

Legal Transcript Analysis and Summary

General Overview

- **Case Summary:** The Canyon County Board of Commissioners held a public hearing on August 13, 2026, for case number CR2024-0001. The hearing concerned a request for a conditional rezone of a 2.13-acre parcel from Rural Residential to Conditional Rezone Neighborhood Commercial (C1). The applicant, represented by Annette and Matt Wilkie, initially proposed several uses but restricted the application to a contractor shop, staging area, indoor recreation facility, and a caretaker's residence after a Planning and Zoning Commission recommendation for denial. DSD staff presented their report, which detailed the P&Z's findings for denial, prior code enforcement violations on the property, and comments from various agencies. Several neighbors testified, expressing concerns about traffic, parking, noise, and safety, though some acknowledged the removal of the most intensive uses (fueling station) was a positive change. The commissioners discussed potential mitigating conditions, such as paving, fencing, an on-site caretaker, and a detailed parking plan. The board voted to continue the hearing to August 27, 2026, to allow the applicant to submit a draft parking plan for review.
- **Speaker Background:**
 - **Brad Holton (Speaker 1):** Chairman of the Canyon County Board of Commissioners. He presided over the hearing.
 - **Leslie Van Beek (Speaker 2):** Commissioner on the Canyon County Board of Commissioners.
 - **Zach Brooks (Speaker 8):** Commissioner on the Canyon County Board of Commissioners, who arrived late to the hearing.
 - **Emily Benn (Speaker 4):** DSD (Development Services Department) staff member who presented the staff report.
 - **Josh Johnson (Speaker 7):** Unidentified county staff, likely legal counsel or senior planning staff, who provided procedural advice to the board.
 - **Annette Wilkie / Matt Wilkie (Speaker 5):** Representatives for the applicant, Darren Barnes of Mad River Development, LLC. Annette Wilkie presented the initial case, and Matt Wilkie provided the rebuttal.
 - **Kristen Troxell (Speaker 6):** A neighboring resident who lived two properties to the west.
 - **Barbara Jensen (Speaker 9):** A neighboring resident who lived across Airport Road from the property.

- **James Paige (Speaker 10):** A neighboring resident and the water master for the local irrigation ditch lateral.
- **April Wilke (Speaker 11):** An individual who read two letters of support for the application into the record.

Key Points

- The applicant requested a conditional rezone to C1 but restricted the allowed uses to a contractor shop, staging area, indoor recreation facility, and a caretaker's residence.
- The applicant removed a proposed vehicle fueling station, convenience store, and landscaping business from the application following a recommendation of denial from the Planning and Zoning Commission.
- The applicant argued the property's location at a major, expanding intersection made it no longer suitable for residential use and that the proposed commercial uses were low-impact.
- DSD staff reported that the P&Z Commission recommended denial because the request was inconsistent with the comprehensive plan, incompatible with the surrounding residential and agricultural area, and did not align with land use trends.
- The property had a history of two code enforcement violations: one for an unapproved trucking business and another for operating a commercial baseball facility in a structure with an expired building permit.
- Neighbors who testified expressed concerns about increased traffic, unsafe driving, parking overflow, noise from the proposed recreation facility, and mud being tracked onto the public road.
- One neighbor, who was also the water master, noted previous issues with a broken irrigation pipe on the property caused by vehicles and concerns about future impacts on the irrigation system.
- The commissioners discussed imposing several conditions to mitigate concerns, including requiring a paved parking area, an all-weather surface for the rest of the lot, a detailed parking plan, and an on-site caretaker for the recreation facility.
- The applicant agreed to the conditions, including paving the front portion of the lot and submitting a parking plan.
- The hearing was continued to August 27, 2026, to allow the applicant time to prepare and submit a draft parking plan for staff and board review.

Notable Quotes

- [\(21:10\)](#) **Speaker 4 (Emily Benn)**: "A code enforcement case was opened on the property in 2023 due to having a trucking business without approval on the property... An additional code enforcement case was opened on the property in 2025 due to using a personal use-only structure with an expired building permit, uh, for a commercial business." (Context: Staff outlining the property's violation history.)
- [\(39:17\)](#) **Speaker 6 (Kristen Troxell)**: "So clearly the only use I think that's in question is the recreational facility/batting cages. Yeah. Because that is what we'll be bringing in, um, vehicles, numbers of people. I've seen nothing in any of the documentation and proposals about maximum numbers of people, maximum numbers of cars allowed." (Context: A neighbor specifying her primary remaining concern after other uses were removed from the application.)
- [\(44:23\)](#) **Speaker 2 (Commissioner Leslie Van Beek)**: "I am not a commissioner that likes the apology instead of their permission. So that to me is gonna be a stumbling block." (Context: The commissioner expressing her frustration with the applicant's history of repeated code violations.)
- [\(49:30\)](#) **Speaker 9 (Barbara Jensen)**: "And that has created a lot of mud tracked onto Airport Road... I feel they should do something along Airport Road where that mud dip is, uh, to channel traffic onto the driveway instead of cutting across there." (Context: A neighbor describing issues with mud and requesting a barrier or fence.)
- [\(1:11:47\)](#) **Speaker 5 (Matt Wilkie)**: "Chairman, commissioners, uh, the applicant is agreeable to paving that look, uh, you know, in front of the, the indoor rec facility towards airport, that whole area could be paved." (Context: The applicant's representative agreeing to a potential condition of approval discussed by the board.)

