

Speaker 1 ([00:00:04](#)):

Well, it is now 1:34 on this 13th day of August 2026. Time for today's Canyon County Board of Commissioners public hearing. This will be regarding case number, as soon as I find the number, CR2024-0001. I'm Chairman Brad Holton. To my left is Commissioner Leslie Van Beek. , Commissioner Zach Brooks may be attending with us later in this hearing.

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

If he does and he's able to, we will not do deliberations today. We will close public testimony and then he will have the opportunity to review the audio record as well as , any differences in the material packet. And then we will probably look at reconvening to finish the deliberations up on probably about a week out. We'll look at the calendar when we, when we get going. So that's the note that I needed to leave with you at the beginning. , So 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. So potential conflicts of interest, and if staff would so be so kind as to remind me when Zach shows up, he'll have to do that kind of knee jerk in between in the meeting.

([00:01:40](#)):

Okay. Before we begin testimony, is there any declarations pertaining to this application such as conversations or meetings outside of this hearing received by any commissioner? Thank

Speaker 2 ([00:01:50](#)):

You, Chairman. No.

Speaker 1 ([00:01:51](#)):

No for myself. Is there any commissioner who for reasons of a conflict of interest request to be excused from participating in this specific decision? Thank

Speaker 2 ([00:01:59](#)):

You, Chairman. No.

Speaker 1 ([00:02:00](#)):

No for myself also. So, , if you guys be sure you turn off your cell phones so that doesn't interrupt us. The commissioner's room electronically records everything. The microphones are hidden in the ceiling. I would encourage you not to have conversations between yourselves because it goes on the public record and they pick up your voice back there about as well as it picks up mine right here. So, , unless you want that for posterity, I'd recommend not to, not to talk. All right. Mr. Chairman, I'll maintain order by restricting inappropriate discussion or disorderly conduct, and if necessary, we'll ask you to step outside in the event that you're disruptive or inappropriate. At this time, I'll explain the rules and the procedures for today's hearing consistent with Canyon County Ordinances Chapter seven, Article 17, and Chapter seven, Article one. The applicant has the burden of proof.

([00:02:58](#)):

The applicant or the representative will go first today with their testimony limited to 10 minutes. The board may have additional questions for the applicant, which will not count against their time. The 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 this hearing, even the continuance of it. At that point, , that both

of those have presented, then individuals who have been signed up and have been sworn in will be allowed three minutes of testimony. We ask that this testimony that you'll give will be non-repetitive. Since the applicant has the burden of proof, they will go last and are permitted five minutes of rebuttal testimony or to answer additional questions by the board. Once the public comment is closed, we will begin our deliberations to render a decision.

(00:03:51):

So for those who are gonna be testifying, , you're gonna see it in the same seat that Matt's currently in. I'm gonna ask you to speak loudly and pull the microphone up to your, to, close to your mouth. And so the audio recording will pick it up with super clarity. So when you come up, take a seat, and then I'm gonna need you to state your name and your address and then you can start, we'll start your time for three minutes at, at that point. We'd like to make sure everybody has time to amply give their testimony and we're not gonna rush you or anything. We will not be accepting any documents or other written materials at this hearing. All materials to be relied upon as part of the record were required to be submitted by the advertised deadline, which was a minimum of 10 days ago.

(00:04:41):

Materials received by that deadline have automatically been included in the record and we have received them. This deadline is to provide ample time for inclusion in the staff report packet, hearing body review, and full transparency and access for the public. The submission of late documents or other materials does not allow all parties time to address the material or sufficient time for public review. If in your verbal testimony you refer to an exhibit or something that's shown up on the screen, you might make a note of that while you're speaking. So when we d - if we have to make a written transcription of what has gone on today, it will be clear for us to attach that, that, , exhibit. All right. Is there anyone. Nobody's walked into the room, it looks like, since I've started. So anybody who has wanted to sign up, , needs to have already done so.

(00:05:36):

And if so, let's do the oath of affirmation.

Speaker 3 (00:05:40):

Emily Benn, Josh Johnson, Kristen Troxell, Barbara Jensen, Matt Wilkie, Darren Bonds, James Paige, April Wilke, Harbor Clark. If I could everybody 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, so help you God?

Speaker 4 (00:05:55):

I do. Thank

Speaker 1 (00:05:56):

You. All right. Thank you. So we'll now start with the testimony from the applicant or their representative, and you have 10 minutes. Welcome.

Speaker 5 (00:06:03):

Good afternoon, commissioners. Good to see you again. Annette Wilkie. Yep. PO Box seven, Middleton, Idaho, 83644. , I'm not sure if Commissioner Brooks is close, if, if -

Speaker 1 ([00:06:15](#)):

No, he's, he's. . Well, he's at a meeting over the dogs, so - Okay. You never know how long that'll take till he's free. So he'll be when he, he'll be here when he gets here.

Speaker 5 ([00:06:25](#)):

Okay. Thank you. , We'll get started. , My, , I'm here to represent my client, Darren Barnes, who is the owner of Mad River Development, LLC. , We are here for a conditional rezone to C1 commercial. Next slide, please. Our project site consists of approximately 2.13 air - acres. The development of the subject parcel shall be restricted to the following land uses: con- contractor shop, staging area, indoor recreation, and a caretaker's residence. The landscaping business, vehicle fueling station, and convenience store uses have been removed from the application after the P&Z hearing that, , the concerns, , from P&Z, , and neighbor's concerns. We though that it was prudent to remove those uses. , We do have Curb Cut Access Airport Road already, and, , also contiguous to the community mixed use on the Nampa City Comp Plan, which is on the Robins - , Cross Robinson there where the, that yellow, , conditional use rezone is.

([00:07:20](#)):

So, , we all. And that, that yellow mark on that map is the con - is the recent CUP approval for the conditional use 2026-0012 for a staging area and contractor shop for a landscaping business and a retail wholesale nursery. This was just approved on June 17th. Next slide, please. On this slide, you can see the dimensions of the existing buildings. The three-bed, two-bath home was built in 1953 and has a basement. That is the proposed caretaker residence. The 60 by 100 shop is where the indoor recreation facility and contractor shop is proposed. The other two shops are also proposed to be contractor shops. There's a natural gas line running on the eastern edge of the property that compliments the future use. , The site does have irrigation through Nampa Meridian Irrigation District, but the, , current, , the, , owner does not use the water, and it just goes down the line, which is a long airport there on the le - on the, , left.

([00:08:14](#)):

, Which benefits the neighbors that need the water. , He still pays for shares. Next slide, please. This is the survey and site plan that was done for the property. There's another, , useful point that staff already found, yes, for criteria number seven, that we have legal access, and it is not im - , anticipated to negatively impact essential services such as schools, police, fire, and EMS. ITD likely, , , likewise also reported no comments on the application for criteria eight. Next slide, please. , Traffic volumes that were measured when the study was done in 2024 were 5,300 vehicles per day. Nampa Highway District is proposing the Widen-Robinson Road to five lanes as soon as funding is secured. Traffic volumes in this study show that the proposed traffic in the segment will be over 26,000 trips per day in 24 years by 2050. The question is not whether there are homes in this area.

([00:09:07](#)):

There are plainly are, but the question is whether preserving this particular corner as a conventional rural residential is best way to preserve the area of character when it sits immediately behind a principal arterial, a minor arterial, and a major roundabout, which is programmed to be five-lane expansion. , And then it's also contiguous to existing shop buildings and a recently approved contractor shop staging use. Next slide, please. Here is the new roundabout and its future potential plans. I spoke with Kenny Dodd, who is an engineer with the Nampa Highway District, and he said the home would be at risk on the site if they had to widen and had a second turn lane there. , This is just a proposal. They would need to

negotiate with the applicant to purchase right away and mitigate damages. , He sent this information to me in an email, and this widening project could start construction as early as 2028, depending on funding.

(00:10:01):

Next slide, please.

(00:10:04):

The future land use map in the city of Nampa, , shows that community mixed use is planned across the street on Robinson. Those zonings typically are on major traffic corridors are primary commercial with five to 50% of the area in high density residential. Next slide, please. Our site on our side of Robinson Road, we are rural residential in the county, and the future land use map in the city of Nampa shows low density residential. Now that we have increasing traffic in the area, this is no longer compatible as the area no longer has quiet residential streets. Even at today's 5,300 vehicles per day, that is a 3.7 car per minute average, and much higher during peak volume during the morning and evening commutes. They'll stack up behind that roundabout in the morning and evening in quite a bit of traffic. , Consistency with the comprehensive plan does not mean freezing a parcel in the land use pattern that existed when the map was adopted.

(00:10:54):

The plan was sp- specifically directs the county to plan for changing communities, consider individual site characteristics, coordinate development with transportation corridors, support private recreation and accommodate a diverse economy. This site sits at principle arterial and minor arterial intersection is already undergoing major transportation change. The comprehensive plan's own description of the rural residential zone says rural residential is intended to provide for rural transitional areas between agriculture and urban areas and recognizes the compatibility with non-agricultural uses. Next slide, please. Kenny Dodd from Nampa Highway District also told me they are just starting to study the Southern State Highway 16 interchange connection to the south. They anticipate that the traffic could actually quadruple at this location in 10 years. , Especially if they connect Robinson to the inter-interchange, which is, which is very likely. They're also studying a connection to McDermott. I confirmed this with ITD. My contact, Kendra Condor there said that she anticipates seeing more information about this coming out this fall.

