

Speaker 1 ([00:00:03](#)):

All right It's now 1:33 on this 27th day of May 2026. Time for today's Canyon County Board of Com-Canyon County Board of Commissioners public hearing. This will be regarding two cases. This is OR2025-0017 and CR2025-0007. I'm Chairman Brad Holton to my left is Commissioner Zach Brooks and Commissioner Leslie Van Beek. The DSD staff report and any additional exhibits received by the established materials deadline have been posted on the county's website on the land use hearing page for anyone to review. Potential conflicts of interest. Before we begin testimony, are there any declarations pertaining to this application such as conversations or meetings outside of this hearing received by any commissioner?

Speaker 2 ([00:01:00](#)):

Thank you, Chairman No.

Speaker 3 ([00:01:01](#)):

No, Mr. Chairman.

Speaker 1 ([00:01:03](#)):

Is there any commissioner who, for reasons of the conflict of interest, request to be excused from participating in this specific decision?

Speaker 2 ([00:01:10](#)):

Thank you, Chairman. No.

Speaker 3 ([00:01:11](#)):

No, Mr. Chairman.

Speaker 1 ([00:01:12](#)):

Okay. Is it okay if I modify my interview?

Speaker 3 ([00:01:16](#)):

Yes, please.

Speaker 1 ([00:01:17](#)):

Okay. So the bottom line is be- in your gallery, the microphone picks up anything. And so unless you want it to be a public record forever, , take the conversation outside of the room so it doesn't, , used against you for possibly in the future. <Laugh>

([00:01:38](#)):

Okay. So as chairman, I'll maintain order by restricting inappropriate discussion or disorderly conduct and if necessary, could ask you to step out of the room in that event. , I'll explain today that the rules and procedures are going to be consistent with Canyon County Ordinances chapter one, Article 17 and Chapter seven Article on. The applicant has the burden of proof. The applicant or their representative will go first today with their testimony limited to 10 minutes. The board may have questions for the applicant or their representative, which will not count against their time. DSD staff report will be next

and the board may have questions for staff. Additional questions by the board to staff can happen at any time during today's hearing.

(00:02:26):

After that point, , then the individuals who have signed up to testify will be, , brought up and you take a seat in front of us and, and just state your name and address and then speak into the microphone. Since the burden of proof has, is, is the burden of the applicant, they will get to go again last and have five minutes for rebuttal testimony or answer additional questions by the board. Once the public comment is closed, we will deliberate and render a decision. So with that, , is anybody in the room who wanted to testify who didn't sign up? Okay. We're assuming everybody who wants to testify did sign up. So at this point we are going to have you sworn in and then we'll get started.

Speaker 4 (00:03:18):

Dan Lister, Ken Hooker, Sandy Hooker, Josh Davis, Cheryl Palange, David Ruby. If I could have you raise your right hand. Do you swear or affirm that the testimony you give will be the truth, the whole truth, nothing but the truth

Speaker 1 (00:03:32):

So help you God? I do. Yes. Thank you. All right. Thank you very much. All right. So we will now begin by taking testimony from the applicant or the representative. You'll have up to 10 minutes. So just start by stating your name and address and we'll be going.

Speaker 5 (00:03:52):

Is that close

Speaker 1 (00:03:53):

Enough? , Pull it a little closer. That'd be great.

Speaker 5 (00:03:55):

Don't want to blast you, but I want you to be able to hear me.

Speaker 1 (00:03:58):

There you go.

Speaker 5 (00:03:58):

How's that?

Speaker 1 (00:03:59):

There you go. Thanks.

Speaker 5 (00:04:01):

Good afternoon. My name is David Ruby. I'm the architect for the project with the architect's office. My address is 499 Main Street, Boise, Idaho. Thank you for this opportunity to present this conditional rezone application for this new special event venue. We understand that we come before you today with a recommendation of denial from the Planning and Zoning Commission, but we are hopeful that we

will be able to address their concerns and you'll be able to find this project worthy of approval today. The image on the screen is a current aerial view of the site just to help kind of reorient everyone. I'm assuming you're very familiar with this area, but our site is highlighted in red, right near the middle. Highway 44 runs east and west. , Let's see. Lansing or ... Let's see. Kingsbury is over here on the right heading north on that far right side.

(00:05:00):

On the left side, it's Lansing Lane, just so everyone's kind of zoning in on all the things that are here. Our next slide is a zoomed in version. This is what you probably would see today. This is an old farm, , that my clients purchased a c- a year or so ago. There's actually three parcels. There's two homes up kind of in the trees along the highway, kind of obscured in that image a little bit. , On the right side near the middle is what we call the milk barn and in the left side there out by itself is the hay barn. , Let's go to the second slide. The next image ... Is that it? Yeah.

Speaker 6 (00:05:51):

Skip

Speaker 7 (00:05:52):

One.

Speaker 5 (00:05:52):

That's fine. This is actually a pretty good one. This is our, this is our concept, , site plan, which is, contains most of the information. It's hopefully very similar to what you just looked at in the aerial. The, the, the simple main addition in terms of a structure is the new venue that we're, we call it the new venue, which is in the upper right hand corner. All the other things you see in buildings are existing to remain and the landscaping is just built around it. , Similarly, in that last image where you saw the lawn area, which was kind of there, I think the previous operator's event area, we have another lawn area with kind of elaborated landscape and connections to the various buildings. The kind of the grand scheme of things is down here in the lower right hand corner, that's one of the original homes.

(00:06:41):

The, the eventual goal there is that that would become a salon, , most likely for the owner's granddaughter. , You'll see some parking and whatnot right in that area. Right north of that building is a little tiny house, which I believe is the original, original farmhouse on the property and that is going to be the management office for this venue. Across the drive, so the main access from Highway 44 is right there in the center and the bottom. Across that drive is the caretaker's residence. It's another existing home. , They're parking in front of that. , Most guests and whatnot, people will come to an event here, would come onto this property. They travel down. , If you're a guest, you'd continue along the left and circle all the way around to the back. There's parking along that west side there in front of the hay barn, but also along the entire backside.

(00:07:36):

The idea is for the bridal party, family, that sort of thing to park more up on the right hand lower part of the site behind the milk barn. So the hope is that people will come in. There's plenty of queuing space. They can travel slowly around that whole side of the property and back. If you're really familiar with this area, you may know that, , there's a little road kind of along the back of this that's just off that image. , We do not have access to that road legally. , When, in our discussions with the fire department, , several months ago, , from a legal standpoint, they can't use that. From a practical standpoint, it is there.

There's a gate. , We've talked to the neighbors, m- most of which were at the, the PNC hearing. , They are all very much in support of this, actually.

[\(00:08:29\)](#):

, And they're all ... And from a casual standpoint, if you ever needed to use it, you could, but we have planned the site with actually a hammerhead so that we do not need that at all. You can go in, turn around, and come back, clear out the site.

[\(00:08:45\)](#):

Okay. I just went way off script, so I need to find where I was, sorry. Okay. The next slide is the, should be the comp plan. Okay. And with that, I would like to address quickly the standards of evaluation for a con- conditional rezone found in county code section 07-06-076A. Starting with number one, is the proposed conditional use generally consistent with the comprehensive plan? Yes. 2030 comp plan designates this area and the other properties along Highway 44 as commercial. The comp plan promotes efficient land uses that reduce conflicts, minimize infrastructure costs, and support transitions from agricultural to residential. The area north of the site is primarily low density residential with scattered vacant and agricultural parcels. Policies encourage compatible developments with buffers to protect property values. We feel that this low intensity event venue on an existing three acre parcel preserves open space and the semi-rural aesthetics, incorporates buffers and concentrates activity on an underutilized site aligning with policies for varied lifestyles and preventing sprawl.

[\(00:10:02\)](#):

The next slide is our zoning map.

