Mike Provost - applicant in favor - 21140 N Notus Rd Greenleaf Idaho 83626

- Mr. Provost stated that he farms many properties in the area, this property has been farmed but is not ideal for farming. The plan is to develop this property for himself and some friends to

build nice homes with beautiful views and large lots. Mr. Provost is open to allowing the city to put city services in when they are ready.

Gary King – in favor - 20462 Top Rd. Greenleaf ID 83626

- Mr. King lives north of the proposed project and is in favor of the project, he would not be in favor of higher density, such as what the City of Greenleaf is proposing for the future.

Tanner Miller - in favor - 21048 Tucker Rd Greenleaf ID 83626

- Mr. Tanner has lived in Greenleaf since 2008 on a rural lot and would like to see the area remain rural with larger lots such as is indicated with this project

MOTION: Commissioner Garrett moved to close public testimony on Case RZ2018-0017, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Garrett, moved to recommend denial of case RZ2018-0017, adopting the Findings of Facts, Conclusions of Law and Order as written, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Carpenter. Roll call vote 5 in favor 1 opposed, motion carried.

NEW BUSINESS – ACTION ITEMS

PREMIER LLC CASE: CU2018-0014

MOTION: Commissioner Carpenter moved to table Case CU2018-0014 to date certain 4/4/2019. Seconded by Commissioner Williamson. Voice vote motion carried.

AMERICAN HOMES LLC: CASE: RZ2019-0001

MOTION: Commissioner Carpenter moved to table Case RZ2019-0001 to date certain 4/4/2019. Seconded by Commissioner Williamson. Voice vote motion carried.

KOLO LLC CASE: RZ2018-0037 OR2018-0007

MOTION: Commissioner Carpenter moved to table Case OR2018-0007 & RZ2018-0037 to date certain 4/4/2019. Seconded by Commissioner Williamson. Voice vote motion carried.

BAAS GROUP CASE: RZ2018-0040

MOTION: Commissioner Williamson moved to table Case RZ2018-0040 to date certain 4/4/2019. Seconded by Commissioner Garrett. Voice vote motion carried.

PURPLE SAGE ESTATES NO. 3: CASE: SD2018-0020

A request by Jay Walker for approval of a Preliminary Plat, Irrigation & Drainage Plan for *Purple Sage Estates No. 3*. The development consists of 21 residential lots and is located in an “R-1” (Single Family Residential) zone. The subject property, parcel no. R38131011B is located on the west side of El Paso Road approximately 1345 ft. south of the intersection of Purple Sage Rd. and El Paso Rd. Caldwell, Idaho and is further described as being in a portion of the NE ¼ of Section 33, T5N, R3W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed the staff report for the record, including late exhibit #8

Chairman Richard Hall, affirmed the witnesses to testify and entered the late exhibit into the record.

Testimony:

Jay Walker – applicant representative in favor - 849 E State St eagle ID 83616

- The proposed property has been rezoned to R1, we are currently presenting the Preliminary Plat for approval. The project is for 21 residential lots and 1 common lot, this use meets the requirements of the future land use map and is consistent with the area. Access will be taken from El Paso Road. Individual wells and septic systems will be utilized. Mr. Walker reviewed the irrigation plan. Agencies have been consulted and are in agreement with the project.

Tyler Hess - applicant if favor - 15031 spyglass In Caldwell ID 83607

- Mr. Hess has developed the first and second phases of Purple Sage Estates and has been in compliance with the County. He lives in the area and is trying to be a good neighbor with his developments. The Home Owners Association for Purple Sage Estates owns the pump system and it will be a continuation for this phase. The project is in compliance with the Highway District and Mr. Hess has assisted with road improvements in the area relating to the Purple Sage Estates developments.

MOTION: Commissioner Williamson moved to close public testimony on Case SD2018-0020, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Carpenter, moved to recommend approval of case SD2018-0020, including the Findings of Facts, Conclusions of Law and Order and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, 6 in favor 0 opposed, motion carried.

MATTHEW WHITE CASE: CR2018-0010

Matthew White is requesting a Conditional Rezone of approximately 9.77 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. Also requested is approval of a Development Agreement which will rezone the property, but will not allow the property to be divided. The applicant is not requesting to divide the parcel at this time. The subject property is located at 25365 Duff Ln. Middleton, ID, (Lot 10 Block 1 of Stonybrook Estates Sub.) in a portion of the SE ¼ of Section 29, T5N, R2W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed the staff report for the record including late exhibit 21

Chairman Richard Hall, affirmed the witnesses to testify and entered the late exhibit into the record.

