

**NAMPA PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
TUESDAY, APRIL 12, 2016, 6:30 P.M.**

Members:	Lance McGrath, Chairman	Kevin Myers
	Chad Gunstream- Vice Chairman	Victor Rodriguez
	Steve Kehoe	Peggy Sellman
	Sheila Keim	Norm Holm, Director
	Harold Kropp	Robert Hobbs, Assistant Director
	Bret Miller	Daniel Badger, Staff Engineer

**Chairman McGrath** called the meeting to order at 6:50 p.m.

**Announcements.** Planning Director Holm advised the City of Caldwell was holding their public hearing tonight regarding amendments to their Area of City Impact.

**Approval of Minutes.** **Kropp motioned and Rodriguez seconded to approve the Minutes of the March 22, 2016 Planning and Zoning Commission meeting. Motion carried.**

**Report on Council Actions.** **Councilor Haverfield** noted the Impact Area boundaries recommended to City Council by the Planning and Zoning Commission during their meeting of March 22, 2016. Councilor Haverfield discussed with the recommendation from the Commission to City Council regarding the Area of Impact, which included a recommendation for reduction of the proposed expansion to the Nampa Area of City Impact southwest boundary.

There were no business items on the Agenda.

**Chairman McGrath** proceeded to the public hearing items on the agenda at 7:05 p.m.

**Preliminary Plat Approval for Sonata Pointe Subdivision in an RS-7 (Single Family Residential – 7000 sq ft) zoned area west of S Middleton Rd between Lone Star Rd and W Roosevelt Ave (149 single family residential lots on 43.41 acres, 3.43 dwelling units per acre – A portion of the NE ¼ of Section 30 T3N R2W BM), for JUB Engineers, Inc, representing Trilogy Development (SUB 670-16).**

**Chairman McGrath** proceeded to public hearing.

**Kristi Watkins with J-U-B Engineers, Inc. 250 S Beechwood, Boise – representing the applicant:**

- Sonata Pointe Subdivision, advised Ms Watkins, was located within an RS-7 zoning district, on the south side of Lone Star Rd, just west of S Middleton Rd.
- The proposed subdivision would be located on 43.41 acres, with 3.43 dwelling units per acre.
- According to Ms Watkins, the Sonata Pointe Subdivision had originally been proposed in 2008, with only a few minor changes since the original application.
- The original lot count was 164, and that had now been reduced to 163.
- The building lot count had been 157 and that had now been reduced to 149.
- The original number of common lots had been 7, and had now been increased to 14.
- Ms Watkins noted the percentage of common lots had gone up by approximately 5 percent, and the density would be reduced from 3.78 dwelling units per acre to 3.43 dwelling units per acre.
- The initial average lot size had been 8,000 sq ft and would now be increased to 8,400 sq ft.
- According to Ms Watkins, the amenities will include a tot lot or similar play area facility.
- All utilities, including water, sewer and pressurized irrigation are available to the property.
- Ms Watkins noted the improved intersection at S Middleton and Lone Star Rd, as well as W Roosevelt Ave, which would help with traffic impact.
- Ms Watkins stated the applicants had no issues with the recommended conditions of approval listed in the Staff Report.
- According to Ms Watkins, it was anticipated there would be three phases to complete the development.

- **Kehoe** inquired which side of the property would be the first to develop and **Ms Watkins** replied that had not been confirmed as yet – but would probably be W Roosevelt because the utilities were already there.
- **Myers** inquired about the pathways in the proposed development and Ms Watkins noted the pathways on some of the common lots to connect throughout the subdivision and also a pathway leading directly to the school on the east.

**Assistant Planning Director Hobbs:**

- Hobbs indicated the location of the property and noted it had previously been zoned RS-7 and would accommodate a subdivision as proposed.
- Hobbs reviewed the Staff Report and recommended conditions of approval.
- Hobbs advised the Sonata Pointe Preliminary Plat was found to be compliant with Code, along with the Landscape Plan Design and the Street Design.

