



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, February 19, 2026  
6:30 P.M.

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

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

Staff Members Present:        Jay Gibbons, Director of Development Services  
   Dan Lister, Planning Supervisor  
   Karla Nelson, Principal Planner  
   Deb Root, Principal Planner  
   Caitlin Ross, Hearing Specialist

**Chairman Sturgill** 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 18, 2025 MINUTES
- B. Case No. SD2022-0049 – Vineyard Gate Estates: Approve FCOs
- C. Case No. SD2022-0051 – Farmway Estates: Approve FCOs
- D. Case No. CU2024-0025 – Nevills: Approve FCOs

Chairman Sheets stated that he was not present for items B and C.

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

**Item 2A:**

**Case No. CR2025-0006 – Desimini:** The applicant, Karen Desimini, requests a conditional rezone of Parcel R14970202, approximately 2.6 acres, from an “A” (Agricultural) zone to an “R-1” (Single-Family Residential) zone. The request includes a development agreement to allow for only one (1) additional parcel and to prohibit secondary dwellings. The subject property is located at 29672 Grandview Rd, Parma, ID 83660, also referenced as Lot 3, Block 1 of Stutheit Subdivision.

**Chairman Sheets** affirmed the applicant to testify.

**Karen Desimini (Applicant) IN FAVOR –29672 Grandview Rd., Parma, ID 83660**

Ms. Desimini stated that the well would be shared and would include written documentation. She discussed the site plan that was submitted for the project. Each property will have access to the area where leach fields are contained. They will agree that there will be no more homes on the property and will be working with Idaho Department of Water Resources.

Commissioner Sheets asked for clarification of Ms. Desimindi's testimony in regard to Idaho Department of Water Resources and working with that agency. Ms. Desimindi stated that she has well water rights to the property and they will have to be split with the new property. Commissioner Sheets noted that only ½ an acre of land can be irrigated from a domestic well. Ms. Desimindi understood.

Commissioner Nevill asked Ms. Desimindi if she had read the recommended conditions of approval and if so, was she ok with them. Ms. Desimindi indicated that she had, and she was ok with them. She added that the request is for estate purposes. The septic system leach field is shared.

**Principal Planner Karla Nelson** reviewed the Staff Report for the record.

Commissioner Nevill asked for clarification on water rights. Planner Nelson referenced the letter from Idaho Department Resources that states that the property has a groundwater right that covers two acres.

Commissioner Matthews asked if Planner Nelson knew how many nearby properties have restrictions on secondary dwellings. Planner Nelson did not have that information.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

None.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CR2025-0006 seconded by Commissioner Matthews. Voice vote, motion carried.

**Deliberation:**

Commissioner Sheets stated that his concern is using conditional rezones to split properties like this. He noted that the future land use designation is agricultural in the area. He also referenced public comments in regard to spot zoning. He is concerned about inserting conditional rezones in agricultural designated areas, even when conditional, it can be an issue.

Commissioner Matthews is concerned that this setting a precedent in an agricultural area.

Commissioner Nevill is in concurrence with Commissioner Sheets and Matthews. As soon as rezones occur in agricultural areas, it begins to put pressure on agriculture.

Chairman Sturgill referenced findings for Criteria 3, that the proposed rezone is compatible with the current density, since they're not authorizing any additional residences on the property.

**MOTION:** Commissioner Nevill moved to **recommend denial** to the Board of County Commissioners of Case No. CR2025-0006, noting criteria two – the proposed conditional rezone is not more appropriate and referenced the letters received in opposition that supports this finding. Seconded by Commissioner Matthews.

**Discussion on the Motion:**

Commissioner Sheets suggested changing the answer to criteria one to reference that the area is designated to be agriculture and the surrounding land use are further designated as intensive agricultural overlay and doesn't contemplate the residential zoning in this area.

Commissioner Nevill agreed and added that to his motion. Commissioner Matthews also agreed.

Roll call vote: 5 in favor, 1 opposed, motion passes.

**Item 2B:**

**Case Nos. OR2025-0017 & CR2025-0007 – Hooker:** The applicant, David Ruby, representing owners Ken and Sandy Hooker, is requesting (1) a comprehensive plan map amendment of Parcels R23913, R23913012, and R23913012A, approximately 3.02 acres, from a “residential” designation to a “commercial designation; and (2) a conditional rezone of Parcels R23913, R23913012, and R23913012A from a “R-2” (Medium Density Residential) zone to a “C-1” (Neighborhood Commercial) zone, subject to a development agreement for a special events facility. The subject properties are located at 22664 and 22669 Calla Lily Lane, Middleton.

