



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, January 22, 2026
6:30 P.M.

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

Commissioners Present : Brian Sheets, Vice Chairman
 Harold Nevill, Commission Secretary
 Geoff Mathews, Commissioner
 Holley Werhanowicz, Commissioner
 Anita Johnston, Commissioner

Staff Members Present: Dan Lister, Planning Supervisor
 Michelle Barron, Principal Planner
 Amber Lewter, Associate Planner
 Caitlin Ross, Hearing Specialist

Acting Chairman Sheets called the meeting to order at 6:30 p.m.

Commissioner Nevill read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1: Consent Agenda – Action Items

A. December 4, 2025 Minutes

Motion: Commissioner Nevill moved to approve the Consent Agenda, seconded by Commissioner Johnston. Voice vote, motion carried.

Item 2A:

Case No. CR2025-0004 – Smith: The applicant, Josef Smith, requests a conditional rezone of Parcel R37795011, approximately 9.9 acres, from an “A” (Agricultural) zone to an “CR-R-R” (Conditional Rezone - Rural Residential) zone. The request includes a development agreement limiting development to two residential lots. The subject property is located at 28049 Happy Hill Lane, Caldwell.

Acting Chairman Sheets affirmed the applicant to testify.

Josef Smith (Applicant) IN FAVOR – 28249 Happy Hill Ln., Caldwell, ID 83607

Mr. Smith purchased 10 acres a couple of years ago and built a home and a shop. His parents built a home as the ADU. He is happy that his family gets to share multi-generational living. Mr. Smith has worked with Development Services to design the property according to the 2030 Comprehensive Plan and standards. The five-acre splits are commensurate with the area. They are asking for two, five acre lots. His stepfather is a 22-year Navy veteran who has earned VA financing, and they just need to do a simple split. Their goal is to make the property even more agricultural than when it was purchased. They plan on installing a pick your own flower farm in the front 200 ft. area from Sand Hollow Road into the development. There will not be construction within 200 ft. of the road. They have met with the highway and irrigation district throughout this process. They have installed already installed a well and septic for the home. The goal is to get separate financing and separate mortgages.

Commissioner Nevill asked Mr. Smith if he has reviewed the recommended conditions of approval. Mr. Smith stated he had not. Mr. Smith will review the report while others speak.

Commissioner Mathews asked about the prohibiting of a secondary residence on the west parcel. Mr. Smith did not want to prohibit the secondary residence on the east parcel. However, he noted that there are no plans for additional homes.

Acting Chairman Sheets asked how the property was irrigated. Mr. Smith stated that currently they share one well and it is used for irrigation in small zones. They get 60 gallons a minute. Acting Chairman Sheets asked if the property has any water rights. Mr. Smith stated he did not believe they have any water rights.

Planning Supervisor Dan Lister reviewed the Staff Report for the record.

Commissioner Mathews asked if the split occurs, if a new well would need to be drilled on the lot without one. Planning Supervisor Lister stated that in the end it is what the applicant decides to do, but they would need to meet Idaho Department of Water Resources' requirements. If they decide to share a well, an easement should be provided to allow access for servicing the well. A half an acre could be irrigated via the domestic well. Any additional usage would require an additional water right.

Commissioner Nevill asked for clarification on the site plan and lot location. Planning Supervisor Lister clarified the lot location and driveway that serves the property. Commissioner Nevill discussed secondary residences and development agreements with Planning Supervisor Lister.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

Grace Walborn- IN NEUTRAL – 14460 Sand Hollow Rd., Caldwell, Id 83607

Ms. Walborn signed up as neutral because they didn't understand everything that was planned. After listening to testimony, it appears that the development would be two residences just as it is now, which doesn't bother them at all. Ms. Walborn was concerned about future building and water rights, and she agreed with a condition not allowing additional residences.

Josef Smith (Applicant) REBUTTAL – 28249 Happy Hill Ln., Caldwell, ID 83607

Mr. Smith stated that from his perspective this is just an administrative split. He was not aware of the limitations of the water rights, so he will work on that. He worked with the agencies throughout this process. The road is built to fire district standards with a turnaround. They will prepare a shared well agreement. They have no plans on developing further but did not want to be limited.

Commissioner Mathews asked for more information about the flower farm and proposed scope/size. Mr. Smith stated it would be of a size that he and his wife could handle. It won't be a big business, rather, a hobby farm. Mr. Smith intends on doing concrete and rock to help keep water usage down.

Commissioner Nevill asked if Mr. Smith agreed to the conditions of approval. Mr. Smith agreed with the three conditions. Commissioner Nevill asked about the water usage and the limitations pursuant to Idaho Statute, and whether or not Mr. Smith would be able to adhere to the ½ acre limitation. Mr. Smith clarified that the houses would be served by one domestic well and a second well would mostly serve the flower farm. IDWR rules would be followed.

Commissioner Mathews asked if it would be a dealbreaker to prohibit a secondary residence on the east lot. Mr. Smith preferred to keep his options open. He doesn't have plans to, but he didn't want to limit it forever.

