

**NAMPA PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
TUESDAY, MAY 24, 2016, 6:30 P.M.**

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

Chairman McGrath called the meeting to order at 6:45p.m.

Announcements: **Staff Engineer Badger** introduced Tom Points, the new City Engineer, who will be the Engineering Division representative at future Planning and Zoning Commission meetings. **City Engineer Points** addressed the Planning Commission and stated he had been with ITD for the past 15 years and was excited to now be the City Engineer for the City of Nampa.

Approval of Minutes. **Rodriguez** motioned and **Myers** seconded to approve the Minutes of the May 10, 2016 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. City Council representative **Haverfield** advised there had been 6 public hearing items before the City Council on May 16: 1) Comprehensive Plan Amendment to Low Density Residential, and Annexation and RA zoning for 1906 S Powerline Rd – approved; 2) Modification of Annexation/Zoning Development Agreement for Shady Grove Subdivision on the west side of Chicago St north of the Elijah Drain – approved; 3) Annexation and Zoning to RS-7 for 2714 E Amity Ave – approved; 4) Annexation and Zoning to RA for 80 N Sugar St – approved; 5) Vacation of the two 5 ft easements common to the lot line between Lots 1 and 2, Bk 3 of Crystal Cove Sub – approved; 6) Extension of the Area of City Impact Boundary and Consideration of swapping part of the current Area of City Impact Boundary with the City of Caldwell – approved with amendments to the areas to be included.

Chairman McGrath proceeded to the business item on the agenda.

Extension of Final Plat approval for Brookdale Estates Subdivision No. 4 in an RS-7 (Single Family Residential – 7000 sq ft minimum lot size) zoning district, north of Birch Lane and east of 11th Ave N. (A 12.85 acre portion of tracts 7 and 8 of Silver Valley Tracts, and the E ½ of the NW ¼ of Section 12 T3N R2W BM – 54 lots on 12.85 acres, 4.2 dwelling units per acre, for Trilogy Development. Request to extend 05/18/2015 approval which expired on 05/18/2016 to 05/18/2017 (SUB 647-15).

Planning Director Holm:

- Holm advised the applicants were requesting approval for the extension of the Final Plat approval from 05/18/2016 to 05/18/2017.
- The Engineering Division, continued Holm, had indicated approval for the extension of final plat, subject to compliance with all previous conditions of approval.
- Holm indicated the location of Brookdale Estates Subdivision No. 4, just west of Kensington Place Subdivision, north of Birch Lane.

- In response to a question from **Rodriguez, Holm** advised the applicants did not have the plat ready for recording at this time and were, therefore, requesting the extension of final plat approval.

Rodriguez motioned and Sellman seconded to recommend to City Council extension of Final Plat approval from 05/18/2016 to 05/15/2017, subject to compliance with all previous conditions of approval.

Motion carried.

Chairman McGrath proceeded to the public hearing items on the agenda at 7:00 p.m.

Annexation and Zoning to RML (Limited Multiple Family Residential) for four-plex development at 1910 Sunny Ridge Rd. (A 1.58 acre or 66,152 sq ft portion of Section 34 T3N R2WSE ¼ N 200.9 ft of W 330 ft of NW ¼ SW ¼ SE ¼) for Gaven J King (ANN 2190-16)

Chairman McGrath proceeded to public hearing.

Andrea King of 1910 Sunny Ridge Rd – representing the applicant:

- Ms King stated the subject property was located across the street from an apartment complex.
- The intent for 1910 Sunny Ridge Rd, added Ms King, was to construct a four-plex development, with some green space, similar to the apartments across the street.
- Ms King reiterated they were seeking annexation into the City with an RML (Limited Multiple Family) zoning designation.
- **Myers** inquired how many four-plex structures were proposed and **Ms King** replied that at the present time it was looking more like 6 four-plex buildings.
- **Ms King** confirmed two story buildings were proposed.

