



Planning & Zoning Department
Before The Planning & Zoning Commission
February 23, 2016

Staff Report – Public Hearing #1

Applicant: Jennifer Temple
File No: CUP 2058-15

Prepared By: Norman L. Holm
Date: February 16, 2016

Requested Action: Conditional Use Permit
Purpose: Commercial Day Care / Pre School for 50 Children

GENERAL INFORMATION

Status of Applicant: Owner

Existing Zoning: RD (Two Family Residential) *rezone to be completed March 7, 2016*

(The City Council reconsidered and approved the Rezone to RD (Two Family Residential) at the January 19, 2016 City Council meeting.)

Location: 1012 E Greenhurst Rd

Size of Property: Approximately .53 acres or 23,020 sq ft

Surrounding Land Use and Zoning:

North- Single Family Residential, RS 12

South- High School, AG

East- Single Family Residential, RS 6

West- Single Family Residential, RS 12 then RS 8.5

Comprehensive Plan Designation: Medium Density Residential

Zoning & Planning History: Applicant as owner desires to operate a commercial day care / pre school on the property

Applicable Regulations: Section 10-5-2 requires a conditional use permit for commercial day care / pre schools in the RD zone.

Chapter 25 sets forth the criteria of approval and required findings. These criteria essentially require that the use be compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood.

Description of Proposed Uses: The applicant indicates she would like to open the daycare/pre school for 50 children as allowed by fire code per the building size. The existing single family residential structure will be completely converted to commercial day care / pre school use. Per the conceptual site plan some of the existing back yard fencing will remain with additional proposed to be placed to completely fence the outdoor yard and playground area.

The length of time requested for the CUP is indefinite.

SPECIAL INFORMATION

Public Utilities:

8" sewer main along the south side of E Greenhurst Rd
12" domestic water main adjacent the property in E Greenhurst Rd
8" irrigation water adjacent the east property line.

Public Services: All present

Transportation and Traffic: The property has existing driveway access from S Elder Street. A new one way in/one way out drop-off driveway is proposed along with a new parking area with 15 off-street parking spaces is proposed as shown on the attached conceptual site plan.

Physical Site Characteristics: Changes in the existing physical site characteristics are proposed as previously discussed (including a new playground equipment area on the Greenhurst Rd side of the property) as shown on the attached conceptual site plan.

Environmental: Commercial day cares can be compatible with single family residential living if designed so as to have little or no impact on adjoining properties. Such facilities can also provide an essential service to area and neighborhood residents.

Aesthetics/Landscaping: The outdoor yard area around the structure is landscaped and compatible with residential living.

Correspondence: As of the date of this memo no area property owners or residents have expressed any opposition to or support for the use of the property for a Commercial Day Care / Pre School for 50 Children.

STAFF FINDINGS & DISCUSSION

Staff's review of the site reveals sufficient outdoor play area, and parking for a home occupation day care.

In order to grant the CUP for daycare use the Commission must make the following recommended findings:

1. The location, size, design and operating characteristics of the proposed Commercial Day Care / Pre School for 50 Children will be compatible with and will not adversely affect the livability or appropriate development of the surrounding neighborhood with consideration being given to the harmful effect upon desirable neighborhood character. The use will occur in an existing building in an area that will support the intended use.
2. The location, design, and site planning of the proposed Commercial Day Care / Pre School for 50 Children will be as attractive as the nature of the use and its location and setting warrants since the outside appearance of the home will not be altered.
3. The proposed Commercial Day Care / Pre School for 50 Children will enhance the successful operation of the surrounding area in its basic community function and provide an essential service to the community.