**Chairman McGrath** proceeded to public testimony.

**Lynn Hodges of 11461 Lone Star Rd, Nampa – undecided.**

- Mr Hodges stated he owned the property further west on the south side of Lone Star Rd, that had been the Lone Star School at one time.
- According to Mr Hodges, his 4 acre property was zoned Light Industrial in the County and he had a manufacturing business utilizing computer controlled milling machinery in those buildings and advised the operation ran 24 hours a day using automated equipment.
- Mr Hodges stated that as subdivisions were getting closer to his property he was starting to get more nervous about potential conflict between his business and subdivision neighbors.
- The subject property/proposed subdivision, added Mr Hodges, did not touch his property.
- According to Mr Hodges, there had been several subdivisions in the vicinity where exposed drainage became a pool of water during the summer for algae and mosquitos and he wanted confirmation that the drainage would be done correctly for the proposed subdivision.
- Mr Hodges questioned if there would be design requirements for the proposed homes in the development in order to insure they would not deteriorate in the future.
- A nearby subdivision, stated Mr Hodges, had a park with nothing in it and questioned if the proposed Sonata Pointe Subdivision would have a playground area for the children.
- **Kehoe** inquired how noisy the computer controlled milling machines would be.
- **Mr Hodges** replied they primarily use aluminum that would be mounted into the computer controlled milling machine and then different tools cut that aluminum into the required shape/part.
- The current machinery, added Mr Hodges, was not that bad regarding noise and stated he lived next door and could sleep through the noise.

**Kristi Watkins:**

- Ms Watkins advised all drainage within the proposed subdivision would meet City standards.
- Regarding home designs, Ms Watkins stated the developer understood that design features and park like amenities were definitely selling points for people interested in moving to the area.
- Ms Watkins added building elevations could be provided at final plat submission.
- **Kehoe** inquired if the tot lots would be bare ground or would there be amenities installed.
- **Ms Watkins** confirmed there would be a playground.

**Kropp motioned and Keim seconded to close public hearing. Motion carried.**

- **Gunstream** noted the reduction in lot sizes, the increase in green space, and the walkways through the subdivision and to the school which were good indicators that the developer cared.

**Gunstream motioned and Kropp seconded to approve the Preliminary Plat for Sonata Pointe Subdivision in an RS-7 zoning district on 43.41 acres, 3.43 dwelling units per acre, on the south side of Lone Star Rd, west of S Middleton Rd for JUB Engineers, Inc, representing Trilogy Development, subject to:**

1. **The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of the matter.**
2. **Specifically:**

- a) The Developer/Development shall comply with requirements listed in the April 1, 2016 memorandum from the Nampa Engineering Department authored by Daniel Badger.
  - b) The Developer/Development shall comply with requirements listed in the February 23, 2016 e-mail printout from the Nampa Building Department save that the elevations required by said department shall be shown on the grading plan submitted in conjunction with the final plat versus having the elevation numbers inscribed on each lot shown on the final plat page(s), authored by Neil Jones.
3. The water system for the development shall be completely installed and able to deliver water prior to any Building Permits being issued within the development. The water shall be sufficient in volume and pressure to provide sufficient adequate fire suppression for the development in accordance with Fire Department policy or International Fire Code requirements as applicable.
  4. Developer's engineer shall correct any spelling, grammar, punctuation and/or and numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in a revised preliminary plat.
  5. CC&Rs, bylaws and articles shall be established, registered, recorded et al and one or more property/homeowners' association(s) shall be established (incorporated) to manage the common areas associated with [the] Sonata Pointe Subdivision.
  6. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council.
  7. The Developer and those developing/building within the Project shall abide by the City's adopted landscape standards pertaining to subdivision development, including interior street tree planting and corridor street tree planting along Lone Star Rd and W Roosevelt Ave.
- Motion carried.

**Modification of Annexation/Zoning Development Agreement between Patrick Scheffler/Shady Grove, LLC and the City of Nampa, recorded 05/11/07 as Instrument No. 2007032293 – amending Exhibit “B” to incorporate an amended preliminary plat, and amending Exhibit “C” Conditions of Approval deleting conditions #2 and #5 regarding the relief trunk sewer line and the required minimum dwelling size; and Amended Preliminary Plat Approval for Shady Grove Place Subdivision in an RS-7 (Single Family Residential – 7000 sq ft) zoned area on the west side of Chicago Street, north of the Elijah Drain (37 single family residential lots on 8.70 acres, 4.25 dwelling units per acre – A Portion of the NW ¼ of Section 35 T3N R2W BM), for Shady Grove, LLC (ANN 2150-16 and SUB 671-16).**

Chairman McGrath proceeded to public hearing.