Planning Director Holm:

- Holm indicated the current RML zoning on the property on the west side of Sunny Ridge Rd and stated apartments had been constructed on that property.
- The applicant has indicated, continued Holm, they would be constructing four-plex type buildings on the subject property.
- The subject property, stated Holm, was the division between High Density Residential Comprehensive Plan designation on the west side of Sunny Ridge Rd, and Medium Density Residential on the east side.
- Holm indicated the aerial view of the subject property.
- Holm explained when a property was located at the boundary of the current land use designation, then the property would be allowed to go with either the Medium Density, or the High Density designation could be stretched to include the subject property.
- According to Holm, no comments or correspondence had been received from surrounding property owners or residents.
- Holm noted the existing townhouse type units to the north, and the higher density apartments to the west, as well as duplex type construction on E Maryland to the west.
- Holm reviewed the Staff Report and noted the memorandum from the Engineering Division, with a list of conditions.
- Additionally, stated Holm, a Development Agreement was recommended for development of the subject property with fourplex units.
- **Kehoe** inquired what structures were currently on the property.
- **Ms King** replied there was currently one home on the property, with two storage buildings and a shed.
- In response to a question from **Kehoe**, **Ms King** confirmed all the buildings currently on the property would be removed.

Chairman McGrath proceeded to public testimony.

Nereida Calillo of 1913 Fern St, Nampa – opposed:

- Ms Calillo stated she was opposed to the four-plexes proposed for the property behind her home.

Esmelda Herrera helped interpret for Ms Calillo.

- Ms Herrera stated Ms Calillo had voiced concern regarding the proposed four-plexes because her family had moved right behind the subject property two years ago, to 1913 Fern St.
- At that time, added Ms Herrera, the property was very run down, and since then they had put in beautiful landscaping.
- According to Ms Herrera, Ms Calillo considered the proposed development would have a potential for obstruction the landscaping of their home and the neighbors' homes.
- There were other neighbors in opposition to the requested rezone to RML and proposed four-plex project stated Ms Herrera, however, they could not be at the Planning and Zoning meeting tonight.
- Ms Herrera reiterated Ms Calillo and her family had put a lot of work and investment into their property in order to improve the neighborhood and they were afraid the proposed fourplex development would detract from the single family residential properties and landscaping, as well as take away from the privacy of the residents of Fern St.
- The four-plexes to the north, emphasized Ms Herrera, were single level townhomes that were nicely kept.
- The primary concerns with the proposed four-plex project, added Ms Herrera, would be the impact of all the traffic, and the privacy, on the established homes on Fern St to the east. Only the apartments on the west side of Sunny Ridge Rd, added Ms Herrera, were two story.
- In response to a question from **Kehoe**, **Ms Herrera** stated there were residents currently living at the subject property at 1910 Sunny Ridge Rd.

Mrs King:

- Mrs King indicated some photos: looking west from the subject property, to the apartments across the street; some pictures of the subject property and the adjacent homes to the east; and a view of the subject property from the east.
- Mrs King stated the plans for the subject property were still very conceptual, and indicated a conceptual plan – without a drive aisle going through from Fern St to Sunny Ridge Rd in order to avoid heavy traffic by drive through vehicles to Sunny Ridge Rd.
- The proposal, added Ms King, was to have as much green space and play space as possible for the four-plex project.
- Mrs King suggested they would be courteous to the neighbors, and in order to prevent any privacy issues they would not place windows facing east on the upper stories of the four-plexes.
- Additionally, stated Mrs King, they would try and provide a generous landscape barrier for the neighborhood to the east.
- **Myers** inquired if there were trees at the back of the subject property that could be preserved and **Mrs King** replied they could consider retaining the trees, however, if the canal was tiled the trees may have to be removed. Mrs King added the trees on the property itself were not good and the area would have to be re-landscaped.
- **Mrs King** responded to a question from **Myers** regarding fencing and stated they did not have plans yet but could consider fencing.
- **Rodriguez** inquired if Mrs King could confirm they would not be putting windows on the east side of the second floor of the buildings.
- **Mrs King** stated she could speak to the design of the buildings and confirm they could easily avoid windows on the second floor, on the east side of the buildings.
- In response to a question from **Rodriguez**, **Mrs King** stated the existing house on the property has been gutted and taken down to the framing and added that it had just been a temporary place for them to live.
- The intent, added Mrs King was to remain in the house until the last phase of construction and then the existing house would be demolished.

Myers motioned and Rodriguez seconded to close public hearing. Motion carried.