Planning Supervisor Dan Lister noted that the recommendation would go to the Board who has the final decision. If a condition was placed limiting the secondary residences, the applicant could request a modification in the future, which would require a public hearing.

MOTION: Commissioner Nevill moved to close public testimony on Case No. CR2025-0004 seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Nevill considers the request spot zoning. He agrees that Mr. Smith has a plan for the property, however when you place an "R-R" zone in the middle of an intensive agricultural area it is significant, so he is not in favor.

Commissioner Mathews shared the concerns expressed by Commissioner Nevill. He stated he would only approve it with the restriction of secondary residences on both lots.

Acting Chairman Sheets stated he does not have an issue with maintaining the status quo on this property. He referred to page 8 of Staff's presentation which reflects that there are some rural residential zoned areas. This request won't be adding anything to the parcel that isn't already there. Ultimately it does not change the density of the area. Adding a restriction to secondary residences should be a condition.

Commissioner Johnston agreed that secondary residences should be prohibited.

MOTION: Commissioner Mathews moved to **recommend approval to the Board of County Commissioners** of Case No. CR2025-0004, adding a restriction that would prohibit secondary residences on both lots. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:

Commissioner Nevill reiterated that he is still not in favor of the request for the reasons he stated earlier. Commissioner Nevill added that the applicant stated that one of the reasons for the request was financing related, and this is typically taken into consideration in land use hearings. He stated there are quite a few questions in regard to irrigation.

Roll call vote: 4 in favor, 1 opposed, motion passes.

Item 2B:

Case No. CU2025-0021 – Ortiz: The applicant, Alfonso Ortiz, represented by Veronica Sahagum, requests a Conditional Use Permit for a staging area and contractor shop on approximately 9.99 acres in an "A" (Agricultural) zone for a landscaping business. The applicant is proposing storage for the company equipment, including skid steers, boulders, and trees. The subject property is located at 8232 Purple Sage Road, Middleton.

Acting Chairman Sheets affirmed the applicant to testify.

Veronica Sahagun – (Representative) IN FAVOR – 5110 S. Happy Valley Rd., Nampa, ID 83686

Ms. Sahagun is representing Alfonso Ortiz for his Conditional Use Permit request. Mr. Ortiz is requesting approval for a staging area and contractor shop for his landscaping business. He has already obscured visual impact of the area from his neighbors. Approximately 3.5 acres of the 9.9 acres would be used for the business, and the remainder of the property contains Mr. Ortiz' home.

Commissioner Nevill asked if Ms. Sahagun had reviewed the 13 recommended conditions. Ms. Sahagun stated not thoroughly.

Acting Chairman Sheets asked about site obscuring fencing and what had been installed and where it had been installed. Ms. Sahagun stated there is a six-foot cedar fence that obscures from the road all the way to the back of the property. On the other side, there are trees and shrubs that also obscure on the east side. The rear portion of the property is open, and the front has trees and shrubbery.

Commissioner Mathews asked if the landscaping use would be located on the back of the property or the front. Ms. Sahagun stated it is on the front. Commissioner Mathews asked how many pieces of equipment the applicant has. Ms. Sahgun stated five skid steers and company trucks. The company trucks are taken by the employee's home. The hours of operation are from 8 a.m. to 6 p.m.

Associate Planner Amber Lewter reviewed the Staff Report for the record.

Commissioner Nevill asked Planner Lewter about site obstruction and the method that would work the best. Planner Lewter discussed the existing conditions and the staff recommendation for the front property line.

Commissioner Werhanowicz asked if the applicant would need to still acquire a permit for the shop. Planner Lewter noted the condition requiring the applicant to complete a change of occupancy for the shop.

Acting Chairman Sheets asked if the applicant would need to do anything further or if staff would be satisfied with the fence. Planner Lewter discussed the recommended condition requiring fencing. Acting Chairman Sheets referenced public comment regarding noise on the weekends. Planner Lewter stated that it was her understanding the events were personal and not related to the conditional use permit request.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

None

Veronica Sahagun – (Representative) REBUTTAL – 5110 S. Happy Valley Rd., Nampa, ID 83686

Ms. Sahagun requested approval of the request, and she knows that the applicant will comply with what needs to be done.

Commissioner Nevill asked if Ms. Sahgun agreed with the conditions of approval. She agreed.

Commissioner Johnston asked if the applicant had addressed the noise that was noted in public comment, whether personal or business. Ms. Sahagun stated yes, he has.

Planner Lewter added that the code enforcement violation was proactive by a member of staff. There is a code ordinance for noise through the Sherriff's office.

MOTION: Commissioner Nevill moved to close public testimony on Case No. CU2025-0021, seconded by Commissioner Werhanowicz. Voice vote, motion carried.

Deliberation:

Commissioner Werhanowicz stated it is hard to mix businesses with residential uses. There were three letters of complaint.

Commissioner Mathews stated the business fits well within an agricultural zone.

