



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Wednesday, June 24, 2020
7:00 P.M.

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

Commissioners Present: Robert Sturgill, Chairman
Sandi Levi, Secretary
Rick Fried, Commissioner
Richard Hall, Commissioner
John Carpenter, Commissioner

Staff Members Present: Director Patricia Nilsson
Jennifer Almeida, Planner III
Recording Secretary, Kellie George

Chairman Robert Sturgill called the meeting to order at 7:00 p.m.

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

ACTION ITEMS

ACTIONS ITEMS:

SD2019-0006 MONUMENT SUBDIVISION: A request by Northstar Ranch Development, LLC. for approval of a **Preliminary Plat, Drainage & Grading Plan** for Monument Subdivision. The development consists of 37 residential lots and is located in a "CR-R1" (Conditional Rezone/Single Family Residential) zone. The subject property is located at 24085 Blessinger Rd., Star, ID, in a portion of the SE ¼ of Section 35, T5N, R2W, BM, Canyon County, Idaho.

The chair asked if any of the Commissioners needed to declare conflicts of interest. Commissioner Carpenter disclosed he had worked on this site approximately 10 years ago.

Testimony:

Planner Jenn Almeida reviewed late exhibits 15 through 21 and then presented the staff report on the proposed subdivision.

Commissioner Fried asked Planner Almeida to review the P&Z recommendation on the conditional rezone. She responded they had recommended denial but the Board subsequently approved the conditional rezone.

Chairman Sturgill entered the late exhibits into the record.

Todd Lakey, 12905 Venezia Court, Nampa, ID, testified in support of the application as the applicant's representative. They are in support of the conditions by the County Engineer. The plat conforms with the County's ordinance and the terms of the development agreement. The site plan in the development agreement.

The P&Z recommendation of denial was based on a desire of larger lot size. They prepared a plan for the Board hearing that included larger lots and reflected comments from the neighbors, rather than a plan that included a large common area. They have prepared a geotechnical study that included a soils analysis and a hydro-technical review. They will comply with the agency requirements from the fire district, the irrigation district and the highway district. They are in agreement with the staff and engineer conditions. He then responded to criticisms in the letters that were submitted. Southwest District Health will review the subdivision engineering report before they sign the final plat. The pedestrian connections were provided based on requests from neighbors who had used the property previously. They cannot move the private road onto someone else's property.

Commissioner Carpenter asked Mr. Lakey to point out the public and private roads in the vicinity. He also asked to describe the lot configurations. Mr. Lakey responded they were designed with the topography and to provide larger, wider lots along the western boundary. Commissioner Carpenter expressed concern with the open swales that run through lots.

Derritt Kerner, Rock Solid Civil, 270 N. 27th Street, Boise, ID, testified in support of the application as the applicant's engineer. He touched on septic, drainage, and roadways. He is confident they can comply with all of the agency's comments. A thorough site investigation was conducted with Southwest District Health. A drip septic system is proposed for hillside areas. They attended the Farmer's Union board meeting to review the project. All runoff will be directed to a single stormwater detention pond to be maintained by the HOA. The half-section of Blessinger Road will act as an emergency access. Canyon Highway District has approved variances for the road design. The road design reflects a concern for steep driveway approaches to the roadway system.

Commissioner Carpenter asked about the driveway approaches. Mr. Kerner replied that they wanted to get vehicles to the back of the lot so they could build their homes at the higher elevation. The developer did the grading design so it would not be left to individual builders. In response to the concern about the open channels through the lots, Mr. Kerner said the rock-lined swales are planned to take drainage all along the swale. Regarding the off-site drainage calculations on Exhibit 3, Mr. Kerner referred to that as a small channel that does not come onto the project site. Commissioner Carpenter asked why the storm drainage was being put on private property rather than a common lot. Mr. Kerner replied that is how he has done it on prior projects. He asked what the downside was of putting it on a common lot. Mr. Kerner said it would reduce lot size. They only have two common lots in the project. The CC&Rs will include a maintenance plan for the stormwater basins.

Commissioner Fried asked Mr. Kerner to confirm that the project will initially be accessed from the south. He confirmed it was. Also, he noted the site was in the Middleton School District. Planner Almeida stated that no comments from the school district were received. Commissioner Fried asked how school buses would access the site. Mr. Kerner replied in the future it may be a higher speed arterial, and the bus would need to go to the end and turn around at a cul-de-sac.

Commissioner Carpenter asked what amenities were referred to in condition #1. Mr. Kerner replied it referred to the two pathways.