[\(00:10:07\)](#):

Number two, when considering surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning? Again, we feel that this is yes. There are no other R2 zones in the area and over 20 parcels zone C1 within a one mile radius of the site. The surrounding low density residential and transitional parcels make conditional C1 more appropriate than R2. It enables compatible neighborhood serving uses without risking higher development, higher density residential development that could alter the rural character of this area. The project provides a strong transitional buffer from the busy highway to the low density area to the north. The next slide is, should be an enlarged version of the zoning map.

[\(00:10:55\)](#):

And start with number three. Is the proposed conditional rezone compatible with the surrounding land uses? Again, we feel that the answer is yes. Surrounding properties are mostly single family on larger lots maintaining a low density semi-rural character. This low-intensity private event venue aligns as an occasional gathering space, not high volume commercial or dense multifamily. Compatibility is ensured through stipulations, maximum of 200 guests, sound and light buffers, noise traffic, alcohol controls, similar to other conditional approvals in transitional zones. Next slide is an aerial with our site plan overlaid. Item four. Will the proposed conditional rezone negatively affect the character of the area and what measures will mitigate impacts? No. The semi- the area semi-rural character, open spaces, privacy, agricultural remnants is preserved with this proposal. The character of the area consists of commercial uses along Highway 44 with residential uses adjacent to commercial uses. The venue compliments rather than alters it, avoids more disruptive residential intensification under an R1 and saves two historic barns.

[\(00:12:12\)](#):

With that, mitigation measures do include one, placing the new venue building furthest east opposite of the hay barn with outdoor areas and doors, virtually all doors, facing south away from the large homes on the north area. The idea on the, on the south and west side, adding landscape berms and heavy plantings along that west side to help buffer, buffer our nearest residence, which is about 140 feet away. We condition to limit the guests to a maximum of 200 at any point. We propose to enforce a sound control plan matching city noise ordinances and implementing a traffic plan with parking north of the site opposite the hay barn and the venue. A five mile an hour onsite speed limit with signs and contract enforcement and finally locating the delivery catering, catering area on the north side of the new building. These steps backed by site plans and policies maintain the area's tranquility.

(00:13:14):

As you look at the concept, we'll go to number five. Will adequate facilities and services, sewer, water, drainage, irrigation, utilities be provided? Yes. The owner has already put in a new private well permitted by IDWR supplies water sized for low intensity needs. A new septic system permitted by Southwest District Health will handle s- handle sewer safely. Drainage uses natural percolation surfaces to minimize runoff. Irrigation comes from the well and ditches with efficient systems. Utilities extend from existing providers with upgrades for reliability, no strain on the infrastructure. Item six, does the proposed conditional rezone require public street improvements to provide adequate access and minimize traffic interference? No, it doesn't. The existing driveway access via Kala Lilly Lane suffices for this low intensity use ITD has reviewed our plans several times over the past this-

Speaker 1 (00:14:12):

Go ahead and finish.

Speaker 5 (00:14:13):

... Past year and have offered their support. There's no tr- there's no question that traffic can be bad on this highway, but many projects for streetlights and improvements are in the works and with the majority of the largest events being held on weekends or after rush hour, ITD is fully supportive of our request for a rezone and change of use. Item seven, yes, the direct connection to statework does provide safe ingress and egress and with eight is, does the conditional rezone impact essential public surfaces? No, it does not. No impact to schools, no residential growth at all. Police impacts are minimal due to the low frequency. Mitigation includes onsite security agency notifications and conditional limits. Our research found that the prior event operator had zero police reports for noise or disturbances. Fire and EMS impacts are also negligible with code compliant features, including f- full fire sprinklers in the new venue, agency coordination and ongoing inspections.

(00:15:13):

In conclusion, we agree with staff and believe that this application for a low intensity special event venue along Highway 44 fully satisfies all standards of evaluation and will be a tremendous asset to this community. The proposal aligns with the 2030 comp plan's commercial designation for properties along Highway 44, promotes efficient and compatible land uses in a transitional area, preserves the semi-rural character through thoughtful site design and requires no public infrastructure upgrades while providing all necessary private facilities and services. Strong mitigation measures in place to minimize impacts, this project represents an appropriate community enhancing use that compliments the surrounding low density residential and agricultural parcels without risking sprawl or disruption. On behalf of the property owner, we respectfully request approval of this conditional rezone and comprehensive plan amendment today. Thank you. I'm happy to stand for any questions.

Speaker 2 ([00:16:13](#)):

Go ahead. Chairman, thank you for the information, Mr. Ruby. , I have a couple of questions and perhaps I missed them. You had a well organized and laid out presentation, but did you talk about the paving at all

Speaker 5 ([00:16:27](#)):

Of ... I did not. I was in, , you know, you, you, I'm glad you caught that because I realized I think I skipped over that in my summary.

Speaker 7 ([00:16:33](#)):

Okay.

Speaker 5 ([00:16:34](#)):

, so I could describe, maybe go to the ... Well, the concept plan is probably the best one. I don't ... I think it's an older plan, but I can tell you where. So yeah, that plan doesn't show it accurately. You see the paving is dark right on the highway.

Speaker 7 ([00:16:51](#)):

Okay.

Speaker 5 ([00:16:51](#)):

The idea is it would be paved north where the Y is and then the paving would extend left around the barn basically equal to the hay barn on that left, , west side.

Speaker 7 ([00:17:04](#)):

Okay.

Speaker 5 ([00:17:04](#)):

The hope, our hope is that we can leave the rest of it gravel to primarily is to, to maintain more of that rural aesthetic. Practically it's to not exasperate drainage issues and have to gather everything then to treat it, but that's, that's where the current plan where we would propose the paving that we believe complies with the requirements from staff.

Speaker 2 ([00:17:27](#)):

Okay, thank you. And then what I heard you say was that this does not continue east and head back down south on the right hand side of the diagram, correct?

Speaker 5 ([00:17:37](#)):

Yeah, you must know this area pretty well. There's a, there's an interesting easement along that side and I believe there either was a road or a, a drive that was being utilized as a road. That has been abandoned and vacated. , Our goal, our thought is that that's not going to be used. It's def- definitely with our discussions with ITD, they don't want and we don't want people coming out in another location.

Speaker 7 ([00:17:59](#)):

Okay.

Speaker 5 ([00:17:59](#)):

We don't really even see people going around the east side of the barn, to be honest, to get back- Okay. ... Into anything. We want everything to flow on that west side and back to the center of the site.

Speaker 2 ([00:18:10](#)):

Okay, sure. And then in the planning and zoning minutes, there was discussion on right in, right out-

Speaker 5 ([00:18:18](#)):

There was quite a bit of discussion on that. ITD doesn't love that idea and, and I think one of the, the people that spoke at the hearing mentioned it. The problem is there's nowhere to turn around. So even if they did that, it would probably just push a problem elsewhere.

Speaker 7 ([00:18:36](#)):

Okay.

Speaker 5 ([00:18:37](#)):

So they, they think it's a un- more unsafe situation to hi- try to have a physical block- Okay. ...

Speaker 2 ([00:18:44](#)):

Out there

Speaker 5 ([00:18:44](#)):

In the highway at this

Speaker 2 ([00:18:45](#)):

Point.

Speaker 5 ([00:18:45](#)):

Yeah.

Speaker 2 ([00:18:45](#)):

And I drive that road on a pretty regular basis so I know that there's traffic issues, all of that, but- Yeah. ... I did appreciate the siding of where Highway District four, they'll be collecting impact fees and then ITD in tandem. How far out are those traffic signal improvements? Do you know?

Speaker 5 ([00:19:07](#)):

I don't know that personally. , I believe that one of my clients has been in close contact with them. He may be able to offer a little bit better timing.

Speaker 2 ([00:19:16](#)):

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I saw a hand up back there. <Laugh> So we'll let him and it's two hands now, so maybe we'll have three.

Speaker 5 ([00:19:22](#)):

I think yes.

Speaker 2 ([00:19:22](#)):

Okay. But they can come testify and that's just a question to keep in the back of your mind. I'll keep it here, is it?