**Chairman Sturgill** affirmed the applicant to testify.

**David Ruby – (Applicant) IN FAVOR – 499 Main St., Boise, ID 83602**

Mr. Ruby stated Highway 44 is the south property line of the site. He referenced the site plan and noted where buildings were located. The existing home in the southwest corner will serve as a caretaker’s residence. The hay barn in the northwest corner will act as a backdrop and buffers the new venue from the nearest residence to the west. The new venue will sit east of the haybarn, and the entrance is located between the two barns. The old milk barn which is generally located in the middle of the site will be repurposed to a bridal party changing area/ storage. The old farmhouse in the southwest corner will become a salon for the owner’s granddaughter and the small building north of it will be the onsite building business office. Berms and plantings will help buffer the outdoor areas not only from the highway but from the nearest residence. Mr. Ruby referenced the standards of evaluation for a conditional rezone and noted the request is generally consistent with the 2030 Comprehensive Plan, and the property is designated as commercial. The low intensity event venue on the three-acre parcel preserves open space and semi-rural aesthetics and incorporates buffers as well as concentrating actively on underutilized areas of the site. Mr. Ruby stated that the proposed conditional rezone is more appropriate than the current zone. The project provides a strong transitional buffer from the busy highway on the south to the low-density areas to the north. Mr. Ruby also stated that the proposed conditional rezone is compatible with surrounding land uses and would not have a negative impact. He referenced existing commercial uses along Highway 44 that are also adjacent to residential uses. Some mitigation measures they are proposing include location of new venue away from the nearest residence, berms, landscaping, limiting guests to 200, enforcing sound control, traffic plan and parking, speed limit and enforcement. Mr. Ruby has located delivery areas for catering along the backside of the site in an effort to buffer from the nearest residential uses. A new private well permitted by Idaho Department of Water Resources supplies water for low intensity needs. Any new septic systems will be permitted by Southwest District Health and will handle sewer safely. Drainage uses natural percolation surface to minimize runoff. Irrigation comes from the well and surface ditches. Mr. Ruby stated that projected traffic volumes are well below thresholds for upgrades as confirmed by Idaho Transportation Department. Mr. Ruby stated that their research found that prior operations had zero police reports for noise or disturbances. Fire and EMS impacts are also negligible with code compliant features including fire sprinklers in the new building.

Commissioner Nevill asked for further information about traffic improvements and questioned how this use cannot be impactful. How will 200 guests safely get onto Highway 44 after events? Mr. Ruby stated that they offered to do a right in and right out only. Commissioner Nevill asked how many events per year are proposed. Mr. Ruby stated that he had heard the number 50, but that encompasses everything, not just weddings. He also added that Southwest District Health Department in a manner of speaking will set the number based on the residential style septic system that will be used. Commissioner Nevill asked if they would be amenable to a condition limiting the number of events to one a week, or was more flexibility needed? Mr. Ruby suggested a condition that is tied to Southwest District Health Department based on the septic system that is being used.

Commissioner Sheets referenced Exhibit D.1 from Highway District 4 which discussed 26 times per year. Will there be more than 26 events per year? Mr. Ruby stated, yes.

Commissioner Matthews asked if he and the applicant have discussed reducing the number of attendees? Mr. Ruby stated he would confer with his client during testimony.

Commissioner Werhanowicz asked what the property was used for prior to the new owner's purchase. Mr. Ruby stated the prior owners were using the property for an events center, but without approval from his understanding.

Commissioner Johnston asked about the event times on weekends and holidays. Mr. Ruby stated that they've been evaluating County Ordinances, and all of the discussions so far were to be done with activities and outside noise at 10. The property will be empty by 11.

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

Commissioner Nevill asked about conditions that would limit the use to the current owner only. Planning Supervisor Lister noted that this request is a conditional rezone and not a conditional use permit. The rezone runs with the land and has conditions tied to it. If the applicant sold the property, it would be a commercial zone as long as they meet the conditions. Commissioner Nevill asked if the proposed conditions are applied to both uses (special events center and beauty salon). Planning Supervisor Lister stated that the Commission can amend the conditions as they see fit. He noted that the traffic impacts would be dealt with by the jurisdiction that has the permitting process for those. Staff has added conditions that approvals have to be received prior to commencement of use.

Commissioner Sheets asked staff what constitutes commencement. Planning Supervisor Lister stated that commencement would be a building permit. Commissioner Sheets asked how findings can be made and mitigation measures noted when they don't necessarily know the traffic patterns that will be impacted until commencement of use. Planning Supervisor Lister stated that Idaho Transportation Department said their jurisdiction will ensure their standards are met before the commencement of use. He reminded the Commission that they have three options this evening, to deny the request, to approve the request, or to continue the case to obtain more information before a decision is made.

Chairman Sturgill stated approximately two miles down the road there is an auto parts store that encourages right turns only by means of a curb. It has been his observation that at least half of the traffic turns left out of the business. Chairman Sturgill questioned the condition regarding right in right out for the proposed use. Planning Supervisor Lister stated those conditions are applied to special events, gravel pits, etc. The right in right out is something proposed by the applicant as a way to help mitigate concerns.

Commissioner Nevill stated that some operations will hire a private security service to help direct traffic and noted it may be hard to find a company willing to do this along Hwy 44. Planning Supervisor Lister stated that staff had added a condition requiring a traffic mitigation plan that would be reviewed by the fire district. This plan could include signs, cones, etc. and could be added to the operations plan.

**Carlos Tabarini—IN FAVOR – 0 Stoffle Ln. Middleton, ID 83644**

Mr. Tabarini is in support of the request. He attended the neighborhood meeting for the project and liked the enhancements that are proposed. Mr. Tabarini witnessed events by the prior owner, and he said they were a pleasure to see. The proposal adds to the neighborhood and although he could hear music from the prior owners, it was never a nuisance. As long as the music is done by 10 p.m., he doesn't have noise concerns.

**Aaron Lowe—IN FAVOR – 22643 Eel Ln. Middleton, ID 83644**

Mr. Lowe lives east of the subject property. He did not know the previous owners very well. The new owners reached out to them and have been great neighbors. Mr. Lowe knows that Hwy 44 is a concern, but with the limitations to 200 people and curfews it should be okay.

**David Leasure—IN FAVOR – 9315 Tula Dr., Middleton, ID 83644**

Mr. Leasure lives north of the subject property. The new owners have improved the property immensely. Mr. Leasure is concerned about traffic and noted two accidents that have occurred in the past month. Mr. Leasure stated that he has two careers in his lifetime, one being a police officer and one being a home builder. A right in and right out would definitely be needed because Highway 44 is a nightmare. Without that, he would be opposed.