Acting Chairman Sheets stated the hours of operation are Monday-Friday from 7 a.m. to 6 p.m. and no weekends. Acting Chairman Sheets asked if there were any conditions that needed to be amended or modified. There were none.

MOTION: Commissioner Nevill moved to **approve** Case No. CU2025-0021, and adopt the Findings of Fact, Conclusions of Law & Order as presented by staff. Seconded by Commissioner Mathews.

Discussion on the Motion:

None

Roll call vote: 5 in favor, 0 opposed, motion passes.

Item 2C:

Case No. SD2022-0049 – Vineyard Gate Estates: The applicant, SS Karcher LLC, represented by Will Mason, Mason & Associates, requests approval of a preliminary plat for Vineyard Gate Estates, a phased mixed-use development subject to development agreement #DA20-147. The development includes approximately 15.78 acres of “CR-C-2” (CR-Service Commercial and approximately 35 acres of “CR-R-1” (CR-Single Family Residential) zone. The applicant proposes five (5) commercial lots and twenty (20) residential lots. The subject property is located adjacent to 16261 Karcher Road, Caldwell, at the southwest corner of Farmway and Karcher Roads. The property is also referenced as Parcel R32915.

Acting Chairman Sheets affirmed the applicant to testify.

Elizabeth Koeckeritz – (Representative) IN FAVOR – 601 Bannock St., Boise, ID 83702

Ms. Koeckeritz stated that the comprehensive plan map amendment and rezone approval was received back in 2018. That approval went up to district court, came back down, and received the rezone approval again in 2020. The Preliminary Plat was applied for in 2022 and they are hopeful this case will move forward. Vineyard Gate is adjacent to Farmway Estates which will be presented this evening as well. Vineyard Gate will be developed in substantial conformance with the site plan as required by the Development Agreement. The subdivision meets all the Development Agreement conditions and meets county requirements. Ms. Koeckeritz discussed the zoning of the property and noted it as being CR-R1 and CR-C1 and CR-C2. The project proposes 20 single family residential lots(1.31-acre net density) on 30 acres and five (5) commercial lots on 16.8 acres. The proposed access will be off Karcher Road at the north end of the project. A backage road being proposed along Karcher. There is a shared access agreement running through Farmway Estates which is adjacent to the subject property. All trash enclosures will be screened, lighting will be downward facing, and ITD & Highway District conditions will be met. Ms. Koeckeritz discussed Impact Fees that are charged per lot by Canyon Highway district and the fire district. She noted those fees will be approximately \$114,300 assuming those fees don't go up. They agree with the conditions of approval except for the requirement for a landscaping buffer along Karcher Rd, as the property is not located within the Area of City Impact.

Commissioner Werhanowicz asked if the access to the whole subdivision will be from Karcher. Ms. Koeckeritz stated no. They anticipate initially it will be, but it depends on which developer goes first. The 20 residential lots will be coming in off Karcher Rd. as a right in/right out for now. The improvements at Riverside will have a northbound left turn lane and a northbound right turn lane.

Commissioner Nevill asked for the specific number of the condition she had objection to. Ms. Koeckeritz stated that it is no. 10. Commissioner Nevill asked if she knew the prices of the lots because that determines the average number of students that can be expected in the schools. Ms. Koeckeritz believed the homes with the lot are expected to be in the million to 1.5 million range. Commissioner Nevill referred to the land across Karcher Road that is in a conservation easement and asked if the development would impact this. Ms. Koeckeritz stated that the development would not have any meaningful impact. Commissioner Nevill asked

how far city services are from this property. Ms. Koeckeritz believed they were about a mile and a half away. Acting Chairman Sheets asked about the commencement of the project and if the timeclock begins from the decision of the Board or the signature on the development agreement. Ms. Koeckeritz believed that it was the date of the signature on the development agreement.

Principal Planner Michelle Barron reviewed the Staff Report for the record.

Commissioner Nevill asked about condition no. 10 and whether the wording could be changed to state that the landscaping could be placed when Highway 55 roadwork was complete or in the future when Karcher is complete. Planner Barron stated there is potential for expansion along the highway in the future. She added that if improvements are not completed at the final plat stage it would be difficult to hold the developers themselves to that after the project is complete. Commissioner Nevill asked how this project promotes affordable housing. Planner Barron noted that those are typically located in cities due to density and need for services.

Acting Chairman Sheets asked about the dates of approval on the plats. Planner Barron clarified that the iterations of the plat were a result of engineering reviews and agency comments. Acting Chairman Sheets requested clarification on the interpretation of commencement in the Development Agreement. Planner Barron stated that staff accepted the application within the two-year timeframe. The signature on the development adoption was interpreted to be the commencement.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

William Mason – IN FAVOR- 924 3RD St. S., Nampa, ID 83651

Mr. Mason testified that he worked on the Southwest District Health Subdivision Engineering Report for this project and the one to the east. Regarding the access to Karcher, the highway district asked them to create a private road from the leftmost cul-de-sac out to Karcher. When the connection in the middle of the development goes in, the residential access to Karcher will be discontinued.