Speaker 7 ([00:19:28](#)):

Thank you.

Speaker 2 ([00:19:28](#)):

All right. Thank you for that. And the other thing, , Idaho's historic preservation, your goal, that's what I heard, is to keep those buildings intact at onsite. Yeah.

Speaker 5 ([00:19:41](#)):

Yes. It

Speaker 2 ([00:19:41](#)):

Is- I love that.

Speaker 5 ([00:19:42](#)):

Yes, it is coming at the, at a labor of love, I will say. Nice. To, to turn that barn into a safe <laugh>. Yeah. I pause on that a safe building, , to have people in and out of, we essentially are going to rebuild it from the inside.

Speaker 2 ([00:19:59](#)):

Yeah. Well, I love the augmented business model. You can have all the girls get their hair done right there, so.

Speaker 5 ([00:20:04](#)):

It, it's, it's an, it is a neat barn. If you've never been in it, it literally the, the, the basketball court green or the key is painted on the floor, reminds me of many stories. My, my wife's dad used to tell-

Speaker 2 ([00:20:17](#)):

Yeah. ...

Speaker 5 ([00:20:17](#)):

Playing ball with his siblings.

Speaker 2 ([00:20:19](#)):

Awesome. <laugh> Thank you. I appreciate the answers to the, my questions.

Speaker 1 ([00:20:27](#)):

When reading through the packet, , in your, , rebuttal that you touched upon the fact that the previous owner of the property had used it in somewhat the same manner or aspect, not, not quite to this polished down extent. And you mentioned that you believed that there, they had events that approached the 200 person. Is, did you, are you comfortable with that on the record for this hearing?

Speaker 5 ([00:20:57](#)):

With the maximum being too- Yeah. Yes. Yes, sir.

Speaker 1 ([00:21:00](#)):

And that this is a similar in some ways, , use of the property that was of the previous owner.

Speaker 5 ([00:21:08](#)):

Similar, I, I would say, , one thing to note, the key distinction that, that as far as my impression is theirs were nearly entirely outdoor.

Speaker 7 ([00:21:19](#)):

Okay.

Speaker 5 ([00:21:20](#)):

You know, they, they had the barn and I think there was ability, I saw some photos of some small pieces of the events in the barns, but I believe there was either a tent on occasion, but most of it was out there in that central area.

Speaker 7 ([00:21:33](#)):

Okay.

Speaker 5 ([00:21:34](#)):

So from a business standpoint and to try to buffer the people that have those nice large homes out north of us- Yeah. ... We've tried to create those buildings to shield that.

Speaker 1 ([00:21:44](#)):

Okay. All

Speaker 5 ([00:21:45](#)):

Right. And being an indoor venue- Yeah. ... Most of that will be inside.

Speaker 1 ([00:21:49](#)):

Okay. Any other questions?

Speaker 2 ([00:21:52](#)):

, Maybe just one. The amount of opposition that you had, did there, was there any feedback after the hearing because of the mitigation efforts that you've offered, were you able to have anyone approach you and say, "I appreciate that. That helps me maybe not be in opposition?"

Speaker 5 ([00:22:11](#)):

You know, we actually had some pretty good conversation after the hearing, especially with people who weren't supportive, but, you know, every, I think almost everyone said other than the traffic concerns, they love the project. Yeah.

([00:22:25](#)):

, and so really what we did is we went back to ITD and made sure we went over the exact details of how we wanna operate rather than just saying it's a special event venue, we essentially gave them our presentation so that there wasn't anything different they were hearing versus what we told p- planning and zoning or yourselves. And, , thankfully they, I think the letter is in the staff report, , I think it's dated early May and it did elaborate somewhat on the conditions that they had provided the first time, but they were still very comfortable. A lot of it comes down to, to me a couple things. One, the fact that the, the events are after peak travel times, which in their world is where most of their concern is. , The other issue is that there's so many other things just swirling in this vicinity, I'll say, that changes are coming, which I think a lot of the people were, you know, it's hard to evaluate something when you're evaluating a what if based on what is and has been.

([00:23:32](#)):

Right. It's very difficult to guess for all of us, right? What, what is this gonna be today, let alone a year from now?

Speaker 2 ([00:23:40](#)):

Right.

Speaker 5 ([00:23:40](#)):

Or five years from now.

Speaker 2 ([00:23:42](#)):

And that's a great segue for my next question. <Laugh> And maybe Dan will talk on this just a tiny bit, but, , I think Commissioner Sheets asked in the hearing about future uses and that was stated that this use can continue as long as it's similar in nature and so I'll get down directly to my question. Was there any exclusion of uses in the C1 area that is even an applicable question? So if we look at all the C1 possible uses, was there anything that was off the table that-

Speaker 6 ([00:24:18](#)):

Chair, I'll go through that, , during my presentation- Okay. ... Of the uses that are being asked for, which ones are perm- you know, not gonna be included as part of this and kind of evaluate those.

Speaker 2 ([00:24:29](#)):

Thanks, Dan. Okay. Thank you, Chairman. Those are my questions.

Speaker 1 ([00:24:33](#)):

Okay. All right. Thank you. Now we'll hear from DSD staff and have their presentation.

Speaker 6 (00:24:41):

Thank you, chairman and com- , commissioners. As , you have two , applications in front of you. One is a comprehensive plan map amendment to change the feature land use map from residential to commercial. Then you have a conditional rezone of the three properties you see on the screen , from a medium density residential that's a half acre lot size or smaller , to a C1 neighborhood commercial with a development agreement locking down certain uses. , You're looking at , three properties, two of them are a little over an acre and one of them's less than an acre and let's go through the history. So these parcels, it was one parcel at one point and they have , one of the parcels right now has a barn on it that's from 1950s. You have another parcel that's about an acre in size with a dwelling from 1933.

(00:25:34):

, Then you have a smaller parcel with two houses, one from 1933 and one from 1919 and just outbuildings and barns between 1940 and 1960s right there. So you start seeing , owners who purchased this property, rezoned it so they can continue the allowance, allowed use to have multiple houses on a property. The R2 zone allowed for multiple residences. So the idea behind it is they get the R2 zone, they can add more houses on each property. It was supposed to work out that way. So in 2008 , the rezone was approved for that medium density residential and then in 2018, they actually did the land division to split it the, the way that it was shown on the screen, the three, three lots , each having a house or two on there with a barn , the back lot never got a , any development on it, but it's served by a private road and it has a , road users maintenance agreement.

(00:26:31):

In 2024, between 24 and 2025, code violations started accumulating regarding a special events facility being , utilized or established on the property without , rezoning. R2 zone doesn't allow for special events facilities. So , that owner changed over. The owners before you today are requesting that, that change. So , going to the planning and zoning commission recommendations February 19th, 2026 after hearing , considering the staff report and hearing all testimony, the planning and zoning commission really were, had a hard time with making the findings regarding traffic and , based on , testimony and then just a lack of information they felt from ITD, they really , had a hard time , considering the existing traffic impacts on s- , State Highway 44 and the lack of adequate information and mitigation measures to address their concerns. And so they could not make the findings. So as you know , both of these ca- , requests have their own findings.

(00:27:33):

So a condi- a comprehensive plan amendment, there's five findings to be made. The one in red is the one that , the planning and zoning commission could not meet, but for a comprehensive plan amendment, we're just making sure it's , aligns with the growth, the surrounding area , compatibility and then doesn't make sense , development trend wise , for that change. Then you have the conditional rezone, which you're very familiar with, which is, it doesn't meet our comp plan, is it more appropriate? Is there any impacts to the character adequate facilities? And again, number six is the one where the planning and zoning commission had a hard time making that finding. So let's just go through the information. I'm gonna summarize the staff report and we'll go through it. So compatibility with the comprehensive plan. So the, the 2030 comprehensive plan, as you see on the property itself is residential, but everything around , State Highway 44 is red for commercial and , so if you see it's just right next door to where we are promoting , commercial growth or, or that designation is intended to

encourage commercial uses which can provide goods and services to businesses, travelers and residences of the Canyon County.

