



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, November 5, 2020
6:00 P.M.

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

Commissioners Present: Robert Sturgill, Chairman
Patrick Williamson, Vice Chairman
Rick Fried, Commissioner
John Carpenter, Commissioner
Sheena Wellard, Commissioner
Scott Brock, Commissioner

Staff Members Present: Patricia Nilsson, Director
Dan Lister, Planner
Kellie George, Recording Secretary

Chairman Robert Sturgill called the meeting to order at 6:00 p.m.

Vice Chair Williamson read the testimony guidelines and proceeded to the business item on the agenda.

Action Item Case No. RZ2020-0015: The applicant, **Matt Wilke** of White Barn Real Estates, representing L&J Investments Idaho LLC, is requesting the zoning amendment (rezone) of Parcels R36382 and R36382012 from an “A” zone (Agricultural) to an “M-1” zone (Light Industrial). The property is located at 18542 Lower Pleasant Ridge Road; also referenced as a portion of the SW ¼ of Section 24, T4N, R4W, BM; Canyon County, Idaho.

No conflicts were stated by the Commissioners.

Planner Dan Lister presented the staff report. He described that the properties were created in 2004 and adjusted in 2018. The applicant represents an owner of a tree business who wishes to relocate to this site and initiate other similar uses. He reviewed the zoning map and the future land use map. The designation is Industrial and is also shown as Industrial in the Greenleaf Comprehensive Plan. He showed land uses and zoning along the SH19 corridor. He reviewed comments received from agencies and late exhibit #20, a letter of support from Tina Wilson with the Western Alliance for Economic Development. Letters and a petition were received from nearby owners who are opposed to the rezoning. There are no conditions on this request. Exhibit 7 lists the uses allowed in the M-1 zone. Some have the potential to impact nearby agricultural and residential uses. Staff is recommending denial and the resubmittal as a conditional rezoning. He reviewed the late exhibits.

Commissioner Williamson asked to review the slide showing the land uses along the corridor. He asked if the tree business is allowed in the Agricultural zone. Mr. Lister replied with the various landscape business, staging area, contractors shop, and other uses allowed in the A zone.

The late exhibits were entered into the record.

Matt Wilke, 8982 Reflection Lane, Middleton, ID, testified in support of the application as the applicant’s representative. He does not agree with the staff recommendation. The property is located in

Greenleaf's area of city impact and is shown as industrial. Since 2005 there has been a new comprehensive plan and it is now in an impact area. There are 12 more developed industrial property. The property is close to SH19 with good access to the interstate. Most of the soils are only moderately suited for agriculture. They have interest expressed from not just the tree business but also a cabinet making company that will have 45 employees. The tree business has 25 employees. Exhibit 20 has a good analysis of the economic impact.

Commissioner Williamson asked about the neighborhood meeting timeframes. He also stated a development agreement would be a good way to alleviate concerns. Mr. Wilke stated he would have to discuss that with his client. He doesn't believe all of the concerned property owners are within 600 feet of this property.

Commissioner Carpenter discussed the comparison to the JRP property. Mr. Wilke said what they proposed fits in the M-1 matrix.

Theresa Di Mauro, 17118 Upper Pleasant Ridge Road, Caldwell, ID, testified in opposition to the request. She is a retired heavy equipment operator and is concerned about a lack of safety precautions to protect water resources. She is concerned about traffic on her road and additional wear and tear on the road. She sees this as a huge problem with her neighborhood.

Commissioner Williamson clarified that this is a rezone but there isn't a specific land use being considered.

Matt Wilke, 8982 Reflection Lane, Middleton, ID, provided rebuttal testimony. He said they do not know of any other development agreements for other industrial rezones in the area.

Commissioner Williamson referred to slide 6 of the staff powerpoint. He noted several were in attendance and their properties were close to this site. Mr. Wilke stated he thinks it will have a positive impact on their properties.

MOTION: Commissioner Carpenter moved to close public testimony on Case RZ2020-0015, seconded by Commissioner Williamson. Voice vote, motion carried.

Commissioner Brock wished the applicant had more flexibility.

Commissioner Wellard feels that it fits and understands the concerns of the neighbors. She believes those impacts already exist.

Commissioner Fried commented that we have areas on a map designed for a future land use, but the questions might be when one is searching for a business location, where do they look? They look at the map and see where the uses are planned. He thinks it is more of a fit for approval rather than denial.

Commissioner Williamson agrees with the previous comments but noted that 58 letters of opposition which is extreme. He wants to take that into consideration. He thinks a development agreement can reduce the friction between the industrial and agricultural uses.

Commissioner Carpenter stated that the comprehensive plan does not give property rights. There needs to be a systematic progression of land uses. He doesn't disagree with previous comments, but he would like to see a development plan.

MOTION: Commissioner Williamson moved to recommend denial based on the Findings of Facts and Conclusions of Law for Case RZ2020-0015, to the Board of Canyon County Commissioners. Motion seconded by Commissioner Carpenter. Roll call vote with 3 in favor and 3 opposed, motion failed.

MOTION: Commissioner Fried moved to recommend approval based on the Findings of Facts and Conclusions of Law, with an amendment that the proposal is consistent with the comprehensive plan and will not cause damage or injury to surrounding properties, for Case RZ2020-0015, to the Board of Canyon County Commissioners. Motion seconded by Commissioner Brock. Roll call vote with 3 in favor and 3 opposed, motion failed.

The Director stated that the case will proceed to the Board as the Commission was not able to make a recommendation.

Commissioner Williamson moved to adjourn. Commissioner Carpenter seconded the motion. Voice vote, motion carried. Meeting adjourned at 7:20 pm

Approved this 19th day of November, 2020

Robert Sturgill, Chairman

ATTEST

Kellie George, Recording Secretary

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