- **Kehoe** considered the proposed project would be a big improvement on what was currently on the subject property.
- Discussion followed on the fact that elimination of the windows on the second story, and landscaping would be appropriate.

Rodriguez motioned and Myers seconded to recommend to City Council annexation and RML zoning for a 1.58 acre parcel addressed as 1910 Sunny Ridge Rd, in order to facilitate construction/development of a four-plex development, subject to:

- 1. Developer(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 this request (e.g. Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property.**
- 2. The Developer [shall] enter into a Development Agreement with the City of Nampa. The Agreement shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the Developer and agreed to and conditioned by the City through its Council or executive departments or outside agencies properly involved in the review of the Developer’s request for the Property to be zoned RML. Inclusively the Agreement shall contain any/the concept development plans proposed by virtue of this composite application submittal as accepted, or accepted with required changes by the City Council, and shall incorporate standards pertaining to fencing, landscape buffering and trees on the east side of the Property, preclusion of second story windows on the east side of the Project four-plexes proposed to abut existing single-family residences that in turn adjoin Fern Street, and such conditions as levied by City Engineering against the Project.**

Motion carried.

Conditional Use Permit for a Neighborhood Hospital with Ambulance Service in an RP (Residential Professional) zoning district at 1512 12th Ave Rd (NW ¼ Section 34, T3N R2W Kurtz Addition, Tax 00069 in Kurtz Addition, in Yorgason 1st Sub and Section SW 1/4) for Saint Alphonsus Health System, Inc/Brandon McDougald (CUP 2191-16).

Chairman McGrath proceeded to public hearing.

Brandon McDougald, with Kimley Horn, 215 S State St, Ste 400, Salt Lake City, Ut – representing the applicant:

- Mr McDougald stated St Alphonsus Health System was proposing a neighborhood hospital located just west of the existing St Alphonsus hospital at 1512 12th Ave Rd. The new neighborhood hospital would be adjacent to 12th Ave Rd and just north of Constitution Way.
- According to Mr McDougald, the proposal was for a 38,500 sq ft new neighborhood hospital.
- The hospital would be on the main floor, with a medical office building on the second floor.
- The property is located within the RP (Residential Professional) zoning district, stated Mr McDougald, and Conditional Use Permit approval is required for a hospital in that zoning district.
- **Kehoe** inquired about the term “neighborhood hospital” and **Mr McDougald** replied a neighborhood hospital would be a smaller scale 16 bed hospital, and not on the same scale as the hospital currently on the site.
- At the present time, added Mr McDougald the only proposal was for construction of the new building within the existing parking lot, and no structures to be removed.
- It will be a stand-alone facility, stated Mr McDougald, and will be a separate building to the existing facility.
- **Rodriguez** inquired if the requirement for a Traffic Study would indicate an influx of traffic for the new hospital.
- **Mr McDougald** replied the proposed neighborhood hospital would not be a large traffic generator, however, the new facility was right at the cusp of requiring the Traffic Impact Study and so the applicants went ahead and provided the Study.
- Mr McDougald added the Traffic Impact Study was either submitted to the Engineering Division today, or will be submitted this week.
- According to Mr McDougald, the TIS indicated there would be an average of a little over 800 trips per day to the new facility, with the a.m. peak trips around 60 trips per hour and the p.m. trips were around 80 to 85 trips per hour, and therefore, not a significant trip generator.

- All of the access points would be retained, added Mr McDougald, and noted there was a signalized intersection at Iowa Ave and 12th Ave Rd that will remain.
- All of the access points function at an acceptable level, per Nampa City Code, advised Mr McDougald. A restricted right-in, right-out was proposed for the second entrance along 12th Ave Rd, and ITD was the entity that wanted to see the right-in and right-out only.
- In response to a question from **Kehoe, Mr McDougald** reported the new neighborhood hospital would have a 24 hour emergency room.