[\(00:28:46\)](#):

Although the parcel above State, State Highway 44, the parcel is de-designated residential due to, again, the history, these contained three, , part of, , dwellings and they needed to rezone it to keep those dwellings on those properties to make them legal, , because they didn't meet the zone at the time. There was too many houses on the property, so one had to go, they got it rezoned instead. If you look around the, that area, there's no other ru-, , our two zones in that location. The zone appears to be inconsistent with the other residential lots you see to the north, which consists more of rural residential and single family residential R1, so two acre, one acre lot sizes. And some of them are still zone ag too, but you see some of the divisions that happen through conditional use permit, , and platting after that, which still maintain that two to three acre lot size out there.

[\(00:29:42\)](#):

Then also, , looking at the transport, , traffic analysis zones, , which, , forecast population, housing and growth in the area, you can see this is a growth area. This is something that Compass uses and, , transportation officials use to identify future tra- trans Transportation needs because this is a growth area for commercial and for households. So going to compatibility, so when you within a one mile radius, there are 20 zone proper properties that are C1 or C2, which are consistent with a comprehensive plan. Most of the C1 zones along State Highway 44 were adopted in 2011 to as a blanket rezoning to kind of kickstart that commercial, , growth in that location. So you see we planned for this a long time ago to become a commercial area. And, , between 2022 and 2023, two commercial, , related decisions were made within a one mile radius.

[\(00:30:43\)](#):

So that's an RV storage facility and a mini storage facility just, , very close to this property. And additionally, , as part of the, , exhibit 3C of your, your, , staff report pack, you can see within a, a, a very small fac-, immediate vicinity, there's a number of commercial uses that align with what is being requested. I do have to put it out there that the Historic Preservation Commission did find that the farmhouse shop and barn to be, have some historic significance because of its age. , The letter does support the preservation, , and the agriculture history on the property and, and just wanted to provide, , funding or help if they wanted to preserve that. I know they reached out to the applicant to, to maybe, , let them know they have a grant system if they wanted, needed help to preserve, preserve that.

[\(00:31:38\)](#):

Also, the, again, stating the R2 medium density residential zone, , only appears in this location. There is no other zone like it out there the rest of ... So it's kind of inconsistent with the general area. , Surrounding, , residential use is either a rural residential or R1 zone or agricultural, , with a, you know, an old conditional use permit that allowed the splitting. , Within a one mile radius, there's 27 subdivisions with a 2.6 acre average lot size. The average lot size within a 600 foot radius is 4.79 with a median of 2.29. So you can s- see the, the lot sizes and the residential uses are, , in the, the rural residential size limit, not an R2 half acre lot size, , a limit or lot. Yeah. And then going to the conceptual plan, the applicant did provide a number of ways to mitigate potential impacts to surrounding neighbors and areas.

[\(00:32:33\)](#):

So one of the things is they did, , say they want to limit the use to low impact uses. , The main is the event facility, but also a caretaker's unit, church, , personal shop, , , service shop and then, , offices and

the, that could be the salon and things of that matter. , Going into that, I was looking at those uses and so the C- a C1 zone allows for 49 uses and they're only asking for five of those uses. , Special events, facilities and caretaker units are something that's allowed in the ag zone with a conditional use permit and a church is allowed in the zone, , already so they could, they could have exercised that any time they wanted to right now. The only ones that are not allowed for the personal services, salon, things like that, that is the one that you need the commercial use for.

[\(00:33:24\)](#):

So, , of those uses, only one right now could, , be utilized without, , this permit or this, this request. , Going through it though, the maximum number of guests they're proposing is 200, no events shall be permitted before 8AM or after 10:00 PM and that kind of aligns with the city that's in the impact area, area of Middleton and they have in their city requirements that they do actually have noise, , requirements where we don't have that and they kind of lock it down Sundays through Thursdays, , nothing after 100 PM and, and can't start up until 70 AM. And then holidays and weekends, it's 12 AM and can't start until 70 AM. They, , restrict themselves even further with an 80 AM, , before 8:00 AM and after, , 10:00 PM. , So it, it aligns with the city's requirements which, , is near the city so they're willing to utilize their requirements regarding noise, noise standards.

[\(00:34:25\)](#):

They are, , pro- promoting, , 120, or sorry, 112 parking spaces, , to further reduce impacts such as dust, private road from State Highway 44 to the parking area would be paved. So that private road that goes up to the, up through the middle and off to the, to the west, that is the private road that is, has been in existence and they're willing to pave it because of the average daily trips that would be generated by this, this use. , The rest of it would not have to be, it would, , the parking area would be just hard surfaced as per requirements. , That's compacted gravel and things of that matter. , The applicant provided a traffic management plan, , which, , reduces speeds on the property to five, , miles per hour on the properties to reduce impacts to neighbors and patrons.

[\(00:35:16\)](#):

Patrons will be encouraged to, , they initially asked, , they were going to encourage a right hand turn out of the property. , Again, highway district or ITD did not find that to be, , something that they would want, , just because again, it shifts the, the burden down, down the road where they would make that turn anyway. So it's best just to leave the site and not, , add that, but you could always add that if you wanted to as a encouragement, , events will be scheduled to avoid peak traffic times, , regarding alcohol services, , op- , operations will strictly adhere to the state and local laws regarding sales service and consumption of alcohol on site and then the noise, , would be reduced through landscaping and 30 yard, , earth and berm and amplified music would meet, , their timeframes, their, , the time, , event timeframes.

[\(00:36:20\)](#):

And next. So here's some photos from, , State Highway 44 looking north into the property, , west, south and east. You can see the property already has landscaping to the front, , trees buffering, , the existing site. And this is from Stauffel Lane just in the, the rear of the property, which they do not have access to, but you can see the existing, , graded parking area, , that exists. , To the west, you can see the entry into Huckleberry Lane that goes back to other residential uses, , properties. You can see the east, that stuff lane and then, , south is to, into, sorry, south is into the property down below where you can see the existing barn, , and, and the, yeah, the two barns right there. So adequate services, , the applicant states that the septic system will need to be improved, , to accommodate frequent use of large crowds.

[\(00:37:20\)](#):

Southwest District Health finds that the subsurface wastewater disposal system for the proposed use has not been proposed so they would need to get that permitted. Part of parties cannot be used so they would have to address, , the septic needs on the property, , a non-domestic wastewater application may be required through I, , DEQ and so that is a condition if approved that they, they have to do that pri- prior to commencement of use. The applicant states that there will be a moderate demand for por- , for potable water, including restrooms catering and landscaping. 150 guests event might, , use 1500 to 3000 gallons, which is not overwhelming for a centralized public water system Southwest District Health finds that the use most likely will need a public drinking water system because it exceeds 25 piece per persons, , for more than 60 days a, , a month or whatever or year or day, , yeah, a month.

[\(00:38:19\)](#):

And so most likely would need that. Again, that is a condition of approval if, if approved. All drainage will be maintained on site, , based on the site visit, property's fairly flat and the, the landscaping that is proposed would help miti- , mitigate any drainage off, off that property. The property, , is irrigated via irrigation well through a pressurized system source of the sur- surface water and the nearby. , Supply ditch is within Middleton, Mill Ditch Irrigation District. No, no comments were made, but there is a condition to ensure that, , any, , uses or development within, , that may impact that they have to get approval before any disturbance to anything, , within the jurisdiction of middle to mill ditch irrigation. And then utilities, the existing dwellings are served by I- Idaho Power. Idaho Power did provide an email just stating future development would be required to, , clearance from any transmission or overhead lines.

[\(00:39:26\)](#):

The email did not oppose the request and the use will increase waste management, two to five cubic yards due to events. The applicant proposes private waste, , contracts to, , manage, , waste on site such as, you know, the Republic Service that is serving that area.