(00:11:55):

Properties fronting major corridors are almost always commercial and industrial in use. What we are proposing is a very low, , traffic light commercial use. It adds uses that are complimentary to the surrounding residential uses. The traffic is here and more is coming. After hearing neighbor concerns, we removed the fueling station and convenience store, which would've had much more traffic. We also removed the landscaping company use, although it would fit in the area well as the same use was just approved by PNZ in June, , across the street. , A limited commercial transition use screen and condition from neighboring res- residences can preserve the surrounding residential neighborhood better than pretending this heavy affected corner re- remains the same residential character as inter- interior residential parcels do. , Next slide, please. Here's my 2030 comp- comp plan analysis. These goals and policies support our request. Allowing commercial at this location is meeting the demand of future and existing population and is an economic benefit to the county as well.

(00:12:52):

This property is no longer viable residential use. Even the current home may need to be demolished in a couple years. We hope that's not the case and we can keep it as a caretaker's residence if the roundabout gets widened. Next slide, please.

(00:13:05):

The characteristics of the site are much better suited for commercial uses along frontage and Robinson. Adding the batting facility adds to the high quality of life the community can enjoy. , There are not any indoor batting facilities close by. Most parents have to drive towards Meridian and Boise, and there's also a huge demand for contractor shops and staging areas with the increase of the population in the Treasure Valley. Trade jobs are booming and are anticipated to stay that way long into the future. We are not subdividing the property. We're trying to put it to a much better use that will compliment the area. We have restricted all commercial uses but a few. There are actually a couple more polic - , there's another policy and goal I found, , that it didn't make in my PowerPoint, but, , policy P8. 01.01 says to coordinate land use and transportation planning so that development is located near appropriate transportation corridors and services.

(00:13:55):

, Goal 9.03.00, support development of private recreation facilities through the development process. This directly supports indoor batting facility. , Next slide, please. The following pictures were taken on July 27th at approximately 9:30 AM. , Next slide, please. It'd be difficult to take a picture here without seeing a car go by even in these lower traffic, , past the, the, the, , the, the time when they had the, you know, when you have the major traffic volumes coming at peak in the morning and the evening. So, , there are staging areas and surrounding the property as well as contractor shops. , Next slide, please.

(00:14:39):

Turn my page. This is a view of the site looking west. The site is between an approved retail landscaping business with a contractor shop and staging area and another neighbor who appears to have a contractor shop and staging area. There's obviously a little commercial light commercial demand here. Next slide, please. Another view looking north. Showing the commercial uses. Next slide, please. Here's a view to the east. Next slide, please. Here's a shot of the roundabout and more traffic. Compatibility under Canyon County's own plan and ordinance is something that can be achieved through site-specific conditions. The applicant has removed the uses P&Z identified as its principle compatibility concern as an accepting and development agree- agreement, screening, lighting controls, parking requirements, and reasonable operating restrictions. Therefore, the remaining four uses can be made compatible with the surrounding properties. Next slide, please. Here is a view from the site from the ground level.

(00:15:35):

, Staff did a great job of taking pictures as well. , The applicant has been cleaning up the property since he's bought it and wants to be a good neighbor. Next slide, please. This is the inside of the proposed indoor rec facility. The ceilings and walls have been spray insulated. , The batting equipment has been removed. Next slide, please. , And just as a reminder for, for everyone, , Canyon County Code 7-06-07, subsection three specifically states that designation of a parcel is CR shall not constitute spot zoning. It is not presumptive proof that adjacent or nearby property should also be rezoned. So the board can approve this unique property based upon its unique circumstances without opening the door to commercial rezoning throughout the neighborhood. I sit for questions. Thank you.

Speaker 2 (00:16:27):

Chairman, I have a couple. Thank you for your presentation. First, the property that you referenced in this slide, which is adjacent and immediately west, do you, does staff or do you know how that's zoned or if that's a, a conforming use with a conditional use permit?

Speaker 4 ([00:16:50](#)):

, M- Mr. Chair, Commissioner Van Beek, the property zoned agriculture. , And they did get a CUP approved in 2026. The divided line between rural residential and ag is right at that boundary.

Speaker 5 ([00:17:03](#)):

, Chairman and Commissioners, , the, I think, I believe you said West. , And, and Emily was speaking of the property to the East. Oh, sorry. Yes.

Speaker 4 ([00:17:11](#)):

Yes. The, the property to the West, yeah, there's no. That's probably a violation that needs to get addressed.

Speaker 2 ([00:17:16](#)):

Okay. Thank you. And thank you for that clarification. I was specifically referencing what looks like a staging area. Okay. So it's Ag and it's not permitted is what we're saying.

Speaker 5 ([00:17:28](#)):

Chairman Commissioner Manbeck -

Speaker 4 ([00:17:30](#)):

Home residential.

Speaker 2 ([00:17:32](#)):

Okay. All right. Thank you. And then I have another question. I'm looking at the county's ordinance under 071027, which is the zoning classification map. And I wanna make sure that I've heard you correctly. There are a number of uses that are approved under that, and then some that require a conditional use permit, but you are, or the applicant is restricting it to four out of that myriad of uses. It's the four. And would you say that again? You're eliminating, I heard, the fueling station. Correct.

Speaker 5 ([00:18:08](#)):

Okay.

Speaker 2 ([00:18:08](#)):

Yeah, Chairman

Speaker 5 ([00:18:09](#)):

Commissioner Bambikovs, we are only contractor shop, , in- indoor rec facility for the batting, , facility. , Staging area for parking vehicles and equipment. And a caretaker residence to the home will become a

caretaker residen- residence for the, the uses on site. , The neighbor to the west, , is, I believe that's not an owner occupant there. But other than that, I don't know anything else about the, the property.

Speaker 2 ([00:18:43](#)):

I'm just clarifying. I think I know the answer to this question, but when you're saying a caretaker residence, that is not to house, , residents like in a group home, you're saying specifically to watch over the property for activities that occur on the property. Yep. Chairman,

Speaker 5 ([00:18:59](#)):

Commissioner Vambeek, you're correct. Specifically to watch over the site, , you know, prevent vandalism at night and, , keep the site maintained. You're absolutely correct.

Speaker 2 ([00:19:09](#)):

Okay. Thank you for that. Those are the questions that I have, Chairman.

Speaker 1 ([00:19:13](#)):

Okay. You cited four, so you in - you included the caretaker home as one of the four, four specific conditions. Correct.

Speaker 5 ([00:19:25](#)):

Yes, sir. Just

Speaker 1 ([00:19:25](#)):

Wanna be clear. Okay. All right. I don't think I have any questions at the. Thank you. Thank

Speaker 4 ([00:19:32](#)):

You.

Speaker 1 ([00:19:36](#)):

All right. Now we'll turn to DSD staff and let them do a report.

Speaker 4 ([00:19:41](#)):

, Good afternoon, Board of Can- Canyon County Commissioners. Today I'm presenting case number CR2024-0001. The applicant req - is requesting a conditional rezone from the rural residential zone to the conditional rezone neighborhood commercial zone of, , parcel 27927, approximately 2.13 acres. The request includes a development agre - , agreement restricting the uses to a staging area, contractor shop, caretaker residence, and/or, and indoor recreation. The applicant has also proposed restricting the hours of operation from 7:00 AM to 9:00 PM and adding a site obscuring fence on the west side of their property. The applicant has taken out landscaping business and a vehicle fueling station with convenience store out of the proposed uses to be restricted on site. And that was done, , just last week, officially. The Planning and Zoning Commission heard the case on April 2nd, 2026, and after hearing the case, recommended denial to the Board of Kenyon County Commissioners.

([00:20:41](#)):

Due to not meeting conditional rezone criteria, one through four. You can see exhibit ones, , one and two for the Planning and Zoning Commission FCOs and minutes. The parcel is currently zoned real residential with a future land use designation of residential. This parcel was created via an, an administrative land division in 2000. A code enforcement case was opened on the property in 2023 due to having a trucking business without approval on the property. The applicant has previous- previously stored trucks related to their business, doctor pipeli - doctor pipeline on the property. Based on conversations with the applicant, these business ve - these business vehicles are no longer located on site. 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, , for a commercial business. At one point, the building was being used by full count baseball and softball training as an indoor baseball training facility.

(00:21:39):

This is the conditional rezone criteria found in Canyon County Zoning Code 0706076A. The next several slides outline the Planning and Zoning Commission's findings.

(00:21:51):

, The parcel is identified as residential in Canyon County's future land use map. City of Nampa's comprehensive plan calls for low density residential for this parcel, but is adjacent to the community mixed use designation. Although the property may fit into City of Nampa's mixed use designation, the closest city limits are between 0.8 miles and one mile to the northwest and west, and staff does not ant - or the commission does not anticipate annexation of the properties to the west to occur quickly due to the number of residential parcels. The property better meets the 2030 Canyon County Comprehensive Plan by staying within its current zoning designation as introducing commercial uses to the area would likely encourage commercial and mixed use growth in the area that is primarily residential and agricultural in nature. The request is also inconsistent with two goals and two policies of the 2030 comprehensive plan.

