

MEMBERS PRESENT: Don Wilkerson, Jim Hutchins, Dave Poole, and J.B.

MEMBERS ABSENT-Brent Jensen and Steve Ethington

OTHERS PRESENT: Zoning Administrator – Debbie Smith; Development Services Department Staff – Jennifer Kharrl and Sissy Stewart; Prosecuting Attorney-David Hargraves

Chairman Wilkerson welcomed everyone and explained the public hearing process.

Item One – Special Use Permit by Stew Churchwell to allow the operation of a commercial greenhouse and seed production. Located at 8625 Bill Burns Road. 6N, 3W, Section 11.

Site visits were performed by: Don Wilkerson, Jim Hutchins.
No exparte or conflicts of interest were reported.

Stew Churchwell- 4016 Grover Street, Boise.

Our application is primarily to apply for a special use permit to operate a small-scale commercial business. We will be building greenhouses. The property is broke up into two pieces. The smaller parcel to the south will have the greenhouses. The northern portion will be used short term for the growing of native seed. If there is large demand for the seed then it may become long term. I can't ever see needing over five acres for a greenhouse facility. Initially we will have a half-acre greenhouse and eventually expand to four or five greenhouses over time. The property is kind of funnel shaped and the house is at the front of the property and the greenhouses will be behind and not easily seen from the road. We feel we will need to build an additional office near the greenhouse. I will have to put in driveway with a turnaround. I really do appreciate the opportunity to present this to you folks. I am really attracted to the Emmett Valley and I am looking forward to completing this and attributing to the economy.

Jim Hutchins- Reading your paper work, is this going to be vegetables or is this business where you go out and do the landscaping?

Stew Churchwell- No vegetables, we would be producing native and drought tolerant plants. We will be doing some landscaping and supplying restoration for wild land restoration to several areas. We raise plants and harvest the seed.

Jim Hutchins- What type of traffic will be generated on that road?

Stew Churchwell- I do not see a lot of traffic being generated, There will be a few local people coming to and from to maybe purchase but most of the plants and seed will be delivered by us and mainly shipping. Maybe eventually we will have to open a store front

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but not in the near future. The reason I say there may be a small amount of traffic is because there are not a lot of these types of business that supply this type of product in this area and it is a growing demand. I am already in a restoration business. Currently I own a restoration business in Twin Falls area. We may be staging some crews out of here but very small scale.

Jim Hutchins- There will be nothing different than the surrounding farmers out there as far as equipment operation?

Stew Churchwell- Definitely, tractors and combines and most of the greenhouse work will be done by hand or a fork lift.

J.B.- What numbers of employees do you anticipate?

Stew Churchwell- Short term 1 maybe 2 at the very most and long term 3 at the very outside not including myself and my wife, 4 permanent and 4 temporary to get seeds planted and crop in the ground this is all part time work.

Dave Poole- You are right. You probably will be mostly commercial some wholesale but if you did do some retail what hours of operation are you looking at?

Stew Churchwell- Regular working hours 9 a.m. to 5 p.m. something like that.

Don Wilkerson- You mentioned that down the road that the landscape business may go off site and install sprinkler systems also. Could you explain?

Stew Churchwell- My company already does sprinkler systems in Twin Falls and they are specialized. They are underground drip systems and they are efficient in water savings.

Don Wilkerson- In your narrative you stated that at the max you would have would be 12 employees just a minute ago you said eight. Why the difference?

Stew Churchwell- A few things have happened since I filled out the application, I initially thought I could see the crews in Boise growing and I haven't seen that, we may need to just see what happens as far as employee numbers.

Opened the hearing to the public.

Kevin McKerchie- I own the property that the application is talking about tonight and I have a pump business from there for several years. I got a special use permit to do that and I think it would be very beneficial to the surrounding area.

Closed the hearing to the public.

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J.B.- I am not concerned with the number of employees, sending crews out of town doesn't concern me and I think it would be beneficial to the community. David, as far as the hours of operation I would be lost if my lumber company wasn't open for me to get to in the morning.

Dave Poole-I was speaking of a retail business.

Debbie Smith- If you could add to your motion that a building permit is required.

Dave Poole- Made a motion to approve the Special Use Permit for Stew Churchwell as it meets the standards as outlined in Chapter 7; Section 7-3 of the Gem County Zoning Ordinance with the following stipulations:

- The permit is subject to an annual review.
- The permit is non transferable.
- Any signage must comply with the Gem County Sign Ordinance.
- Approved driveway and parking paved.
- Retail hours of operation will be 8 a.m. to 5 p.m.
- A building permit is required prior to construction of any new building.

Motion received a second.