**Katie Vilhen—IN OPPOSITION – 8826 Petro Ln, Middleton, ID 83644**

Ms. Vilhen loves to see growth in the right way and in the right place. She is very concerned about the 55 mile per hour speed limit and accommodating 200 people going onto the property which could have a potential of 112-120 cars coming in and out. Ms. Vilhen felt this was extremely dangerous. She lives off of Lansing and there is already a cross at Lansing and Hwy 44, which is a dangerous intersection. Even with a right-hand turnout, there's no good place for people to turn around and head back in the other direction. Ms. Vilhen is concerned about increasing well water usage. She is concerned about alcohol being consumed on site and the large number of people being allowed on the property. She suggested reducing the number down to 50 and reducing the number of events. If the business fails, will the use go back to residential. Ms. Vilhen stated that they want to keep the quiet and peaceful rural lifestyle.

**Daniel Richards—IN OPPOSITION – 8049 Plumberry Ct., Middleton, ID 83644**

Mr. Richards voiced concerned about Hwy 44. If guests come from the west, there is no left turn lane, and this will cause issues. There is a fire station just down the road, but he is aware that the City of Middleton is considering cutting costs. Mr. Richards stated that Highway 44 is a mess and adding this use will have impacts.

**David Ruby – (Applicant) REBUTTAL – 499 Main St., Boise, ID 83602**

Mr. Ruby addressed the traffic concerns noted by the testimony in opposition. Mr. Ruby stated that no one can control what people do after they leave the site. Mr. Ruby stated that he had conversations with ITD and reviewed the frequency of events and number of people on the site, and they were not concerned with people coming to and from the site. A big part of that discussion was regarding weddings which are most likely held on evenings or weekends. The applicant does propose to have other events throughout the week, but they are much smaller. Typically, people carpool to an event and that would reduce the number of cars traveling to the site. Flexibility is going to be key for this business. Mr. Ruby felt that the use is appropriate for the property as it is along a thoroughfare. A new well has already been put in and it was built to higher standards to supply the buildings. Mr. Ruby also noted that the event venue itself does not obtain an alcohol license, that will be the caterers.

Commissioner Matthews asked where the septic system would be. Using the site plan, Mr. Ruby pointed out where this would be located.

Chairman Sturgill asked about the previous owner's operation and what the maximum number of people were at events. Mr. Ruby was told 200, so roughly the same as being requested. Chairman Sturgill asked when the prior use ceased operations. Mr. Ruby replied, November of 2024.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. OR2025-0017 & CR2025-0007, seconded by Commissioner Nevill Voice vote, motion carried.

**Deliberation:**

Commissioner Sheets stated he is generally in favor as the site is along a commercial corridor. He stated that he is having a bit of a struggle understanding exactly what they want to do and how the traffic will be mitigated. Due to the location along Hwy 44, he would like more information about traffic impacts.

Commissioner Nevill is agreement with Commissioner Sheets' statement in regard to Hwy 44 and has concern about the credibility/policies of ITD. Until ITD can fix Hwy 44, he does not want to add more injury.

Commissioner Matthews stated he needs more information in regard to traffic and what ITD will do to help mitigate.

Chairman Sturgill stated that C-1 is not intended for large traffic volumes. He does like the plan but is concerned about traffic impacts. He is concerned that at some events there will be large traffic volumes coming out of the site. Until there are metered traffic lights on Hwy 44 within a mile or two of the site, he is not in favor. Chairman Sturgill reminded the Commission that there will need to be two motions, one for the Comprehensive Plan Map Amendment and one for the Conditional Rezone.

**MOTION:** Commissioner Nevill moved to **recommend denial** to the Board of County Commissioners for Case No. OR2025-0017 and direct staff to change criteria E, to indicate there will be an impact on public services specifically, traffic and roads based on testimony received. Seconded by Commissioner Matthews.

**Discussion on the Motion:**

Commissioner Sheets stated he would be opposed to the motion, and his desire would be to get more information regarding actual event volumes as well as more information from ITD. Commissioner Sheets would rather table this to a date uncertain.

Roll call vote: 4 in favor, 2 opposed, motion passes.

**MOTION:** Commissioner Nevill moved to **recommend denial** to the Board of County Commissioners for Case No. CR2025-0007 and direct staff to change findings to state that the proposed use is compliant and also to change the analysis of question no. 6 in regard to testimony received about traffic impacts. Seconded by Commissioner Matthews.

Roll call vote: 4 in favor, 2 opposed, motion passes.

**Item 2C:**

**Case No. CR2025-0012 – Middleton 187, LLC:** The applicant, Todd Campbell Custom Homes, represented by Becky Yzaguirre, is requesting a conditional rezone of approximately 216.29 acres from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone - Single Family Residential) zone subject to a development agreement. The subject parcels R37605, R37605010, R37602010, R37597 are located north of Foothill Road between Lansing Lane and Duff Lane, Middleton.

