



Planning & Zoning Department
Before the Planning & Zoning Commission
June 14, 2016

Staff Report – Public Hearing #3

Applicant(s): Jessica Tuttle and Angelia Sill
File No: CUP 035-16

Prepared By: Norman L. Holm
Date: June 2, 2016

Requested Action: Conditional Use Permit
Purpose: Home Occupation Daycare for up to 12 Children

GENERAL INFORMATION

Status of Applicant(s): Jessica Tuttle, resident/joint operator; Angelia Sill, resident/owner/joint operator

Existing Zoning: RS 6 (Single Family Residential – 6,000 sq ft)

Location: 11697 W Crested Butte Ave.

Size of Property: A .142 acre or 6,192 sq. ft. portion of Section 7, T3N, R2W, BM, SW ¼, Crestwood Estates, Lot 4, Block 8

Surrounding Land Use and Zoning:
North- Single family residential, RS 6
South- Single family residential, RS 6
East- Single family residential, RS 6
West- Single family residential, RS 6

Comprehensive Plan Designation: Low Density Residential

Zoning & Planning History: Constructed as a single-family residential property. Applicant Angelia Sill is the resident/owner/joint operator who obtained the original Daycare CUP approval on October 26, 2010 (CUP 933-10.) The applicants have applied for a new conditional use permit to add a second applicant/joint operator, Jessica Tuttle. She also resides on the

property with Angelia Sill. They together desire to continue operation of a home occupation day care on the premises for up to 12 children.

Applicable Regulations: Section 10-5-2 requires a conditional use permit for a home occupation daycare for up to 12 children in RS 6 zones.

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 proposes to continue to operate a home occupation daycare for up to 12 children within the residential dwelling and yard area. The outdoor yard area is fully fenced and landscaped.

SPECIAL INFORMATION

Public Utilities: All available

Public Services: All present

Transportation: The site has direct access from W. Crested Butte Dr. to N. Pelican St. to Karcher Rd. Per the Engineering Division trip generation reports by the Institute of Transportation Engineers for daycare facilities with up to 12 children create, on average, the following number of trips: AM Peak – 14 vehicle trips, PM Peak – 12 vehicle trips.

Physical Site Characteristics: No changes in the existing physical site characteristics are proposed.

Environmental: Home occupation daycares are compatible with single family residential neighborhoods and have little or no impact on adjoining properties and provide an essential service to area residents and to the city.

Aesthetics/Landscaping: The outdoor yard area around the home and proposed daycare facility is landscaped and compatible with residential living.

Correspondence: As of the date of this memo no correspondence or communication has been received from any neighboring property owners or residents concerning their support for or opposition to the requested conditional use permit for a home occupation daycare for up to 12 children. Code Enforcement has expressed no code violations or complaints from neighbors.

STAFF FINDINGS & DISCUSSION

Review of the site reveals adequate outdoor play area, and parking in comparison to what other home daycares have been approved with. Staff sees no reason why the CUP should not be approved as requested. Granting a continuation of the CUP for daycare use in the neighborhood is reasonable under the basis of the following recommended findings:

1. The location, size, design and operating characteristics of the continued home occupation day care 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 continued home occupation day care 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 continued home occupation day care will enhance the successful operation of the surrounding area in its basic community function and provide an essential service to the community.