SUGGESTED CONDITIONS OF APPROVAL

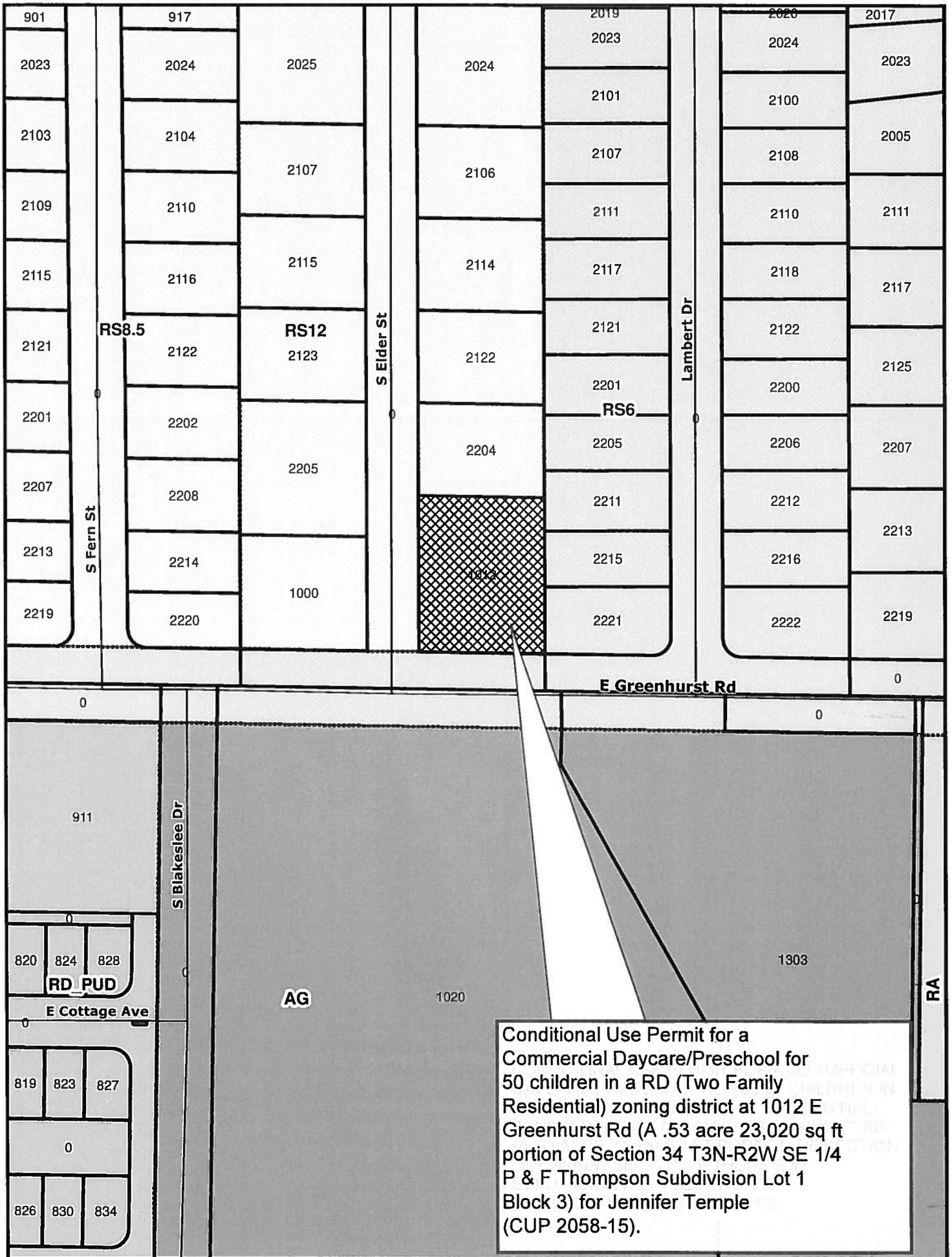
If the Commission following the public hearing determines that the use could be appropriately located and votes to issue a conditional use permit the following conditions of approval are suggested:

1. That the owner obtains and maintains the required licensing with State Health & Welfare.
2. The outdoor yard area, playground area and landscaping shall be maintained in a neat and orderly manner.
3. The outdoor yard and playground area shall be continuously fenced in order to retain children from wandering out of the area.
4. The size and type of any advertising signs shall not exceed that permitted by the City of Nampa sign code.
5. The conditional use permit shall be granted to only *Jennifer Temple* and shall not be transferable to any other owner/operator or location.
6. All requirements of the Nampa Building, Fire, and Engineering Departments regarding Commercial Day Care / Pre School for 50 Children shall be satisfied as per State Law prior to occupancy.