**Chairman Sturgill** affirmed the applicant to testify.

**Heathe Clark – (Representative) IN FAVOR – 251 E. Front St., Boise, ID 83770**

Mr. Clark stated that planning supports this rezone and property is residential on the 2030 Comprehensive Plan. The existing conditions include significant residential development on all sides, including R-1 developments. They are prepared to ensure that the project is properly conditioned and that includes accepting staff's direction regarding a community water system. The subject property is 217 acres between Duff Ln. and Lansing. Mr. Clark reminded the Commission that they were before them a couple of years ago

with a different application that included more than 400 lots. At that time, the property was within Middleton's Area of City Impact . They spent three years working with the city to identify a pre-annexation agreement that included a municipal well for a lift station, sewer facilities , and water facilities. There were also requirements to improve Duff and Lansing and there was about 1.5 million in upfront commitments. The prior project included a density of 12,000 square foot lots as permitted in County Code. The impact area has now changed, but it is still planned for residential use in the County, which means larger lots with no municipal water or sewer. Mr. Clark noted that the request this evening is just for a rezone, and not a plat. The conditions of approval have been identified by staff in their report, and they are in agreement with them. A community water system is a more expensive option, but it is the right thing to do in this case. The reviews for community water systems are far more stringent and require DEQ and Southwest District Health oversight and annual monitoring. The community system will reduce the number of holes being put into the ground and will help monitor water consumption. The proposed well would only be for in-home use. Irrigation water will be provided using the surface water right that exists with Black Canyon Irrigation District. Mr. Clark stated that two intersections in particular are affected, Hwy 44 & Duff and Hwy 44 and Lansing. Mr. Clark is in agreement with staff's condition requiring those intersections to be fixed with the first final plat. Staff recommended a condition increasing the minimum lot size from 1.0 to 1.3 acres. They have agreed to a minimum of 1.3 acres which means that the concept plan of 160 lots will go down significantly as it was based on a lot size of 1.0 acres. Mr. Clark stated that they are proposing a 100-lot subdivision that is also committed to improving two intersections along Hwy 44. Mr. Clark discussed the criteria for a conditional rezone and identified that the use is consistent with the comprehensive plan as the property is residential and adjacent to like zoning, the proposed use is compatible with surrounding uses as there are 13 platted subdivisions in the area at 1.66 units per acre and adjacent subdivisions 1.32 units per acre. There will be adequate facilities provided, and the property is not within a nitrate priority area. They have reviewed the plan with Southwest District Health, and they indicated that the lot size(s) should not be a problem. Drainage is required in connection with the preliminary plat but understand that they can't allow a trespass of our drainage beyond the historic use to their neighbors. There have been no concerns expressed by Black Canyon Irrigation District. They do have legal access, and essential services will be provided. Mr. Clark stated that Middleton School District has responded to the hearing notification and in their comment noted that they have acquired funding for the 400-unit phase of the elementary school. Once that happens all of those elementary schools will have capacity. Mr. Clark stated that the applicant will continue with the \$1500 per unit contribution to the school district.

Commissioner Nevill asked if they were in agreement with the 14 conditions of approval. Mr. Clark was okay with all of them. Commissioner Nevill asked Mr. Clark to clarify the \$1500 per unit fee to the school district. Mr. Clark stated that when they discussed the previous project with the district they entered into an MOU for 421 units. They plan on doing the same thing with this new project. Mr. Clark stated that projects take awhile to get off the ground and they're at least two years out from having a shovel in the ground, let alone having residents living in the development. This project may add approximately 60 students over the course of the project which is likely to take 8-10 years.

Commissioner Sheets asked if the pre-annexation agreement with Middleton is still in effect. Mr. Clark stated that it is not. Commissioner Sheets asked if both parties cancelled it. Mr. Clark stated that it was contingent upon approval of the Farmington application, so it terminated automatically.

Chairman Sturgill referenced the proposed condition for traffic improvements, which states that signal lights or alternative improvements as indicated by Highway District No. 4 and ITD and asked the applicant if they've had discussions with those agencies as to what "alternative improvements" might be acceptable. Mr. Clark stated he was not aware of any other plan than a traffic light. The only question that has come up is whether there is enough right of way to make sure there are lights, and as he understands it there is adequate right of way. Chairman Sturgill asked if there would be any objection to removing the language from the proposed condition to remove "alternative improvements." Mr. Clark did not think there would be an objection. Mr.

Clark also added that ultimately Highway District No. 4 and ITD have jurisdiction and control over traffic improvements. Chairman Sturgill asked if Mr. Clark knew the cost of a light at those intersections. Mr. Clark stated at least a million and a half.

**Principal Planner Deb Root** reviewed the Staff Report for the record.

Commissioner Sheets asked for clarification on timeframes and referenced condition no. 2 and 4 and how those work together. Planner Root stated that commencement is defined as the submission & acceptance of a Preliminary Plat. The plat will then be reviewed and go through the planning and hearing process. The improvements will then be required prior to the Board signing a final plat. Commissioner Sheets asked how Middleton School District had secured funding for an additional elementary school. Planner Root stated she had reviewed Middleton's City Council minutes, and it appears they did get the funding and plans have been approved, but she was unclear where it came from.

Commissioner Nevill asked if the maintenance of the common lots will fall to the HOA. Planner Root replied, yes. Commissioner Nevill asked what areas are being farmed. Planner Root stated that the only areas not being farmed were the pond area in the corner and the northwest corner of Meadow Bluff Rd. as it is very steep.

Chairman Sturgill was also curious where the funding for the elementary school came from. He referenced Exhibit E2, which indicates that the high school and middle school are at 99 and 100 percent of capacity. He asked staff if they were able to quantify the number of residential entitlements approved but not yet built and occupied. Planner Root stated at the time Farmington was discussed there were about 3000 lots within the City of Middleton that had been approved and not built upon at that time, and that was two years ago. The City of Middleton enacted an ordinance to restrict any approval of development until school capacity has been addressed. Chairman Sturgill asked about testimony from Mr. Clark in regard to the size of lots that would be economically unviable for annexation and what Planner Root's thoughts were on that issue. Planner Root suggested asking Mr. Clark in rebuttal but planning departments such as the City of Caldwell and the City of Nampa don't want developments that don't meet their density thresholds. Chairman Sturgill stated he is concerned about the proposed language of condition no. 4, which adds alternative improvements. He is concerned that if approved, the governing highway bodies could elect to put in a turn lane in each direction as an alternative improvement which does not address the traffic metering problem. Planner Root stated that there is an opportunity to make the language stricter and if that is not what the highway district determines to be the appropriate path, the applicant could come back before the hearing body to amend that condition.