Testimony:

Kim Gourley – applicant representative - 225 N 9th St Boise 83701

- This application is driven by irrigation needs. Black Canyon irrigation district has informed the applicant that in order to receive irrigation water they have to go through this process. Due to

the way the Stoney Brook subdivision was created, this lot was not included in irrigation services. The lot will not be divided or developed further.

Terri White - applicant in favor - 25365 Duff In Middleton ID 83644

- Ms. White provided no testimony.

MOTION: Commissioner Williamson moved to close public testimony on case CR2018-0010, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Williamson moved to recommend approval on case CR2018-0010, including the Development Agreement and Findings of Fact, Conclusions of Law and Order and forward the recommendation to the Board of County Commissioners, seconded by Commissioner Carpenter. Roll call vote, 6 in favor 0 opposed, motion carried.

SLY FOX SUBDIVISION, GRECO/DOWDING FAMILY TRUST CASE: SD2018-0022

Briggs Engineering on behalf of Cindy Greco, has submitted a short plat (preliminary plat, final plat, irrigation plan and drainage plan) for Sly Fox Subdivision, a one (1) lot subdivision. The parcel is zoned "RR" (Rural Residential). The vacant 2.61 acre parcel is located off Red Fox Drive in Nampa (Parcel R25677505B); also referenced as the NE¼ of Section 14, Township 2N, Range 2W, Canyon County, BM, Idaho.

Commissioner Levi is recused

Planner Dan Lister, reviewed the staff report for the record

Chairman Richard Hall, affirmed the witness to testify.

Testimony:

Dean Briggs - applicant representative - 1800 W Overland Rd Boise ID 83705

- This application is to validate a piece of property allowing it to be built on. The irrigation system was on the property before and, it will be updated with a pump added to allow pressurized irrigation.

MOTION: Commissioner Garrett moved to close public testimony on case SD2018-0022, seconded by Commissioner Fried. Voice vote motion carried.

MOTION: Commissioner Williamson moved to recommend approval of case SD2018-0022, including the Findings of Fact and Conclusions of Law and Order, amending condition #8 to require pressurized irrigation, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Carpenter. Roll call vote 5 in favor 0 opposed, motion carried.

HOPES LANDING CASE: CU2018-0025

Jeff Hatch representing Hope's Landing, is requesting a conditional use permit to allow a special events facility for weddings, entertainment, business meetings, social gatherings and educational opportunities on parcel R33575010. The vacant 7.17 acre parcel has 50 feet of frontage along True Road, Caldwell and described as a portion of Section 27, Township 3N, Range 4W.

Planner Dan Lister, reviewed the staff report for the record including late exhibit # 9.

Chairman Richard Hall, affirmed the witnesses to testify, and entered the late exhibits into the record.

Testimony:

Jeff Hatch - applicant representative in favor - 5119 Briarcrest Dr Nampa ID 83686

- Mr. Hatch stated that the applicants were born and raised in Canyon County and wish to bring employment and opportunity to Canyon County. In response to opposition at the neighborhood meeting they have scaled back the proposal, and feel it is more respectful to the neighbors than the first proposal. Mr. Hatch reviewed the parking and traffic concerns and how the applicants plan to address the concerns. The applicants will live onsite and maintain the property. The Caldwell Transportation Company will assist with transportation, using shuttles for large events, there are agreements in place with hotels to use their space as a meeting place for patrons to access the shuttle. Canyon Highway district has stated that a traffic study is not needed at this time. ITD is considering whether a traffic study is needed and may require further conditions on the access. There are facilities in the area, which are similar to this project. We feel that this project will be an asset to other businesses in the area. The proposed structure for the facility is small and has a low profile to minimize impact of views. This project will have less impact on water resources and the aquifer than an Ag use. Traffic on True Rd, has been addressed by the Highway district. Sound concerns will be mitigated with landscaping we will hire sound professionals that will also help mitigate sound levels. Drain field concerns have been addressed with SWDH, and the ditch rider will have access. Mr. Hatch reviewed the type of events that may occur onsite, including but not limited to weddings and educational workshops.