**Patrick Scheffler with Idaho Survey Group, 1450 E Watertower, Meridian, applicant - representing Shady Grove, LLC.**

- The application was originally submitted in 2006, stated Mr Scheffler and approved in 2007 as a 32 buildable lot infill development.
- In 2011, Phase 1 was constructed, comprising 6 lots. The remainder of the project lingered in the continuing recession.
- The current plan, added Mr Scheffler, proposes increasing the density from 32 buildable lots to 37, increasing the dwelling units per acre to 4.2.
- Mr Scheffler noted Ordinance Section 10-27-4.A.3 allows the request for reduced lot size.
- Mr Scheffler explained the changes to the Preliminary Plat, including the street alignment, the attached sidewalk instead of detached sidewalk, similar to Phase 1 and the adjacent subdivision.
- Mr Scheffler indicated the proposed micro path between Lots 37 and 39 that would connect to the Stoddard Trail walking path on the old railroad right-of-way to the west.
- There would also be a landscaped entry into the project from Chicago St.
- Mr Scheffler noted the proposed building elevations for homes within the 1400 to 1800 or 2,000 sq ft at a price point of under \$200,000 -- between \$160,000 and \$190,000.
- The adjacent Crystal Springs Subdivision had homes averaging 1240 sq ft, therefore, the proposed Shady Grove Place Subdivision would be compatible with the adjoining neighborhoods.

- Mr Scheffler stated they were also requesting a couple of common driveways that do meet City design criteria, but were asking to add another lot to one of the common driveways. The City only allows four accesses off a common driveway, and they were asking for a fifth.
- Additionally, they were asking for reduced utility easements along the exterior subdivision boundary of 10 ft because they do not anticipate any utilities in those easements.
- In response to a question from **Keim, Mr Scheffler** stated there would be 3 common drives, one near the front of the development was a shared driveway, there are two other common driveways, with one serving two lots and the other would serve five if permitted.

**Assistant Planning Director Hobbs:**

- Hobbs noted there were two requests, for a recommendation on the modification of the Development Agreement; and, the Preliminary Plat revision approval.
- Hobbs noted the exceptions to the Subdivision Ordinance would have to be approved by City Council.
- Hobbs discussed the process for modification of a Development Agreement.
- Hobbs reviewed the Staff Report and recommended conditions of approval.
- **Kehoe** inquired the City's position on attached sidewalks.
- **Badger** reported that in 2014/2015 the Engineering Division had a group of developers, builders, citizens review the standard policies for subdivision construction standards, including detached and attached walks.
- That review came up with a wider variety of street sections allowable under the standards and the configuration put forth by the applicant is one of the allowable street sections within the Policy Manual, allowing for a detached, attached or a reduced width section on some of the infill developments.
- **Badger** explained the applicant had not taken advantage of the reduced width roadways but did take advantage of the attached sidewalks which would reduce the required right-of-way.
- **McGrath** inquired if any research had been done regarding the safety aspects between attached sidewalks and detached sidewalks.
- **Badger** advised the only places where attached sidewalks would be permitted were local, minor use residential roadways, not on any of the arterials or collectors.
- **Myers** questioned the status on the railroad pathway.
- **Badger** replied that currently the pathway exists to the south of the subject project and the City was in long term negotiations with the railroad to take the pathway further north.
- **Gunstream** questioned the safety aspect for Fire Department/emergency vehicle access for the common driveway.
- **Badger** reviewed the common driveway standards, and noted the common driveway for access to five lots did meet the length standards, as it was not over 150 ft long.
- **Badger** added the common driveway did meet the 20 ft width, paved surface standards, which would allow for the fire truck access and would not require a turnaround/hammerhead as it was less than 150 ft long.