**Dean Waite- IN FAVOR –2154 East Timber Trail, Kuna, ID 83634**

Mr. Waite stated that he is an employee of the applicant. After the previous application, he met with several of the people that were opposed to hear their concerns. There were two messages that he heard again and again, one being lot size and traffic. In regard to lot size, the concern was 12,000 square foot lots. The applicant is now proposing a minimum lot size of 1.3 acres. In regard to traffic and safety, the intersections of Duff and Lansing were the main concern. All of the jurisdictions that have authority know it is a problem. In a meeting just last night, Highway District No. 4 and ITD discussed this corridor and specifically those intersections. It was stated by Highway District No. 4 that this is an urgent problem, but it will have to be driven and funded by a private entity. It is unprecedented that this developer of a single residential development has agreed to the cost of building two intersections along a state highway. Mr. Waite said that the cost per intersection, according to more recent budgeting, is 2.2 million dollars. In regard to sewer, they have met with Southwest District Health, and they were fully supportive of the proposed lot size with individual septic.

**Antonio Conti- IN OPPOSITION –9965 Meadow Park Blvd., Middleton, ID 83644**

Mr. Conti's biggest concern is that supporting entitlement without a plan is dangerous. Once the land is entitled, there is no recourse if something changes. Mr. Conti stated that approximately 30% of the boundary is R-1. Most of the lots in the area are over two acres in size. R-R zoning is more appropriate for the area. He agreed that traffic lights are expensive and noted that the City of Middleton and the highway district have been collecting funds for the lights and it doesn't mean the developer is going to pay the entire amount. Mr. Conti was surprised to see curb, gutter & sidewalk proposed and felt this is a hybrid city/county development. He added that this plan is a lot better than the previous plan.

**Greg Baker- IN OPPOSITION –9863 Meadow Park Blvd., Middleton, ID 83644**

Mr. Baker thanked the Commission for increasing the lot size on different projects and moving the impact zone. Mr. Baker discussed Meadow Park Blvd. and noted that part of the cul de sac will go away because it belongs to the developer, and the road would go through someone's property. He talked to the owner, and they had no idea they were going to eminent domain his property. Mr. Baker stated that this was in Middleton's plan, but it was not in the impact area and should be removed. Mr. Baker referenced the traffic study for Farmington and noted that there are driveways that exit onto Meadow Park. He questioned the R1 zoning and why they wouldn't do RR zoning and require 1.3 acre lots with nothing below that.

**Mark Press- IN OPPOSITION –25762 Amble Way, Middleton, ID 83644**

Mr. Press stated that signals on Hwy 44 need to be placed before they start building. He asked if improvements would be made to Purple Sage because Lansing and Duff both cross Purple Sage. There have been significant accidents on Purple Sage over the last few years.

**Allen Colson- IN OPPOSITION –8802 Purple Sage Rd., Middleton, ID 83644**

Mr. Colson lives about three houses down from the intersection of Purple Sage and Lansing. Purple Sage Rd. will be impacted by this project and already is impacted by development. 217 acres is a large area of agricultural land, and he noted this land has been in agriculture for the last 20 years. Mr. Colson spent 24 years in the military working on EMS helicopters as a crew chief. If a bond isn't passed and there is not enough personnel and equipment, drive times aren't going to matter. Adding 100 homes will increase the callouts to this location. He stated that the residents that currently live in the area have large acreages, and they are larger than 1.3 acres. Mr. Colson stated that he has 6.5 acres with horses, and he also raises hay. Adding 100 homes will impact the lifestyle of those in the area. He is concerned about the high school & middle school capacity. He also added that high school traffic from this development will take Purple Sage as their route to school.

Commissioner Nevill asked if the agriculture on the subject property yielded a good crop. Mr. Colson stated it has yielded every year. As far as making a profit, he couldn't testify to that.

**James Shores- IN OPPOSITION –25088 Lansing Ln., Middleton, ID 83644**

Mr. Shores stated that he moved to the Middleton area because it has a serene and farm-like environment. According to research he completed as of the first quarter of last year there's about 3000 residential zoned properties. This project represents a land use shift that is not compatible with the existing agricultural operations and will increase urban conflict pressure for nearby farms. Mr. Shores stated that based on the typical Idaho yields this land has the capacity to produce enough food to feed 3000 families a year. This area is where a lot of food is grown, and it seems like there's a lot of greed and putting in homes. Adding homes increases the demand on the aquifer and elevates the risks of failures and contamination as well. Mr. Shores stated that the long-term average cost to the average household here would be \$20-35,000. This cost is due to utility bills, special assessments, hookup fees, and taxes. Mr. Shores stated that new homes should pay for the new schools. Mr. Shores questioned how the \$1500 per lot would help if it is not on an annual basis.