(00:22:40):

The surrounding area primarily contains residential uses with some agricultural uses as indicated by the land uses in the vicinity, zoning within one mile of the property, the number of subdivisions, and lot sizes in the area. The nearest approved zoning and land use designation comparable to the request is in the Nampa Gateway Center within the city of Nampa, approximately 0.8 miles to the northwest of the property. Additionally, within one mile of the subject property, there are 46 subdivisions with an average parcel size of 1.15 acres, and the 600-foot notification distance contains parcels within average parcel size of 1.59 acres and the median parcel size of one acre. Almost all these parcels contain re-residential uses. Land use approvals issued over the past five years indicate a trend toward residential development rather than commercial expansion within this area. Pursuant to Canyon County Ordinance 071025, the purpose of the neighborhood commercial zone is to provide for local commercial service needs and to rec - restrict incompatible uses.

(00:23:42):

Although the applicant may support local services somewhat, the land use patterns do not support commercial uses yet. The applicant has agreed to enter into a development agreement to place conditions on the development in an effort to potentially mitigate impacts, but the Planning and Zoning Commission still had compati - combatibility concerns with nearby residential uses, especially with the number of commercial uses and potential incompatible hours of operation. And then you can see exhibit, , 6B for the updated restricted uses. These are some site photos of the property. The photos on the slide starting on the top left show the property from Airport Road facing southeast, the residence on

site, the area to the east of the single family residence facing southeast, facing west on Robinson Boulevard showing buildings on site and trailers, and facing north on the public right of way, , dedication area along the eastern boundary of the property.

(00:24:35):

The rest of the site photos can be found in the staff report. Septic systems are planned for the proposed uses. Per Southwest District Health, a nitrite priority study may be required depending on the wastewater flows. Southwest District Health further states that a site evaluation has not been conducted yet, so as no septic systems have been proposed for the requested use, but they do not have concerns as long as they meet all their requirements. Whiles are planned for the use for the applicant's land use worksheet, a storm, the storm water drainage is retained. A stormwater drainage is retained via burrow ditches. The, , property does have surface water rights and is irrigated through gravity irrigation. Nampa Meridian Irrigation District sent a letter providing all stormwater drainage is to be retained on site and that they don't have any, , concerns as they don't, , un - they don't, , think there'll be impacts to their irrigation district.

(00:25:24):

You can see exhibit D11 to review their full comment letter and utility agencies did not comment. Currently, there are two curb cut approaches onto Airport Road. The Highway District stated that the applicants will be required to add a paved apron over the curb cut approaches to limit the effects to the public road. Nampa Highway District number one stated for commercial businesses, , which at the time included a fueling station convenience store, this may require a traffic impact study and additional public road dedication. Idaho Transportation Department found the applicant does not meet, , thresholds for a traffic impact study, nor does it po- pose a safety concern. The subject property does have legal access for the conditional rezone off of Airport Road with two accesses. You can see the blue arrows for those access points. Nampa Highway District, and then again, will require the curb cut approaches to be, have paved aprons.

(00:26:17):

The proposed use is not anticipated to impact essential public services and facilities. There are no comments received from the school district or police. The fire district sent a comment letter which outlined, , this stated the fire district does not oppose the application subject to the compliance with conditions of approval and fire code requirements. And then Canyon County's paramedics responded with three different response times with the closest being about five minutes away. At the expiration of the materials deadline for the P&C hearing, 11 agencies commented, which can be found in exi - exhibit 3D of the staff report and no public comments were received. At the expiration of the materials deadline for the board hearing, one agency comment was received and four public comments were received in opposition, which can be found in exhibits four and five of the staff report. The board of Canyon County commissioners may approve or deny the conditional rezone or table or continue the hearing to a later date and request additional information.

(00:27:10):

Here is an aerial view of the property again, and I'll stand for any questions you may have.

Speaker 2 (00:27:14):

Chairman? Yes. I have a number of questions. In the minutes for the planning and zoning, there was a question asked and the, it was just left that the applicant may not have understood, but given that it has, , at one time operated as a baseball, it, does that not require a conditional use? It, like -

Speaker 4 ([00:27:42](#)):

- If he

Speaker 2 ([00:27:43](#)):

Wanted to do something like that, what does that entail for him?

Speaker 4 ([00:27:49](#)):

, Mr. Chair, Commissioner Van Beek, so it's classified as indoor recreation in our code. And then in the commercial, neighborhood commercial zone, it's just, , outright allowed. So right now it's not permitted, but it would be if they are approved for the rezone.

Speaker 2 ([00:28:02](#)):

Okay. Thank you. So he can. I'm gonna say that back to you. He can just operate this facility as a baseball if he's approved in a commercial C1 zone? Yes.

Speaker 4 ([00:28:12](#)):

Without

Speaker 2 ([00:28:12](#)):

A permit. Okay, thank you. And then the applicant presented, I meant to ask this question that I know in 2050 potentially this is proposed to connect to Highway 16. Is that the proposed connection date? Do you know? Or is that - , Mr.

Speaker 4 ([00:28:29](#)):

Chair, commissioner Van Beek, I called ITD about it because I had heard a lot about potentially that. And it's in like Compass's map for potential expansion. But Kendra at ITD said there's no funding for it right now. I think they're in the very early, early stages of deciding where that would be. And also she said, if it does get cut down to Robinson, it's very likely that property, that any of those properties along the road would get bought up by, by ITD. So that's kind of what she had told me on the, on the phone at the time. So.

Speaker 2 ([00:28:57](#)):

Okay. And as a planner, so for either the assistant director or for you, can you validate the statement that was made by the applicant that when there's connectivity like that on major roadways that that, , traditionally c- connects to commercial or other uses that are not residential?

Speaker 4 ([00:29:19](#)):

Mr. Chair, commissioner, maybe I'm not necessarily a highway. I'm not really connected to the highway district, like, plans, but I think sometimes it depends on the highway. We don't want very many accesses off highways. , I guess if it is off airport, maybe it would probably be different. But, I mean, I, yes, sometimes there's commercial off highways, but there's plenty of times where there isn't. Okay. So it's not necessarily always the best option. So

Speaker 2 ([00:29:40](#)):

Unclear on that. Okay. And then exhibit A2, the letter of intent. I need clarification on an hours of operation. That one says eight to five. There's other places it says eight to nine. What's the proposed? Where did we land? ,

Speaker 4 ([00:29:57](#)):

Sorry, I'm gonna look at the SEOs. It's 7:00 AM to 9:00 PM. And that would be for all the businesses on site.

Speaker 2 ([00:30:09](#)):

So regardless of which of those four options are chosen, they want seven to nine. Okay. Thank you. And the second, Chairman, the next question, the second code enforcement violation was because of it, they were operating that indoor sports facility in an agricultural or a res - rural residential zone.

Speaker 4 ([00:30:45](#)):

, Mr. Chair, Commissioner Vambeek, yes. And then they were also operating it with an expired building permit. They weren't able, they didn't end up getting their final inspection on the shop for just the, it was for a personal shop. And then I think they ended up doing the baseball training facility in it, and then they didn't end up finishing out the building permit. So it's for an expired building permit and also because they were using the building without commercial standards because there's public, , peop - members of the public in the building.

Speaker 2 ([00:31:10](#)):

Okay. So what I heard you say was there's still a code enforcement violation for a permit that's not been issued. ,

Speaker 4 ([00:31:18](#)):

Mr. Chair, Commissioner Va- VanBeek, yes. And part of it is they kind of need to wait to see if, what the decision is on this because it's either that they need to classify it as a, just a personal structure or if they do get approved for this, it needs to be upgraded to commercial to account for people inside the building if that's what they end up, , the rezone is approved.

Speaker 2 ([00:31:37](#)):

Thank you.

Speaker 1 ([00:32:05](#)):

You good?

Speaker 2 ([00:32:05](#)):

I think so.

Speaker 1 ([00:32:06](#)):

Okay.

Speaker 2 ([00:32:06](#)):

Thank you.

Speaker 1 ([00:32:08](#)):

I think I'm good at this point. So have the individuals who care to testify go so. Go

Speaker 3 ([00:32:15](#)):

For it. Kristen Troxell.

Speaker 6 ([00:32:26](#)):

, Thank you. , My name is Kristen Troxell. My address is 6101 Airport Road. So I live two properties to the west of this property and I can, , attest to what's happened over the years, et cetera. , I'll be perfectly honest, I, , was, , not aware that there had been a change, , to the application, , to remove the fueling station and convenience store, which as you can imagine was of grave concern to the greater neighborhood. , However, , I'll, , I still believe that, , that this particular application should be declined, , given the fact that many, most of the uses of, proposed uses of the property can still happen under the rural residential. I've lived there since 1998. There have been a number of businesses at a number of properties all around me. , Typically that's what kind of rural residential has been.

([00:33:38](#)):

Now people will have either a small business that they did, you know, but you didn't have a great deal of public. , And frankly, the only concern that we have had over the year, these couple of years when they were doing the ba- batting cages was the amount of par - of cars that would come in, parking all around. Occasionally they would be having, , you know, par - some parties to go along with the, you know, kids and the batting cages. I would suspect they were, you know, perhaps, , celebrating, you know, team success, et cetera. We'd have some noise issues and then it would kinda, it's been n- not as bad as we initially anticipated it to be. But, , again, given the residential nature of the neighborhood, , I have, you know, grave concerns about that. , I am familiar with the development process.