Chairman Sturgill asked what the water depth was in the channels. Mr. Kerner replied it was about 1 foot deep. Chairman Sturgill asked if there is a depth of water that is considered safe when it runs through a property. Mr. Kerner said if the individual lot owner is concerned about it, they can fence it.

Paul McNamara, 13750 N. Current Creek Lane, Garden City, ID, testified that he is the property owner. There were no questions for him.

Carl Pederson, 9628 W. State Street, Star, ID, testified that he is an applicant. There were no questions for him.

Mark Butler, 1675 East Bishop Way, Eagle, ID, testified that he is a land use planner. He is in support of the project. He gave a history of Blessinger Road as being planned to connect the southern and northern segments. This connection is a critically needed link. He referred to the Farmer's Union Canal as a slow-moving drainage canal.

Commissioner Carpenter asked if having an access to a drain has value. It may not be landlocked in the future. As a land use planner, what are your thoughts about having the public have access to the drain. Why not offer that as a carrot? Mr. Butler said his recommendation was to create a public common area, but that plan was not accepted by the County Commissioners.

Ryan Warden, 7386 Zenith Lane, Star, ID, testified in opposition to the project. He did not want the bus stops as the kids are fine walking down a private lane. The neighbors did want the common area as it would be maintained. His experience is that the canal is slow moving but is in places deeper than one foot.

Commissioner Carpenter asked if there was a fence along his property line. Mr. Warden said there was not, but it was actually a neighbor's property line.

Todd Lakey, 12905 Venezia Court, Nampa, ID,, provided rebuttal testimony. He believes the pedestrian connections were though to help the neighborhood but they could be removed if desired. Regarding the canal, they desire to not have that common area cross those lots as it's in the middle of the lot. It is a liability for the private property owners to have the public come and go.

Commissioner Carpenter asked about his feedback to the following proposed condition to that all cross-lot ditches would be piped (Lots 18, 17, 16, 3, 4, 7, 8, & 9).

Commissioner Fried asked if the access between lots 38 and 39 is for maintenance of the Farmer Union's canal. Mr. Lakey responded they would be fine to have it go away as it is a remnant easement.

MOTION: Commissioner Fried moved to close public testimony on Case No. SD2019-0006, seconded by Commissioner Hall. Voice vote, motion carried.

Commissioner Carpenter said this property has not been farmed for a long time and has been contemplated to be developed. The Blessinger connection is tricky and getting this connection provides a benefit. The lots in general are nice lots with an attractive orientation. He does wish there was a common lot and doesn't understand the Board's reasoning for removing it. If the stormwater easement is well thought out with a maintenance plan that lot owners are well-aware of, it would work.

Commissioner Fried echoed Commissioner Carpenter's comments. He is not sure what the Board's motivation was. Since it is going there for final approval, he thinks the P&Z has done their job in the review of the project.

Commissioner Hall stated he agreed with the other commissioners.

MOTION: Commissioner Carpenter moved to recommend approval of Case No. SD2019-0006 to the Board of County Commissioners based on the Findings of Facts, Conclusions of Law and Conditions of Approval with an amendment to condition 1 to strike the word “amenities”; add a condition to pipe cross-lot ditches; and add a condition that all pathways would be common lots with fencing; and add a condition to prepare a stormwater maintenance manual by a licensed engineer and include it in the CC&Rs. Motion seconded by Commissioner Hall. Roll call vote with 5 in favor and 0 opposed, therefore the motion carried.

1. MINUTES

- June 17, 2020 – Weikel

These minutes will be brought back at a later date for approval.

- June 17, 2020 – Westpark/Osprey Sub

MOTION: Commissioner Hall moved to approve the minutes for June 17, 2020 (Westpark/Osprey Sub). Motion seconded by Commissioner Fried. Roll call vote with 3 in favor and 0 opposed, therefore the motion carried. (Carpenter and Levi not voting due to stated conflicts.)

- June 18, 2020 – Maverick Towers

MOTION: Commissioner Carpenter moved to approve the minutes for June 18, 2020 (Maverick Towers). Motion seconded by Commissioner Fried. Roll call vote with 5 in favor and 0 opposed, therefore the motion carried.

2. Director, Planner, Commission comments

Director Nilsson informed the Commission that the department had returned to their Stage 1 operations plan and all planners were working from home.

Commissioner Carpenter moved to adjourn. Commissioner Fried seconded the motion. Voice vote motion carried. Meeting adjourned at 8:54 pm.

Signed this 24th day of June, 2020

Chairman Robert Sturgill

ATTEST

Kellie George, Recording Secretary