

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE PUBLIC HEARING  
WEDNESDAY, JANUARY 14, 2015  
6:00 P.M.**

The Board of Ada County Commissioners (Board) met this date in the Ada County Public Hearing Room of the Ada County Courthouse Complex. Staff members present: Mark Perfect, Brent Danielson, Brent Moore, Diane Sanders, Development Services; and Amber Ellis, Prosecuting Attorney's Office. Minutes Recorder: Angel Dicus.

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- I. IN THE MATTER OF CALL TO ORDER:**  
Commissioner Jim Tibbs called the meeting to order at 6:00 p.m.
- II. IN THE MATTER OF ROLL CALL:**  
Commissioners Jim Tibbs, Rick Yzaguirre and David L. Case were present.
- III. IN THE MATTER OF CHANGES TO THE AGENDA:**  
There were no changes to the agenda.
- IV. IN THE MATTER OF UNFINISHED BUSINESS:**
1. **201400281-ZOA-CPA-ZC, ADA COUNTY:** A comprehensive plan map and text amendment to adopt Blueprint Boise as the applicable comprehensive plan for the Boise Area of Impact as was adopted by the Boise City Council on November 15, 2011. Also, a zoning ordinance map amendment for the adjustment of the Boise and Meridian Impact Area boundary line and for the expansion of the Boise Impact Area boundary line to include the Ten Mile Creek Area. In addition, a zoning ordinance text amendment for changes made to Chapter 3 of Title 9 (*Tabled from 11/12/14; Public Hearing Left Open*)
 

**ACTION: D. CASE MOVED TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

J. Tibbs advised that the hearing was left open from November 12, 2014.

B. Danielson entered Exhibit Nos. 114, an email from Grant Reddington; 115, a letter from James Whitmore; 116, an email from Tom and Cheri Warhurst; 117, an email from Daren Fluke; 118, a letter from John Hilton; 119, Soundproofing and Use Restrictions Code; and 120, Airport Influence Area Design Principles, into the record. He then presented the Staff report.

D. Case questioned Staff about the Boise Meridian drawing of the impact lines and whether both cities are in agreement. B. Danielson stated that the cities are in agreement. He advised that Boise Representative, Daren Fluke, will provide more details.

Maryanne Jordan stated her name and address for the record and advised that she was present in her capacity as President of the Boise City Council. She presented testimony supporting the recommendations of the Planning and Zoning Commission.

Daren Fluke, City of Boise, stated his name and address for the record. He reiterated previous testimony and gave a brief history of the development of the project.

Jeremy Cowles stated his name and address for the record. He read testimony from area resident, William Craig, who is in favor of the application.

D. Case disclosed knowing Jeremy Cowles.

Gene Ralston stated his name and address for the record. He read parts of a letter in response to a meeting held in December in opposition of including the Ten Mile Creek Area in the Boise Impact Area.

Mike Wallace stated his name and address for the record. He presented two area maps of the Ten Mile Creek area and reiterated previous testimony in opposition of including the Ten Mile Creek Area in the Boise Impact Area.

B. Danielson entered Exhibit Nos. 121, a PowerPoint presentation; 122, an area map of Ten Mile Creek; and 123, a Google Earth Map of Ten Mile Creek, into the record.

James Whitmore stated his name and address for the record. He reiterated testimony in favor of the application.

Aubrey Elliot stated her name and address for the record. She presented testimony on behalf of her in-laws on the residential area, wells/septic systems, flood irrigation and nearby industrial land that the application could impact.

Preston Creer stated his name and address for the record. He reiterated previous testimony and urged the Board not to allow the area to become industrial.

Gayla Whipple stated her name and address for the record. She presented testimony in support of keeping her neighborhood as large lot residential and reiterated previous testimony in opposition of the application.

B. Danielson entered Exhibit No. 124, a list of neighbors in opposition of industrial rezoning near the airport, into the record.

Greg Whipple stated his name and address for the record. He reiterated previous testimony in opposition of industrial development.

George Mansfeld stated his name and address for the record. He presented testimony in opposition of industrial development.

Richard Lassere stated his name and address for the record. He presented testimony in support of keeping the area as large residential.

Bob Learsch stated his name and address for the record. He presented testimony in opposition of being added to the Boise Area of Impact.

Keith Buhler stated his name and address for the record. He presented testimony in opposition of rezoning.

D. Case posed questions to Staff regarding Policy AP-CCN 1.7, and suggested adding the definition to the Findings. He also asked for clarification regarding sewer extension in the area.

D. Fluke, City of Boise, restated his name for the record and addressed issues raised in previous testimony. He clarified the application was not requesting a rezone and that the land use plans were projected out 25-50 years. He explained that the Ten Mile Creek Area was included in the sewer master planning conducted by the city..

J. Tibbs closed the public hearing.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE APPLICATION NO. 201400281-ZOA-CPA-ZC BASED ON THE TESTIMONY HEARD AND THE FINDINGS AND FACTS PRESENTED. D. CASE SECONDED.**

**DISCUSSION: THE BOARD THANKED THOSE WHO TESTIFIED.**

**ACTION: R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

*[The Board took a short break before taking up the next matter.]*

2. **201401023-A, MATT SCHULTZ:** An appeal of an administrative decision to approve a 2100 square foot greenhouse. The property is located at 3976 S. Genesee Drive; T. 3N. R. 1E, Section 27 (*Tabled from 11/12/14; Public Hearing Closed*)

B. Moore presented the Staff comments for the revised Findings of Fact and Conclusions of Law.

**ACTION: D. CASE MOVED TO DENY THE APPEAL AND TO UPHOLD THE PLANNING AND ZONING COMMISSIONS' DECISION BASED ON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW CONTAINED IN THE STAFF REPORT AND THE TESTIMONY PRESENTED. R. YZAGUIRRE, SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**V. IN THE MATTER OF NEW BUSINESS:**