Brent Orton – in favor - 18377 Sunnydale Ln Caldwell ID 83607

- Mr. Orton has known the owners for 13 years and is in favor of the project. They have a desire to be responsible neighbors and respect the concerns of neighbors. The intention is to keep a country feel to the venue. The owners will live onsite and are not asking that the property be rezoned. The Conditional Use Permit will not transferable to future owners.

Heidi Wight – in favor - 94 S Rolling Green St Nampa ID 83687

- Ms. Wight is a family member and a wedding consultant and has owned a wedding and event business in the area for seven years. When a venue requires a coordinator such as this venue will, we are in partnership with them to make sure policies and procedures are followed. Weddings costs run an average of \$40, 000 to \$160,000, a frustration is that most of those events are outside of the area, we are excited to have a venue that could bring that revenue into Canyon County. The winery businesses in the area will complement our venue.

Robb MacDonald – in favor – 3115 Jefferson Pkwy Caldwell ID 83605

- As the city grows there is a demand to get outside of city to have these types of events. Mr. MacDonald has known the owners for a long time and is confident that it will be a top notch facility. The applicants have worked to try and mitigate neighbor concerns.

Rolena Elliott – in favor - 3221 S Illinois Ave Caldwell ID 83605

- Ms. Elliot is building a home in the area and feels that agritourism business is a concern to many people, however it is up and coming in Caldwell and having it out of town as well adds value to the city. Ms. Elliott stated that she was opposed to agritourism at one time as well, but has learned to embrace it and realize the value to the community.

Kathy Atterbury – in favor - 9988 Blanc LN Caldwell ID 83607

- Ms. Atterbury remembers having to travel to Boise for most activities, and is happy to have more opportunities in this area to enjoy, keeping revenue in Canyon County. I feel this project will be a beautiful addition to the valley.

Crystal Arreola - applicant owner in favor – 4004 Stonegate Plance Caldwell ID 83607

- We love this valley, and the view, we felt that there was not an event center in the area large enough to accommodate large groups. We plan to live onsite and are also concerned about noise levels, we will work to keep the noise levels down to keep peace in the area. We will be open for year round events. There is a large demand for outdoor winter weddings. Parking attendants will be onsite for every event and staff will be emergency certified.

Salvadore Arreola – applicant owner in favor - 4004 Stonegate Place Caldwell ID 83607

- Mr. Arreola reviewed his expertise and work history in the area, as well as his expertise in water issues and the laws regarding water. As a father I want to teach my children how to make a living on the land and generate their own income. We will be a good neighbor and make the property a better place.

Ann Ledford – opposed – 20347 True Rd Caldwell ID 83607

- Ms. Ledford lives to the west of the proposed property, she added late exhibits #10, 11, & 12. At the neighborhood meeting, the Arreola’s mentioned that that they should be able to make a profit on their property, however this property is surrounded by other homes that will be affected by the business. There is not enough of a buffer to protect neighbors. A study has indicated that animal behavior will be negatively affected. The neighbors in the surrounding area have concerns that should be considered.

Commissioner Hall entered the late exhibits into the record.

Harris Daggs – opposed -10594 Riverside Rd Caldwell ID 83607

- Mr. Daggs is a farmer in the area on the western edge of the proposed project, and is concerned about public safety for himself and the community. Traffic is a large concern, there is no shoulder on the road and it will be very dangerous. The approach could compromise his property and crops. The pivot Mr. Daggs uses goes out onto the road to get the water where it needs to be. The approach could compromise his property and crops, there would be a great cost involved if changes have to be made in the pivot line. This area is surrounded by Ag and the people coming to these events will not like the effects that come with Ag property.

Suzanne DeRuyter – opposed - 13027 Sunnyslope Rd. Caldwell ID 83607

- Ms. DeRuyter is concerned about the noise and feels that the maps are deceiving as far as distance from the proposed project and the neighbors. The property north of the venue is their dairy farm, the noises and smells associated with a dairy farm will not be welcome by attendees of the proposed venue.

Mary Confer – opposed -20503 True Rd. Caldwell ID 83607

- Ms. Confer is a long term resident of the area and feel that this event center will have a negative impact. The people speaking in favor of this project are not residents of the area, and the vendors on their website are mostly from outside of Canyon County. There are event vendors and other commercial venues available in Canyon County that are related to Ag use, this project is not an Ag use.