**Cheryl Palange- IN OPPOSITION –9155 Pursuit Ln., Middleton, ID 83644**

Ms. Palange thanked the developer for the concessions. The lights are awesome, but there are still blind hills on both Duff and Lansing. Speed is also an issue in this area; she wakes up at 5:30 a.m. and there are several speeders at that time of day. She referenced a meeting at Middleton in which Can-Ada, Kingsbury, and Blessinger improvements are funded through subdivisions. It is anticipated that Kingsbury will have the first light. The lights will be built for a future 5 lane Hwy 44. They also voted last night to not include the alternate route of the highway. The southern route has to go through the federal process next. Ms. Palange stated she had an email exchange with Mark Gee (Middleton School District) in November of last year. There was land donated to the district. They received 11.1 million as new funding in addition to the 8 million they had from state modernization funds. Ms. Palange understands that one more bond has to fail before the district can receive those funds. Ms. Palange stated that the 19.1 million will build 2/3 of the Kingsbury school. When it is fully built, they actually will have room for only 250 students across elementary schools. Between the east side of the Middleton School District and the west side of Star, Mark Gee estimated there are 5,684 entitled lots. Ms. Palange has been to several Middleton meetings where they proudly wanted to annex them. She lives in the Cascade Hills Subdivision. The city wanted to annex for tax purposes to help pay for parks and roads. Ms. Palange referenced Meadow Park Blvd. near her and stated it does have a sidewalk with a swale. According to Google, it is a 55-mph zone although there are no speed limit signs. She has contacted Highway District 4 to install speed limit signs as there are children that walk to the corner to the bus stop.

Chairman Sturgill referenced Ms. Palange's testimony in regard to annexation and asked if it was her opinion that the City was trying to annex without services. Ms. Palange stated that they have expressed an interest in doing that at their meetings.

Commissioner Sheets asked about the 11.1 million in new funding and where that money came from. Ms. Palange read the email from Mr. Gee. Ms. Palange also stated that bonds need a super majority and so far they have not passed. She felt that if people keep voting for more bonds, more homes will be built.

**Jamie Sharp- IN OPPOSITION –9221 Willow View Dr., Middleton, ID 83644**

Ms. Sharp stated that she has an email from the school district. Both of her children attend Middleton Schools (Mill Creek Elementary & Middleton High School). She understands there will be another bond in May. The email stated that the bond has to pass to continue to run the schools the way they have been run. As a parent, that is worrisome. When more homes go in, that's a problem. She noted that their fire stations that are built with no one to run them. She also shared concerns regarding traffic and safety. Ms. Sharp stated she moved out to the area to have a rural lifestyle. She and her husband have 2.3 acres and raise animals on their property. Every time that agricultural land goes away it makes it harder for people to continue to do what they're doing. Ms. Sharp stated that when fields go away and developments go in, she sees the price of hay go up. Agricultural land is precious, and it should be protected.

Commissioner Nevill asked if the email referenced in her testimony was from Mr. Gee. Ms. Sharp stated it was signed by Mr. Gee.

**Mike Sharp- IN OPPOSITION –9221 Willow View Dr., Middleton, ID 83644**

Mr. Sharp stated that there used to be a lot of people who would ride horses in the area, but that is now gone because of traffic. Farm equipment still travels on Purple Sage so there is some farming going on in that area. Mr. Sharp stated that it is a struggle to hire school bus drivers, and it takes his children an hour to get to school. Traffic is a big deal in the area, and he agreed with previous testimony.

Chairman Sturgill asked how Mr. Sharp feels about the traffic lights at Duff & Lansing. Mr. Sharp stated that it would help but his concern is also Purple Sage.

**Daniel Richards- IN OPPOSITION –8049 Plumberry Ct., Middleton, ID 83644**

Mr. Richards stated that the \$1500 per lot will be passed onto the individuals that buy a home, not covered by the developer. He also stated that the cost for the lights will be passed on. The lights still have to go through the highway district, and it might be 2 years down the road or it might be 15 years. Mr. Richards is concerned about water in the area. He is also concerned about traffic; each home will likely have at least two cars and two trips in and out of the development.

**Lyle Zufelt- IN OPPOSITION –9965 Grand Targee Trail, Middleton, ID 83644**

Mr. Zufelt is concerned about water in the area. The P&Z Commission hopefully considers the needs of citizens or neighbors as well. Mr. Zufelt stated that the developers don't worry about the residential wells in the area, they have no reason to. Water is always a concern, especially when looking at the precipitation that we've received this year. The surrounding area contains lots that are larger than R-1. Mr. Zufelt stated that the water used for agriculture on the property comes from Black Canyon Irrigation District. This water is used for about a third of the year. A community well to serve over a hundred homes will impact individual wells that were drilled 20-40 years ago. He questioned why no one asks developers if they've tested other wells to assess the water level in the aquifer. Mr. Zufelt stated that no one would know that the aquifer is depleted until someone who drilled their well 30 years ago turns on the faucet.

**Katy Vilhen- IN OPPOSITION –8826 Petra Ln., Middleton, ID 83644**

Ms. Vilhen stated that most of her concerns had been addressed in prior testimony. It was her understanding that the light at Lansing would go in towards the end of the project and the project could be 8-10 years out. She stated that her daughter is in middle school and spends 45 minutes on the bus. The bus picks up high school kids first and then they are all in the same bus together. Having middle school and high school kids on the same bus is not ideal. Ms. Vilhen discussed the compatibility with surrounding land uses. She understands the importance of a question like that but saying that the surrounding area is residential, so it works to add more seems counterintuitive. They would like to keep rural/larger properties in this area. Ms. Vilhen stated that it was a bit concerning that the information that is put out is either incomplete or inaccurate.