1. **201400959-S, SPRINGVIEW ESTATES SUB:** A request for a final plat for 4 lots. The property is located at 4095 N. Pollard Lane; T. 5N. R. 1W. Section 33 (*Public Hearing Closed*)

D. Sanders presented the Staff report and requested this item be tabled to February 24, 2015.

**ACTION: D. CASE MOVED TO TABLE APPLICATION NO. 201400959-S SPRINGVIEW ESTATES SUB TO THE FEBRUARY 24, 2015, DEVELOPMENT SERVICES MEETING. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

2. **201301302-S, SOUTHPARK SUB NO. 02:** A request for a final plat for 33 lots. The property is located at 4377 S. Cloverdale Road; T. 3N. R. 1E., Section 28 (*Public Hearing Closed*)

M. Perfect requested this item be tabled to February 27, 2015, to allow the surveyor additional time to complete the Mylar.

**ACTION: R. YZAGUIRRE MOVED TO TABLE APPLICATION NO. 201301302-S SOUTHPARK SUB NO. 02 TO FEBRUARY 27, 2015, DEVELOPMENT SERVICES MEETING. D. CASE SECONDED.**

**DISCUSSION: THE DATE WAS CORRECTED TO JANUARY 27, 2015.**

**ACTION: D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

3. **200600071-S, HAZELWOOD VILLAGE SUB NO. 10:** A request for a final plat for 39 lots. The property is located south of W. Lake Hazel Road between S. Valley Heights Drive and S. Five Mile Road; T. 2N. R. 1E., Section 13

B. Moore presented the Staff report.

J. Tibbs opened the public hearing.

*[There was no public testimony.]*

J. Tibbs closed the public hearing.

**ACTION: D. CASE MOVED TO APPROVE APPLICATION NO. 200600071-S HAZELWOOD VILLAGE SUB NO. 10; AND AUTHORIZE THE CHAIRMAN TO SIGN AND STAMP THE FINAL PLAT ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

- 4. **201300966-S, ANTLER RIDGE SUB PHASE NO. 1:** A request for a final plat for 48 lots. The property is located at 3581 S. Cloverdale Road and; T. 3N. R. 1E. Section 28

B. Danielson presented the Staff report.

J. Tibbs opened the public hearing.

*[There was no public testimony.]*

J. Tibbs closed the public hearing.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE APPLICATION NO. 201300966-S, ANTLER RIDGE SUB PHASE NO. 1; AND AUTHORIZE THE CHAIRMAN TO SIGN AND STAMP THE FINAL PLAT ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

- 5. **201401483-A, VANESSA STUCKER:** An appeal of the Director’s denial of an accessory use application for an attached secondary dwelling. The property is located at 1001 S. Meridian Road; T. 2N. R. 1E. Section 25 & 30

J. Tibbs opened the public hearing.

D. Case disclosed he spoke with Applicant on the phone but stated he could remain impartial.

D. Sanders entered Exhibit Nos. 9, the Sign Posting Certificate with pictures, and 10, revised comments from Union Pacific Railroad. She then presented the Staff report.

The Board and Staff discussed the code and requirements for the secondary dwelling.

Vanessa Stucker, Applicant, stated her name and address for the record and presented testimony in support of approving the appeal.

D. Case posed questions to Staff regarding the Findings of Facts and Conclusions of Law. D. Sanders stated they would need revised if the Board approved the appeal and the matter would need to be tabled to February 11, 2015.

J. Tibbs closed the public hearing.

**ACTION: D. CASE MOVED TO REVERSE THE DIRECTOR’S DECISION AND APPROVE THE APPEAL FOR APPLICATION NO. 201401483-A, VANESSA STUCKER; AND TABLE IT TO FEBRUARY 11, 2015, TO ALLOW STAFF TIME TO PREPARE THE FINAL DOCUMENTS. R. YZAGUIRRE SECONDED.**

**DISCUSSION: J. TIBBS COMMENTED THAT HE WILL BE SUPPORTING THE MOTION. HE EXPLAINED THAT THERE ARE EXCEPTIONS TO THE RULES.**

**ACTION: D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

- 6. **201401587-OTD-ZC-DA, LARRY AND DONNA BROOKS:** An application for a One Time Division which involves combining two existing parcels together to form a legal parcel and then re-splitting them. Also, an application for a Zoning Ordinance Map Amendment and Development Agreement to re-zone the property from RP to R-2. The proposal would result in one additional buildable lot. The property is located at 9762 N. Horseshoe Bend Road; T. 4N. R. 1E. Section 11

J. Tibbs opened the public hearing.

B. Moore presented the Staff report

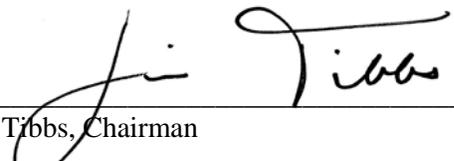
Pat Tealey, representing Applicant, stated his name and address for the record. He presented testimony that the water is supplied by Eagle Water Company and gave a brief background of the property.

J. Tibbs closed the public hearing.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE APPLICATION NO. 201401587-OTD-ZC-DA, LARRY AND DONNA BROOKS BASED ON THE FINDINGS OF FACTS AND CONCLUSIONS OF LAW SUBJECT TO THE CONDITIONS OF APPROVAL INCLUDED ON EXHIBIT A. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**VI. IN THE MATTER OF ADJOURNMENT:**

There being no further business to come before the Board on this date, the meeting was adjourned at 7:40 p.m.

  
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 Jim Tibbs, Chairman

ATTEST:

  
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 Christopher D. Rich, Ada County Clerk