**Chairman McGrath** proceeded to public testimony.

**James Raff of 2111 Wildflower Dr, Nampa.**

- Mr Raff stated he did have a few concerns regarding the proposed development.
- Mr Raff stated he had lived at that address for 20 years and there was a beautiful field behind his property filled with wildlife.
- According to Mr Raff, at the present time he had a chain link fence at the back of his property, looking into the pasture.
- Mr Raff questioned if a privacy fence would be placed along the subdivision boundary so he would not have to look into someone's back yard.
- Mr Raff noted the applicant had indicated three building elevations for the house designs and was hoping there would be no two story homes looking into the backyards of the Wildflower properties.

**Patrick Scheffler:**

- Mr Scheffler indicated the northern property line for the proposed development, adjacent the Wildflower Dr properties.
- According to Mr Scheffler, it was anticipated there would be a 6 ft wood privacy fence between the Shady Grove Subdivision and the Wildflower Dr properties, and they would have to negotiate with the adjacent

property owners as to whether the chain link fence would be removed or build the Shady Grove wooden fence up against the chain link fence.

- Regarding the question of whether two story homes would be built adjacent the Wildflower Dr properties, Mr Scheffler stated he did not know what the builder would want to build on the individual lots. Individual plot plans were not available at this point, continued Mr Scheffler, and he could not anticipate one way or the other if there would be two story homes on those lots.
- Mr Scheffler indicated the area of the railroad pathway that had been graveled during Phase 1 of the development.
- The micro pathway from Shady Grove Subdivision to the railroad pathway will be paved, added Mr Scheffler.

**Kathy Nance of 2111 Wildflower Dr, Nampa:**

- Ms Nance voiced concern regarding the impact on the large amount of wildlife on the subject property, including hawks, foxes and quail.
- Ms Nance questioned if the Wildflower Dr homeowners would be paying for part of the new wood privacy fence for Shady Grove Place Subdivision.
- **Chairman McGrath** noted the 6 ft wooden privacy fence indicated by the applicant would be the fence around the proposed subdivision, and the negotiation the applicant referred to would be regarding whether the existing neighboring fences would be retained or removed.

**Kehoe motioned and Gunstream seconded to close public hearing. Motion carried.**

- **Hobbs** responded to a question from **McGrath** and explained that zoning regulations permit two story homes, up to 2 ½ stories or 30 ft, and the only way to control that would be to recommend to City Council placement of a restriction in the Development Agreement regarding single story homes only for certain lots.

**Rodriguez motioned and Kehoe seconded to recommend to City Council Modification of Annexation/Zoning Development Agreement between Patrick Scheffler/Shady Grove LLC and the City of Nampa, recorded 05/11/07 as Instrument No. 2007032293 – Amending Exhibit “B” to incorporate an amended preliminary plat, and amending Exhibit “C” Conditions of Approval deleting conditions #2 and #5 regarding the relief trunk sewer line and the required minimum dwelling size, subject to:**

1. **To include in the Development Agreement the restriction to single story homes only, on Lots 8 – 15 Shady Grove Place Subdivision.**
2. **Applicant(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc] as may be imposed by City agencies appropriately involved in the review of the request (e.g. Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions, etc) as the entitlements granted by virtue of the City’s approvals of the requested Development Agreement Modification(s) do not, and shall not, have the effect of abrogating requirements from those agencies in connection with [re]entitlement of the Property.**
3. **The Applicant, as Owner/Developer, [shall] enter into a Modified Development Agreement with the City of Nampa. The Agreement(s) shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the applicant and agreed to and conditioned by the City through its Council or executive departments or outside agencies properly involved in the review of the Applicant’s request for the Property plat development plan be reconfigured [still to be used for residential housing development in an RS-7 Zone] versus its original entitlement(s). Inclusively, the Agreement shall contain any/the concept development plans proposed by virtue of this application submittal as ultimately accepted, or accepted with required changes, by the City Council.**

**Motion carried.**

**Rodriguez motioned and Gunstream seconded to approve the Amended Preliminary Plat for Shady Grove Place Subdivision in an RS-7 zoned area on 8.70 acres on the west side of Chicago St, north of the Elijah Drain in a portion of the NW ¼ Section 35 T3N R2W BM, for 37 single family residential lots, for Shady Grove, LLC, subject to:**