([00:34:44](#)):

My stepfather was a developer here, a long, long time developer here in the valley. And my brother does, , land use planning for the city of Seattle. So I'm very f- familiar with this process. I want to, , say that the staff report was very comprehensive, read through everything. , We anticipate that we will be annexed into Nampa at some point. , I think most of us that live on that end of Airport Road know that this is going to change with time, but not 10 years is, for many of us, a lot of time. What's gonna happen high, with Highway 16 is anybody's guess, , as to whether or not they will actually connect it to Robinson or not. I've heard a lot of rumors also. So thank you. , But I would, , respectfully request that you deny this.

Speaker 1 ([00:35:43](#)):

So I, I guess if you have this experience, you're, you're different than most of our, , people that give testimony. Where you have a property that's immediately adjacent to a roundabout that is going to be far greater used than it is right now, you're still advocating that that needs to be a resident right there. And I tell, I'm talking the property.

Speaker 6 ([00:36:13](#)):

Yes. The, the property right there, not mine. Right. And, and I understand these, these complications. Personally, I am very pleased with the roundabout. It has slowed traffic down. It's reduced the number of wrecks. We had at least two wrecks a year in that corner. , You know, it, it was pretty bad. , And, and I get that. But I'm not convinced that changing the zoning to commercial, which then opens up potential, a number of potential other uses, obviously those have to go through permitting processes, et cetera. , It's, it's tough. And obviously we've got the property on the east side of Robinson that is, , you know, putting in a landscaping business. And I've not said anything negative about that because again, this is a changing area. There's no question about that. , I'm torn in the conversations I've had with my brother about this in that if it's to be commercial, we can have some greater input into what are the approved uses and so forth than we typically would with a rural residential.

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

However, .

Speaker 1 ([00:37:45](#)):

So -

Speaker 6 ([00:37:46](#)):

I'm torn.

Speaker 1 ([00:37:47](#)):

I'm gonna, I'm gonna interrupt you. So we aren't giving, we aren't contemplating a card blanche. You get to do anything more. Right.

Speaker 6 ([00:37:54](#)):

Exactly.

Speaker 1 ([00:37:55](#)):

Right. So it's three uses. It's a contractor shop. It's an indoor rec, it's a staging area.

Speaker 4 ([00:38:02](#)):

Right.

Speaker 1 ([00:38:02](#)):

And under conditional use, we can give specificity to the hours of operation. Right. We can give specificity to the noise.

Speaker 6 ([00:38:10](#)):

Sure.

Speaker 1 ([00:38:11](#)):

They can lose their conditional use permit if they violate it.

Speaker 6 ([00:38:14](#)):

Right.

Speaker 1 ([00:38:14](#)):

It isn't like the city of Napa annexing you in and they're making it commercial.

Speaker 6 ([00:38:19](#)):

Exactly.

Speaker 1 ([00:38:20](#)):

So I'm get perplexed sometimes by the people that are in this general area at their frustration, , of the change. And we aren't talking about a parcel that's clear back here in the middle of the houses. And that's happened and that's very uncomfortable. But we're talking about immediately adjacent - Right. To the roundabout. And I could testify that I wouldn't buy that ground and build a house there.

Speaker 4 ([00:38:47](#)):

Sure.

Speaker 1 ([00:38:48](#)):

Right? And so what is the highest and best use of the property is. Again, I'm asking you because you've testified that you are not the normal witness I have. So I get, I get to have a sounding board - Sure. Outside of my staff. And, and I appreciate you engaging with me very, very much.

Speaker 6 ([00:39:08](#)):

Sure.

Speaker 1 ([00:39:09](#)):

Don't you think? Yeah. This is refreshing for us. So, , just trying to see where, where you're at and, and what you're thinking.

Speaker 6 ([00:39:17](#)):

Yeah. 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, , 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. We've had some over the years, the last several years when they were doing, actually doing this. Mm-Hmm. , where it got pretty crowded in there. And, and they were clearly having a pretty good time occasionally. , Such that I could hear it at my property. So if there, you know, I, I have not yet seen, , specifics that would put any limits on that particular use. The other two uses, I'm not particularly concerned with, right? The, , there's somebody living there now. They've been taking, you know, care of it. They have been keeping it tidy and clean - Right.

([00:40:27](#)):

Et cetera. , They have two other properties just to the south. One, since they split the property into three, the original five acres into three. Right. , so there were some interesting proposed uses for that

that was, that I haven't seen anything happen since. But that's the main question I would have is for the specific use of the batting cages - Right. And that's what I've been calling it. Right. , what are the spec - other than hours of use, that's the only limit that I've seen proposed.

Speaker 2 ([00:41:06](#)):

Okay. Chairman? Yes. Yeah. And thank you. First of all, I wanna say that in real time, we're s - hearing the same thing that you're hearing. Yeah. That there's been a removal of a use that could potentially very much change the nature and the character of the area. Right. There's that. And then the number of cars I think is driven by the square footage on the property. I, I guess I'm looking to staff on how that matrix, it exists, but I think it's fair for people. So I'm gonna put a placeholder there and put that in the parking lot for just a second. No pun intended. But chairman, I guess my question, just as the chairman, does this represent a substantive change in use where a recommending body could potentially provide an approval with that change in between the, the hearings?

Speaker 1 ([00:42:10](#)):

Josh, what do you wanna weigh in before me?

Speaker 7 ([00:42:14](#)):

So to me, I don't think it would be worth a remand. And the reason is the applicant was reacting to the planning commission's recommendation of denial. So what they've presented to you is, "Hey, we've heard this. This is our best stab at getting this conditional rezoning. I would think you're hearing it, but it's also based on the FCOs you've got as well." Yeah.

Speaker 2 ([00:42:35](#)):

And I just needed to ask the question. It's not a lobby for or against. It's a, we have a really good planning department. Thank you for your comments.

Speaker 7 ([00:42:45](#)):

It's also more restrictive at the end of the day.

Speaker 2 ([00:42:48](#)):

Correct. Yeah.

Speaker 6 ([00:42:51](#)):

Yeah. I, as somebody that lives very close and would be impacted by whatever traffic, however many people come and go, , I think it would be, , reasonable to, for us to expect some numbers to be, you know, so that the neighbors could assess that. , Where most of us were focused entirely on the, you know, fueling station stuff. Okay. Sure. And, and, and so, , like I said, I, I get the issue of it being the corner property - Right. On what is a changing area. I've been there since 98. I've known this was, some of this was gonna happen, right? Right. , but, , there's 10 years and then there's 30 years.

Speaker 1 ([00:43:44](#)):

And - Right.

Speaker 6 ([00:43:44](#)):

Yeah.

Speaker 1 ([00:43:45](#)):

Yeah. Okay. All right. Well, , I think -

Speaker 6 ([00:43:51](#)):

Thank you.

Speaker 1 ([00:43:51](#)):

I think I've heard and, and I appreciate the, the back and forth.

Speaker 6 ([00:43:55](#)):

Yeah. It, it, this is a, a, you know, given the, the reduced number of uses and if there were, , very, very clear limits to pro - you know, the number of vi - of, , you know, people that could use it and - Right. You know, maybe they have to pave it and -

Speaker 1 ([00:44:18](#)):

Right.

Speaker 6 ([00:44:19](#)):

, That might change my opinion. Okay. All

Speaker 4 ([00:44:23](#)):

Right.

Speaker 2 ([00:44:23](#)):

Chairman? I, I do have a question for staff. So we have a building violation that's been cited and a couple of code violations. And it's almost a rhetorical question, but when the code enforcement officer goes on a site visit and provides information on a notice of violation, there is, to some extent, an education in that process of what the violation is, how to cure, what needs to happen, what the county code is. Yes? Yes. Okay. Okay. So I, I want that, I guess, clearly on the record that it, it is frustrating to this commissioner that there are repeated violations. I know how our code enforcement works. I am not a commissioner that likes the apology instead of their permission. So that to me is gonna be a stumbling block, but

Speaker 1 ([00:45:23](#)):

Thank you. So I, I might add for clarification though, commissioner, that it was used as an indoor recreation for the, for the batting, but we just were shown pictures that they've voluntarily removed all of that.

Speaker 4 ([00:45:38](#)):

Agreed.

Speaker 1 ([00:45:38](#)):

So that's different than some of our applications that come through. It's kinda like, well, we'll let everything just stay in violation and still see if we can get approval for the use. So I do wanna point that out for this applicant that they did go to the trouble removing all of that. And it sounded like it was, that's a trouble sometimes with success. <Laugh> It draws attention to yourself and -

Speaker 2 ([00:46:02](#)):

Right. And I don't disagree with you, Chairman. It's, , I don't, I don't want to approve a, a future code violation. I, I want people to respect the process that the county has for whether it's a building permit or a use or whatever that is. That's just a, if you're gonna run a business, that's just the field that you play in, so. Okay.

Speaker 1 ([00:46:24](#)):

All right. Thank you.

Speaker 6 ([00:46:25](#)):

Okay. Thank you very much.