Discussion by the board.

J.B.- Do we require paved parking for a commercial operation?

Debbie Smith- We do not require paved parking.

J.B.- I would like to make an amendment to the motion that the parking could be gravel or paved.

Dave Poole- Amended the motion to approve the Special Use Permit for Stew Churchwell with the change and as it meets the standards as outlined in Chapter 7; Section 7-3 of the Gem County Zoning Ordinance with the following stipulations:

- The permit is subject to an annual review.
- The permit is non transferable.
- Any signage must comply with the Gem County Sign Ordinance.
- Approved driveway and parking. Gravel or paved.
- Retail hours of operation will be 8 a.m. to 5 p.m.

- A building permit is required prior to construction of any new building.

Amended motion received a second.

Amendment Vote –Unanimous.

Unanimous vote on the amended motion.

Item Two – Rezone #360 by Bruce and Amber Egbert to change the zoning from A-2 Rural Transitional Agriculture to R-3 Rural Residential. Located at 1333 West Central Road. 7N, 2W, Section 36.

Site visits were performed by: Don Wilkerson, Jim Hutchins and J.B.
No ex parte or conflicts of interest were reported.

Letter read into record from Emmett Irrigation District stating that a workable, buried pipe system be engineered and installed ensuring continued water delivery to each of the parcels.

Bruce Egbert-1333 West Central.

Through process we found out there is a split available to our parcel of land and we found a perfect spot for a two-acre piece. It is right on Central Road and would have road access.

Opened the hearing to the public.

None.

Closed the hearing to the public.

Debbie Smith- To the west of the property is Mr. Frisbee's land and he had the splits available. They call it Meadow Lark and it is not a true subdivision.

Don Wilkerson- Is it agreeable that it complies with the Comprehensive Plan?

J.B.-Made a motion to recommend approval of the Rezone for Bruce Egbert to Rezone approximately 5.28 +/- acres from A-2 Rural Transitional Agriculture to R-3 Rural Residential. The property does comply with the Comprehensive Plan and the property cannot be used at the present time as it is currently zoned.

The motion received a second.

Vote: Unanimous.

Item Three- Rezone#361 by Melvin Rowley to amend Rezone #284 to allow a total of four parcels be created from the 5.57 acres instead of only three parcels as

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stipulated in the Findings of Facts approving the Rezone. Located at 353 East Central Road. 7N, 1W, Section 31.

Site visits were performed by: Don Wilkerson, Jim Hutchins and J.B.

Jim Hutchins has a conflict of interest and recused himself.

Letters read into record:

Robert and Gerlene Hash-Neutral with flooding concerns.

Bruce and Pamela Walker-In Favor

Emmett Irrigation-1) A workable buried pipe system needs to be engineered and installed ensuring continued water delivery to each of the parcels; 2) the delivery system must be installed and a map showing the location needs to be filed before the district will sign off on any building permits; 3) a water users association needs to be formed; 4) the delivery system must be installed whereas it does not impede or adversely affect any other water users above or below this property.

Larry and Edith Hawley-Neutral with flooding concerns.

J.B.- Does that affect the quorum?

Discussion.

Don Wilkerson- Due to legal advice we need to give the Rowley's the option to either continue the application at our next meeting or go forward tonight knowing we cannot make a decision.

David Hargraves- I do not have the answer to this question tonight. I need to look into what is the proper procedure. The main reason there is any doubt is we do not want to have any legal challenges in the future.

Melvin Rowley- We would prefer to continue.

Don Wilkerson- Our staff will make sure you are on the agenda for October 17, 2005, at 7:00 p.m. We will continue this application.

Item Four-Zoning Ordinance Amendments.

Withdrawn for further discussion.

REGULAR MEETING

Item One- Approval of Minutes of August 8, 2005.

J.B.- Made a motion to approve minutes with corrections.

Motion received a second.

Vote: Unanimous.

Item Two- Items from the Public.

None.

Item Three- Items from the Administrator.

A. Recent Board of Commissioner P&Z Decisions.

Black Canyon Partners was approved with conditions.

The Commissioners had hearings for Waters, Mednicoff and Atkinson's rezones but no decisions were made. The final plat for Shadow Butte was submitted for the commission to review.

Discussion by commission.

Item Four- Items from the Zoning Commission.

October meeting we do elections and discuss by-laws.

Don had a letter for anyone interested in Compass membership.

Item Five – Adjourn.

Jim Hutchins- Made a motion to adjourn.

The motion received a second.

Vote: Unanimous.

Chairman Wilkerson closed the meeting at 8:20 P.M.

Chairman
Don Wilkerson

Secretary
Brent Jensen