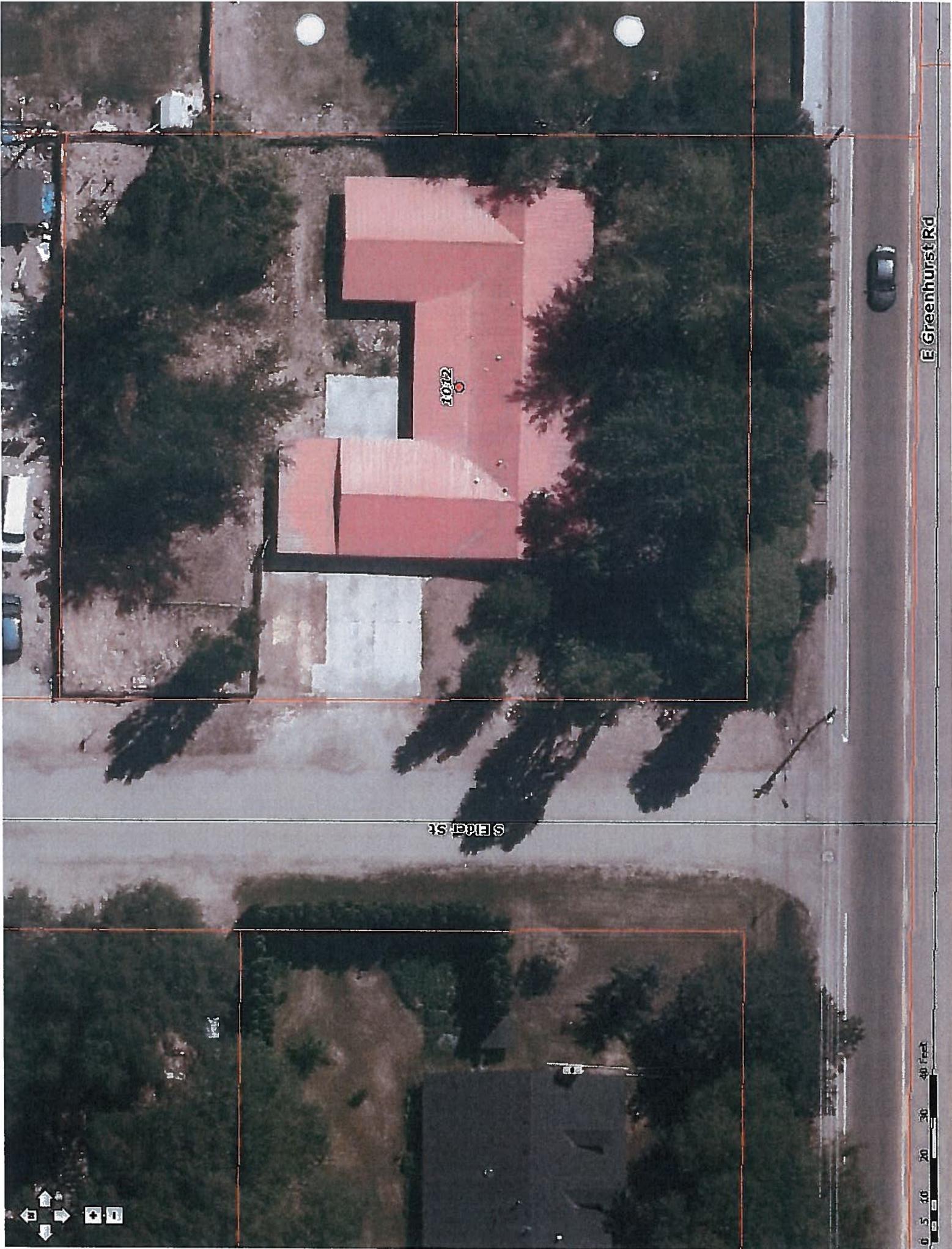
7. Access points shall meet city of Nampa's Access Management Policy-Section 105.2 Driveway Spacing and Design Standards (attached).
8. Paved driveway and parking areas shall be designed by either a professional engineer or a licensed landscape architect to retain all stormwater runoff on-site in accordance the City of Nampa's Stormwater Policy.
9. At present the owner has not requested connection to either the City water or sewer systems. Therefore approval from SWDH for continued use of the existing well and septic systems is required for this use. However, applicant was provided with a fee estimate in September 2015.