Commissioner Mathews asked how far east the left turn lane was going to extend for those wanting access to the commercial areas. Mr. Mason deferred the question to the Traffic Engineer.

Tom Blaisdell– IN OPPOSITION – 15883 Canyon Lake St., Caldwell, ID 83607

Mr. Blaisdell lives east of the project in Canyon Lake Estates Subdivision. He is concerned about the water table, and he would request that commercial properties cannot be developed until there are city services available. He also noted that there aren't any green space areas or walkways in the development. Moonstruck Subdivision has them, and it would be good for this development to have them as well. Mr. Blaisdell stated that the subdivision he lives in is within the Area of City Impact and has curb, gutter, sidewalk, & streetlights. He realizes that this project is just outside the impact area but should also be similar. He testified about the Comprehensive Plan and the agritourism area. Mr. Blaisdell felt that the commercial areas should host businesses that support agritourism operations.

Commissioner Nevill asked Mr. Blaisdell to point out where his subdivision is located. He also asked when Canyon Lake Subdivision was approved, and Mr. Blaisdell stated it was approved in 2008.

Samantha Wallace– IN OPPOSITION – 16261 Karcher Rd., Caldwell, ID 83607

Ms. Wallace is heartbroken this development is going in. When the original hearing with the Board was rescheduled, she stated she did not receive notice. She stated that the developer had offered for them to buy the acre behind their property so they would not be backed up to commercial, but they have not contacted

her since. She feels like communication is lacking. She is concerned that access to their irrigation will be impacted. She is also concerned that the proposed access on Karcher is too close to their driveway.

Commissioner Nevill asked Ms. Wallace to show on the map where she lives and where her driveway is located.

Commissioner Mathews asked if Ms. Wallace had talked to the highway district about her concerns with access. Ms. Wallace indicated she has not yet but has a meeting with them next month to discuss the expansion of Karcher.

Cheyne Weston– IN OPPOSITION – 16316 Orchard Ave., Caldwell, ID 83607

Mr. Weston stated that his property is south of the proposed development, right along the lake. His property has been flooded on various occasions and if flooding occurred, he would hold the County and developers accountable for the damage. He is concerned about his well as it went dry when Moonstruck Subdivision was put in. Mr. Weston is concerned about fugitive dust during the development, and he did not see a plan to mitigate it. His views are important, and he asked how scrap piles will be maintained. He does not want to see vinyl fencing and would appreciate greenspace and pathways for the kids. A covered bus stop should be set up for children. Mr. Weston requested that lights be screened and downward facing. Mr. Weston was concerned about the 600 ft. notification radius and felt it should be larger for more public hearing involvement. Mr. Weston felt the ordinance should be amended to clarify timelines on development agreements and conditional rezones.

Commissioner Nevill asked Mr. Weston to show on the map where he lives. Commissioner Nevill asked if his home was at a lower elevation than the project. He stated not so much from Vineyard Estates' proposal but definitely from the one to the east.

Andy Haumesser– IN OPPOSITION – 15981 Lunar Way, Caldwell, ID 83607

Mr. Haumesser referenced a memo from Idaho Water Engineering; the household wells divert a miniscule amount of water compared to the available supply. The average monthly residential property in Nampa uses 1400 cubic feet of water a month which totals 10,500 gallons. 60 residential structures over one year will consume 84,000 cubic feet or 628,000 gallons of water. Mr. Haumesser stated this is not a miniscule amount of water and that does not even include commercial usage. He asked where the scientific evidence was that there would be no impact. Mr. Haumesser stated that the developer should set up a trust fund designed to mitigate any adverse effect on neighboring wells for the next 20 years. Traffic mitigation is another issue that should be addressed. The entire east side of Farmway Road from Hwy 55 to Orchard Ave. is residential and construction traffic should be restricted to accessing the sites from the north via Hwy 55. Mr. Haumesser felt amenities should be installed, such as sidewalks, curbs, gutters, sidewalks, playgrounds, etc. He also questioned who would monitor the weed, dust, and sediment control while construction is taking place.

John Kernkamp– IN OPPOSITION – 15635 Riverside Rd., Caldwell, ID 83607

Mr. Kernkamp stated that the contour lines depict clearly that the drainage /runoff will not go towards the streets on the south end of the property and may end up on Mr. Weston's property. Mr. Kernkamp stated that the plat map does not show any source hydrants for fire suppression so he assumed fire sprinklers would be used. Whichever is decided, it should be clearly specified by an amendment to the development agreement.

Jeff Mills– IN OPPOSITION – 15955 Lunar Way Caldwell, ID 83607

Mr. Mills lives in the Moonstruck Development. He agreed with previous testimony, specifically in regard to the unspecified commercial development. The commercial area is approximately 20 acres, and they don't know what kind of businesses will be going in. He is concerned about traffic, impact on aquifers and wells, and the lack of planned amenities. Mr. Mills agreed with the 10 recommended conditions of approval from

staff. He encouraged the Commission to add some additional requirements in regard to fencing and requested all white rail fencing vs solid white fencing. This type of fencing would fit better with the rural area. Mr. Mills stated the highway has already been extended to Farmway, so it wouldn't be hard to figure out if it will be extended further west and how wide that it will be for landscaping along Karcher.