Speaker 1 ([00:46:27](#)):

I'm gonna break into the record. , Commissioner Brooks has been able to, , come into the meeting. , I need to challenge him with the, , potential conflicts of interest questions before we go on. , All right. Before we go, proceed further, , Commissioner Brooks, is there any declarations pertaining to this application such as conversations or meetings outside of this hearing received by you?

Speaker 8 ([00:46:55](#)):

No, Mr. Chairman.

Speaker 1 ([00:46:56](#)):

And is there, , is, are you for any reason in a conflict of interest and would need to be excused from participating any further in this specific decision?

Speaker 8 ([00:47:07](#)):

No, Mr. Chairman, I wouldn't have showed up if there was. <Laugh>

Speaker 1 ([00:47:12](#)):

You would've been conveniently busy, right? Yes. Okay. And, and I did state to, before the hearing was in motion that you had the potential of joining us later, which would mean that we're not going to, , enter into any deliberations today.

Speaker 4 ([00:47:27](#)):

Okay.

Speaker 1 ([00:47:28](#)):

We will do it, . Well, I'll make the motion to it later in the meeting, but it'll be on the 27th at 2:00. So all right. With that, let's have our next person who would like to testify.

Speaker 3 ([00:47:40](#)):

Barbara Jensen.

Speaker 1 ([00:47:55](#)):

Name and address, please. Hi.

Speaker 9 ([00:47:57](#)):

My name is Barbara Jensen. My address is 6124 Airport Road, Nampa. Our property is, , if you look at that picture, directly north is a pasture, , with horses in it. And our property is right next to that pasture. So across airport -

Speaker 4 ([00:48:18](#)):

Okay.

Speaker 9 ([00:48:18](#)):

, From this property, , I am happy to hear that they have removed the vehicle fueling, , station with convenience so that, , is no longer an issue. , As, , Chris talked about the parking lot, the indoor recreational, that's, , we heard all the batting going on. , We are that close. , However, my concern is, so what is the plan? If they removed all of the, , baseball and softball, , indoor stuff, what do they plan for the recreational side? And more importantly, the parking. , As you can see, that is a dirt lot in front of that shop where they did have the recreation, indoor recreation. And right along Airport Road, they have, well, there's the two driveways on the side there. Mm-Hmm. , but going west from that driveway is just a small dip. And particularly in the winter time, , cars do not go across that dip, but pickups do.

([00:49:30](#)):

And that has created a lot of mud tracked onto Airport Road. , Not just the traffic that's, , increased, particularly at different times. , But also mud that they're, , tracking onto airport. And so, , Chris mentioned paving, , that particular lot, depending on what they wanna do for the indoor recreation. And then one more issue is they mentioned a, , site obstruction fence on the west side, which is good for that neighbor. However, I feel they should do something along Airport Road where that mud dip is, , to channel traffic onto the driveway instead of cutting across there. And that will also include a barrier so we don't have to, , wa - look at the parking lot when we're out in our front yard. Okay.

Speaker 1 ([00:50:33](#)):

Trying to figure out a way to word how you would want the fencing then done in the, in the front. You only have the two driveways.

Speaker 9 ([00:50:42](#)):

Mm-Hmm. So whether it's, , a hedge or a, what do they call it? Side obstructing fence. Right. Along airport up to that driveway. Okay. Yes.

Speaker 1 ([00:50:57](#)):

Okay. I think I could get that. Okay. Thank you. Any questions? Man, I'llChairman three minutes.

Speaker 2 ([00:51:09](#)):

I, I do have a question and for Emily or Josh. We probably got in here and I, I can't get the details out, so refresh my memory. Was the highway district or ITD going to allow both of those accesses to remain?

Speaker 4 ([00:51:25](#)):

Mr. Chair, Commissioner Rambik, yes, Napa Highway District is gonna allow those two accesses. They just want an extra paved apron over the top because they were concerned about the effects of the road.

Speaker 2 ([00:51:33](#)):

Right. Okay. Thank you.

Speaker 1 ([00:51:38](#)):

Any other questions?

Speaker 2 ([00:51:39](#)):

Not at this time.

Speaker 1 ([00:51:40](#)):

Thank you.

Speaker 3 ([00:51:41](#)):

Thank you. Aaron Barnes.

Speaker 7 ([00:51:48](#)):

Aaron Barnes?

Speaker 1 ([00:51:52](#)):

You don't care to speak? Okay. All right. Anything else?

Speaker 3 ([00:51:56](#)):

James Page.

Speaker 10 ([00:52:04](#)):

How you doing? Good.

([00:52:06](#)):

, I live at 6009 Airport Road, which is about five properties from the corner on the same side of the road. Okay. And I'm also the water master for the ditch lateral. And I've already had issues with that property busting pipe by driving across it. So what she was talking about, having something to divert traffic off of that, because from where the driveway apron is to the property line, the ditch is only about 12 inches

below the dirt. So in order to continue to get water to the rest of the people who own it, , something's gotta be done about that. And where they only actually have one apron coming out that takes a left off of that property, that's a restriction. And about the traffic, traffic's gonna be a problem all the time because when they come out of there, they don't come out of there like I do.

(00:53:15):

I drive like an old man. They drive out of there like a kid that just come from a batting station and have got all their hormones going.

(00:53:26):

Tires are spinning, mud's flying, rocks are flipping. And I've had beer bottles thrown at me while I'm irrigating in my yard. And I'm five houses down from that property. I've lived there now 40 years. So I've got a little bit more than even Chris does. , I've seen that property now through, from the original owner to the next owner, to the next owner, to the businesses that were put in there and then shut down, but the res - the residuals are still there. There was a pumper truck company in there for a while. The end of the property that's not listed here, but when you show the map that's got the back side of the property, they emptied all their trucks on that property. So it's hard to say what's in that, that came up out of the, the sewer systems that they were pumping that out of.

(00:54:24):

Because I know I've had those trucks actually come through to clear roots and stuff out of the ditch. 'Cause I've been the water master now about 12 years. Before that it was my neighbor. And I kinda inherited it. But along with inheriting it, I also listened to him and he told me about the, the fun stuff and the bad stuff that comes along with it. So irrigation's gonna be a problem. Both the, the diversion, , tubes are on that corner that sends it down Airport Road or down, , Robinson Road. Okay. And that property, yeah, it's got, it's got a certain number of hours allocated water for irrigation, but they can't use it because they've completely covered all the pipe. And they also leveled the property. And all the ground out on that end of the valley is designed to run south. The water does.

(00:55:30):

You just pour something out on the ground, it runs south. They've leveled the property, raised it on the low end. No water's gonna flow across that property. So if they ever do put irrigation in there, they're gonna have to put pumps and sprinklers in.

Speaker 4 (00:55:47):

Right.

Speaker 10 (00:55:48):

But traffic right now, you can tell it's a problem. Right this minute it's not because there's no cars there. But it's been bad. And up and down that road, it's gotten dangerous. I've buried eight pets from people running over them. And sometimes it looks from where the animal's at in the middle of the road that they swerved to hit it. Mm-Hmm. It's like, it's a target, a moving target. Yeah. Because I have Steven Spielberg's Pet Cemetery in my backyard. Ugh. But none of them come back to visit. Sure they do. But there is definite concerns. Okay. The traffic is terrible. The irrigation is a problem. , Keeping them from the mud as they drive across that ditch in the wintertime, because it's just dirt -

Speaker 4 (00:56:44):

Right.

Speaker 10 ([00:56:44](#)):

That's covering the ditch. Right. Carries that mud right out into the road, and then they go off the. It's a curb that they've got out there. They drive off that curb and everything just lands in the road. So if diversion could be keeping them to the apron in and out. Yeah. But then again, there's just the one apron that can go left. Right. And then the other one is in the traffic circle. Right. It has no choice but to go right.

Speaker 4 ([00:57:14](#)):

Yeah.

Speaker 10 ([00:57:15](#)):

And already, about 75% of the people driving up to that traffic circle don't understand the traffic circle. So when they pull up there, they stop. Traffic circles are keep traffic moving. And when they pull up there and stop, I've had traffic. And again, I'm, I'm on the corner of Brent and Airport, which is five, five properties back. Okay. And I've had cars sitting at 5:30 waiting to go through the traffic circle backed up that far in front of my house.

Speaker 1 ([00:57:48](#)):

Geez. Definitely traffic issues. Okay. Any questions?

Speaker 2 ([00:57:56](#)):

German, I have a question that I wanted the. I didn't give staff the opportunity to follow up because I had one behind that. But do you have what the rubric is for determining the number of cars? And if, given the number of buildings, that would be my concern. The number of vehicles either for a staging area or for an indoor facility. How, what that looks like. ,

Speaker 4 ([00:58:25](#)):

Mr. Chair, Commissioner Rimbeek, our parking code is a little outdated, so it's a little hard to pick which use it would be, but probably the closest one might be like a , like retail sales of some sort. , There's also business offices. , Each of those would be like about one parking space three, , each 250 square feet of net four area. , So that would account for all the buildings.

Speaker 2 ([00:58:55](#)):

And you said it did or didn't include the building space?

Speaker 4 ([00:58:58](#)):

It, it would just be, it would include all the building space on site, yeah. So if they have multiple accessory buildings, it's, you know, like a few shops. You would wanna know how many, what the square footage is in total. And then we'd say one parking space for each 250 square foot of net four area.