Gloria Watson – opposed – 20341 True Rd. Caldwell ID 83607

- Ms. Watson is against this proposal and is concerned about a long term use. Ms. Watson’s property is adjacent to my property and the proposed event structure is only 200 – 300 feet from her property. Concerned about increased traffic and how it could affect their lives and the safety of the animals. The access road is not safe and could damage the Watson property. The Arreola’s have built their home far away from the event center to protect themselves from noise and dust. We also want to protect our way of life and keep the surrounding area rural.

Morris Ledford – opposed - 20347 True Rd Caldwell ID 83607

- Mr. Ledford lives adjacent to the west side of this property, he has chosen to live in a rural setting in order to raise his family in a farm setting, he is present tonight to defend the way of life in the area, naming other neighbors in the area that are opposed to this project. Mr. Ledford referenced County Code stating that the purpose of zoning is to protect resident’s way of life. Our life will be impacted in a negative way by the number of people and the noise that this project will bring. The project will result in losing acres of Ag land to other uses.

Jennifer Barrus – opposed - 13515 Frost Rd Caldwell ID 83607

- Ms. Barrus is a neighbor adjacent to the property, more people are opposed to this project than are for it. We live in the area for the same reasons others in opposition have stated. The wildlife will be affected by the traffic. Traffic is a major concern, we don’t need a project like this adding to the traffic. We have educational programs in Canyon County already we don’t need them out here in our neighborhood. Fire protection is slow in the area. There is no commercial use in the area that is not connected to agriculture, this project is not Ag related.

Shawn Maybon – opposed – 1382 La Reuter Way Middleton ID 83644

- Mr. Maybon is a land use attorney and a resident of Canyon County, he has discussed this project with other opposing land owners and assists Ag related businesses in the area. He understands the desire to try and increase the name recognition in the wine region, however the adjacent land owners need to be considered as well. This is not a required use it may be an allowed but does not have to be allowed, and this parcel is not shaped properly to be a safe commercial event center and is not in compliance or consistent with the Comprehensive Plan, or zoning codes. Ag use needs to be protected. This is not a good fit for commercial use, the noise,

sound, dust and lights are a concern. Access is too narrow to accommodate the traffic. The right to farm act needs to be considered as well. This project is not good for the wine district and is not agritourism. Marsing fire district is volunteer and with the road construction the response time will be impacted.

REBUTTAL: Jeff Hatch - applicant representative in favor - 5119 Briarcrest Dr Nampa ID 83686

- Mr. Hatch is familiar with farm life, growing up on his Uncle and Aunt’s farm. Residential development is creeping in to the area. The opposition has been addressed by the scaling down of this project to have less impact on farm life. Other concerns such as animal safety, irrigation pivot, are issues that we will work with the neighbors on. Concern for the approach will be mitigated by ITD and the Highway district. People having events in farm areas are not opposed to odors and flies, they expect it. Porta potties will be minimized by the decision to have a smaller venue.
- Heidi Wight, answered a question of liability regarding security and insurance that is required, to run a venue.

MOTION: Commissioner Williamson moved to close public testimony on case CU2018-0025, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Fried moved to deny Case CU2018-0025, based on item # G, that it will create undue interference with current or future traffic patterns as well as Item # D the proposed use will be injurious to other properties and owners in the area. Directing staff to bring back revised Findings of Fact, Conclusions of Law and Order and Conditions of Approval on March 21, 2019. Seconded by Commissioner Garrett. Roll call vote, 6 in favor 0 opposed. Motion carried.

APPROVAL OF MINUTES:

- February 21, 2019

MOTION: Commissioner Fried moved to approve minutes of February 21, 2019, seconded by Commissioner Garrett. Voice vote, motion carried.

COMMISSION, DIRECTOR, & PLANNER COMMENTS:

Director Nilsson briefed the Commissioners on upcoming staff positions and cases.

ADJOURNMENT: 11:42

MOTION: Commissioner Carpenter moved to adjourn, seconded by Commissioner Fried, voice vote motion carried.

Signed this 21st day of March, 2019

Chairman Richard Hall

ATTEST: _____

Kathy Frost, Recording Secretary