Trevor Wallace– IN NEUTRAL – 16261 Karcher Rd., Caldwell, ID 83607

Mr. Wallace asked if the traffic study was six years old. He is concerned that the cart is being put before the horse.

Elizabeth Koeckeritz – (Representative) REBUTTAL– 601 Bannock St., Boise, ID 83702

Ms. Koeckeritz discussed fugitive dust and noted that there are items that are required such as an erosion sediment control plan and that is a condition of approval. They are required to provide an engineered grading and drainage plan and a stormwater management plan. Regarding access to Karcher Rd., it is the preferred location from Idaho Transportation Department and there is adequate spacing. Ms. Koeckeritz stated that it is entirely possible that the commercial property may not be developed until services are there. There is also a condition in place that requires Idaho Department of Water Resources and Southwest District Health Department sign off before they can develop commercial. The only planned commercial at this time is a Valley Wide Cooperative, which we can talk about with the next application. After the rezone approval many of the agencies were backed up, and there is documentation of the correspondence. Staff did accept the Preliminary Plat Application and deemed it complete at the time of submittal. Ms. Koeckeritz addressed the green space that was discussed in opposition testimony and noted that the lots will be large and there will be a lot of green space.

Commissioner Mathews asked if the left-hand turn lane would run from Farmway to Riverside. Ms. Koeckeritz replied that she did not believe ITD is requiring turn lanes because of all of their future planning, but they are required by the highway district. Commissioner Mathews stated that he drives that road almost every day and Riverside is a huge back up point. Adding commercial fronting Hwy 55 may cause additional backups. Ms. Koeckeritz said there would be a turn lane at the primary entrance and also a right-hand turn lane coming into the development. Once the two subdivisions develop most of the primary traffic will come off Farmway.

Commissioner Nevill asked if there would be any public green spaces within the development. Ms. Koeckeritz replied, no. Commissioner Nevill asked about adding curb, gutter, & sidewalks in this subdivision. Ms. Koeckeritz did not agree with a condition being added due to the size of the lots. Commissioner Nevill asked about city services and what their thoughts were about hooking up to them. Ms. Koeckeritz stated that typically the city won't let a development hook up without annexing, and if that were the case this subdivision would be built at a higher density. The development agreement allowed for the use of septic, water systems, and wells. Commissioner Nevill asked about adding a plat note requiring sprinklers. Ms. Koeckeritz addressed fire code and when sprinklers are required and added that both properties have water and plenty of water rights. Commissioner Nevill asked if there was an intention of commercial uses being agribusinesses. Ms. Koeckeritz replied that it is certainly anticipated.

Acting Chairman Sheets asked about the dark skies and fencing and what was proposed. Ms. Koeckeritz noted that the development agreement already has stipulations regarding the lighting types. She anticipates the fencing will be vinyl rail fencing, but it will be left up to individual homeowners and as stipulated in their CCRs. Acting Chairman Sheets asked why individual septic systems and individual wells were proposed instead of a community water system. Ms. Koeckeritz replied that this was a huge point of discussion during the rezone hearing, and Southwest District Health found that this was the preferable option and there is sufficient water. Ms. Koeckeritz stated the commercial uses must be approved separately.

Planner Barron added that the property had undergone a comprehensive plan map change to commercial and residential. She also noted that the property is not within an area of city impact.

Commissioner Werhanowicz asked if the traffic study was from 2020. Planner Barron replied yes, but she did communicate with Highway District 4 and Idaho Transportation Department, and they were both still comfortable that it hadn't changed enough to warrant a new traffic impact study.

MOTION: Commissioner Mathews moved to close public testimony on Case No. SD2022-0049, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill stated he did not like that there are no improvements, greenways, or that a commercial well wasn't being used.

Commissioner Johnston stated that the landscaping needs to be addressed but in the manner that it is far enough back that it wouldn't be impacted when the road widens.

Commissioner Werhanowicz is concerned for everyone that lives around the development and the impact on their wells. She is unsure how the 2020 study is still relevant.

Commissioner Mathews stated that the water situation is going to resolve itself fairly quickly once this gets developed. He suspects that Caldwell is going to extend down there pretty quickly, and they can tie into city services.

Acting Chairman Sheets stated that tying into city services requires annexation as well as getting the infrastructure put in. He discussed the rezone that was approved in 2020 and the acceptance of the application. Acting Chairman Sheets stated that the evidence provided states there is plenty of water there. He doesn't have evidence to the contrary that this will take people's wells out of commission. He discussed the commercial activities on the parcel and noted there would be subsequent applications/requirements as well for the type of use. He does not have enough evidence to merit a recommendation for denial. Acting Chairman Sheets suggested reviewing the proposed conditions so the Commission can discuss those.

