



**Planning & Zoning Department**

**Before the Planning & Zoning Commission**

**June 14, 2016**

**Staff Report – Public Hearing #4**

**Applicant:** Darya Kravtsova  
**File No:** CUP 036-16

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

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

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**GENERAL INFORMATION**

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**Status of Applicant:** resident/renter/operator

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

**Location:** 2630 Sweet Drive

**Size of Property:** A .14 acre or 6,150 sq. ft. portion of Section 26, T3N, R2W, BM, NE ¼, Sugar Manor #6, Lot 43, 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:** Medium Density Residential

**Zoning & Planning History:** Constructed as a single-family residential property. Applicant is the resident/renter/operator. Property owner is Pamela L Lyons.

**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 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.

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## **SPECIAL INFORMATION**

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**Public Utilities:** All available

**Public Services:** All present

**Transportation:** The site has direct access from E. Sweet Dr. to S Taffy Dr. to So. Sugar St. and from E. Sweet Dr. to S. Taylor St. to Bobcat Dr. to Cougar Ave. to S Kings 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.

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## **STAFF FINDINGS & DISCUSSION**

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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 proposed 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 proposed 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 proposed 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.

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## **SUGGESTED CONDITIONS OF APPROVAL**

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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 obtains and maintains 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 *Darya Kravtsova* and shall not be transferable to any other operator or location.
8. Any other conditions felt necessary to address any concerns raised at the public hearing.

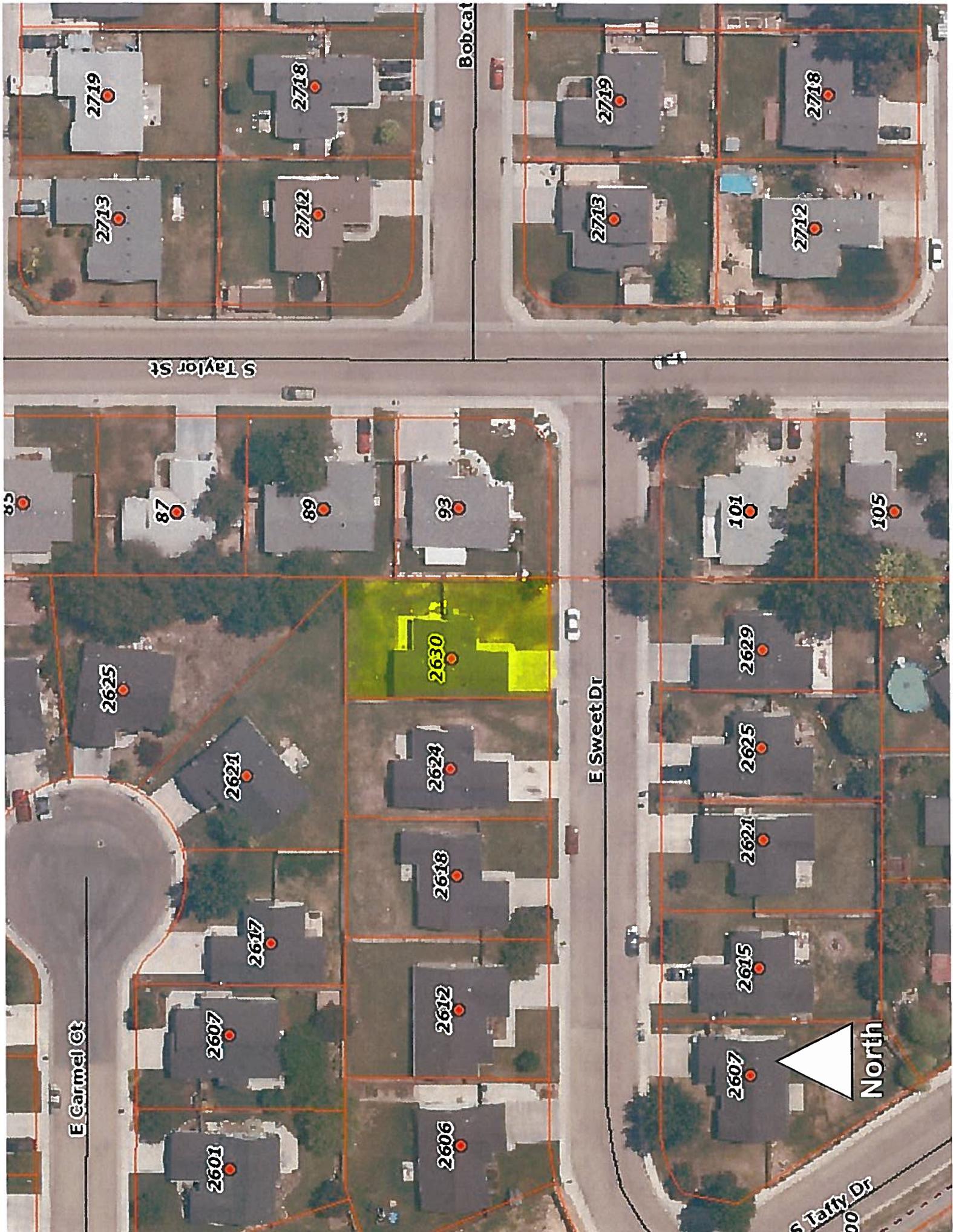
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## **ATTACHMENTS**