[\(00:39:47\)](#):

All right, traffic. So the property does have legal access via private road, Kala Lilly Lane, , within a 30 foot access easement that was approved, , during that land division. The proposed special events facility will utilize that access. , The access will ma- remain a pri- a private road and it would be required to be paved. , Traffic, so there's three houses on the property right now which generates about 20, 25.56 average daily trips. The applicant states the weddings withdraw 50 to 200 guests, , translating to about 25 to 100 vehicle trips per event. The applicant finds that the request presents minimal strain to State Highway 44. The patrons will be encouraged to ... The patrons were gonna be encouraged to be, make a right-hand turn. , Again, IDD was asking them to avoid that because it would just make it so somebody does that in an illegal turn somewhere down the road.

[\(00:40:46\)](#):

Events will be, , scheduled to avoid peak hours. Highway district number four finds that the request would generate 120 vehicles per event assuming one event, , event every other week, 120 vehicles at times 26 events. It's, it's 3,120 vehicles per year, 8.5 vehicles per day, and so they did not require a TIS, however, they will be collecting impact fees based on the use ITD finds that the commercial access, , commercial access permit and improvements would be needed to be, , to be obtained prior to commencement of use. So what does that mean, means prior to the special events facility they have to get that permit. If they do a church later or they do a salon, they'll have to get another permit at that point. And so that makes sure they, they can do a study if needed and they can identify the improvements at that time of use.

[\(00:41:38\)](#):

, However, regarding traffic impacts, ITD found that, , there's future signalization identified on five intersections, , along state Highway 44, there's some additional, , emails from City of Middleton and Star d- addressing some of those, , those, , intersections. So ones at Duff and ones at Kingsbury and they both said about 2027, 2028, those would be established. , So that would, , help provide better, , , traffic breaks in the future due to the special events facility most being held night, at night and on weekends, IDD is not concerned about the use compounding rush hour traffic. So this information, exhibits 4A for B, C and D weren't provided to the PNC. , The, the letter received by ITD was just kind of a standard, we don't, we're not concerned kind of thing. And so it frustrated them in the sense that they didn't get the details needed.

[\(00:42:36\)](#):

In this case, , ITD finally was able to provide a, a letter with a little bit more detail of why they felt that this is not a great im- , not an impact. So those are in your, your packet. Schools are not gonna be impacted by this. Again, the houses are going away that would generate, , impacts to the schools. , , The events facility is over three miles away from the nearest elementary school, so it's not anticipated to disrupt, , school operations. No concerns were submitted by Canyon County Sheriff's Department. , No concerns were provided by, , Canyon County paramedics. The fire district did propose, , say that they could, , serve this property, , Station 52 is about. 7 miles from the property at two minute, two minute response time. They will, prior to commencement of use, have to get a permit to ensure that there's adequate access water supply for firefighting operations that have to be established.

[\(00:43:37\)](#):

And so that is, would be a condition. , The applicant did state that based on previous events, again, there was, , illegal events that, that did happen. There was no issue, , with p- , police, fire, EMS for those events. So again, we did re- , s- , send, , notice the application based on our requirements, , in Canyon County Code. All exhibits are, are, are comments from agencies are in Exhibit three, , D and, and four, which a lot of them are in support or find to, , be able to support this. We did only receive one public comment for this, , hearing. It's from, , Ms., , Cheryl, , sorry, I don't have her last name in front of me. Anyways, it is in support, , which it, she founds, , to be a vital addition to the community that offers a responsible way to manage growth while preserving a, our local heritage and then kind of gives, , some information of how to po- possibly mitigate, , , highway district concerns or, , access concerns and so, , it, it is in support of this request.

[\(00:44:47\)](#):

And with that, , as you know, the Planning and Zoning Commission did recommend denial. , You could, , your option stays to either, , you could stay that vote and go with what they, , recommended or you can change that and make your own decision and, and approve it. If you do approve it, I have conditions I can show you that we, , recommended at that, that hearing to consider and so we can bring that up when, if you're, you're ready to look at some of those.

Speaker 1 [\(00:45:15\)](#):

Okay.

Speaker 6 [\(00:45:16\)](#):

That concludes my presentation.

Speaker 1 [\(00:45:18\)](#):

Thank you. Follow up questions?

Speaker 2 ([00:45:21](#)):

I don't have any at this time, Chairman. Thank you. Thanks, Dan.

Speaker 1 ([00:45:24](#)):

Okay. All right, we're gonna call your name randomly, , no specific order. Come up to the seat, take a chair and pull the microphone up close, state your name and address and we'll give you three minutes and we may have questions,

Speaker 4 ([00:45:42](#)):

Ken Hooker.

Speaker 8 ([00:45:53](#)):

I'm Ken Hooker. My address is 1600B, , Southwest Dash Point Road in Federal Way, Washington. , I, , I was trying to figure out what to say to make you understand how much we appreciate you guys taking time to look at this project with this. , I will say I was taken a little bit back when I went to the PNZ meeting and the meeting or the presentation before us, they denied people wanting to just to divide a piece of property in a half. And I thought, "No, I wanna do two things and I'm sure they're gonna tell me no." And sure enough, they said no. But towards the end of the meeting, like Dan had said, everybody was positive about it. It just, they were concerned about IDT and their knowledge of how to run their Highway 44.

([00:46:40](#)):

There, a little background, the reason why we looked at this property we, , have a couple granddaughters that are going to school over here and, , I talked to the principal of the granddaughter that was graduating and she said, he told me that they, , don't have a place to have a special prom that's away from the school. I thought, "Oh, wouldn't it be nice to have a place that the kids could go to and I could grandpa donate it? " But she graduated before we could do, find a piece of property. But we looked at several pieces of property and we, , looked at Emmett and Denise, our agent over here, her husband's a, , Napa, , sheriff and she said, "I have the perfect place for you. " And she goes, "In fact, they're already having weddings there." And I go, "Okay." So we went and looked and sure enough we fell in love with it.

([00:47:33](#)):

The, the things that we did once we bought the property right away, I knew the barn needed a roof. So we put a new roof on the barn and the tractor shed and we painted the place and I can't tell you how many loads of garbage we took away from the place, but all the <laugh> all the neighbors around us have really appreciated it. We painted the buildings and, and mowed the grass. They did a lot of work to get it to look like the butterfly barn wedding venue, but they didn't quite hit the level that my wife wanted it to be, ,

([00:48:08](#)):

The well, , the well that was there was contaminated. We didn't know that till after we bought the property. , So we put a new well in and then in the future knowing that we wanted to do the venue and talking with the, an awesome fire department gentleman, I, his name slips in my, , my memory, but he said, "You're gonna have to have fire suppressant for the new building." And I said, "Okay." So we

figured it out. I have two 15 horse pumps that will give me 200 and almost 300 pa- gallons a minute to take care of the fire sprinkler system in the new building. But to do that, I had to bring in a new telephone pole to pay for, to supply the service for that. And I just found out yesterday that I'm gonna have to bring in another telephone pole, or excuse me, a power pole for the building, the new venue.

[\(00:49:06\)](#):

We-

Speaker 1 [\(00:49:07\)](#):

Go ahead and finish.

Speaker 8 [\(00:49:07\)](#):

We love the barn and the reason we're keeping the barn is because we had one of the brides that was gonna have a wedding at the barn, her mother played basketball upstairs in that barn when she was in high school at Middleton and so she said it meant a lot to them that we were keeping it. So, , anyway, I just, I, I appreciate the time. We love the property and, , I think that we'll end up, , making a great contribution to the, to the community. I wanna thank the positiveness too. , Cheryl surprised us with her note, or I shouldn't say note, her essay, , making the property for the community is gonna be something that we're, we're really excited about and I appreciate Dan and Dave and, , all their efforts, thank you.

Speaker 2 [\(00:49:58\)](#):

Thank you so much.

Speaker 4 [\(00:50:02\)](#):

Sandy Hooker.