MOTION: Commissioner Mathews moved to **recommend approval** of Case No. SD2022-0049 to the Board of County Commissioners, with the addition of condition no. 11. Seconded by Acting Chairman Sheets.

Discussion on the Motion:

Commissioner Nevill noted he was still opposed to it.

Roll call vote: 3 in favor, 2 opposed, motion passed.

Item 2D:

Case No. SD2022-0051 – Farmway Estates: The applicant, Karcher Farm LLC & Valley Wide Cooperative Inc., represented by Kimley-Horn & Associates, requests approval of a preliminary plat for Farmway Estates, a phased mixed-use development subject to development agreement #DA20-147. The development includes approximately 19.5 acres of "CR-C-2" (CR-Service Commercial), approximately 2.41 acres of "CR-C-1" (CR-Neighborhood Commercial) zone, and approximately 56 acres of "CR--R1" (CR-Single Family Residential) zone. The applicant proposes nine (9) commercial lots and forty-one (41) residential lots. The subject property is located adjacent to 16169 Karcher Road, Caldwell, at the southwest corner of Farmway and Karcher Roads. The properties are also referenced as Parcels R32917011A, R32917011, and R32917010.

Acting Chairman Sheets affirmed the applicant to testify.

Elizabeth Koeckeritz – (Representative) IN FAVOR– 601 Bannock St., Boise, ID 83702

Ms. Koeckeritz noted that the presentation will look remarkably like the previous item, as this development is adjacent. This development is owned by separate entities and have different engineers. They are in substantial conformance with the site plan as required by the Development Agreement. The development is at the corner of Farmway and Karcher Rd. The property is zoned CR-R1, CR-C1 and CR-C2 that was approved in 2020. The plat encompasses approximately 82.3 acres and of that 54 acres are residential and 20 acres commercial. Farmway Estates offers 41 single family lots and nine commercial lots. There will not be a pass through between the commercial and residential lots in this development. Valley Cooperative owns the lot on the corner of Karcher and Farmway. Ms. Koeckeritz noted the development agreement conditions that have been met with this project. She also noted that commercial would not develop until Southwest District Health and Idaho Department of Water Resources approvals were received. Ms. Koeckeritz agreed with all conditions of approval set forth by the highway district. She noted the impact fees from the highway and fire district will total \$234,000. Ms. Koeckeritz noted that the project is outside the area of impact, and it is difficult to establish where landscaping would start if buffers were added. They feel that sidewalk plus standard setbacks is sufficient along Farmway.

Commissioner Nevill asked about condition no. 10 and why it should be taken out for this application. Ms. Koeckeritz stated that it remains their request to remove it as they are not in the city impact area.

Commissioner Mathews asked about landscaping on Farmway and whether they would be opposed to adding it. Ms. Koeckeritz stated that they are not in the city impact area, they are asking that it not be required.

Acting Chairman Sheets asked about the timeframe and whether they were within the two-year time frame. Ms. Koeckeritz stated that Planner Barron has a slide outlining this. Ms. Koeckeritz noted, again, that the application was accepted by staff.

Commissioner Werhanowicz asked for clarification on the proposed access points for this development. Ms. Koeckeritz discussed the access to commercial using the site plan displayed. She also explained that fire code requirements are met.

Principal Planner Michelle Barron reviewed the Staff Report for the record.

Acting Chairman Sheets asked about the timing of the application and commencement. Planner Barron stated that commencement is when the preliminary plat application was submitted. The development agreement was signed by the Board on October 23, 2020. The application was submitted on October 21, 2022. The application was accepted by staff and deemed complete.

Commissioner Nevill asked for confirmation that the land north of this parcel is in a conservation easement. Planner Barron stated that that was not part of the analysis and did not have that information.

Teller Bard – IN FAVOR– 1100 W. Idaho St. Ste. 210, Boise, ID 83702

Mr. Bard is the engineer on the project and is available to answer questions.

Acting Chairman Sheets asked about the rationale of using individual wells and septic systems rather than community services. Mr. Bard noted Elizabeth's testimony previously on this topic but added that it is just not a feasible solution here when individual systems are accepted and approved by the agencies.

Mike Wilson – IN OPPOSITION–15962 Palshaw Ct., Caldwell, ID 83607

Mr. Wilson referenced subtle impacts that people don't think about, for example headlights that hit his living room and master bedroom when cars turn on to Palshaw Ct. He stated that the traffic has increased tremendously over the past five years. The traffic study is from 2020 and doesn't consider the height of the

boom in 2022. Mr. Wilson noted that there is currently an existing sidewalk on Farmway that comes to the church and felt that there should be consistency. He is concerned about the water table during the summer, and he has noticed a decrease in water that he has at his house. His well is about 150 ft. away from the new development and he does not believe his well will not be impacted.

