



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Kathy Deinhardt Hill, Vice-Chairman

Rob Garrison, Commissioner
Dusty Hibbard, Commissioner
Bryan Cooley, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: August 14, 2014
TIME: 6:00 p.m. to 8:30 p.m.
LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present -- Commissioners Bryan Cooley, Dusty Hibbard, Kathy Deinhardt Hill, and Chairman Ed Allen. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator.

A. MINUTES: July 10, 2014

Commissioner Hibbard moved to approve the minutes for July 10, 2014, with the agreed upon changes. Commissioner Hill seconded the motion. Motion carried.

B. NEW BUSINESS:

- C.U.P. 14-04 Lake Fork Fence Supply:** Casey & Kara Jeffus are requesting a conditional use permit for materials storage, fencing fabrication, and sales yard plus an 30' x 132' pole building. The property is addressed as 13911 Highway 55 and is located in NW ¼ Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report with DEQ, exhibit 1.

Chairman Allen asked for the presentation from the applicant.

The applicant, Casey Jeffus, 13911 Highway 55, made the following statements:

- Want to create a retail space for their growing business that is closer to the highway.
- Outgrowing current location.

Commissioner Hill asked for Mr. Jeffus to respond to questions presented by staff.

- CUP site has no effect on current irrigation – will not interfere with water in ditch. There is

a dilapidated culvert that floods his house.

Commissioner Hibbard asked if water was running through ditch. Jeffus said it was turned on for the first time in five years a couple of days ago and it is outside the proposed CUP site.

Commissioner Allen asked about restrooms. Jeffus said he spoke with Josh Kriz at Central District Health and restrooms are needed. Commissioner Hill asked about workers – Jeffus said there would be porta-potties inside fence. Previously had perc tests done for cabinet shop – does not know results.

Chairman Allen asked about wetland research. Jeffus said they have contacted Corps of Engineers and they will e-mail a list of contacts – it only gets wet when irrigated across the road.

Chairman Allen asked about the number of employees. Jeffus said 2 employees. They will be parking inside the fenced yard. There may be additional employees in the future. There are pickup trucks, trailers, and skidsters.

Chairman Allen asked how much equipment. Jeffus said at this time there is about 10 bundles of material – each is about the size of ATV.

Commissioner Hill asked about retail portion. Jeffus said amount of product would double. Customers will come on-site.

Jeffus said they are going through process with ITD – they are trying to create a new access, but may have to use access by house.

Chairman Allen asked about height of building. Jeffus said it would be tall enough to house equipment but will meet code.

Chairman Allen asked about well. Jeffus said they were referring to their well and have since researched well logs and there is insufficient information.

How will fencing be displayed? Jeffus said it would be installed like it would be installed at job sites.

Discussion ensued concerning fencing and setbacks.

Commissioner Cooley asked what the length of the southern property line is? 255.6'

What are hours of operation. Jeffus stated by appointment only – Monday through Friday during Phase 1 – around 8 am to 5 pm. Phase 2 hours will be assessed based upon demand, Monday through Friday.

Where are the gates located? Jeffus said the east side and north side.

What are the sizes of suppliers' trucks. Jeffus said, pickup and trailer -- if an eighteen wheeler will not be tandem. There is room on the property.

Chairman Allen said that there are a lot of willows on southern boundary. Jeffus said it is relatively dry unless they are flood irrigating. Septic would be north of yard on higher ground.

Chairman Allen asked for proponents. There are none.

Chairman Allen asked for uncommitted. There are none.

Chairman Allen asked for opponents.

Karen Gantz, 13901 Highway 55 (Lakefork) – 3715 S. Yorktown Way (Boise), made the following comments:

- Lives adjacent to site.
- The Jarvis homesteaded and built house in 1924.
- Her sister donated her land.
- Applicant enjoys their pasture, but his proposed building blocks our view and is on opposite end of site from applicants' house.
- They plan to retire soon and will spend more time at the house.
- There are no provisions for landscaping between his use and their house.
- There will be lights at night.
- Their well is only 50' deep.
- Their road tends to flood in spring.
- They were previously asked not to use irrigate, because it floods his basement.

Jack Gantz, 13901 Highway 55 (Lakefork) – 3715 S. Yorktown Way (Boise), made the following comments:

- Information in application is inconsistent, inadequate, and vague.
- Proposed use does not maintain residential business.
- There are no details to evaluate size and scope.
- This could be likened to a heavy industrial use, which would require more stringent setbacks.
- Minimum lot of 5 acres is needed for storage.
- This application would be in direct conflict with Valley County Code.
- Current business in on Scheline.
- There are several empty locations in Lakefork that would be better suited.
- Commercial uses should remain clustered.
- Size and scale is not similar to adjacent uses – his proposed building is about 4000 sq. ft.
- Noise will be negative impact – backup beepers, forklifts, etc.
- There will be dust and equipment emission.
- May be leakage of fuels, etc.
- Their water is directly down gradient from this use.
- Well logs in areas are within 50'-60'.
- 5 years is too long – codes are subject to change.
- Asks the P&Z Commission to deny this application.

Sharon Jarvis Rhodes, 9727 W. Miclay St., Boise, ID, concurs with opposition.

Carleen Gans, Box 217, McCall, ID, owns ten acres across the highway and concurs with the other opponents.

Chairman Allen asked for rebuttal.

Casey Jeffus rebutted, as follows:

- His previous answers address concerns.

Chairman Allen asked about well logs. Jeffus said there are well logs, but could not find their two properties. Tried to find the well logs with Josh Kris, CDHD, in his office.

Jeffus said dust will be low impact, just loading and unloading trucks. Gave themselves 5 years so that they could get sufficient funding – actual construction time will be short.