ATTACHMENTS

Zoning and location map
Aerial and birds eye view photos
Photo of dwelling and current driveway access from S Elder St
Conceptual site layout
CUP application
Agency and other correspondence



Conditional Use Permit for a Commercial Daycare/Preschool for 50 children in a RD (Two Family Residential) zoning district at 1012 E Greenhurst Rd (A .53 acre 23,020 sq ft portion of Section 34 T3N-R2W SE 1/4 P & F Thompson Subdivision Lot 1 Block 3) for Jennifer Temple (CUP 2058-15).



S EIDGE ST

1012

E Greenhurst Rd

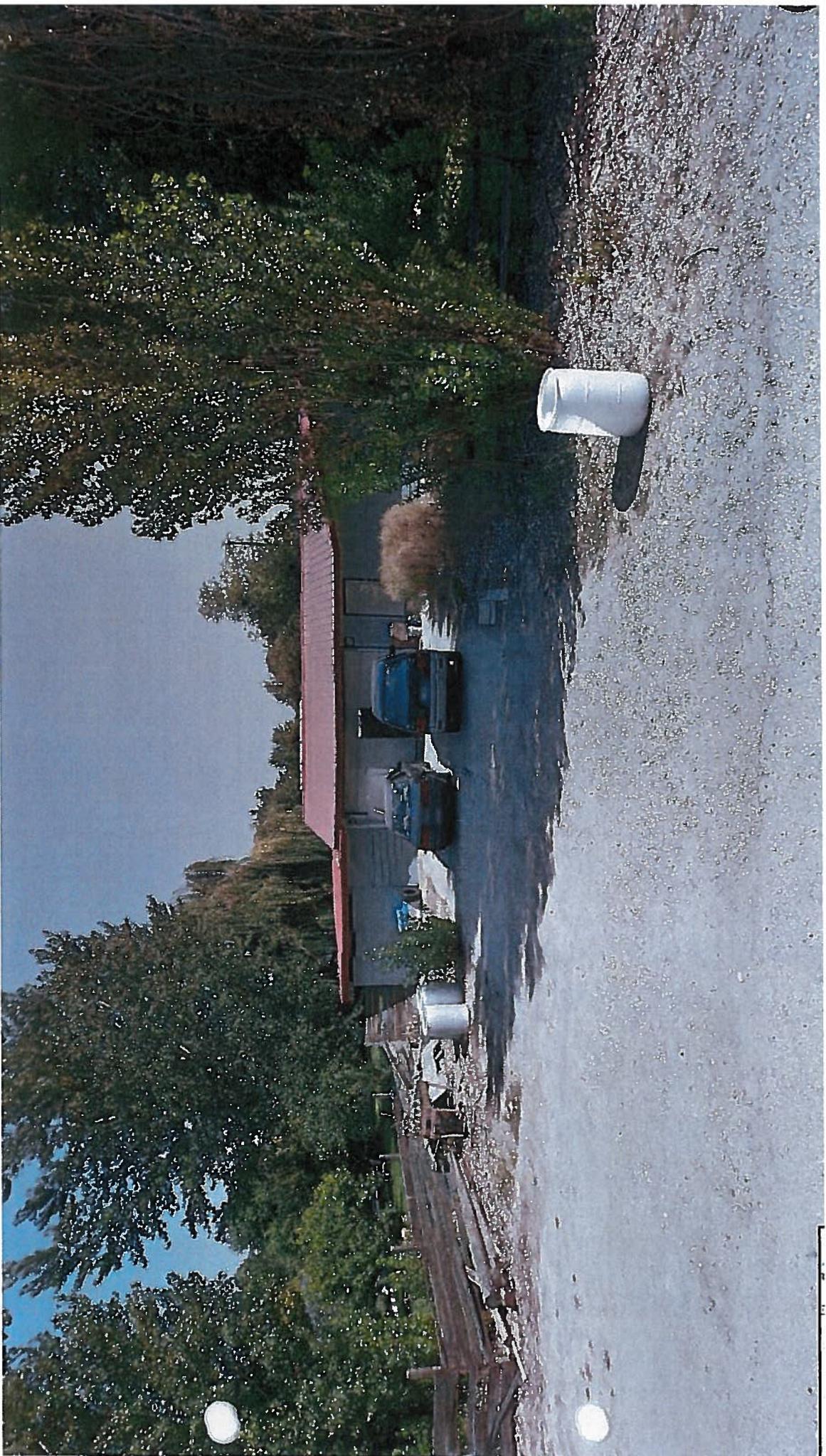
0 5 10 20 30 40 Feet

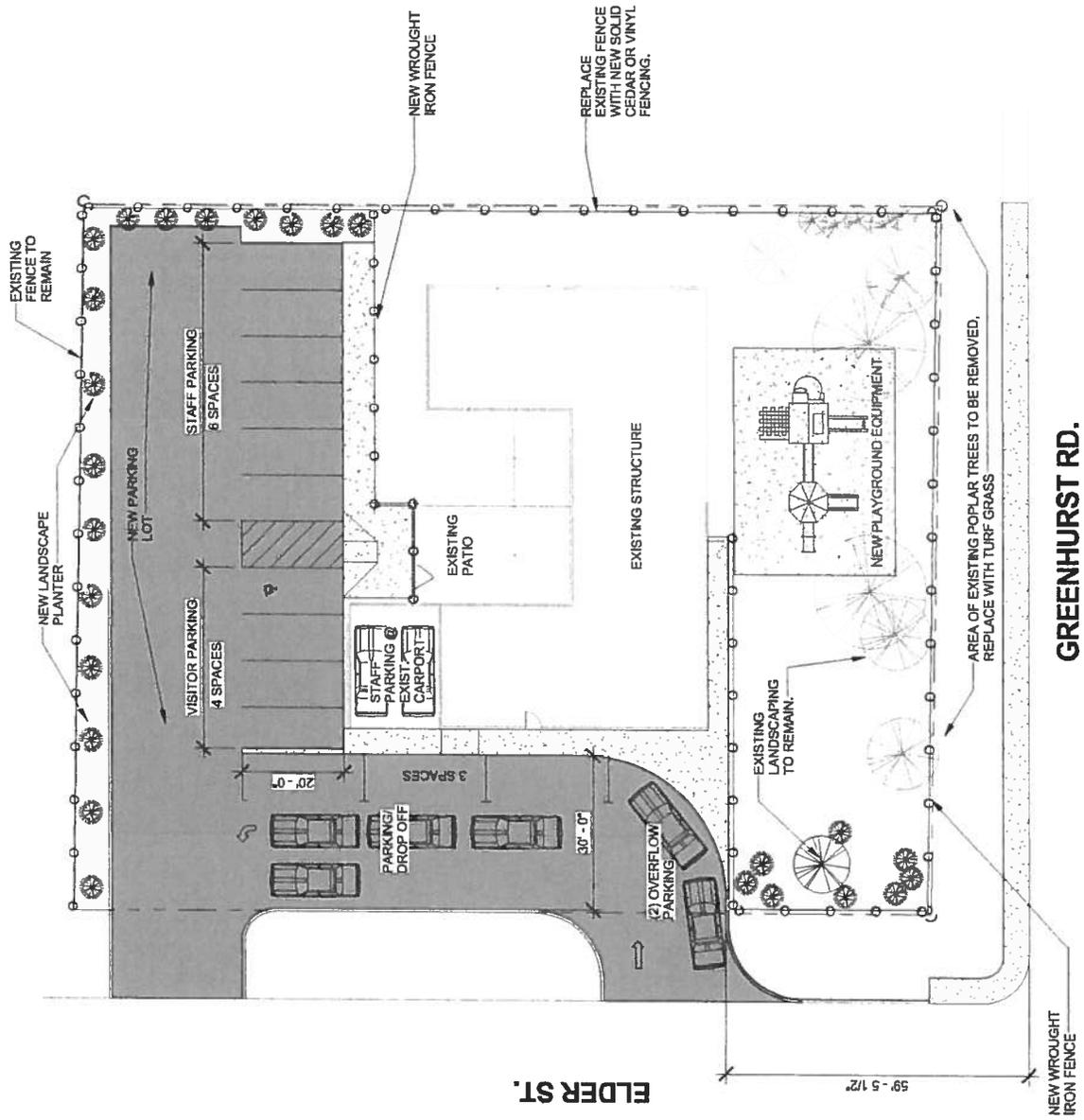


An aerial photograph of a residential neighborhood. The street 'S Elders St' is labeled vertically on the left side. The houses are mostly single-story with various roof colors. There are many trees, some with autumn foliage. A prominent house with a red roof and a blue pool is visible in the center. The street 'Greenhurst Rd' is labeled at the bottom. The image is oriented horizontally on the page.