Planning Director Holm:

- Holm advised that under the Comprehensive Plan the subject property was designated as Public Land Use on the Comprehensive Plan, due to the current use of the hospital on the property.
- Conditional Use Permit approval is a requirement for a hospital in the RP zone, added Holm.
- Holm reported no communications or comments had been received from any surrounding property owners or businesses.
- Holm noted there had been comments regarding it would be beneficial if there were some medical facilities remaining there.
- At the present time, continued Holm, it was unknown how the existing hospital on the property would transition to other uses.
- The proposed hospital would be located in the current front parking area off of 12th Ave Rd and the existing facility also had parking on the east side. Holm stated it was unclear at this time how the overall parking picture for the existing uses would be effected, due to the use of the existing parking area for the new hospital.
- Holm noted it would make sense to continue the hospital function on the subject property.
- Other than the Engineering Division requirements, stated Holm, there were no additional conditions of approval.
- **Rodriguez** noted the comments regarding the water main extension from the Engineering Division.... "to provide better circulation through the site" and inquired if that would be an issue.
- **Badger** advised the Fire Department water flow demands are per building and would not be cumulative over a site or over the City. Badger noted the proposed building would probably be fire-sprinkled and would, therefore have adequate fire flow.

Chairman McGrath proceeded to public testimony.

Joseph Kane, Director of Facilities for St Alphonsus Hospital, 1215 12th Ave Rd, Nampa – in favor of the application but had no further comments.

Myers motioned and Sellman seconded to close public hearing. Motion carried.

- Myers considered the Neighborhood Hospital would be a great benefit to the south side of Nampa.

Myers motioned and Kehoe seconded to approve the Conditional Use Permit for the Neighborhood Hospital with Ambulance Service, in an RP zoning district at 1512 12th Ave Rd for Saint Alphonsus Health System, Inc, subject to:

1. **Traffic Impact Study is required**
 - **Scoping meeting has been held with ITD and Clair Bowman.**
2. **Water main extension from existing on-site system to connect to main in 12th Ave Rd is required to alleviate an existing dead end line, and to provide better circulation through site.**
 - a) **Easement required over water main.**
3. **The Conditional Use Permit is issued for the life of the building as a Neighborhood Hospital.**

Annexation and Zoning to IH (Heavy Industrial) for a Headquarters and Warehousing for fuel, diesel and oil distribution at 0, 9364, 9326, and 0 Cherry Lane. (An approximate 39.152 acre portion of Section 4 T3N R2W SE ¼, Tax 3, Tax 3-A, Tax 15197, and Tax 95440 in SW ¼ SE ¼) for Zane Powell (ANN 2197-16).

Chairman McGrath proceeded to public hearing.

Zane Powell of 2251 N Holmes Ave, Idaho Falls – representing Conrad & Bishoff /Hansen & Hansen, LLP – the applicants:

- Mr Powell stated the applicants had owned the subject properties for some time.
- Currently, added Mr Powell, the fuel business was operated from a warehouse and office facility off of Franklin Rd, and the business has outgrown that facility.
- According to Mr Powell, Conrad & Bishoff own the KJ's Garrity 66 fuel station on Garrity Blvd, and a couple of other KJ's gas stations in the Boise valley, and were now looking to expand.
- The property, added Mr Powell, was in the Nampa Comprehensive Plan as Industrial, and located adjacent to the Railroad facility.
- Mr Powell reiterated the applicants were requesting annexation in order to move forward with the expansion of their business.
- **Chairman McGrath** inquired what type of materials would be stored on site.
- **Mr Powell** responded and advised they would be storing gasoline, diesel, and added some product would be brought in via rail and the warehouse facility would have lubricants, oils, diesel exhaust fluid, antifreeze, windshield washer fluid, etc that come in drums and supplied to the convenience stores.
- In response to a question from **Rodriguez**, **Mr Powell** stated they were requesting the IH zoning due to the fact there would be fluid/liquid items coming in on the rail line. Mr Powell added the Comprehensive Plan designated the eastern parcel as Heavy Industrial and the west parcel was shown as Light Industrial, therefore, it made sense to request the IH zoning for all the parcels involved in the annexation.
- **Myers** inquired if there would be any refining or processing on the subject property and **Mr Powell** confirmed there would be no refining or processing at all.
- **Myers** inquired how large the tanks would be and **Mr Powell** stated they had not decided on the size of the tanks yet. Mr Powell added there would be a mix of 5 to 8, 20,000 gallon tanks and larger. Some of the diesel tanks located in their Idaho Falls facility are 750,000 gallons, which are dug into a pit and placed part way in the ground so would not be as big as the tanks down the road at Amalgamated Sugar.
- Mr Powell added the tanks would be approximately half the height of the sugar tanks, and a million gallon tank was approximately 73 ft in diameter and the sugar tanks are 120 ft to 140 ft in diameter.
- **Rodriguez** inquired if there had been any safety violations in the last 20 years with the Conrad & Bishoff Company. **Mr Powell** stated he was not aware of any violations in that time period, and there had been no infractions with the railroad or their facility out of Idaho Falls.
- According to Mr Powell, the railroad company was very excited and very positive about bringing rail service to the subject property to supply fuel because they had been such a good customer of the railroad.
- Mr Powell reported the Conrad & Bishoff Company had been in the Boise valley approximately 15 years, and have been at the warehouse location on Franklin Rd approximately 10 years.