1. Applicant(s) shall comply with all applicable requirements [including obtaining proper permits – like a building Permit, etc] as may be imposed by City agencies appropriately involved in the review of the request (e.g. Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlements granted by virtue of the City's approvals of the requested Annexation, Zoning and Preliminary Plat do not, and shall not, have the effect of abrogating requirements from those agencies in connection with entitlement of the Property.
2. The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically, the following:
  - a) Developer/Development shall comply with the requirement(s) listed in the City Engineering GIS Section's one (1) page memorandum dated March 21, 2016, authored by Amanda Morse.
  - b) Developer/Development shall comply with the requirement(s) listed in the City Forester's one (1) page e-mail printout dated April 1, 2016, authored by Tanya Gaona.
  - c) Developer/Development shall comply with the requirement(s) listed in the Nampa and Meridian Irrigation District's one (1) page letter, dated March 29, 2016, authored by Greg Curtis.
3. The water system for the Development shall be completely installed and able to deliver water prior to any Building Permits being issued within the development. The water shall be sufficient in volume and pressure to provide sufficient adequate fire suppression for the development in accordance with Fire Department policy or International Fire Code requirements as applicable.
4. Developer's engineer shall correct any spelling, grammar, punctuation and/or and numbering errors that may be evident on the Plat face and/or in the proposed Plat development notes and include said corrections in a revised Preliminary Plat. Such corrections/additions shall include, but not be limited to, the following:
  - a) Within the plat notes section, add a note as follows: "Building lots below 7,000 sq ft in size are City approved based on provisions, restrictions and conditions cited in N.C.C. § 10-27-4.A.3., and in conjunction with Shady Grove Place Subdivision.
  - b) Inscribe upon Lots 12-16 and 28-29 of Block 1 a reference back to the new plat note created in conformance with approval condition 4.a above to facilitate identification of building lots affected by N.C.C. § 10-27-4.A.3.
5. Any exceptions to City adopted subdivision design standards (e.g. common driveway lot usage count and easement dimensions) shall/will require separate design [exception] approval from the City Engineer or City Council as appropriate.

Motion carried.

**Annexation and Zoning to RS-7 (Single Family Residential – 7000 sq ft minimum lot size) for connection to sewer at 2714 E Amity Ave. (A .386 acre of 16,841 sq ft portion of the SE 1/4 Section 26 T3N R2W, Tax 40 in SE ¼ less Tax 96662 and less road) for Michael McCarver (ANN 2157-16).**

**Chairman McGrath** proceeded to public hearing.

The applicant was not present.

**Planning Director Holm:**

- Holm advised the annexation had been requested in order to connect to City water and sewer services.
- The City utilities were present in Amity Ave and accessible to the subject property, stated Holm.
- The subject property, continued Holm, was an enclaved parcel, still under County jurisdiction but surrounded by City limits.
- The applicants, continued Holm had requested RS-7 for the .386 acre or 16,814 sq ft property.
- Holm noted the requested RS-7 zoning would comply with the Comprehensive Plan Designation of Medium Density Residential.
- According to Holm, there had been no statements of opposition to the proposed annexation.

**Chairman McGrath** proceeded to public testimony.

No public comment forthcoming.

**Keim motioned and Gunstream seconded to close public hearing. Motion carried.**

**Keim motioned and Gunstream seconded to recommend to City Council Annexation and Zoning to RS-7 for 2714 E Amity Ave, for Michael McCarver.  
Motion carried**

**Annexation and Zoning to RA (Suburban Residential) for connection to pressure irrigation at 80 N Sugar St. (A .772 acre or 33,635 sq ft portion of the SE ¼ Section 23 T3N R2W Plat A Tax 69 in Lot 24 in SE ¼ less road) for Lori and Victor Cordell (ANN 2158-16).**

**Chairman McGrath** proceeded to public hearing.  
The applicant was not present.

**Planning Director Holm:**

- Holm stated the applicants were requesting annexation in order to connect to the City pressurized irrigation service. The pressurized irrigation line, along with the water and sewer lines, added Holm, were located in N Sugar St.
- The subject property, advised Holm, was located within an enclaved area, under Canyon County jurisdiction, but surrounded by properties within the City limits.
- Holm reviewed the Staff Report and recommended conditions of approval.
- **Kehoe** inquired if the applicant would be required to hook-up to City sewer if their septic system failed and **Holm** replied if the property was within 300 ft of the sewer line they would be required to hook up to City sewer if their septic system failed. Holm reiterated the City sewer line was located in N Sugar St, in front of the subject property.