Speaker 2 ([00:59:13](#)):

Okay. Thank you.

Speaker 1 ([00:59:19](#)):

Okay. Any other questions for this? Not

Speaker 2 ([00:59:21](#)):

At this time. All

Speaker 1 ([00:59:22](#)):

Right.

Speaker 10 ([00:59:23](#)):

Just had one other thing is size of vehicles. Because when the pumper trucks were going in and out of there, it was diesel trucks, big ones, big tanks on the back, , pulling in and out of there. It got scary to the point to where I actually put a pullout in front of my house. And then Nampa Highway District tells me there's no, no alongside parking allowed on Airport Road, which is fine. I understand that. But that's more to pull out so you're not backing into the road.

Speaker 4 ([00:59:58](#)):

Yeah.

Speaker 10 ([00:59:59](#)):

So But you can pull that onto airport road safely because right now, the traffic there at five o'clock -

Speaker 8 ([01:00:05](#)):

Yeah,

Speaker 10 ([01:00:06](#)):

Constant. , You could just about ride an officer's pension with the number of cars that are breaking the law through there. Yeah. There's a couple dodge demons that go by my place that their tires don't quit spinning until they hit pit road. And we did have an accident this last winter where a truck coming down from the traffic circle broke traction, went sideways, sheared the telephone pole in front of my house off with the side of his truck, which then spun him back, hit a rock, bounced over and hit a tree right in front of the neighbor's house. They're not gonna cut down their tree. That saved their garage.

Speaker 4 ([01:00:46](#)):

Wow.

Speaker 10 ([01:00:46](#)):

Because it was a Ford F-250. And unfortunately, the individual that was driving, he bailed and took off running down the road. So he didn't get charged with anything other than leaving the scene of an accident, , because nobody could place him in the seat. Yep.

Speaker 4 ([01:01:05](#)):

Yep.

Speaker 10 ([01:01:06](#)):

So again, goes back to traction, I guess, and cars. Yep. Trucks.

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

Okay.

Speaker 10 ([01:01:13](#)):

All right. Thank you. Thank you.

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

April Wilkie.

Speaker 11 ([01:01:25](#)):

Hi there. April Wilke located at PO Box seven, Middleton, Idaho, 83644. Good to see you three. , We received two letters that came in, two letters of support that came in after comment deadline that I'd like to read. Sure. Okay. , One is from Jose Luis Rodriguez located at 5903 West Orchard Street in Nampa. And the other one is signed by Steven, Stephanie Ruiz, located at 1722 South Camas Street, Nampa. Dear Canyon County Com - Board of Commissioners, I am writing to express my support for conditional rezone CR2024-001 at 6213 Airport Road in Nampa. The conditional rezone would, would allow an indoor recreation and batting facility, a contractor shop and staging area, and a caretaker's residence on the property. As a parent and community member, I am especially supportive of the indoor recreation facility, which would provide local children and young athletes with a safe, supervised place to practice baseball and softball throughout the year.

([01:02:35](#)):

Idaho weather often limits outdoor training, making dependable indoor recreation opportunities especially valuable. Although indoor baseball and softball facilities operate elsewhere in the Treasure Valley, there are limited comparable opportunities near the proposed location. Many families must travel to Meridian, Caldwell, or Boise for year-round ba- batting and athletic training. This facility would provide a more convenient option for local families, teams, coaches, schools, and youth programs. I also understand that the proposed contractor shop, staging area, and caretakers residence are included in the application. An onsite caretaker could provide additional oversight and security for the property. Because this is a conditional rezone, Cannon County may establish appropriate requirements addressing traffic, parking, lighting, noise, hour of s - of operation, property maintenance, and compil - compatibility with surrounding properties. I respectful- respectfully ask that the Cannon County Board of Commissioners, , approve conditional rezone CR2024-001. With appropriate conditions in place, I believe the proposed uses can operate responsibly- responsibly while providing a valuable recreational resource for the children and families of our community.

([01:03:55](#)):

Thank you for your consideration. Thank you.

Speaker 1 ([01:03:59](#)):

Any questions?

Speaker 2 ([01:04:00](#)):

I don't have any. Thank you, April.

Speaker 9 ([01:04:04](#)):

Clark. , my questions were all answered by other people.

Speaker 1 ([01:04:10](#)):

Okay. Thank you. That's all we have. All right. So we're ready for a rebuttal.

Speaker 5 ([01:04:25](#)):

Matt Wilke, PO Box seven, Middleton, Idaho. , Good to see you, Commissioner, , Brooks.

Speaker 4 ([01:04:32](#)):

Thank you.

Speaker 5 ([01:04:36](#)):

, , I was gonna, , go over our four criteria that was missed or that we had nose on to begin with, but, , I feel it prudent to talk about some of the reas - the, the, , concerns, , from the neighbors. , , For, for the information that's presented, , the reason we're here is in a rural residential zone, we cannot do a contractor shop, indoor recreation, staging area, or a caretaker's residence with a CUP or an allowed use. So th- th - none of these uses are allowed whatsoever in rural residential. , The indoor rec facility will need to go through a thorough inspection process, and this is written in the development agreement on item E. Within 60 days of the Canyon County Board of Commissioners signatures of findings, facts, conclusion of law and order, and prior to any new building permit being applied for on the subject property, the property shall apply for appropriate building depart- department applications as determined by the county building official to bring the accessory structure used for baseball training facility into compliance.

([01:05:38](#)):

So, , the, , and then also, we also have the parking and circulation plan and item D that's listed in our development agreement. And, , it's gonna be required to go through the building department. We have a, a fantastic building department in Canyon County. , Also, , State Highway 16, it started planning in 2006 going in the north, and it's just about complete. , So the, the neighbors are correct. We do not know where everything is going. We can only assume and, and anticipate that we definitely have growth coming and, , don't know exactly how they're connect everything, but I definitely think it's gonna have to require some new improvements to the south. , They're trying to connect, , Keuna Moore Road east-west and come out north to the interstate somewhere, and that's just gonna help everybody south of the interstate eventually. , The highway district standards, , for the approach, , will need to be paved, , upon approval of, , the building permit.

([01:06:42](#)):

, And also, because we are, this is under a C1 application, we still have to go through a CUP process for the contractor shop. The indoor rec facility would be a, an allowed use at this point, , which is why those extra conditions are in the development agreement to go through for parking and, and the inspection process. But the contractor shop uses will still have to go through a CUP, so we're gonna have to have another neighborhood meeting and go through all that process, and they're required to under CU, under those CUPs or contractor shops, they are required to have, , site obscuring fencing six feet tall around contractor shop sites. So, , we don't anticipate any issues there with the approaches and keeping people from driving across the curbs where they shouldn't be. , The pipe was replaced when that roundabout was done, , that the water master was talking about, , and it hasn't broke since.

(01:07:33):

, That'll also be paved over the top of that with that apron that comes in there, so that'll be heavily protected at that point. , , What else have we got here? I think that covered a lot of those concerns we heard there. , Also, , when I made the comment about commercial on high traffic areas, we, we do see future land use map commercial, like, for instance, State Highway 44 all the way from the interstate to stars is pretty much commercial on the future land use map back for a quarter, you know, probably, , at least a quarter section anyway, , on a lot of those areas. , And then, , that'll take me to, , our criteria here. , And our criteria one, I, I believe we can, , change those to yes, because generally consistent with the comprehensive plan as a whole, because it supports appropriate corridor-based development, economic opportunity, private recreation, changing community needs, site-specific land use decisions, and compatibility through mitigation.

(01:08:34):

, Criterion two, , I believe it's more appropriate than there are given the parcel's unique location at the principal arterial minor arterial intersection and an existing development. Plan five lane Robinson expansion and the contiguous approval of substantially similar contractor staging uses across the street at Robinson. , Criterion three, I believe we can see that as yes, because it's, , compatible through the development agreement and mitigation, especially because the fueling station and convenience store and landscaping businesses specifically contributing to P - in these concerns have been removed. , Criterion four, instead of no, I believe we can look, look at that as being a yes, because it does not negatively affect the character when limited and screened. Instead, it provides an appropriate transitional use at a heavily affected arterial corner while allowing the surrounding residential properties to remain residential. We're no longer an interior, , residential property here.

(01:09:27):

It's just, , be tough to, to wanna live on a site like that with, and, and, you know, build a new house or in those two parcels to the south. I would imagine it would not be a very, , good use for residential when they widen Robinson to five lanes in, in two years. So, , I sit for questions.

Speaker 7 (01:09:48):

Questions?

Speaker 2 (01:09:51):

I don't have any at this time, Chairman.

Speaker 1 (01:09:57):

Matt, I appreciate you going through one through four. , That's

Speaker 5 ([01:10:03](#)):

Helpful. Thank you. I have a lot longer presentation, about five minutes on that, but I wanted to, you know, address the concerns of the neighbors.

Speaker 1 ([01:10:11](#)):

I think that's important. , I think that's important. Is there any other questions for Matt?

Speaker 8 ([01:10:21](#)):

I don't have any, Mr. Chairman.

Speaker 1 ([01:10:23](#)):

Okay. All right. All right.

Speaker 4 ([01:10:25](#)):

Thank you. Thank you.