Commissioner Nevill asked if Mr. Wilson would rather have a commercial well for domestic water. Mr. Wilson replied, yes. Commissioner Nevill asked about the plan for traffic flow and access on Karcher. Mr. Wilson felt this was a flaw and would cause bottlenecks. Most of Karcher doesn't even have a pull off or a shoulder.

Andy Hasumesser – IN OPPOSITION–15981 Lunar Way., Caldwell, ID 83607

Mr. Hasumesser noted his water concerns as he had previously discussed in the previous hearing for Vineyard Estates. The two-page memorandum report from Idaho Water Engineering Company was insufficient and was concerned about water impacts. The commercial uses have yet to be determined so the impact is unknown. A trust fund should be established to mitigate any potential impacts on the neighboring wells for the next 20 years. Mr. Hasumesser was concerned about traffic mitigation. He also questioned who would be there to mitigate dust and weed control.

Commissioner Nevill asked if his concerns about water would be mitigated a little if they were using a community well. Mr. Hasumesser stated it would depend upon where the well was located. He also added that he does not think there should be any commercial development unless they are on city services.

John Kerncamp – IN OPPOSITION–15635 Riverside Rd., Caldwell, ID 83607

Mr. Kerncamp agreed with the proposal from Mr. Hasumesser in regard to a trust fund. He believes that the county has a responsibility to protect existing homeowners from being subject to problems from an unhappy outcome from this "experiment." It can cost \$10,000 to \$20,000 for a homeowner to deepen a well.

Cheyne Weston – IN OPPOSITION–16316 Orchard Rd., Caldwell, ID 83607

Mr. Weston stated his property has been flooded on various occasions. If flooding were to occur, he stated he would hold both the county and developer accountable for all damages, likewise if his well goes dry or becomes contaminated he will hold the same parties accountable. He is concerned about fugitive dust during the development as their property is adjacent to the site. Mr. Weston would like to see a dust mitigation plan for this project. He asked how scrap piles will be maintained and if they would be eradicated on a weekly schedule. They have lived in their home for 40 years and their views are important to them. They do not want to see a barrage of vinyl fencing and would like to see green space and connecting pathways and playgrounds for children. He also suggested a covered bus stop for the children to wait for the bus. Lighting should be screened and downward facing, and suggested this be a condition of approval.

Commissioner Nevill asked Mr. Weston where he would like the bus stop to be. Mr. Weston replied on Farmway near the proposed ingress/egress.

Jeff Mills – IN OPPOSITION–15955 Lunar Way., Caldwell, ID 83607

Mr. Mills stated Farmway Rd. serves residential uses from Karcher to Orchard. He stated that it is preposterous to not consider Farmway Rd. improvements (widening, setbacks, etc.) Improvements such as parks and pathways should be considered. He is concerned about the additional traffic on Farmway, as not all vehicles will be traveling north to Karcher. Without improvements there will be back up.

Tina Zimmerman – IN OPPOSITION–16169 Karcher Rd., Caldwell, ID 83607

Ms. Zimmerman moved to this location a year ago. She is concerned about having commercial buildings in her back hard. There will be a temporary road between the buildings and her home and that is a huge impact to her and will be in proximity. She was concerned about water as well and agreed with previous testimony. She noted she had no communication from anyone.

Commissioner Nevill asked how deep Ms. Zimmerman's well was. Ms. Zimmerman said she was told her well was 50 ft deep.

Commissioner Mathews asked if she received a disclosure from the realtor. She replied that yes, he touched on it but maybe somewhere down the line (10-15 years).

Acting Chairman Sheets asked about the easement and whether it was recorded. Ms. Zimmerman stated she was not sure. Acting Chairman Sheets stated he was concerned about the increase of use on the easement and that should be brought up / more information supplied at the Board of County Commissioners' hearing.

Elizabeth Koeckeritz – (Representative) REBUTTAL– 601 Bannock St., Boise, ID 83702

Ms. Koeckeritz stated the easement is being shut down completely, they are not allowed to access Karcher Road through it. Once the farming ceases, they will be installing their own entrances. There will not be trucks going through the easement on her property. Ms. Koeckeritz there is a condition of approval requiring them to work with the school district. She also noted that they are required to complete an erosion sediment and dust control plan per law. There is already a condition of approval for the engineered drainage plan and stormwater management plan. Ms. Koeckeritz stated that the water study during the rezone was prepared by David Tuthill who is extremely reputable and was the Director of IDWR for several years. They intend to have more information and if possible, have him at the hearing before the Board of County Commissioners. She stated they continue to advocate for not putting in a community system. Ms. Koeckeritz discussed the buffer along Farmway Rd. There is a 40 ft. right of way which leaves 8-9 ft of grassy areas before the edge of the subdivision fence. An additional 20 ft would far exceed any of the surrounding buffers on either side of Farmway. The highway district dictates where access locations need to be and the plat is designed that way. The traffic study was prepared by professionals who do consider proposed projects and add 4 % per year of additional traffic. In conclusion, Ms. Koeckeritz stated that this property has been approved to be developed pursuant to the development agreement and is asking for a recommendation of approval on the preliminary plat.