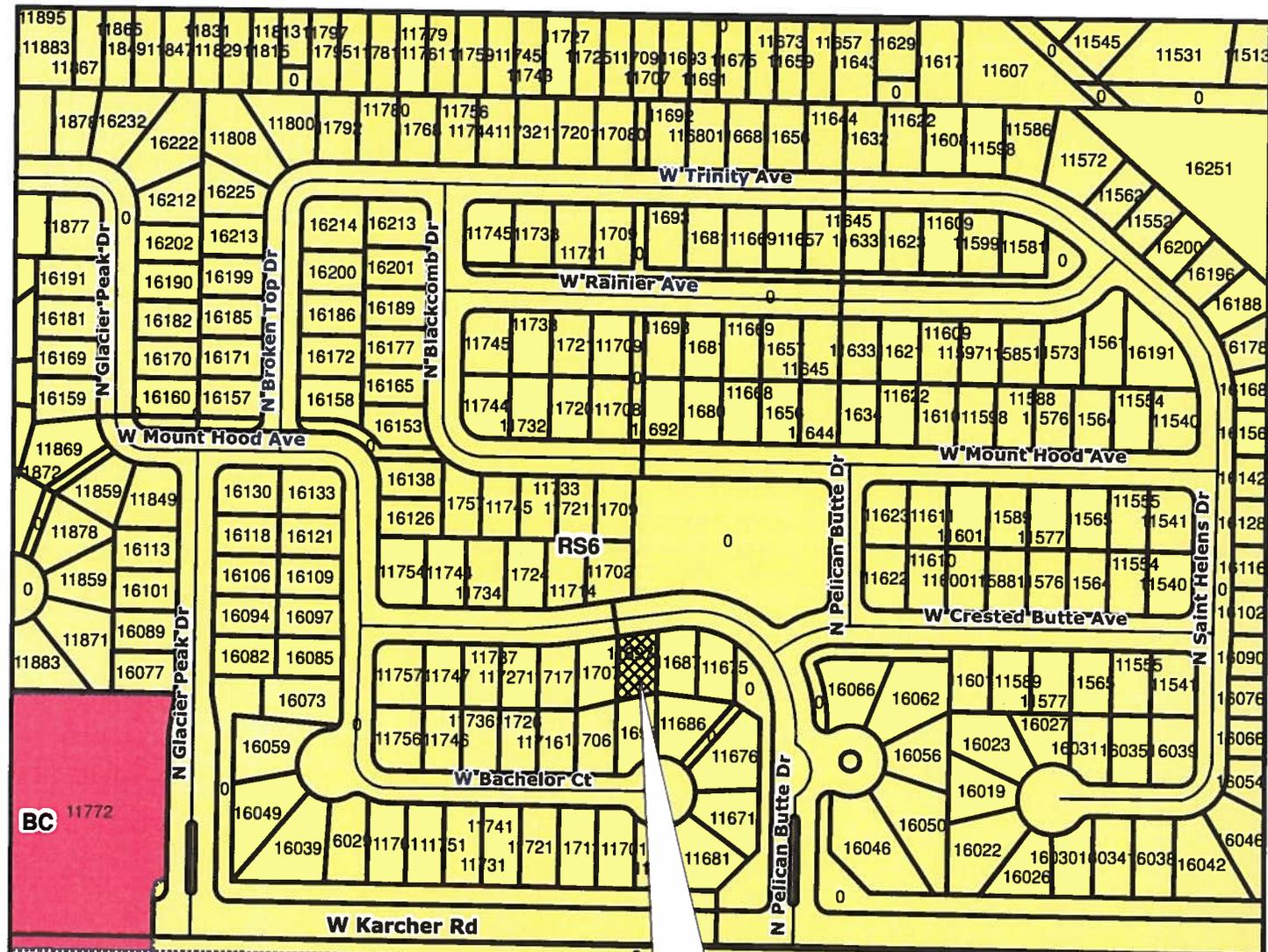
SUGGESTED CONDITIONS OF APPROVAL

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

1. That the operator(s) obtain and maintain licensing with State Health & Welfare.
2. That the use as a home occupation daycare does not substantially change the character of the home and be clearly secondary to use of the home as a residence.
3. The outdoor play area and landscaping shall be maintained in a neat and orderly manner.
4. The outdoor play area shall be continuously fenced in order to retain children from wandering out of the area.
5. All requirements of the Nampa Building, Fire, and Engineering Departments regarding day care use shall be satisfied as per State Law prior to occupancy.
6. The size of any advertising signs shall not exceed that allowed for home occupations of 2 sq. ft.
7. The conditional use permit be granted to *Jessica Tuttle & Angelia Sill* dba Little Foot Daycare and shall not be transferable to any other operators or location.
8. Any other conditions felt necessary to address any concerns raised at the public hearing.