**Chairman McGrath** proceeded to public testimony.  
No public comment forthcoming.

**Kropp motioned and Keim seconded to close public hearing. Motion carried.**

**Gunstream motioned and Rodriguez seconded to approve the Annexation and RA zoning for 80 N Sugar Street, for Lori and Victor Cordell, subject to:**

1. **Annexation into the Municipal Pressure Irrigation System is required. Owner will sign consent form to be annexed into the Municipal Pressure Irrigation System.**
2. **Owner to dedicate fifteen (15) of right-of-way for future widening of Sugar Street.**
3. **Pay or arrange to pay hook-up fees prior to connection.**

**Motion carried.**

**Conditional Use Permit for a Commercial Day Care in an IL/RS-6 (Light Industrial/Single Family Residential – 6000 sq ft minimum lot size) zoning district at 210 E Carol St (SW ¼ Section 15 T3N R2W Tax 02360, for Jennifer Koppes (CUP 2161-16).**

**Chairman McGrath** proceeded to public hearing.

**Jennifer Koppes of 16519 N Liverpool Ln, Nampa – the applicant:**

- Ms Koppes stated at the present time they have two separate locations: 432 Caldwell Blvd and 421 Caldwell Blvd, for their daycare facilities.
- One of those buildings, added Ms Koppes, was being sold so they found a new location at 210 E Carol St, requiring a change of occupancy classification from an “M” to an “E”.
- **Chairman McGrath** inquired how many children the applicant was currently caring for.
- At the present time, added **Ms Koppes**, they were caring for 84 children between the two buildings.
- In response to a question from **Chairman McGrath**, **Ms Koppes** stated the name of the business was Kangaroo Clubhouse.
- Ms Koppes noted they also had a second location recently opened on Franklin Blvd.

**Planning Director Holm:**

- Holm indicated the combination zoning of IL/RS for the subject property, and noted the IL zoning district allows a commercial daycare with approval of a Conditional Use Permit.
- Holm advised there had been no concerns or comments received from surrounding property owners, residents or business owners in the vicinity.
- Holm stated he did not believe there would be an outside play area proposed for the subject daycare.
- According to Holm there was some landscaping south of the building and adjacent the roadway.
- Holm noted the Fire Department had stated the applicants would require a fire inspection for the daycare for their State license. The Building Department indicated the applicants would need a Tenant Improvement Permit for the change of occupancy.
- The Engineering Department has stipulated that the applicants enter into a curb, gutter/sidewalk and road widening Deferral Agreement for Carol St. Any additional paved parking would require drainage plans and approval.
- **Keim** inquired if the parking on the subject property would meet the requirements for parking for a commercial daycare.
- **Holm** advised the parking requirements would be determined during Building Permit review.
- Discussion followed regarding the available parking on the subject property.
- **Kehoe** considered 160 children would involve a lot of child drop-offs and pick-ups.
- **Holm** explained the Building Department and Fire Department would determine the maximum occupancy for the daycare.
- **Myers** inquired if there was a traffic signal at the 6<sup>th</sup> St N and Northside Blvd intersection.
- **Badger** stated there was a signal at that intersection.

**Chairman McGrath** proceeded to public testimony.  
No public testimony forthcoming.

**Jennifer Koppes:**

- Ms Koppes stated the total number of children would be 130 for occupancy.
- The building, continued Ms Koppes, would not be shared with any other business and the daycare would be the only business in the entire building.
- Ms Koppes stated the drop-offs and pick-ups for the children would not all occur at the same time.
- There was a plan to build an outdoor play area in the strip between the two buildings, and part of the front parking area would be fenced off with extra parking spaces on the other side of the fence.
- Ms Koppes noted the circular entry/parking area under the big tree in the front of the building.
- In response to a question from **Chairman McGrath**, **Ms Koppes** stated there would be 16 parking spaces once the playground was installed.
- **Myers** inquired how many of the 16 parking spots would be used by employees and **Ms Koppes** replied at the present time there would be 9 employees coming to the new facility. Ms Koppes noted there would also be some street parking and reported they were also talking to the owner of the empty lot across the street in terms of parking.
- **Ms Koppes** replied to a question from **Chairman Gunstream** and advised the hours of operation would be from 6:00 a.m. to 6:30 p.m., Monday through Friday.