Chairman Allen asked about location of building – it would not fit into 100' setback line if moved to north. Would need a variance.

Commissioner Cooley asked if they could move or change shape of building. Jeffus said they want the front of the building to be towards Highway 55 and back of building for parking of trucks under cover. Chairman Allen asked if he would consider options.

Commissioner Cooley asked about possibility of landscaping on west side of property. Jeffus said they can change style of fence and do landscaping on west side of fence.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Hill stated the following:

- Knows they like to let people use their own property for their businesses.
- This is bigger than a home business.
- There are too many unanswered questions – ITD issues, water issues.
- Has a problem when the Commission does not nail down the issues and has unanswered questions especially in phase 2.

Commissioner Hibbard sees 2 major issues:

- Spend more time narrowing some of the issues.
- Must have specific answers – have to know it is going to work
- Must have actual landscape plan, entrance,
- Should work with neighbors to mitigate their impacts and work together.
- All questions need to be answered.

Chairman Allen commented:

- We need concrete answers.
- Specific mitigations.

Commissioner Cooley stated the following:

- ITD access is critical.
- Water issues need to be nailed down.
- Does it need to be in the most visually displeasing location for neighbors?

Chairman Allen said there may be some options for variances. The access on the highway is a strange location – there have been a couple of people killed in the dip just north of this property.

9-4-8: Staff will clarify lot coverage but this is definitely not the appropriate table.

Commissioner Hibbard said this is hard to envision – what if the business grows, will retail be limited to M-F, need more details.

Commissioner Hill said there are possibilities for something small scale.

Chairman Allen said the 5 years is too open ended.

Commissioner Hill moved to table C.U.P. 14-04 Lake Fork Fence Supply in order to address questions posed, landscaping, building, etc. and suggest the applicant work with the neighbors and figure out how to mitigate impacts to the neighbors. Commissioner Hibbard seconded the motion. Motion carried.

2. **C.U.P. 14-05 Tank’s Tap Shack:** Casey & Kara Jeffus of Tank Craft Brewing LLC are requesting a conditional use permit for a growler (beer) fill station. A new cold room will be attached to an existing building. The property is addressed as 13911 Hwy 55 and is located in NW ¼ Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report with exhibit 1, a letter from DEQ.

Chairman Allen asked for the presentation from the applicant.

The applicant, Casey Jeffus, 13911 Highway 55, made the following statements:

- This is for a growler filler station – a portable container of their favorite beverage.

Commissioner Hill asked, “are you making beer”. Jeffus, said no, will bring beer from a different pub. They will not sit down or eat. Commissioner Hill likened it to buying eggs.

Commissioner Hill asked about estimated traffic – what are hours of operation? Jeffus said that based upon previous application, they need to do more work on application. Septic will be required for a hand washing station and washing of the growlers that needs to go into a septic. Jeffus said a growler is a ½ gallon jug. There would be no loitering.

Commissioner Hill asked about buildings. One said they have an existing building. Jeffus said they will move existing building and building a cold room onto the existing building.

Commissioner Hill wants to see parking addressed in pictures, hours of operation. Chairman Allen said come back with a site plan.

Jeffus said he could respond to questions, but feels he would like to better refine what he is going to do.

Chairman Allen asked for proponents.

Chairman Allen asked for uncommitted.

Chairman Allen asked for opponents.

Jack Gantz, 13901 Highway 55 (Lakefork) – 3715 S. Yorktown Way (Boise), made the following comments:

- Mirror a lot of the Commissioners concerns.
- This proposal and application was vague and conflicting.
- Hours of operation are very important to them.
- Still have irrigation ditch going through his property.
- Want to utilize their ditch.
- Property is too small for one business and definitely not two.
- Still have concerns with noise, dust, etc.
- There is no turn lane and that dip is concerning.

Karen Gantz, Sharon , and Kathleen all concur. (see above listed addresses)

Jeffus feels like he knows what they are doing.

Chairman Allen asked for rebuttal.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Hibbard thinks they made it clear that they need additional information.

Commissioner Cooley agrees – would like additional information.

Chairman Allen would like to see irrigation, landscaping plan, dust mitigation plan, BMPs, permanent erosion control, Highway 55 access, a really good site plan – sizes, appearance, location, hours of operation, lighting, septic, etc. Will need to have septic and well. Phasing plan needs to be specific and obtainable – a business plan. Neighbor mitigation.

Commissioner Hibbard moved to table C.U.P. 14-05 Tank's Tap Shack for additional information. Commissioner Hill seconded the motion. Motion carried.

C. COMPREHENSIVE PLAN UPDATE

Staff explained the new work books. A discussion concerning housing and a report back to the Board of County Commissioners occurred. It was decided that each of the Commissioners would e-mail to Staff their ideas and Staff would put into a report that would be given to the Board.

D. FACTS AND CONCLUSIONS

1. V-1-14 Schunke Setback Variance
2. V-2-14 Elitharp Setback Variance

Commissioner Hill moved to approve the Facts and Conclusions for V-1-14 Schunke Setback Variance and V-2-14 Elitharp Setback Variance. Commissioner Cooley seconded the motion. Motion carried.

E. OTHER

1. Cabarton Boat Launch: Staff informed the Commission of the improvements that are taking place at the Cabarton Boat Launch. The Commission commented that they need to improve old launch site – erosion – so people can get out of the river. Staff will write a letter about safety, possibility of charging a minimal user fee, property purchase, etc.
2. Wellington Snow Park Campground: Staff informed the Commission of the purchase of the addition of the RV parking sites.
3. Real Estate Sign: Staff explained the dispute about the location of a real estate sign and presented the Valley County Code. The Commission agreed that a real estate sign is allowed in an easement that services a piece of property that is for sale.

MEETING ADJOURNED