**Kim Takagi- IN OPPOSITION –24323 Duff Ln., Middleton, ID 83644**

Ms. Takagi lives across from the subject property. She stated that rapeseed was grown on the property, which is a specialty crop used to make canola oil. This year they grew grain and had about a hundred bales of one ton straw. The subject property is good farmland. Highway District 4 has had issues with drainage in the area. There are issues with patched holes, and the sides of the roadway are starting to wear down and it needs to be taken care of. The speed limit by her home is 45 miles per hour, yet people go nearly 100 miles per hour. There are cattle out on that road all the time, and it is just a matter of time before someone gets hurt. Ms. Takagi stated that her property is in a dip and people can't see her when she is trying to go in her driveway. Adding over 100 homes across from her will cause issues. Her Mom and Dad moved to this area in 1978, and they do have a good well but adding a large number of homes may impact their well. She stated that two acre lots for septic systems should be considered.

**Heather Peterson- IN OPPOSITION –11101 Old Middleton Rd., Middleton, ID 83644**

Ms. Peterson referenced the fire levy and stated that information she received indicated that inflation costs paired with significant population growth and development of previously rural areas had created a budget shortfall and they needed \$2,225,000 just to continue to staff the fire department for the existing population. Ms. Peterson found it interesting that no comments were provided in regard to this project. The school district has stated that they will need to increase by a million dollars per year just to take care of the existing population.

**Heathe Clark – (Representative) REBUTTAL– 251 E. Front St., Boise, ID 83770**

Mr. Clark addressed the timing of signals on Duff and Lansing and stated that the preliminary plat would need to be approved before this would begin. There are carrying costs, and once the plat is approved they've got

to get the project off the ground, which will force them to move quickly on the signals. The concession that has been made is that the lights would happen at the beginning of the project. Duff and Lansing have existing failing conditions which means they're not eligible to be on the Capital Improvement Plan for areas that can be improved with impact fees. That has been the issue with Duff and Lansing, as there is no funding source. Purple Sage, however, is on the Capital Improvement Plan. As people develop, they pay impact fees and there will be improvements to Purple Sage as a result. That doesn't mean that development won't have an impact, but the TIS will identify improvements if required. Mr. Clark addressed the school district and the 11.1 million funding referenced in previous testimony. The 11.1 million came from the Public Schools Cooperative Fund. It is 8 million from the State's fund that was set aside last year via legislation. The school district has to run one more levy, and if it fails then the 11.1 million will kick in. If the levy is successful, then the money will come from the levy. Either way, the funding will be available for the new school. Mr. Clark referenced the letter in the packet from the school district. In the letter it states that it will fund phase 1, which will house 400 students and at that point they will be under capacity in all of the elementary schools. Mr. Clark looked at Middleton School District's website and it mirrors the dynamic that is happening across the valley. If you look at school enrollment in almost every school district, there is a demographic shift where there's an anticipation that the high schools are not going to have as much pressure on them later on. However, he noted that this is just his interpretation of the data and is not speaking for Superintendent Gee. Mr. Clark referenced testimony in regard to whether or not the conditions would apply if the property was sold. He stated that the conditions run with the ground and would apply to any subsequent owner. Mr. Clark stated that fire districts typically don't provide comment until the Preliminary Plat stage. He stated that they did talk with the district in connection with the previous request (Farmington) and had actually offered up a location for a station, but the department stated that wasn't necessary. The fire department currently has a station approximately 3.7 miles away. Mr. Clark referenced "forced annexation" that was discussed in previous testimony. Recent legislation requires 60% of the parcels and at least 50% of the area to consent, so they don't expect to be part of Middleton. He stated that the planning area shows this as residential. They have agreed to increase the minimum lot size by 30% from the previous application to be consistent.

Commissioner Nevill referenced Mr. Clark's testimony in regard to future high school students and what the price point would be for homes in the development. Mr. Clark stated that he was not able to answer that because he doesn't know what size his lots are. Todd Cambell does higher end homes. The issue in the valley is that it is very difficult to entitle lots and there is a shortage of supply. Studies show that no matter what type of housing is entitled, overall, it brings down the price of housing.

Chairman Sturgill asked staff if they had anything to add before public testimony was closed. Planner Root stated that Mr. Clark indicated that the homes would have fire sprinklers. This should be added as a condition on any preliminary or final plats and potentially no secondary units.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CR2025-0012, seconded by Commissioner Nevill. Voice vote, motion carried.

**Deliberation:**

Commissioner Nevill stated that on one hand there are not that many developers willing to take on highway improvement projects. However, the big question is whether it is time to take the land out of agriculture, and the short answer is no. In regard to the decision criteria, Commissioner Nevill noted no. 2 that the proposed conditional rezone is not compatible as there are existing agriculture operations. In regard to criteria no. 4, it will negatively affect the area because of existing agricultural operations. Criteria no. 6, in regard to traffic impacts on Hwy 44. In regard to criteria no. 8, there will be an impact on essential services (schools).

Chairman Sturgill referenced criteria 2 as noted by Commissioner Nevill and stated that one could argue that the Ag to the north may never change.

Commissioner Nevil stated that the survey conducted for the Comprehensive Plan showed that 80% of respondents said to preserve agriculture. Until that changes, he doesn't know that it's time to think about taking large chunks of ag land out of production.

Commissioner Sheets referenced criteria no. 8 and how it will impact services. He can't get around the elephant in the room that it will impact schools. The schools are in danger here because they're overcrowded and the solution is not throwing more people into the schools. He appreciates the proposed mitigation, but it is not a long-term solution for the entire Middleton School District. Chairman Sturgill asked Commissioner Sheets if he was comfortable with the traffic mitigation proposed. Commissioner Sheets stated that he appreciated the traffic mitigation proposal and the 4.4 million dedicated to traffic signals is admirable. It will not change the traffic situation on Hwy 44, and he doesn't think it is fair to pin that all on one developer. They should not be responsible for a regional traffic issue. Chairman Sturgill asked Commissioner Sheets if he would care to weigh in on criteria two, three and four that Commissioner Nevill discussed. Commissioner Sheets agreed to a certain extent. He felt that a 1.3-acre minimum lot size is more compatible but will still have a dramatic impact on the area. It will turn everything from Duff and Lansing into residential homes. Everything north of Hwy 44 is going to be pressured into more and more development.