Speaker 9 [\(00:50:09\)](#):

I'm Sandy Hooker. I live at the same address, 1600 B Southwest Ash Point Road, Federal Way, Washington. , I got kind of emotional back there. I didn't realize how much passion I have here. , Our kids moved over four years ago and that would've been okay, but they took my grandchildren. <Laugh> And so, , <laugh> since that time we have really invested. We've got, we've boughten four homes over here, , that we use as rentals. So we do plan on being over here physically ourselves at some point, but my mom is still alive and so is Ken. So that's our first priority. , I wanted to hit on the historical ... We have somebody that's part of our team that contacted the Middleton Museum and evidently the curator of it, she had re- recently died about a year ago and Gerald was taking over and he said, "Nobody has any interest in coming to the Middleton Museum.

[\(00:51:16\)](#):

It's probably gonna shut down.

[\(00:51:19\)](#):

You can have anything you want. " So she's been trying to keep in touch with them, whatever, but our heart's desire is that we wanna keep ... We're, we're big community and we wanna do somewhere somehow some sort of a, a timeline at least since our property was around and he had all kinds of books and s- so we thought it would be even a fun place for a field trip for, you know, grade school or whatever to kinda see how it went. , And we also have a real heart for the community, first responders. So we talk about a whole lot of, of us giving back to the community, having some big barbecue and

whatever for first responders and, , helping out the schools, you know, however we can. But our hearts in the community, we're really excited to, , hopefully pursue this and, , help a lot of young ladies' dreams come true in any way that we can.

(00:52:31):

And that's all I have to say. Yes. Any questions?

Speaker 2 (00:52:35):

That was great. Thank you.

Speaker 9 (00:52:36):

Thank you.

Speaker 4 (00:52:42):

Josh Davis.

Speaker 10 (00:52:48):

, Josh Davis, 1359 West Altar Drive in the great city of Napa, Idaho. <Laugh> , , yeah, I'm the boots on the ground. , Yeah, it's been a really fun process the last 18 to 20 months going through this. I'm out there probably every other day checking on things, making sure stuff's good. , So if there's any tactical questions when it comes to how the property is laid out, when it comes to septic and wells and all the stuff that goes on, the mechanics behind it, I'm probably gonna be the guy out there doing it. , Our family's really excited to keep the barn. Barn's gonna cost us more money than the new event center will. So it's, it's quite the labor of love, as dad said, but our family's really excited to really put some roots down in this community and I'm excited for the growth out there.

(00:53:42):

, The neighbors I've met with multiple times, whether it be the ones to the north or the ones to the east, east, they're very excited for us. The property is definitely coming along well out there versus what it was. , We're just basically trying to do this the right way and get your guys' blessing upon the way. So if there's any questions that you guys had to have about the mechanics of the property, I've met with Mr. Lee at Southwest District. , Well engineers are ready to go for the, , public water. So we've done a lot of foresight to this whole project knowing that, you know, we're hoping that we get a blessing and, , moving forward with it. So if you guys have any questions for me, I'd love to answer them.

Speaker 2 (00:54:22):

<Laugh> Chairman, I just, when is your projected open date if you were to be approved?

Speaker 10 (00:54:28):

Well, that's, that's a debate right now between the family, but, , we're hoping within a year if we get ... So here's the timeline. , Architects are pretty much locked and loaded ready to go. , Permits, I've talked to the building official in the office. They say two to three weeks for review. I'm hoping by mid-July pushing dirt and hopefully by a year we're, we're up and running. That's the goal. And I can also speak to the signalization aspect of the stuff. I talked, I went down to the star, , planner's office yesterday and the permits are not quite in for the elementary school, but, , before that school is to open, they are supposed to have a stoplight at the bottom of Kingsbury and then you guys on July 28th will also see a

case come before you from Todd Campbell. I think he's doing a building, , for a rezone and he has, I think what I heard was he is willing to pony up two signal lights, one on Duff and one on Lansing.

(00:55:20):

So you guys will see that July 28th, I think that's on your schedule. So, , that's a completely different subject, but I was just, there's, there's, , mitigation coming, I guess.

Speaker 2 (00:55:30):

Well, it answers my question that I had earlier that, , Mr. Ruby deferred, so- So there you go. I appreciate, yeah, appreciate that. We'll find a nexus in here, yeah.

Speaker 10 (00:55:38):

Awesome. If you guys have other questions, I'd be happy to answer.

Speaker 2 (00:55:40):

, Just one other question. Yeah. You've spent significant time. I appreciated your architects and the renderings that have been provided. Yes. You would be fine if we tied this to be substantially compliant to what you've provided here today.

Speaker 10 (00:55:51):

Yes, ma'am.

Speaker 2 (00:55:52):

Okay. Thank you. You're welcome.

Speaker 10 (00:55:53):

Yeah. Thank you for your time. Mm-Hmm. Thanks.

Speaker 4 (00:55:58):

Sheryl Plange.

Speaker 7 (00:56:05):

Hi, guys. Cheryl Polange, 9155 Pursuit Drive in Middleton. , I thought I'd surprise you and have something positive to say. <Laugh> <laugh>

Speaker 1 (00:56:15):

Wait, let us ... Okay, I am seated. Okay. <laugh>

Speaker 7 (00:56:19):

, first I want to acknowledge Dan's incredible work on this project. I saw it at Planning Zoning, I saw it again today, , and, and how can you not adore this family? <Laugh> A man who wants to build a venue for his granddaughter's prom. I mean, wow. , I'm still, , teary-eyed about that statement. , I just wanted to s- I, you saw my letter, , hopefully you read it since there was only one, but, , beautiful project, , incredible work done by the architect and, , on the project. Their plan, you, you can already see a

difference just driving by, , when you drive by the property. They had strong community endorsement at the planning and zoning meeting, , that, that's rare, you know, , or at least every hearing I've been to. , So, and then the other big, the, the biggie is that traffic concern with ITV on State Highway 44, but we've all known that it's a dangerous corridor and why don't they just reduce the speeds?

(00:57:18):

That's, I don't know how that happens, but we already have a ton of commercial in there. We've got routes up at the corner of Lansing. They spill rocks over the roadway all the time and then you're s- there you're fishtailing out when you're trying to get out of Lansing. I drive Lansing to 44 all the time. , We know those intersections are horrible. If we just slow the highway down for that zone, we could save lives. You've got a proj- another project on June 18th just across Lansing, just a little west of Na- Lansing for another commercial property over there. I have no idea if it'll be approved, but it's got a sign up already on 44. You've got Todd Campbell's project coming up at the end of, end of July and I might be positive again with two head, with two lights, two signal lights.

(00:58:07):

So, , just, I would urge you that this is, would be a great, a great, , prop- property to have this beautiful event center on and I would encourage you to improve it. That's all. Thank you.

Speaker 2 (00:58:20):

Thanks, Cheryl.

Speaker 1 (00:58:21):

Thank you. No other person signed up to testify. All right, we'll do the rebuttal.

Speaker 5 (00:58:36):

This, this is one of the nicer rebuttals I've had today. <Laugh> , I, I don't really have anything to add other than I wanted to make sure if there was anything that you're still a little unclear about, I can help either clarify or if there's any other questions you'd have.

Speaker 2 (00:58:50):

And I think, , my question was answered with Mr. Davis- With the traffic. , A lot of times people will provide visuals and those are, , documentable exhibits entered into the record so I just wanted to make sure and you've done a lot of work. It appears you're as passionately involved in as your clients are. So to be substantially compliant, some people, , don't have that concern here, but they present one thing and then build something different and-

Speaker 7 (00:59:18):

Right.

Speaker 2 (00:59:19):

... What's been presented looks appealing and I just wanted to make sure that would be tied to this project.

Speaker 5 (00:59:25):

Yes, ma'am.

Speaker 2 ([00:59:25](#)):

Yeah.

Speaker 5 ([00:59:26](#)):

I, I, one thing I did, I don't think it's a, a really big issue, but I was reading through the staff report before the hearing today, just to make sure I didn't forget anything. I did notice, I think it was in the staff report, or the letter that Highway District four provided, you know, they, it's early, but they did a what if calculation and the, the, really the only thing that c- jumped out at me is they use 300 people as their basis for- I

Speaker 1 ([00:59:52](#)):

Saw that. ...