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





E Carmel Ct

S Taylor St

E Sweet Dr

S Taft Dr

Bobcat

2719

2713

2718

2712

2719

2713

2718

2712

85

87

89

93

2625

2621

2630

2624

2618

2612

2617

2607

2601

2606

101

105

2629

2625

2621

2615

2607

North

S

Sweet Dr

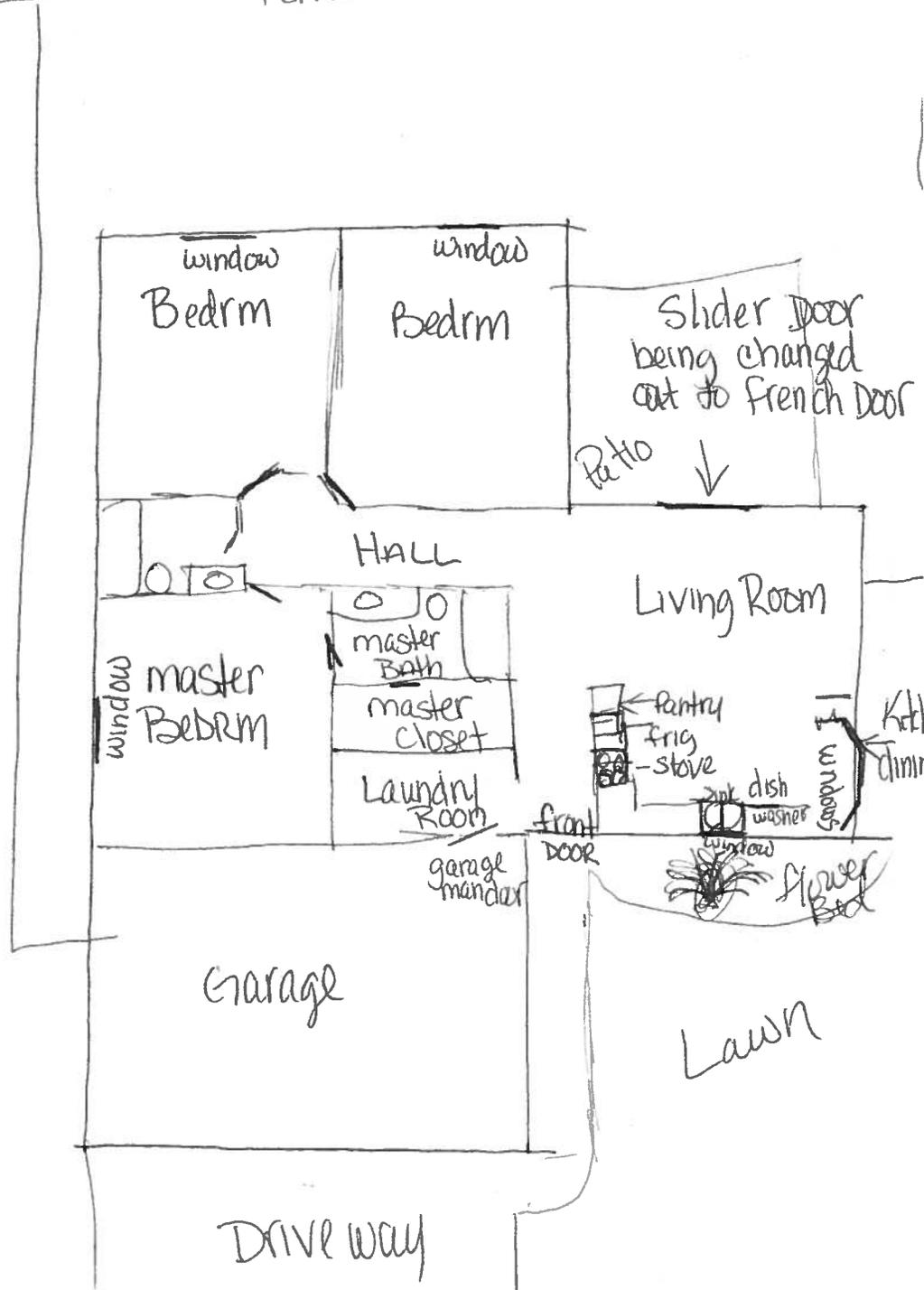
2630



North



Fence





6/14  
Worm  
**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: Danya Krautsova Phone: (208) 371-0019  
 Address: 2630 Sweet Dr City: Nampa State: Idaho Zip Code: 83407  
 Applicant's interest in property: (circle one) Own (Rent) Other \_\_\_\_\_  
 Owner Name: Pamela L Lyons Phone: \_\_\_\_\_  
 Address: 470 Masonic Ct City: Vallejo State: CA Zip Code: 94591  
 Address of subject property: 2630 Sweet Dr, Nampa, ID 83407

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 26-3N-2W NE SUGAR MANOR #10 Lot 43 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: I am requesting a permit for the purpose of running an in-home daycare of up to 12 children

Length of time requested for the Conditional Use Permit: \_\_\_\_\_ Months and/or 5+ years.

Date conditional use is expected to begin after permit is granted: 6 / 1 / 16

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

Dated this April day of 28, 2016

Danya Krautsova  
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:**

CUP-36-2016

In Home Daycare

# 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:** June 7, 2016  
**Rev:**  
**Re:** CUP – Home Occupation Daycare for up to 12 children  
**Applicant:** Darya Kravtsova  
**Address:** 2630 Sweet Drive, Nampa, Idaho 83687  
**CUP00036-16 for the June 14, 2016 Planning and Zoning Meeting**

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Applicant's request is to have a home daycare for up to 12 children in her residence at 2630 Sweet Drive.

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

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**From:** Neil Jones  
**Sent:** Monday, May 23, 2016 4:43 PM  
**To:** Shellie Lopez  
**Subject:** RE: CUP for Home Daycare for up to 12 children / 2630 Sweet Dr

Building Department has no conditions on this CUP.

### Neil Jones

Plan Examiner Supervisor

P: 208.468.5492 F: 208.468.5439

[Department of Building Safety](#), [Like us on Facebook](#)