Chairman Sturgill stated he came into the hearing deeply concerned about Hwy 44 and finds the applicants proposal to improve those two intersections is generous. However, Commissioner Sheets brought up a good point that once the intersections are improved, it certainly opens up the door for significant additional development. Chairman Sturgill is still concerned about the fact that the middle and high school are both over 98% capacity with a large number of entitlements yet to be built.

Commissioner Johnston stated that she was in agreement with what had been stated. This is a large piece of agricultural property and once it is removed it just makes the next ag property to the north more susceptible. The traffic mitigation (lights) would be wonderful, but unfortunately this should have been done by many before them, and we wouldn't be where we are.

Commissioner Matthews stated added to criteria no. 8, the testimony received in regard to fire stations that are unoccupied.

Commissioner Werhanowicz stated that this is a large piece of agricultural land and the more residential you put in, the less ag you have. Even though traffic lights would be put in, the development would add more traffic, so is it really fixing it?

**MOTION:** Commissioner Nevill moved to **recommend denial** of Case No. CR2025-0012 to the Board of County Commissioners, and direct staff to revise findings. Commissioner Nevil directed modification to criteria no. 2, finding that the use is not more appropriate based on testimony and evidence that the land is in agricultural production as well as ag in the area around it. Modify criteria no. 3, finding that the use is not compatible with existing uses as there is agricultural production on the property and on those around it. Modify criteria no. 4 finding that the proposed use will negatively affect the character of the area, as the property is in agricultural production and noted also testimony & exhibits received in regard to water concerns. Modify criteria no. 6, finding there would be an impact to traffic in the area, acknowledging the lights the applicant had offered, but there still would be an impact. Modify criteria no. 8, finding that essential services would be impacted, especially schools and emergency services as noted in testimony and exhibits in opposition as well as Exhibit E.2 from Middleton School District. Seconded by Commissioner Werhanowicz.

**Discussion on the Motion:**

Commissioner Nevill stated that this project may be the only way a light would be put in over the next 10 years. He doesn't see any other developers stepping forward and the Highway District Commissioners being willing to tax at the level it would take. Commissioner Nevill wanted to state that the developer should be commended for making the offer. Commissioner Nevill noted what actions the applicant could take to try to gain approval as waiting until the land is not being farmed as well as the land around it.

Commissioner Werhanowicz asked for clarification on Commissioner Nevill's suggestion as to what the applicant could do to try to gain approval, and suggested it be worded differently. Commissioner Nevill invited the Commission to provide feedback as to their thoughts.

Commissioner Matthews stated that he thinks that is not the way to go. He referenced testimony about the production of Rapeseed on the parcel. It is productive agricultural land.

Chairman Sturgill suggested consideration for other ideas about what the applicant can do to try to gain approval.

Commissioner Sheets stated that it is a timing issue. Specifically in regard to capacity for students at the middle and high school. Currently there is not a stable funding mechanism.

Chairman Sturgill asked if Commissioner Nevill was comfortable as having Commissioner Sheets' suggestion as the criteria for what the applicant can do to try to obtain approval. Commissioner Nevill stated that he agrees with what Commissioner Sheets stated, but he doesn't want to just give up on the ag.

Commissioner Sheets suggested a finding that stated when the land is declared non-viable. Commissioner Nevill agreed with the suggestion.

Chairman Sturgill stated that he was playing devils' advocate, and he doesn't think this will resonate with the Board of County Commissioners because that was not a criterion that has been utilized in the past for viable farmland and informed the Commission, he was open to suggestions. Chairman Sturgill went on to say that he would support the motion. In his opinion, the most definitive criteria is in regard to schools (no. 8) and the capacity issues and until there is funding at all three levels of the schools to support the development it should be denied.

Commissioner Nevill stated that since they need to provide the applicant with a recommendation on how they may gain approval, he agreed with Commissioner Sheets' suggestion. The applicant may gain approval when there is capacity and funding mechanisms to ensure that school capacities are maintained.

Roll call vote: 6 in favor, 0 opposed, motion passes.

**3. DIRECTOR, PLANNER, COMMISSION COMMENTS:**

Director of Development Services Jay Gibbons stated that there was a request sent to Commissioner VanBeek from the FAA advisor at Ridgeview. The request was to see if there was any interest in putting a Board together for the students to practice their 10–15-minute presentations. When Director Gibbons finds out the interest, and how many practice presentations would be completed, he'd share the details via email.

Commissioner Nevill stated that he will miss the second hearing in May and the first hearing in June.

**4. ADJOURNMENT:**

**MOTION:** Commissioner Nevill moved to adjourn, seconded by Commissioner Werhanowicz. Voice vote, motion carried. Hearing adjourned at 11:24 P.M.

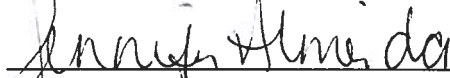
An audio recording is on file in the Development Services Departments' office.

Approved this 16<sup>th</sup> day of April 2026



\_\_\_\_\_  
Brian Sheets, Acting Chairman

ATTEST

  
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Jennifer Almeida, Office Manager