Speaker 5 ([00:59:52](#)):

Doing all their math and I'm like, well, I could s- I just point that out that we are, partly we're agreeing ... To 200, , for neighbor issues, but a lot of it has to do with the fact that these private systems, the health, we're trying to stay under a threshold where we don't trigger things that huge subdivisions would have to do.

Speaker 2 ([01:00:14](#)):

Right.

Speaker 5 ([01:00:15](#)):

So that is a somewhat self-limiting situation, not- Yeah.

([01:00:20](#)):

... You know, wanna make it sound like we're, oh, we would love to limit, but also we could only build so big of a building. Yeah. And I don't think you need that large of a facility, but I just wanted to bring that up because I guess where the other piece of that is I think their, their estimate per week or per year was probably on the low side. So while they guesstimated more people, I think they guesstimated less events. I see. Obviously when the final plans come through and exact square footages are proposed, that's when all those things will get set in stone. But I thought I would just bring that up just in case someone had a concern about that. Because you probably heard 200 a couple times and if you've seen in that letter it said 300. Sounds like the chairman saw that.

Speaker 2 ([01:01:02](#)):

Yeah. And sounds like a wash overall.

Speaker 5 ([01:01:06](#)):

That's kind of, I was like, well, I'll keep it in the back of my head in case someone says it. But I thought I got this opportunity and just, I don't want there to be a little lingering doubt- Yeah. ... That would cause someone some trepidation that they're not.

Speaker 2 ([01:01:17](#)):

I appreciate that. Okay. Thank you.

Speaker 1 ([01:01:20](#)):

So are you aware, has the ITD commercial access permit, , been, been applied or is it in process?

Speaker 5 ([01:01:27](#)):

, No, not. We have, we've, we've analyzed what that means- mm-hmm. ... Because <laugh> we had no idea what that means and we've, , understood what that exactly entails and, , the engineer's ready to go to design that. Okay. But that'll be, that's one of the few things that has not

Speaker 1 ([01:01:45](#)):

Started. Okay. Well, I'm just concerned because it says that we'll need to be obtained prior to commencement of use. So, , having my political history, I know ITD sometimes can be a, , challenge to coordinate with time-wise. So-

Speaker 5 ([01:02:07](#)):

As I understand and, , hopefully I'm not just hoping hearing what I wanna hear, but it sounds quite straightforward. Okay. It's a m- just a wider version of what's there today-

Speaker 1 ([01:02:20](#)):

Okay.

Speaker 5 ([01:02:20](#)):

... Really.

Speaker 1 ([01:02:21](#)):

Okay.

Speaker 5 ([01:02:21](#)):

Yeah.

Speaker 1 ([01:02:21](#)):

All right. Okay. Yeah. I'm just cautious to offer you the green light to go and they have a bright red flashing light that hasn't been maintained

Speaker 5 ([01:02:33](#)):

Or- No, we, you know, that was, I think, I think the family's main concern too was- Okay. ... What could happen and, , we were as ... I, I think maybe the PNC commission thought I was not being as genuine, but we were shocked as they were- Okay. ... That ITD was so favorable.

Speaker 1 ([01:02:50](#)):

Yeah. Okay. Yeah. That's important. Okay.

Speaker 2 ([01:02:54](#)):

Yeah. Chairman, just one more question for Dan. You've covered it, but I'm gonna restate it. There's only five proposed uses that have been pursued in this and with that, I looked at the ta- our table here, you know, matrix. It, they could potentially without that restriction of uses, I mean, that allows for a conditional use of a tavern or a fueling station or a convenience store. That's not what we're talking about.

Speaker 6 ([01:03:26](#)):

Correct. And so that's why staff did that analysis to see if it's something similar to that area that we, we've seen before in that location. And again, special events facilities pop up all over that, that area of Middleton so it's not uncommon saying the caretakers units. A church is, again, allowed use, or not allowed to use, but a conditional use already in this location so it wouldn't change what they could already have. And then just the last ones like personal service office, that's retail and so retail's the only one that needs that C1 zone to have a retail space, that would be the only use that needs that. Again, those would be looked at by those agencies before commencement of use. So you're right. So no middle extraction, no, you know, , higher, you know, , intense uses. , This is more the neighborhood serving type of uses that, that the applicant's requesting and that's why they, they're the ones who locked it down, not staff.

([01:04:23](#)):

We just evaluated it.

Speaker 2 ([01:04:24](#)):

Okay. And so based on that information in, in the FCOs that you've prepared in the event that there would be a positive finding, is that included in there?

Speaker 6 ([01:04:36](#)):

, Yes. It's already in the, so in the FCOs that were provided by the Planning and Zoning Commission, all of that is in there.

Speaker 2 ([01:04:43](#)):

I stand.

Speaker 6 ([01:04:44](#)):

That would need to be changed wanted to approve this would be, , s- , section E or criteria E in the comp plan, , review and then, , item six of the, , conditional rezone regarding traffic. Yeah. The rest of them, if you look at the findings, , those are all tied into, - Yeah. ... The agreed that it, it is similar or incompatible to that area.

Speaker 2 ([01:05:10](#)):

Thank you, Dan. I appreciate that reiteration.

Speaker 1 ([01:05:15](#)):

Okay. Are we in a position to do, , close the public testimony or where do you wanna go from here?

Speaker 2 ([01:05:24](#)):

Chairman, I move that we close public testimony.

Speaker 1 ([01:05:27](#)):

I

Speaker 3 ([01:05:27](#)):

Second.

Speaker 1 ([01:05:27](#)):

Motions been made and seconded to close public testimony. All those in favor say aye. Aye.

Speaker 3 ([01:05:32](#)):

Aye.

Speaker 1 ([01:05:32](#)):

Aye. Motion carries unanimously. , So let's start with the, , the OR25, 2025-0017. , <Laugh> it seemed that the, the one acre lots that they split out of the three acre lots, they're, they're really a island unto themselves and,

Speaker 7 ([01:05:57](#)):

,

Speaker 1 ([01:05:57](#)):

Non-Compatible. So to change this back and to change it to commercial, I'm totally in favor with that. , I am in disagreement with the planning and zoning on, , E, and I think that, , things have changed since they met and we're getting to meet today, which happens quite often. , We have new information that is, , far more persuasive from the applicant than what they were able to hear at Planning and Zoning. So I would be in favor of, , moderating the, , findings that they came up with, , changing E that it, that it is not an impact to public services and facilities and that, , they have researched and that the me-mitigating impacts have to do with the, , new improvements that are coming to the intersections that will change and interrupt the traffic flow. I, , I understand and, and hear the request for a lower speed limit.

([01:07:11](#)):

, I don't know that I can, I have any jurisdiction to, , to do that within findings and, , just to be perfectly honest, I don't wanna step into ITD and make it difficult for future applicants off of something I say on this application. I, I heard the public input about the speed and I would, , encourage ITD to review the, , public record and take that into consideration on their, on their side.

([01:07:50](#)):

That's where I'm, that's where I'm at on the OR application.

Speaker 2 ([01:07:54](#)):

And Chairman, if we look at, I'm just as picking up crumbs from what you've said, I appreciate your comments, but that decision in 2008 by the Board of County Commissioners was two comp plans ago,

correct, Dan? Because 2011, the 2020 plan, so this, the 2008 decision was in that area, there's been a lot of change and along Highway 44, that commercial corridor makes sense. , Middleton needs commercial businesses in that area. So just a lot of changes that have happened and Dan's citing, I appreciate the applicant and Cheryl calling out Dan's expertise as our planning supervisor and his knowledge of code and how he presents. He ... Great job, Dan. So ...

Speaker 3 ([01:08:46](#)):

Mr. Chairman, the letter from ITD dated May 4th, , planning and zoning didn't have the-

Speaker 2 ([01:08:53](#)):

Correct.