**Kropp motioned and Keim seconded to close public hearing. Motion carried.**

- **Keim** questioned if the facility would have adequate parking for that many children.
- Discussion followed regarding whether there would be an adequate number of parking spaces for employees and the parents dropping off and picking up their children.
- **Badger** advised that as part of the Tenant Improvement permit process the Engineering Division would look at the drop-off plan for review and approval.
- **Hobbs** stated the Planning Commission could add additional restrictions regarding the parking and number of children permitted in the daycare.
- **Myers** considered it would be a good location for the proposed business.

**Myers motioned and Gunstream seconded to grant the Conditional Use Permit for a Commercial Daycare in an IL/RS zoning district at 210 E Carol St, for Jennifer Koppes subject to:**

1. **The operator obtains and maintains licensing with the State of Idaho Department of Health and Welfare.**

2. All requirements of the Nampa Building, Fire and Engineering Departments regarding commercial daycare use shall be satisfied as per State Law prior to occupancy.
3. The Building Department requires a Tenant Improvement Permit for the change of occupancy. The applicant needs to provide a drawing of the building showing the uses and size of each room.
4. The Fire Department requires the applicant to have a passing Daycare Fire Inspection for State licensing.
5. The Conditional Use Permit shall be granted only to Jennifer Koppes, and only for 210 E Carol St and shall not be transferable to any other operator or location.
6. If required by Planning and Zoning, that additional paved parking is provided, the owner will submit for review and approval a grading and drainage plan prepared by either a civil engineer or licensed landscape architect. Plan and design shall provide for full on-site retention of all stormwater in accordance with the current City of Nampa's Stormwater Policy.
7. Owners enter into a curb, gutter, sidewalk, and road widening deferral agreement with the City for Carol Street.

**Motion carried.**

**Short Plat Approval for Linden Ridgevue Subdivision in an RS-8.5 zoned area east of Madison Rd and adjacent and east of Ridgevue High School (2 non-residential lots on 22.36 acres - .66 and 21.69 acres – A portion of the NE ¼ Section 34 T4N R2W and a portion of Tax 13278 lying in the NE ¼) for Gene Ulmer representing the LDS Church (SUB 672-16).**

**Chairman McGrath** proceeded to public hearing.

**Gene Ulmer of 1506 S Secretariat Way, Nampa – the Architect representing the LDS church:**

- Mr Ulmer stated the proposed project was to separate the parcel for the LDS Church facility for a seminary from the Vallivue High School property.
- Mr Ulmer considered Condition No. 2 under the recommended conditions of approval would not apply – regarding, “the water system for the Development shall be completely installed prior to any Building Permits being issued”, because there was a fire hydrant close enough to the piece of property that would serve during the building permit time.
- Mr Ulmer added the water and sewer system would be installed at the same time as the building.
- Mr Ulmer noted the tight time frame on the proposed seminary building which would have to complete prior to school starting at the end of August.
- According to Mr Ulmer, the drawings had already been resubmitted to comply with the comments.
- In response to a question from **Keim**, **Mr Ulmer** stated the Seminary site would comprise .66 acres.
- **Kehoe** inquired how large the Seminary would be and Mr Ulmer stated the Seminary would comprise 1800 sq ft, a small building with one classroom.

**Assistant Planning Director Hobbs:**

- Hobbs reviewed the Staff Report and the short plat process.
- Hobbs reviewed the recommended conditions of approval and noted Condition No. 2 regarding completion of the water system was not required.
- The short plat, added Hobbs, was in compliance with City standards.
- **Kropp** inquired if the driveway would be shared or separate.