S Elders St

Greenhurst Rd





ELDER ST.

NEW WROUGHT IRON FENCE

GREENHURST RD.



Application for Conditional Use Permit

City of Nampa, Idaho

12-8-15 PZ
Norm

This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by the appropriate fee of \$234.00 (1 acre or less) or \$463.00 (more than 1 acre).

Name of Applicant/Representative: Jennifer Temple Phone: 208 691 1984

Address: 1115 Chicken Dinner Rd City: Caldwell State: ID Zip Code: 83607

Applicant's interest in property: (circle one) Own Rent Other _____

Owner Name: Same Phone: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Address of subject property: 1012 E. Greenhurst Nampa

Is a copy of one of the following attached? (circle one) Warranty Deed Proof Of Option Earnest Money Agreement.

Subject Property Information

(Please provide the following REQUIRED DOCUMENTATION to complete the CUP):

Original Legal description of property AND a legible WORD formatted document. (Must have for final recording)
Old or illegible title documents will need to be retyped in a WORD formatted document

OR, Subdivision _____ Lot _____ Block _____ Book _____ Page _____

A sketch drawing of the site and any adjacent property affected, showing all existing and proposed locations of streets, easements, property lines, uses, structures, driveways, pedestrian walks, off-street parking and off-street loading facilities and landscaped areas, preliminary or final building plans and building elevations, together with any other information considered pertinent to the determination of this matter.

Project Description

State (or attach a letter stating) the reason for the proposed Conditional Use Permit: to use as a daycare / pre school

Length of time requested for the Conditional Use Permit: _____ Months and/or _____ Years.

Date conditional use is expected to begin after permit is granted: _____ / _____ / _____.

Please note: Conditional use permits expire if not used within six (6) months after granting.