Speaker 3 ([01:08:53](#)):

... Luxury of having that letter, but that seals the deal from me, I'm in support.

Speaker 2 ([01:08:58](#)):

Yeah. Okay.

Speaker 1 ([01:09:01](#)):

All right. Dan, do you need any other, , verbal input for FCOs on this than what we verbally ...

Speaker 6 ([01:09:07](#)):

, To the chair, , no. , So I was just gona point to what I added. So, , 4A, , B, C, and D provides the extra information from ITD, , and then, , for B and C are the letters from the city kind of saying the signalizations happenings, , 2027, 2028. So this further, , gives the evidence that this area is on the mend eventually, but this is not gonna impact that. In fact, it, once that, those signals go through, it'll make it better.

Speaker 1 ([01:09:41](#)):

Okay. I'd be in favor of putting that within the findings.

Speaker 2 ([01:09:45](#)):

I would as well.

Speaker 1 ([01:09:46](#)):

Yep. Okay. All right. All right. I'd entertain you any further discussion or, , attempt to make a motion?

Speaker 3 ([01:09:54](#)):

Do you wanna do them separately or together?

Speaker 1 ([01:09:57](#)):

Yeah. We need, we have to do them separately.

Speaker 3 ([01:10:01](#)):

Sorry. <laugh>

Speaker 1 ([01:10:03](#)):

But you are the commissioner to do them

Speaker 3 ([01:10:05](#)):

Together. I wasn't on the right

Speaker 1 ([01:10:07](#)):

Page.

Speaker 3 ([01:10:07](#)):

The other, - I gotta find a different page. Gotta

Speaker 1 ([01:10:10](#)):

Work through the other conclusions first, the other criteria.

Speaker 2 ([01:10:24](#)):

I have the decision here if you're-

Speaker 3 ([01:10:27](#)):

I found anything. Okay. , Mr. Chairman, so we're on the OR, right? Yeah.

Speaker 7 ([01:10:39](#)):

Yeah.

Speaker 3 ([01:10:39](#)):

Mr. Chairman, I move to approve OR2025-0017 Hooker finding the application does meet the criteria for approval under Article 070603 of Canyon County Zoning Ordinance with the conditions listed, listed in the staff report and those that we, , have included here verbally on the record from staff.

Speaker 2 ([01:11:02](#)):

I second.

Speaker 1 ([01:11:03](#)):

All right. Motion's been made and seconded for approval with, , cited conditions and, and additional findings. All those in favor say aye.

Speaker 7 ([01:11:13](#)):

Aye.

Speaker 1 ([01:11:13](#)):

Aye. Aye. Motion carries unanimously. Okay, very good. So let's go to the next CR20250007. , With the planning and zoning, I found that I was in agreement with their points one through, , five. I disagree with six and I was in agreement with seven and eight. , I don't know that unless we want to go clear through that, , I feel totally comfortable with putting in their findings and analysis and any additional, , findings or analysis that, , staff may want to put into RFCOs after having this hearing. , Definitely the new information from ITD needs to be put into this because that was their hangup on six was the, , street improvements and they didn't have the information that we have today

Speaker 3 ([01:12:20](#)):

Agreed. Yes. Okay.

Speaker 1 ([01:12:23](#)):

Chair,

Speaker 6 ([01:12:23](#)):

Do you want to go through the conditions of the development?

Speaker 1 ([01:12:26](#)):

Yes. I would like to review those conditions, please.

Speaker 6 ([01:12:29](#)):

So this is the recommendation that was provided by staff. So number one would just be our normal development has to meet all federal, state, local requirements, and then we add the agencies that did want some feedback before commencement of use, so that's Highway District number four, fire district, ITD, South District Health, Idaho Power, , DEQ, and then any structures have to have a building permit. So it's just kind of clear, , things that, , are required, , to do before commencement of use. And then this goes into, this is a C1 zone. First, , 2A is we're reducing it to these, these uses stated here, which is in the, their letter of intent, , 2B goes into, they have to be su- in substantial compliance with their letter of intent, their site plan, the traffic noise and alcohol plan that they provided. So they're locked down to those exhibits.

([01:13:22](#)):

, Maximum number is 200 guests and then events have to match again their, their letter of intent and plan, which is, , the timeframe and the noise being consistent with, , City of Middleton's noise standards. , The private road has to be paved, , evidence of, of construction. I think I wrote that wrong on there, but anyway, construction will be demonstrated through a construction permit prior to commencement of use. Okay. , all, all, , parking spaces would just have to meet Canyon County's requirements. That would include a parking and circulation plan to be reviewed by the local fire district to make sure emergency services can get in and out. , Landscaping and fencing needs to be remain- maintaining good repair and not become a public nuisance. , All exterior lighting would need to be, , adj- , , drifted away from adjacent properties, downward facing, shielded, things of that matter and then they can't impact, , existing irrigation systems.

([01:14:23](#)):

And then three, they have two years to commence this. So as you know, once you, if you approve this, the, the FCOs and the development gets signed and then we don't bring back the, the ordinance to change our maps until the conditions are met.

Speaker 7 ([01:14:37](#)):

Right.

Speaker 6 ([01:14:40](#)):

And that's the recommend- recommended conditions we provided. If there's any modifications or changes you want to make any grammical flood of, , any floods in there, I'll fix before.

Speaker 7 ([01:14:53](#)):

Okay.

Speaker 6 ([01:14:53](#)):

Yeah, don't worry about that.

Speaker 1 ([01:15:00](#)):

And I think E- E1 is good where it says encouraging instead of requiring. That's good. I appreciate that. Discussion?

Speaker 3 ([01:15:14](#)):

Looks good to me, Mr. Chairman.

Speaker 1 ([01:15:16](#)):

All right. I'd entertain a motion.

Speaker 2 ([01:15:21](#)):

Chairman, I move that the board, based on the findings and facts and the conclusion, excuse me, conclusions of law that we approve CR2025-007 for Hooker finding that the application meets the criteria for approval under Article 70607 of the Canyon County Zoning Ordinance with the conditions listed in the staff report that Dan has cited.

Speaker 7 ([01:15:42](#)):

I second.

Speaker 1 ([01:15:47](#)):

Trying to make sure that that was ... I think that met the Ryan.

Speaker 6 ([01:15:54](#)):

I'm gonna say yes.

Speaker 1 ([01:15:55](#)):

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You're gonna say yes? What I missed was the, , within the criteria, w- they met all the conditions within the criteria. Y- did you put that in the motion?

Speaker 2 ([01:16:10](#)):

I did, Chairman.

Speaker 1 ([01:16:10](#)):

Okay. I missed it.

Speaker 2 ([01:16:12](#)):

That's okay.

Speaker 1 ([01:16:12](#)):

My fault.

Speaker 2 ([01:16:13](#)):

It's an afternoon. All

Speaker 1 ([01:16:14](#)):

Right. Motion's been made and seconded. All those in favor, say aye.

Speaker 2 ([01:16:17](#)):

Aye.

Speaker 1 ([01:16:17](#)):

Aye. Aye. Motion carries unanimously. Very good. I don't have any other business for this agenda item. Does anyone else?

Speaker 2 ([01:16:25](#)):

I do not. Congratulations, Chairman. I move we adjourn.

Speaker 3 ([01:16:28](#)):

I

Speaker 1 ([01:16:28](#)):

Second. All right. Motions have been made in second. Hold on.

Speaker 6 ([01:16:32](#)):

Be back to bring, bringing back the FCOs, the, the resolution for the map change for the comp plan and then the agreement to be signed.

Speaker 1 ([01:16:40](#)):

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For the sign. Okay. With that in mind, yes. Motion's been made and seconded. All those with here say aye.

Speaker 7 ([01:16:47](#)):

Aye.

Speaker 1 ([01:16:48](#)):

Aye. Aye. Motion carries unanimously. Let's consider ourselves adjourned. Thank you.

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