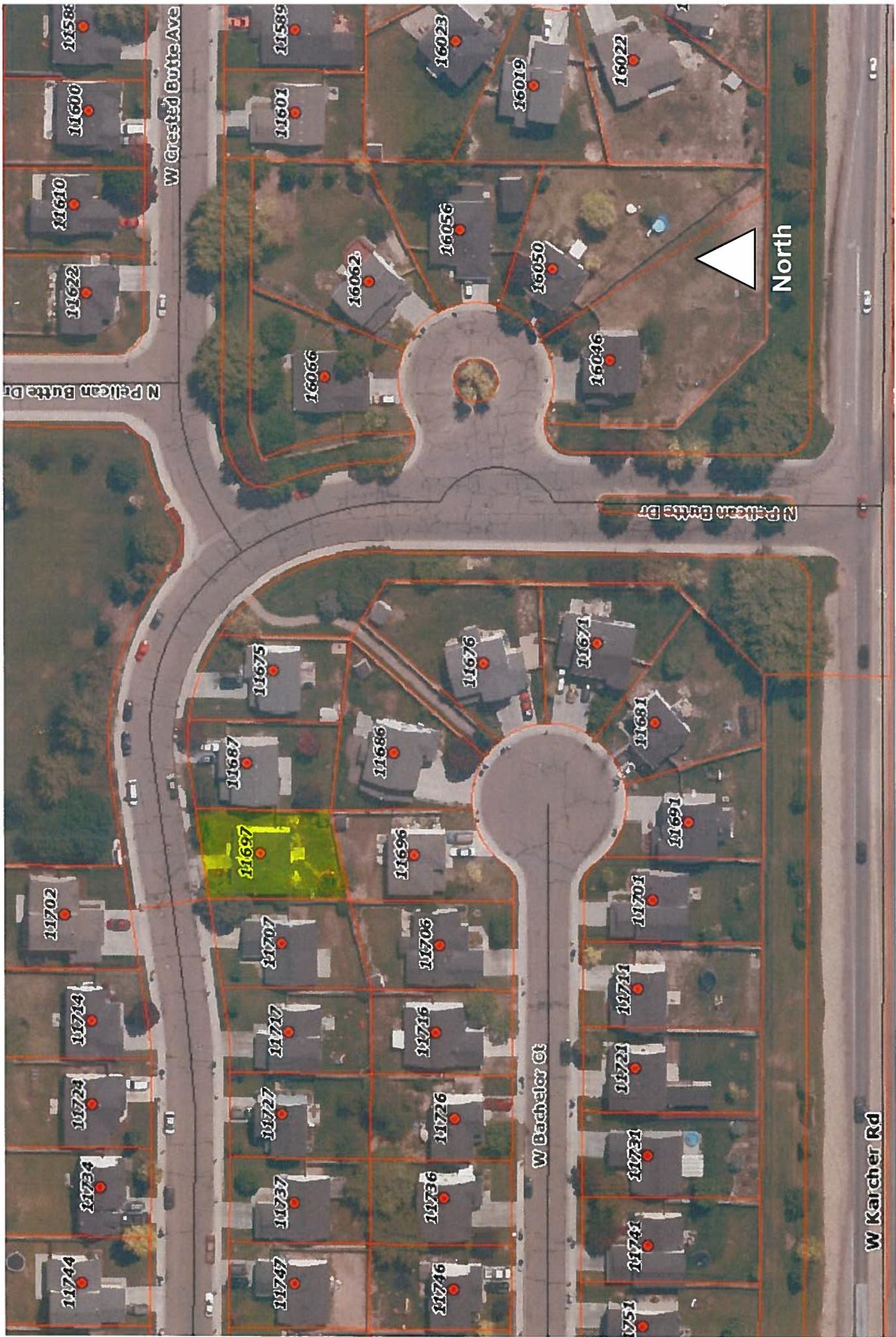
ATTACHMENTS

Zoning and location map
Aerial photo of lot and adjacent property
Birds eye view of property
CUP application
Agency and other correspondence



BC 11772

CONDITIONAL USE PERMIT FOR A HOME OCCUPATION DAY CARE FOR UP TO 12 CHILDREN IN A RS 6 (SINGLE FAMILY RESIDENTIAL - 6,000 SQ. FT.) ZONING DISTRICT AT 11697 W CRESTED BUTTE AVE (.142 ACRE PORTION OF SECTION 7, T3N, R2W, BM, SW ¼, CRESTWOOD ESTATES 1, LOT 4, BLOCK 1) FOR JESSICA TUTTLE AND ANGELIA SILL DBA LITTLE FOOT DAYCARE (CUP 00035-16).



11588

11600

11610

11622

W Crested Butte Ave

11589

11601

16023

16019

16022

16062

16056

16050

16066

16096

North

N Pelican Butte Dr

N Pelican Butte Dr

11702

11714

11724

11734

11744

11687

11697

11707

11717

11727

11737

11747

11686

11696

11706

11716

11726

11736

11746

11676

11671

11681

11691

11701

11711

11721

11731

11741

11751

W Bachelor Ct

W Karcher Rd



11697

W Crested Butte Ave

AVE



South



6/14/16 P2
Norm

Application for Conditional Use Permit

City of Nampa, Idaho

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: Jessica Tuttle Phone: 208-941-7923
 Address: 11697 W. Crested Butte Ave City: Nampa State: Ida Zip Code: 83651
 Applicant's interest in property: (circle one) Own Rent Other _____
 Owner Name: Angelina Sill Phone: 208 919 4368
 Address: 11697 W Crested Butte Ave City: Nampa State: Id Zip Code: 83651

Address of subject property: 11697 W Crested Butte

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): 07-3N-2W SW

- 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 Crestwood est 1 Lot 4 Block 8 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: Daycare - 12

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 19 day of May, 20 16

Jessica Tuttle
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.

Acceptance by the City of this application does not exempt an applicant's need to comply with all other civil, local, state or federal agency laws, covenants or standards that may appertain to the proposed Conditional Use, including, where applicable, Home Owners' Association Board approval and compliance with private Covenants, Conditions and Restrictions.

For Office Use Only:

File Number: CUP 035 -20 @16 Project Name: L. Hill Foot Home Daycare/12

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: May 23, 2016

Rev:

Re: CUP – Home Occupation Daycare for up to 12 children

Applicant: Jessica Tuttle

Address: 11697 W. Crested Butte Avenue, Nampa, Idaho 83651

CUP00035-16 for the June 14, 2016 Planning and Zoning Meeting

Applicant's request is to modify CUP933-10 to add her name as joint operator for Little Foot Daycare.

Trip generation reports by the Institute of Transportation Engineers for daycare facilities with up to 12 children create, on average, the following number of trips:

- AM Peak – 14 vehicle trips
- PM Peak – 12 vehicle trips

The Engineering Division does not oppose the granting of this conditional use permit.

Shellie Lopez

From: Kent Lovelace
Sent: Monday, May 23, 2016 5:13 PM
To: Shellie Lopez
Subject: cup 035-2016

No violations seen at this time

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.