**From:** Shellie Lopez  
**Sent:** Monday, May 23, 2016 11:08 AM  
**To:** Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Carl Miller <CMiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooks@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsrr@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tina Fuller <tfuller@compassidaho.org>; Tom Laws <tlaws@compassidaho.org>; Vickie Holbrook <holbrookv@cityofnampa.us>  
**Subject:** CUP for Home Daycare for up to 12 children / 2630 Sweet Dr

Good Afternoon!

### CUP 00036-16:

Darya Kravtsova has requested a Conditional Use Permit to run a Home Daycare at 2630 Sweet Dr (A 0.141 acre portion of Section 26, 3N, 2W, NE, Sugar Manor #6, Blk 8, Lt 43). This property is located within an RS-6 (Single Family Residential - 6000 sq ft minimum lot size) zoning district.

The applicant is requesting the CUP to run a Home Daycare for up to 12 children. The applicant will go before the Planning & Zoning Commission as a public hearing item on the June 14, 2016 agenda.

Please find attached the CUP 00036-16 file for your review and send all comments to my attention or to Sylvia Mackrill ([mackrill@cityofnampa.us](mailto:mackrill@cityofnampa.us)) no later than June 02, 2016.

Thank you & have a great day!

## Shellie Lopez

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**From:** Brent Hoskins  
**Sent:** Monday, May 23, 2016 11:19 AM  
**To:** Shellie Lopez  
**Subject:** RE: CUP for Home Daycare for up to 12 children / 2630 Sweet Dr

Shellie,

They will require a passing fire inspection. Please have them schedule an inspection through our office at 468-5770.

Thank you,  
Brent

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**From:** Shellie Lopez  
**Sent:** Monday, May 23, 2016 11:08 AM  
**To:** Amanda Morse; Beth Ineck; Brent Hoskins; Carl Miller; Craig Tarter; Daniel Badger; Don Barr; Eric Skoglund; Jennifer Yost; Jim Brooks; Michael Fuss; Neil Jones; Patrick Sullivan; Ray Rice; Robin Collins; Soyla Reyna; Sylvia Mackrill; Tina Fuller; Tom Laws; Vickie Holbrook  
**Subject:** CUP for Home Daycare for up to 12 children / 2630 Sweet Dr

Good Afternoon!

CUP 00036-16:

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Thank you & have a great day!



**Shellie A. Lopez, Administrative Assistant II**

O: 208.468.4487, F: 208.468.5439

411 3<sup>rd</sup> Street South, Nampa, ID 83651

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