



**CANYON COUNTY PLANNING & ZONING COMMISSION**  
**MINUTES OF REGULAR MEETING HELD**  
**Thursday, September 17, 2020**  
**8:00 P.M.**

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**1<sup>ST</sup> FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATIVE BUILDING**

**Commissioners Present:** Robert Sturgill, Chairman  
Patrick Williamson, Vice Chairman  
Rick Fried, Commissioner  
John Carpenter, Commissioner

**Staff Members Present:** Patricia Nilsson, Director  
Jenn Almeida, Planner  
Kellie George, Recording Secretary

**Chairman Robert Sturgill** called the meeting to order at 8:01 p.m.

**Vice-Chairman Williamson** read the testimony guidelines and proceeded to the business item on the agenda.

**1. Action Items: Action Item: Case No. RZ2020-0004/SD2020-0006 - Jack's Place LLC/Jack's Place Subdivision** is requesting a **Rezone** of approximately 38.47 acres from an "R-R" (Rural Residential) zone to an "R-1" (Single Family Residential) zone. The subject property, parcel no. R29412 is located at the northeast corner of the intersection of Sunny Ridge Rd. and E. Lewis Ln., in a portion of the SE ¼ of Section 10, T2N, R2W, BM, Canyon County, Idaho.

No conflicts were declared by the Commission. Commissioner Carpenter declared that he designed the Table Meadows subdivision and designed the sewer connection through the property to Table Meadows. He did not work with the project team for this case.

Jennifer Almeida said late exhibits 24-57. She presented the staff report using a PowerPoint presentation. The property is located within Nampa's area of city impact. The rezone sought is from RR to R1 and a preliminary plat for 89 lots was submitted. She reviewed the land use map in the County comprehensive plan and the Nampa comprehensive plan and stated both plans designate the property for residential use. She reviewed the agency comments. Staff is recommending approval.

Commissioner Carpenter asked about the turn lane mentioned in the ITD comment. Director Nilsson said that ITD wanted to exact a prorated payment for the turn lane, but the County and ITD do not have an agreement by which the County could collect that payment.

Chairman Sturgill and Commissioner Carpenter asked Ms. Almeida to review the public comments today.

Chairman Sturgill entered the late exhibits into the record.

Kent Brown, 3161 E. Springwood, Meridian, ID, testified in support of the application representing the applicant. He stated he met with many of the neighbors who expressed their concern. The applicant desires to create a nice neighborhood. The lot size was a concern. He reviewed the landscaping along

Sunnyside and other roads which will screen the development from the roads. They have designed the roads to slow traffic speed.

Jane Suggs, Gem State Planning, 9840 Overland Road, Boise, ID, testified in support of the application representing the applicant. She reviewed her PowerPoint presentation. She reviewed provisions in the proposed CC&Rs for the project. The project will have detached sidewalks.

Commissioner Carpenter asked for a description of the open spaces. Mr. Brown replied they are storm drainage areas. The detached sidewalks promote walking. Commissioner Carpenter asked if there was an opportunity to provide an amenity in those areas. Mr. Brown replied they may have a little bit but it will be dependent on what the City of Nampa will allow. Commissioner Carpenter asked if the streets and landscaping were being designed to Nampa standards. Mr. Brown replied they were. Mr. Brown stated the pump station in Castleton is a Nampa-Meridian Irrigation District. Commissioner Carpenter asked for the list of conditions that Ms. Suggs had read. Director Nilsson advised against include a minimum house size as it runs afoul of the Fair Housing Act, and yard specific landscaping conditions would require County staff to monitor and enforce compliance.

Fred DePold, 5680 E. Franklin Road, Nampa, ID, testified in support of the application. He commented that this is the only subdivision in the area that will have tree-lined streets. He believes the sidewalks will be a great safety benefit to the area and for access to school bus stops. This property has been in the Nampa impact area and slated for development for more than 20 years.

Chad Collins, 9868 Falls Point Way, Nampa, ID, testified in opposition to the project. His greatest concern is the lot size and would like them to be increased. He thinks the project should have a community area. He asked if this project is an extension of Castleton subdivision or a new subdivision. Traffic is an issue.

Kent Brown provided rebuttal testimony. In looking at the history of the area, Fujii Subdivision was developed before the area was put in the area of city impact. The other lots were put in to accommodate a well and septic system. Their lot sizes are similar to Castleton. Lot size doesn't determine the quality of the development. The other subdivisions have little if no common areas.

Commissioner Williamson asked if this project is an extension of Castleton. Mr. Brown replied that they are an independent development with their own CC&Rs. Commissioner Williamson asked when he had talked with the neighbors. Mr. Brown replied he had two separate neighborhood meetings. Commissioner Williamson asked about the possible school capacity issue with the Nampa School District. Jane Suggs replied that the school district may have capacity issues but they won't know until the development is constructed and inhabited and may have to adjust attendance boundaries.

Commissioner Carpenter moved to close public testimony on case RZ2020-0004/SD2020-0006. Motion seconded by Commissioner Fried. Voice vote, motion carried.

Commissioner Carpenter moved to continue this item to the end of the 9pm WebEx session. Motion seconded by Commissioner Williamson. Voice vote, motion carried.

The hearing resumed at 10:10pm.

Commissioner Levi recused herself.

Commissioner Fried stated he read all 36 neighbor letters.

Commissioner Carpenter said he read all the letters and had no additional issues; the lot sizes are minimums for water and sewer service. He thinks 12,000 sq.ft. lots are a nice size. The existing subdivisions don't have street trees or sidewalks. He is in favor of this project.

Commissioner Williamson said he read all the letters.

Chairman Sturgill remarked that he was unsettled by the density of the property and all the opposition by the neighbors.

Commissioner Fried remarked that all subdivisions cannot mirror each other; that differences are not enough to deny.

Commissioner Williamson stated most of the letters came in the last week; the proposal looks great, though it is prime farm land. Lots to think about.

**MOTION:** Commissioner Carpenter moved to recommend approval of Case RZ2020-0004 based on the findings of fact and conclusions of law to the Board of Canyon County Commissioners. Motion seconded by Commissioner Fried. The Commissioners had discussion on the motion regarding the opposition from neighbors. Roll call vote with 4 in favor and 0 opposed, motion carried.

**MOTION:** Commissioner Carpenter moved to recommend approval of Case SD2020-0006 based on the findings of fact and conclusions of law and conditions of approval to the Board of Canyon County Commissioners. Motion seconded by Commissioner Fried. Roll call vote with 4 in favor and 0 opposed, motion carried.

**2. ADJOURNMENT:** Commissioner Williamson moved to adjourn. Commissioner Fried seconded the motion. Voice vote, motion carried. Meeting adjourned at 8:32pm.

**Approved this 1<sup>st</sup> day of October, 2020**

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Chairman Robert Sturgill

**ATTEST**

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Kellie George, Recording Secretary

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