Dated this 2 day of November, 20 15

Jennifer Temple
Signature of applicant

Notice to Applicant

This application will be referred to the Nampa Planning Commission for its consideration. The Planning Commission shall hold a public hearing on the application and it shall be granted or denied. Notice of public hearing must be published in the Idaho Press-Tribune 15 days prior to said hearing. Notice shall also be posted on the premises not less than 1 week prior to the hearing. Hearing notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearing and should be present to answer any questions.

If a Conditional Use Permit is granted by the Planning Commission it shall not become effective until after an elapsed period of 15 days from the date of Planning Commission action. During this time any interested person may appeal the action to the City Council. You will be notified of any pending appeals.

If the conditional use permit is denied by the Planning Commission, you may appeal the decision to the City Council within 15 days from the date such action is taken by the Planning Commission. At the time the Conditional use permit becomes effective you will be sent a document which constitutes an official "Conditional Use Permit". This document will enumerate the conditions attached to the issuance of the permit and state the consequences of failure to comply.

For Office Use Only:

File Number: CUP 2058 -2015

Project Name: Daycare / Pre school CUP

Memorandum

To: Planning and Zoning

Cc: Daniel Badger, P.E., Staff Engineer

Cc: Michael Fuss, P. E., Nampa City Public Works Director

From: Jim Brooks – Engineering Division

Date: December 7, 2015

Rev: February 17, 2016

Re: CUP – Commercial Daycare/Preschool for 50 children

Applicant: Jennifer Temple

Address: 1012 E. Greenhurst Road

CUP2058-15 for February 23, 2016 Planning and Zoning Meeting

Current fire flow at this location is better than 2,000 GPM.

Trip generation reports by the Institute of Transportation Engineers for commercial daycare/preschool facilities with up to 50 children create, on average, the following number of trips:

- AM Peak – 42 vehicle trips
- PM Peak – 41 vehicle trips

Existing residence is currently served by a private well and septic system.

The Engineering Division does not oppose the granting of this conditional use permit with the following conditions:

1. Access points shall meet city of Nampa's Access Management Policy-Section 105.2 Driveway Spacing and Design Standards (attached).
2. Paved driveway and parking areas shall be designed by either a professional engineer or a licensed landscape architect to retain all stormwater runoff on-site in accordance the City of Nampa's Stormwater Policy.
3. At present the owner has not requested connection to either the City water or sewer systems. Therefore approval from SWDH for continued use of the existing well and septic systems is required for this use. However, applicant was provided with a fee estimate in September 2015.

2. Driveway Spacing and Design Standards:

1. Driveway spacing may be allowed as follows:

Street Functional Classification	Minimum Driveway Spacing (in feet) as a Multiple of Posted Speed Limit ^d		
	Minimum Use ^a	Minor Generator ^b	Major Generator ^c
Principal Arterial	4-5	7-8	9-10
Minor Arterial	3-4	5-6	7-8
Collector	2-3	4-5	5-6
Local	See drawing AC-1		
Industrial	2-3	4-5	5-6

Table Notes:

^a less than 50 vehicle trips per day or 5 vehicle trips in the peak hour (two-way total)

^b 51-5,000 vehicle trips per day or less than 500 vehicle trips in the peak hour (two-way total)

^c over 5,000 vehicle trips per day or over 500 vehicle trips in the peak hour (two-way total)

^d spacing shall be measured from the edges of approach throats or face of curb on streets

- a. Driveways at intersections should be located as far from the intersection as feasible. In no case should an approach be within 150 feet of an intersection of an arterial or collector without specific written approval of the City Engineer.
- b. The spacing of right-turn access on each side of a divided roadway can be treated separately. However where left turns at median breaks are involved the access on both sides should line up or be offset from the median breaks by at least 300 feet.
- c. On undivided roadways access on both sides of the road should be aligned. Where this is not possible, driveways should be offset by at least 150 to 200 feet when involving minor traffic generators, and 300 to 400 feet when involving one or more major traffic generators.
- d. New residential driveways will not be allowed on arterials or collectors.