Planning Director Holm:

- Holm advised the applicants were requesting annexation, and the Comprehensive Plan shows a split designation of Heavy Industrial for the east parcel and Light Industrial for the west parcel.
- Holm indicated the Comprehensive Plan map and noted the subject properties were in the center of a wider industrially designated area.
- Holm considered it would be appropriate to assign Heavy Industrial zoning to the subject properties, as an extension of the Comprehensive Plan designation.
- The proposed use, added Holm, would be a permitted use under the Heavy Industrial zoning designation and would not require Conditional Use Permit approval.
- A Building Permit would be required, stated Holm, for construction of the proposed facilities on site.
- The recommendation, advised Holm, would be for the applicant to enter into a Development Agreement as part of their annexation, in order to address any conditions or issues.
- **Chairman McGrath** inquired how close the proposed fuel facility would be to the new St Luke's hospital to the east, on the east side of N Midland Blvd, south of Cherry Ln.
- **Holm** indicated the hospital on the aerial view, on St Luke's Dr on the east side of N Midland Blvd.
- **Chairman McGrath** inquired if that would be an appropriate distance for the proposed amount of fuel storage.
- Discussion followed regarding the Fire Department requirements for the proposed facility and **Holm** considered the Fire Department would be deeply involved in the permitting process.
- **Kehoe** noted there were homes within a short distance of the subject properties.

Chairman McGrath proceeded to public testimony.

Mr Powell:

- Prior to purchasing the property, reported Mr Powell, they had met with Staff and the comment came back from the Fire Department advising they did not have the water pressure numbers available for Cherry Ln at that time and they assumed the water pressure was adequate, but if not, then the Fire Department would require a dry line fire suppression system to be installed.
- Since that time, stated Mr Powell, it had been determined water pressure was available.
- Additionally, all of the fuel tanks would have a fire suppression foam system that would cover the inside of the tank from the roof down if any fire or flash was detected, and would also coat the inside of the tank walls.
- There was also fire suppression on top of the tank systems, added Mr Powell.
- In response to a question from **Rodriguez**, **Mr Powell** stated the fuel storage facility/tanks were monitored 24 hours per day.
- Mr Powell discussed the check list that would be followed for each rail delivery of fuel and explained the containment system for the tanks making sure that no fuel would get into the soil or the storm water.
- According to Mr Powell, the fuel facility had no additional requirements regarding proximity to the hospital.

Rodriguez motioned and Sellman seconded to close public hearing. Motion carried.

Rodriguez motioned and Sellman seconded to recommend to City Council Annexation and Zoning to IH for headquarters and warehousing for fuel, diesel, and oil distribution at 0, 9364, 9326, and 0 Cherry Lane – approximately 39.152 acres, for Zane Powell, representing Conrad & Bishoff, subject to:

1. **Developer(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 entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property.**
2. **The Developer [shall] enter into a Development Agreement with the City of Nampa. The Agreement shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the Developer and agreed to and conditioned by the City through its Council or executive departments or outside agencies properly involved in the review of the Developer’s request for the Property to be zoned IH. Inclusively, the Agreement shall contain any/the concept development plans proposed by virtue of this composite application submittal as accepted, or accepted with required changes, by the City’s Council.**

Motion carried.

Meeting adjourned at 7:55 p.m.



Norman L Holm, Planning Director

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