Speaker 1 ([01:10:33](#)):

So what I would, , what I would consider at this point is that we, , do a continuation till, to 8:27 at two o'clock, and that we, , have for debate at this point whether we close testim - public testimony. I'm comfortable to close public testimony. Yes.

Speaker 2 ([01:10:59](#)):

I do have a question if, that the applicant would wanna ask his client in that deliberation process. One of the mitigation efforts that was potentially proposed would be a willingness to pave that site for dust mitigation and to protect that irrigation structure, which I understand the apron's gonna help do that. , So that would be something I would want Mr. Wilker to be able to discuss with his client on that. And - Yeah, do you

Speaker 1 ([01:11:27](#)):

Have the opportunity to do that and then come back up?

Speaker 5 ([01:11:47](#)):

Chairman, commissioners, , the applicant is agreeable to paving that look, , you know, in front of the, the indoor rec facility towards airport, that whole area could be paved. , We would like to keep the backside gravel past that point, because with the contractor shop uses, we have, like, heavy, you know, excavators and dozers sometimes with steel tracks, and those can tear up pavement. But with the other two contractor shops behind there, I believe they will have, , good access to those buildings without having to walk across pavement.

Speaker 2 ([01:12:15](#)):

So-

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

So you're, you're. I'm sorry I interrupted. Go ahead.

Speaker 2 ([01:12:19](#)):

No, maybe we're on the same track, Chairman, but I guess I'm, I'm a little bit surprised to hear about the heavy equipment that would present beeper noises and, you know, kind of a different area, which I understand sometimes goes with the staging. But is that for the property that is south of this that's, was split off? Are you talking about for property that's just pavement then south of that on the same property? ,

Speaker 5 ([01:12:49](#)):

Chairman, Commissioner Van Beek. So with, with the, I guess we could probably bring up our site on my s - I think it's on my second or third page on my PowerPoint. It'll help us, , look at the site here. , With contractor shops, we don't really know exactly what kind of equipment will be in there. , But a lot of times, if there's any tracked vehicles, it would be hard on pavement. And, and so, , and they can be, they can be small dozers. , Like, , on our farm, we have a really small Komatsu that's, , it's kinda cute. It's a little peanut, but it still tracks and it would be hard on pavement. , So we're considering. So on the 60 by 100 existing shop, it would be everything north of that shop to airport would be paved to, , where the parking would be.

Speaker 2 ([01:13:35](#)):

And so help me, and I'm sorry, I'm not. I'm looking at the ingress egress on that. In order to. Right. In order to get that in there, wouldn't you have to go over pavement with that equipment, if that's paved from the contractor shop? And is that on the south end, the north end? Is that. Are you leaving that little space open?

Speaker 5 ([01:13:57](#)):

Yeah. , Chairman, Commissioner Van Beek, so I guess on the left side of our picture there, that's the north. And most of the time when, , equipment like that would come in, they definitely would come in on a lowboy, so it'd be trailered in, and then it would be dropped in the gravel portion behind. I see. And, , it, it's, , pretty expensive to do paving too, so if the, we're using the indoor rec facility and we have enough parking for that on the pavement, , it'd be, be great if we didn't have the gravel or pave the entire site at this point. Plus, there's also gonna need to be, , potential, you know, septic system put in for a bathroom in the indoor rec facility. Just depends on what goes through with the inspection process, , and how that gets determined. But if you were to come in and pave everything on the whole site, it may need to get, , torn back up to input, like, a septic system.

([01:14:48](#)):

So, , we don't have sewer here.

Speaker 2 ([01:14:51](#)):

Okay. And I understand what you're saying. And I'm just raising another question, Chairman. If, if only, , I don't know if this represents half of the lot is available for parking, then our staff would have to take into consideration if you have. That's just a question, I guess, a different use that's. If this is a split use for a portion of that being an indoor rec facility, and then the other portion being staging where that

parking is not available, then you'd have to reevaluate what prorated share of that square footage could translate to parking spaces. Am I on the right track?

Speaker 7 ([01:15:28](#)):

I was about to mention that. If we do the four per thousand that Emily mentioned for these uses overall, that's, that's 60 by 100 existing shop that's gonna turn into indoor rec. I'm just concerned we have enough room for parking overall. Right.

Speaker 2 ([01:15:42](#)):

That would be my concern as well. So I guess we have to sit with that. I'm glad I asked the question because there's already concerns about parking. , The, the one gentleman, there's no street parking on there, so maybe your applicant has to consider if that's a split use or if it's just dedicated to that facility. I didn't hear that presentation made that this would be half of an indoor facility and half of a contractor or a staging area.

Speaker 5 ([01:16:12](#)):

, Chairman V - Commissioner Van Beek, the 60 by 100 existing shop is gonna be the proposed recreation facility, the entire indoor, just that one. And then the other two are the proposed contractor shops. We left the contractor shop overlay on that 60 by 100 in case, for some reason, he can't get the permits approved for the indoor recreation. He'd still be able, be allowed to use that as a contractor shop. , But the, there wouldn't be any indoor recreation on any of the other buildings, just that 60 by 100. Yep.

Speaker 2 ([01:16:44](#)):

And, and understood on that. But if I interpreted the information on, based on the question I asked earlier, if this gets rezoned to a C1, like commercial, there would be no permitting or conditional use permit required. So that would be a use that. No? Okay. Josh is reaching for that.

Speaker 7 ([01:17:05](#)):

The indoor recreation needs a change of occupancy permit. , Or it needs to be reviewed, excuse me, as a commercial business. So that's gonna have different requirements. And normally that's when we'd look at parking. So just off the top of my head, it looks like 24 spaces there. And then, , yeah, the building code may require a bathroom, as Mr. Wilkie said, and that's gonna trigger a whole host of things. So, , I'm not a building code expert, but there's gonna be additional requirements.

Speaker 2 ([01:17:35](#)):

Okay. And those will be taken into consideration based on what he presents for the, either a single or a split use on that? We, we won't miss that, I guess.

Speaker 4 ([01:17:44](#)):

Yes.

Speaker 2 ([01:17:45](#)):

Okay. Thank you for that. And then on the question on hours of operation. So are, my assumption is that the kids would need to have an, an hour they could be, or the hours till nine o'clock that they could be

there because they're either not in school or they're working or something like that. But it's your application, you tell me. Yep.

Speaker 5 ([01:18:09](#)):

Chairman, , Commissioner Van Beek, the hours of operation are Monday through Saturday, 7:00 to 9:00 PM. And, , , nothing on Sunday. And that's for all the businesses on site.

Speaker 2 ([01:18:24](#)):

And we have no decibel regulation or noise ordinance. And so there would have to be some good neighborly, which I would hope would, you know, if this is evaluated, that the applicant would be able to abide by noise, parties, whatever that looks like.

Speaker 5 ([01:18:48](#)):

Chairman, absolutely. That, that he wants to be a good neighbor and part of being a good neighbor is, you know, not having neighbors mad at you. So - Totally agree. That would absolutely. Yeah. And, and a lot of his, you know, , business use there would be, , if, if the, if they do get the indoor recreation facility and batting facility going again, , that, those conditions that are on our development agreement are, are what, is guiding the future use there. So they can't be there on Sunday. , The, you know, seven to nine, I doubt that there'll be kids there in the morning, but there could be, , in the summertime. So, , it just really depends on the season too. , He did have a, a group reach out to him recently too about some kids that wanted to do some softball training there.

([01:19:37](#)):

And they thought the facility was still there and they, they were, , they, unfortunately, you know, it's not there anymore because he's, he's been a good, , good, , tenant of the property and listened to the code violations and he removed all the equipment and then cleaned out the, the batting facility. So, , there hasn't been multiple code violations there. He has listened to the code violations and that's why we came here for this rezone and that's why he's applied for, for these uses.

Speaker 2 ([01:20:03](#)):

Thank you.

Speaker 5 ([01:20:03](#)):

Yeah, thank you.

Speaker 1 ([01:20:06](#)):

So I'm gonna get really specific. All right. So, , my experience with, with, with mud being brought onto the highway, I want no part of the liability of that when they're gonna go into a corner. So, if you have a past history of allowing mud to be dragged into the road, would you be amenable to, if you paved it, could you pave it from here to here and there to there?

Speaker 8 ([01:20:37](#)):

Yes.

Speaker 1 ([01:20:38](#)):

Absolutely. That's okay. And then all, all weather surface for the, for the back of it. Yep. Agreed?

Speaker 5 ([01:20:46](#)):

Yes. Chairman, yes.

Speaker 1 ([01:20:47](#)):

That would be a condition. Okay. Thank you. And, and it is a new pipe underneath there to the irrigation, because I don't want you digging up your pavement.

Speaker 8 ([01:20:58](#)):

I do. They, they replaced some of that, but on, I don't know, , how far -

Speaker 1 ([01:21:05](#)):

How far it went.

Speaker 8 ([01:21:06](#)):

They put new pipe in.

Speaker 1 ([01:21:09](#)):

Okay. All right. Thank you.

Speaker 2 ([01:21:16](#)):

And Chairman, just for the record, our code or state code requires that the irrigation delivery cannot be interrupted and that those facilities have to be maintained.