Detailed Insights

1. Main Arguments

- **Applicant's Arguments**: The applicant's representative argued that the property was uniquely situated at a major arterial intersection with a roundabout, with significant traffic volumes ([8:51](#)) and a planned five-lane expansion of Robinson Road ([9:07](#)), making it unsuitable for its current rural residential zoning. They contended that the proposed low-impact commercial uses were consistent with comprehensive plan goals to support private recreation and a diverse economy ([13:55](#)) and that a conditional rezone would not set a precedent for the neighborhood ([16:07](#)).
 - **Staff/P&Z Arguments**: Staff reported that the Planning and Zoning Commission recommended denial, finding the proposal inconsistent with the comprehensive plan's residential designation for the area ([21:51](#)). They stated the surrounding area was primarily residential and agricultural, and the request was incompatible with

the existing land use patterns (22:40). They also noted the history of code violations on the property (21:10).

2. Supporting Evidence

- **Traffic Study (8:51):** The applicant referenced a 2024 traffic study showing 5,300 vehicles per day, with projections of over 26,000 per day by 2050.
 - **Nampa Highway District Plans (9:31):** The applicant cited communication with a Nampa Highway District engineer about plans to widen Robinson Road to five lanes as early as 2028 and the potential for the existing home to be impacted.
 - **Code Enforcement History (21:10):** Staff presented evidence of two prior code enforcement cases on the property for an unapproved trucking business (2023) and improper commercial use of a structure (2025).
 - **Neighbor Testimony (52:06):** A neighbor and water master, James Paige, provided firsthand accounts of a broken irrigation pipe, dangerous driving by patrons, and mud being tracked onto the road.
 - **Comprehensive Plan (12:52, 22:20):** Both the applicant and staff referenced various goals and policies of the 2030 Canyon County Comprehensive Plan to support their respective positions. The applicant focused on policies supporting economic diversity and development along transportation corridors, while staff focused on policies protecting residential areas.

Context and Background

1. **Contextual Information:** The case involved a 2.13-acre property located at the corner of Airport Road and Robinson Road, adjacent to a major roundabout. The property was zoned Rural Residential, and the surrounding area was a mix of rural residential lots and some agricultural uses. The applicant sought a conditional rezone to allow for a limited set of commercial uses.
2. **Related Events:** The application was a direct result of previous events. The Planning and Zoning Commission had heard the case on April 2, 2026, and recommended denial (20:25). The applicant amended the request by removing the most controversial uses (fueling station, convenience store) in response to that recommendation. The property also had a history of code violations related to unpermitted commercial activities, which influenced the commissioners' deliberations (21:10). The applicant and staff both referenced future, long-term transportation plans by ITD and the Nampa Highway District, including a potential connection to Highway 16 (11:25).
3. **Potential Impact:** The hearing indicated a potential path to approval for the applicant, provided they could meet specific conditions designed to mitigate neighbor concerns. The board's decision to continue the hearing for a parking plan suggested they were seriously

considering the rezone, but only with strict controls. An approval would transition a key corner property from residential to commercial, which neighbors feared could change the area's character, while the applicant argued it was an appropriate evolution for a property on a major arterial. The outcome of the continued hearing would depend heavily on the feasibility of the applicant's parking plan and their commitment to the other discussed conditions.

Argumentative Behavior

- **Challenging or disputing statements or questions posed by officers:** Chairman Holton challenged a witness, Kristen Troxell, on her position, stating he was "perplexed" by her desire to keep the corner lot residential given its location next to a major roundabout (38:20). However, he framed the exchange as a positive way to get a different perspective, calling it "refreshing" (39:09).
- **Expressing hostility or defiance, often through raised voice, sarcasm, or aggression:** Commissioner Van Beek expressed clear frustration, though not overt hostility, regarding the applicant's history of code violations. She stated, "I am not a commissioner that likes the apology instead of their permission. So that to me is gonna be a stumbling block" (44:23), indicating a firm stance against approving applications from those who have previously disregarded county processes.
- **Refusing to cooperate, answer clearly, or acknowledge facts:** This behavior was not observed. All speakers, including the applicant's representatives and public witnesses, answered questions directly.
- **Repeatedly questioning the legitimacy or motives of investigators:** This behavior was not observed.
- **Engaging in debates or attempts to redirect the conversation away from the central subject:** This behavior was not observed. The discussions remained focused on the application and its potential impacts.