2. Commercial and multi-family (with greater than two units) driveways shall be designed to the following standards:

- a. Driveway entrances shall be designed to allow an entering vehicle a minimum turning speed of 15 mph to reduce interference with street traffic.
- b. Driveway curb returns shall have a minimum radius of 15 feet.

- c. Driveway design and placement must be coordinated with internal circulation and parking design such that the driveway entrance can absorb the maximum rate of inbound traffic during a normal weekday peak traffic period.
- d. Driveway design/length must provide sufficient on-site storage to accommodate at least three (3) queued vehicles waiting to exit the driveway. Additional queue length may be required based on the traffic impact study if required for the project.
- e. Driveway approaches along an arterial, which serve a minor or major generator, shall provide sufficient storage, in a deceleration lane, to accommodate at least three (3) queued vehicles waiting to enter the driveway without interfering with vehicle movement along the arterial roadway. Additional queue length may be required base on the traffic impact study if required for the project.
- f. Driveway entrances shall be designed to accommodate all vehicle types having occasion to enter the site, including delivery vehicles.
- g. Driveway placement and site design must accommodate loading and unloading activities in a manner that will not hinder vehicle ingress or egress or vehicle movement along an arterial or collector roadway.
- h. Driveways must provide adequate site distance as outlined in the Policy on Geometric Design of Highways and Streets published by AASHTO.
- i. Un-signalized driveways shall not have a throat width greater than 40 feet without prior written approval from the City Engineer.
- j. The City Engineer may reduce required separation distance of driveways where they prove impractical, provided all of the following requirements are met:
 - 1. Joint access driveways and cross access easements are provided to adjacent properties.
 - 2. The site design provides for current and future cross access to adjacent properties.
- k. Driveways which are required to be right-in/right-out shall construct a median or curbing, preventing left turns, for a minimum distance of 150-feet beyond the edge of the approach, in either direction. Median or curb may be required to extend beyond the 150-foot as determined by the City Engineer.
 - 1. Median design shall be approved by the City Engineer.
 - 2. Curb shall be type 7 curbing as shown on ITD standard drawing H-1, with tapered end sections and tubular traffic delineators every 50 feet. Delineators shall be 24 inches tall, 2 inch diameter, and yellow with two reflective bands.

3. Single/two family unit driveways shall be designed to the following standards:
 - a. Driveways where vertical curb or high back rolled curb is installed shall be required to construct a drive approach in accordance with SD-710, 710A, or 710B of the ISPWC.
 - b. Driveways where 3-inch rolled curb is installed are not required to but may be allowed to construct a drive approach in accordance with SD-710, 710A, or 710B of the ISPWC.
 - c. Metal plates, wooden blocks, pipe, concrete or any other material shall not be used to bridge the gutter. Items used to bridge the gutter shall be considered a nuisance and be handled per Title 3 Chapter 4 of the City Code.
 - d. Driveways where no curb and gutter is installed shall be constructed in accordance with N-827 of the City of Nampa Standard Construction Specifications.
4. Any application involving access to the state highway system shall be reviewed by ITD for conformance with state access management standards. If City and ITD standards conflict the strictest standard shall be applied.

3. PRIVATE STREETS

1. General

1. Private Streets shall conform to the following standards:
 - a. Connection to arterial streets shall not be allowed.
 - b. Private streets shall be constructed to public street standards, including right-of-way width.
 - c. Where a private street intersects with a public street the intersection spacing set forth in 2.1.A of this policy shall apply.
 - d. Private streets shall conform to the City's approved street naming guidelines.
 - e. Private street signs shall meet the standards of public street signs with the exception of the background color, which shall be blue.

4. CONNECTIVITY

1. General

1. The street system of a proposed subdivision/development shall be designed to coordinate with existing, proposed, and planned streets outside of the subdivision/development.