Speaker 1 ([01:21:29](#)):

I agree. We don't need to condition it. It's -

Speaker 2 ([01:21:31](#)):

Right. That, but I'm saying for the record, for the applicant, so there's no misunderstanding. There can't be an interruption in delivery or that, that pipe.

Speaker 5 ([01:21:40](#)):

Yep. Chairman, Commissioner Van Beek, absolutely. And, , we, we completely understand the irrigation rules and the laws of the land. That's perfectly understood.

Speaker 2 ([01:21:49](#)):

Thank you.

Speaker 5 ([01:21:49](#)):

Thank you. ,

Speaker 1 ([01:21:57](#)):

Under, under my understanding, and correct me if I'm wrong, I am way more reasonable to approve if it is a condition that there is an onsite caretaker for the indoor recreation. So if there's a violation, if there's an issue, there is a representative of the owner immediately available upon the property. Is that, is that how you understand an onsite caretaker?

Speaker 5 ([01:22:30](#)):

Chairman, yes, we do. Yeah, absolutely. And that's, , beneficial for, , you know, being a good neighbor too. I, I completely agree with that.

Speaker 1 ([01:22:39](#)):

If I had, , heavy equipment, , on the, for sale for steel for whatever on that main road, I'd have a caretaker too. Mm-Hmm. All right. Sounds good.

Speaker 2 ([01:22:51](#)):

And you're saying. I'm gonna say that back, Chairman, that it c - that would be a condition of approval to have a caretaker on site to mitigate concerns and watch over the property?

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

For the indoor rec. If he, if it, if it's just a s - a staging area, , that's different, but -

Speaker 2 ([01:23:06](#)):

Thank you for the clarification.

Speaker 1 ([01:23:08](#)):

'Cause I, , I was once a teenager too that. What's it called? Excessive acceleration. That's my question.

Speaker 2 ([01:23:19](#)):

Not you, Chairman. Yeah. All right.

Speaker 1 ([01:23:20](#)):

Yes. Okay. Any, any other questions to, for clarification? Josh, do you see any other.

Speaker 7 ([01:23:32](#)):

, What I don't want to have happen is we get down the road and we can't park it at the building stage. So I'd like to see a site design that shows that this thing can be parked without putting the applicant in a box where they can't gain approval after this.

Speaker 1 ([01:23:48](#)):

Oh.

Speaker 2 ([01:23:49](#)):

I think that's a good idea.

Speaker 1 ([01:23:51](#)):

So if we are continuing to the, , 27th, I'm going to say that we're gonna condition it that the applicant has to submit a, a draft p - dra - a draft drawing of a parking plan that you can accommodate the 24 for the 60 by 100. Okay?

Speaker 5 ([01:24:16](#)):

Sounds good. Thank you. All right. Thank you, Chairman. And I believe we can show the parking, the pavement, and the all weather service on that plan as well.

Speaker 1 ([01:24:23](#)):

Yeah. It. At least by my eye, it should be done. It should be able to be done. You might have to encompass something over to the east, but

Speaker 4 ([01:24:33](#)):

You got it. Mr. Chair? Yes. For the parking plan, do you want it to scale? 'Cause I'm a little concerned if they needed to scale by, like, someone that's like an engineer or surveyor that, that timeframe might be a little tight. Sometimes those individuals have, like, a big log of work. Or do you, are you fine with it being a little more, like, to, not to scale, I guess?

Speaker 1 ([01:24:52](#)):

I'm okay with it to not to scale, but it has to clearly demonstrate that there's 25, or 24 viable parking spaces.

Speaker 4 ([01:25:00](#)):

Okay.

Speaker 1 ([01:25:01](#)):

Just for that building, and it doesn't interrupt any of the other existing caretakers' home or anything else. So that you're not stealing parking spaces from them just to be able to do it. It just needs to have a parking plan.

Speaker 2 ([01:25:14](#)):

And Chairman, can I ask a follow-up question? So with that, how much additional time would be needed? And do we have a staff member that's able to look at the schematic that's presented and determine if, if, if it's not to scale, if it actually meets the qualification?

Speaker 1 ([01:25:32](#)):

Well, I would just recommend that they get draft paper so you can clearly demonstrate that it's to scale. So not just a, on a white paper drawing, just get ruled paper and, and show it.

Speaker 4 ([01:25:49](#)):

, Mr. Chair, commissioner Mabeek, we also have an engineer. We can ask if we need to, just to make sure.

Speaker 2 ([01:25:53](#)):

Thank you. I just wanted to make sure that the business plan, which we've asked specifically for, or you've asked specifically for a site plan, to be able to ensure that if this is approved, they can be in compliance, that that - Right. Is drafted in a way that it's meaningful.

Speaker 7 ([01:26:09](#)):

It's a lot cheaper to mess with lines on paper than stuff that exists. <Laugh>

Speaker 1 ([01:26:13](#)):

Yeah. Yes. Amen. Okay. Is there anything else?

Speaker 2 ([01:26:22](#)):

I don't have anything, Chairman.

Speaker 1 ([01:26:24](#)):

Thank

Speaker 2 ([01:26:24](#)):

You. Good discussion.

Speaker 1 ([01:26:25](#)):

I'm gonna try for a motion. I would make a motion that we close public testimony at this point. And - , we are going to. We are asking from the applicant a, a rough draft parking plan for staff to review before we continue this. But that's the only condition that, that's the only, , information that I see that we need to have for the continuance. So, , is, , we agree with that?

Speaker 2 ([01:26:56](#)):

Well, my proposal was going to be that we leave it open in case we had questions for staff or the applicant on what it is they've submitted, but it's your meeting, Chairman. I'm, I'm

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

Good with that too.

Speaker 2 ([01:27:07](#)):

I, it would keep us from having to reopen public testimony because we're, we're almost agreeing to something we haven't seen yet. And then - Okay. I know I never have questions, but.

Speaker 1 ([01:27:18](#)):

So, , I'm, I'm okay with, with this nuance that we are, , with the exception of the parking plan, we are res - we would be receiving any more - Yes. Documentation. They have to bring their concerns or their issue, , for public testimony.

Speaker 2 ([01:27:35](#)):

Yes. I think the conditioning that way is the right move.

Speaker 1 ([01:27:39](#)):

Okay. All right. All right. Back to attempting to draft. Okay. Make a motion for continuance to 8:27. , We can do a 1:30 starting time on, on that day. , That this hearing be continued. , Public testimony is open, but, , we will receive no other, , written information besides the, , draft parking plan. And that -

Speaker 7 ([01:28:09](#)):

Does it need to be in by preliminary hearing deadline? 'Cause That's four days from now. <Laugh> That

Speaker 4 ([01:28:14](#)):

Materials deadline is 10 days before a hearing. So do we hold to that? Or should we push the date out further and allow them more time? Or how would you, how would you like to work that? Sorry about that.

Speaker 1 ([01:28:26](#)):

What's your opinions?

Speaker 2 ([01:28:29](#)):

And I think this could be argued either way, that we're, we've requested something. I guess, I don't know if the applicant can draft something in that timeframe. In the truest sense, I'm a rule follower. I think we should hold to the 10 days, but if, if staff thinks or you think we can make an argument that this is a request that this criteria is really gonna drive the decision forward on whether it's approved or not, because if they can't park, they can't have this type of a facility.

Speaker 1 ([01:29:06](#)):

They can't have this specific - This

Speaker 2 ([01:29:08](#)):

Specific use.

Speaker 1 ([01:29:11](#)):

Are you good with that?

Speaker 4 ([01:29:12](#)):

Yep.

Speaker 1 ([01:29:13](#)):

Did we answer your question?

Speaker 4 ([01:29:16](#)):

So you're fine with holding to the 10 days or you want a particular. Like it's fine if they turn it in like the day of to us. I guess like I just concerned about timeline is all of when it's getting to you guys and also when I'm getting the information from them.

Speaker 2 ([01:29:29](#)):

Chairman, then I would say out of respect for staff that we hold to the 10 days to give a meaningful amount of time for staff to evaluate that.

Speaker 4 ([01:29:38](#)):

I agree.

Speaker 5 ([01:29:39](#)):

You good with that? Okay.

Speaker 2 ([01:29:41](#)):

Thank you.

Speaker 1 ([01:29:46](#)):

All right.

Speaker 2 ([01:29:48](#)):

So we need to go farther out than the seventh, 27th or no? Okay. Okay.

Speaker 1 ([01:29:54](#)):

They're fine. All right. All right. Do I need to amend my motion to include that. Do you. I don't think we do.

Speaker 2 ([01:30:04](#)):

Okay. Okay. So you have a motion on the floor. Yes. I will second the motion.

Speaker 1 ([01:30:08](#)):

All right. Any debate? Being that there's none, motion's been made.

Speaker 2 ([01:30:14](#)):

I second. Yes.

Speaker 1 ([01:30:17](#)):

May you second it. All those in favor say aye.

This transcript was exported on Aug 13, 2026 - view latest version [here](#).

Speaker 2 ([01:30:19](#)):

Aye. Aye.

Speaker 1 ([01:30:20](#)):

Aye. Motion carries unanimously. Okay. So we will, , adjourn until the 8:27 at 1:30 to continue this. Consider ourselves adjourned at this point. Thank you.

AI Generated Transcript - NOT FOR OFFICIAL USE