**Chairman McGrath** proceeded to public testimony.

No public comment forthcoming.

**Gene Ulmer:**

- Mr Ulmer advised plans had already been submitted for street improvements and there would be a separate access to the Seminary which would meet City requirements.

**Kropp motioned and Keim seconded to close public hearing.**

**Motion carried.**

**Myers motioned and Kehoe seconded to approve the Linden Ridgevue Subdivision Short Plat for two (2) non-residential lots on 22.36 acres - .66 acre and 21.69 acres for Gene Ulmer representing the LDS Church, subject to:**

- 1. The Project's engineer shall comply with the requirement listed in the April 01, 2016 memorandum from the Nampa Engineering Division authored by Daniel Badger.**
- 2. Developer's engineer shall correct any spelling, grammar, punctuation and/or and numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in a revised preliminary plat to be provided to the City.**
- 3. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council.**

**Motion carried.**

**Comprehensive Plan Amendment Future Land Use Map Amendment from Employment Center to Low Density Residential, and Annexation and Zoning to RA for a parcel split at 1906 S Powerline Rd. (A 4.683 acre portion of the SW ¼ Section 35 T3N R2W north and east of the Aaron Drain, less Tax 49, 59, 60 and 69) for Mark and Sheri Murray (CMP 2167-16 and ANN 2168-16)**

**Chairman McGrath** proceeded to public hearing.

**Sheri Murray of 1906 S Powerline Rd, Nampa – applicant:**

- Ms Murray stated she and her husband had resided at 1906 S Powerline Rd for almost 24 years.
- The property, added Ms Murray, consists of almost 5 acres, being an enclaved parcel surrounded by Nampa City limits.
- Ms Murray stated they were requesting annexation in order to split off 1.878 acres to their son and daughter-in-law who would like to build their new house on that adjacent parcel.
- An Amendment to the City's Comprehensive Plan had also been submitted, continued Ms Murray, in order to change the Comprehensive Plan Future Land Use Map from Employment Center to Low Density Residential for the subject property.
- In response to a question from **Chairman McGrath, Ms Murray** stated they had also submitted a request for Non-Conforming Use Status in order to allow large and medium animals (horses, goats, sheep), as well as the number of animals, to continue on the subject property when annexed and split.

**Assistant Planning Director Hobbs:**

- Hobbs reviewed the Staff Report for the Comprehensive Plan Amendment and Annexation and RA zoning for 1906 S Powerline Rd.
- Hobbs reviewed the criteria for a Comprehensive Plan Amendment and noted the current designation of "Employment Center" did not harmonize with the existing surrounding zoning designations or the current uses of the subject and surrounding properties.
- Hobbs considered the "Employment Center" designation was not a proper fit for the area and probably should not have been included in the original Comprehensive Plan.
- According to Hobbs, the subject property was abutting or adjoining existing City limits at the northwest corner.
- City services, explained Hobbs, were, or could be, made available to the subject property.
- **Kehoe** inquired about the grandfathered (non-conforming use status) for animals and questioned how long that approval would be for.
- **Hobbs** explained the legal non-conforming use criteria in order to keep that non-conforming status active, which typically carries with the land, not the owner.
- **Myers** inquired if the RA zoning designation would allow for more livestock than the RS designation.
- **Hobbs** stated the RA zone allowed for large and medium animals and a letter had gone out to the applicant that if the subject property were annexed then the number of animals on the property had been documented and would be allowed to continue.

**Chairman McGrath** proceeded to public testimony.

No public comment forthcoming.

**Keim motioned and Myers seconded to close public hearing. Motion carried.**

**Keim motioned and Kropp seconded to recommend to City Council approval of the Comprehensive Plan Amendment from “Employment Center” to “Low Density Residential” for 4.683 acres located at 1906 S Powerline Road, for Mark and Sheri Murray.  
Motion carried.**

**Keim motioned and Kropp seconded to recommend to City Council annexation and RA (Suburban Residential) zoning for the 4.683 acres located at 1906 S Powerline Rd for Mark and Sheri Murray.  
Motion carried.**

Meeting adjourned at 8:42 p.m.



Norman L Holm, Planning Director  
:sm