Commissioner Nevill stated that most likely a bus stop would be on Farmway due to school busses not going into subdivisions. Ms. Koeckeritz stated that they do understand that and there will be school bus access. Commissioner Nevill asked Ms. Koeckeritz to clarify her testimony about fugitive dust. Ms. Koeckeritz explained that it is a DEQ requirement. Commissioner Nevill asked if there was language regarding enforcement if someone was adversely affected by dust. She deferred the question to her engineer. Commissioner Nevill asked what side of Farmway Road the sidewalk would be on. Ms. Koeckeritz stated that the road will be widened, there would be a seven-foot sidewalk and an additional eight to nine feet of grassy landscaped area before the lots begin.

Commissioner Johnston asked if there would be a turn lane into the development and Ms. Koeckeritz replied yes. Commissioner Johnston asked if a pressurized irrigation system would be used, and Ms. Koeckeritz stated, yes. Domestic wells will be for domestic use only.

Acting Chairman Sheets asked where the prohibition of the use of the easement came from. Ms. Koeckeritz indicated that ITD will not let them use the easement. Acting Chairman Sheets asked if they would be opposed to a condition that states they cannot use any potential or existing easement access. She agreed. Acting Chairman Sheets referenced the traffic study that was completed during the rezone and asked why the data is not "stale" at this time. Ms. Koeckeritz stated that traffic engineers do consider all of the pipeline projects. ITD and the highway district have both indicated that the project still works based on the residential numbers.

The applicant's engineer came to the podium.

Teller Bard – REBUTTAL– 1100 W. Idaho St. Ste. 210, Boise, ID 83702

Mr. Bard addressed the fugitive dust and enforcement. He noted two separate processes the county should have in their code as part of a grading permit a SWPPP plan. Also, DEQ reviews the plans and approves it and issues an NOI, which is the permit that allows DEQ to enforce the plan. If neighbors have issues with mud or excessive dust, they can call the County or DEQ.

MOTION: Commissioner Nevill moved to close public testimony on Case No. SD2022-0051. Seconded by Commissioner Mathews. Mr. Jeff Mills from the audience asked for clarification on the widening of Farmway and asked to come to the podium. Commissioner Nevill withdrew his motion.

Jeff Mills – IN OPPOSITION–15955 Lunar Way., Caldwell, ID 83607

Mr. Mills asked for clarification on the widening of Farmway Road expansion and whether it stops at the end of the development or does it go all the way to Orchard. He is concerned if it stops at the end of the development that it will narrow down to a two-way street with no shoulders.

Elizabeth Koeckeritz – (Representative) REBUTTAL– 601 Bannock St., Boise, ID 83702

Ms. Koeckeritz stated that the improvements end at the property line. The traffic study did not request that they do anything further beyond that point. When adjacent properties develop, they would be required to do the same widening as each property develops, that is when improvements are made.

MOTION: Commissioner Nevill moved to close public testimony on Case No. SD2022-0051. Seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Nevill stated that he is not in favor of the project, but if the Commission decides to approve it, that recommended condition no. 11 be added. Also, adding a 12th condition in regard to the Zimmerman easement. He stated there needs to be greenways, accesses, a community well, and it will interfere with the conservation easement to the north.

Commissioner Mathews referenced condition no. 10 and he stated they do not have the space to do the landscaping to meet Caldwell's standards, and he would be in favor of deleting it.

Commissioner Johnston agreed with Commissioner Mathews.

Commissioner Werhanowicz stated it is hard to listen to listen to the testimony regarding the negative impacts this development will have when construction starts.

Acting Chairman Sheets noted for the record that he still had issue with the timing of the application submittal and the development agreement. He stated he would keep condition no. 10 to be congruent with the prior application, add proposed condition 11, and add condition no. 12 to include the prohibition of use of any easement, ingress or egress from the identified parcel (Zimmerman property located at 16169 Karcher , Caldwell, ID)

MOTION: Commissioner Mathews moved to **recommend approval** for Case No. SD2022-0051 to the Board of County Commissioners, adding conditions no. 11 regarding ITD and Exhibit C3 and condition no 12 regarding the easement access off Karcher into the subject property. Seconded by Commissioner Johnston.

Discussion on the Motion:

None.

Roll call vote: 3 in favor, 2 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

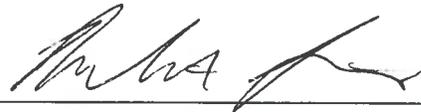
Hearing Specialist Caitlin Ross reminded the Commission of the meeting that will be taking place on March 26th. Principal Planner Michelle Barron stated this case was remanded due to new or additional information and the case was remanded back to the P&Z Commission.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Mathews. Voice vote, motion carried. Hearing adjourned at 11:43 P.M.

An audio recording is on file in the Development Services Departments' office.

Approved this 5th day of March, 2026



Robert Sturgill, Chairman

ATTEST



Jennifer Almeida, Office Manager