

**NAMPA PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
TUESDAY, JUNE 28, 2016, 6:30 P.M.**

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

Chairman McGrath called the meeting to order at 6:48 p.m.

Approval of Minutes. Kropp motioned and Keim seconded to approve the Minutes of the June 14, 2016 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. There were no City Council members present to report on City Council actions.

Chairman McGrath proceeded to the business item on the agenda.

Final Plat Approval for River Meadows Subdivision No. 4 on the west side of S Happy Valley Rd, north of E Locust Lane. (Located in the SE ¼ of Section 1 T2N R2W BM – 52 lots on 13.51 acres, 3.85 lots per acre) for Corey Barton Homes, Inc. (SPF 009-16)

Assistant Planning Director Hobbs:

- Hobbs reviewed the Staff Report for River Meadows Subdivision No. 4.
- Hobbs reviewed the recommended conditions of approval.

Gunstream motioned and Myers seconded to recommend to City Council approval of the Final Plat for River Meadows Subdivision No. 4, on the west side of S Happy Valley Rd, north of E Locust Lane for Kent Brown Planning Services, representing Trilogy Development, subject to:

1. **Compliance with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the City pertaining to River Meadows Subdivision No. 4.**

Specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

- a) **Compliance with the requirement(s) listed in the June 20, 2016 memorandum from the Nampa Engineering Division authored by Daniel Badger.**
- b) **Compliance with the requirement(s) listed in the June 8, 2016 e-mail printout from the Nampa Parks Department authored by Cody Swander (including deeding and dedication to the City of a specified portion of the Project for a pathway).**
2. **The water system for the Project 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 the Fire Department policy or International Fire Code requirements as applicable.**

3. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.
4. Developer/Development shall comply with City of Nampa landscape standards as applicable to the subdivision, to include internal street tree planting and periphery landscape corridor requirements.

Motion carried.

Final Plat Approval for Granite Basin Subdivision No. 4 on the north side of Lone Star Road, north of Granite Basin Subdivision No. 1. (Located within the SE ¼ of Section 20 T3N R2W BM – 25 lots on 6.82 acres, 3.67 lots per acre) for Hubble Homes (SPF 011-16).

Assistant Planning Director Hobbs:

- Hobbs reviewed the Staff Report and recommended conditions of approval.
- The final plat, added Hobbs, was in substantial conformance to adopted Codes.

Rodriguez motioned and Gunstream seconded to recommend to City Council approval of the Final Plat for Granite Basin Subdivision No. 4, on the north side of Lone Star Rd, for Hubble Homes, subject to:

1. Compliance with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for the subdivision as iterated in correspondence on file with the City pertaining to Granite Basin Subdivision.

Specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

- a) Compliance with the requirement(s) listed in the June 20, 2016 memorandum from the Nampa Engineering Division authored by Daniel Badger.
- b) Compliance with the requirement(s) listed in the June 8, 2016 e-mail printout from the Nampa Parks Department authored by Cody Swander (including deeding and dedication the City a specified portion of the Project for a pathway).
2. The water system for the Project 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.
3. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.
4. Developer/Development shall comply with City of Nampa landscape standards as applicable to the subdivision, to include internal street tree planting and periphery landscape corridor requirements.

Motion carried.

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

Subdivision Short Plat Approval for East Florida Subdivision in an RS (Single Family Residential – 6000 sq ft minimum lot size) zoned district at 1616 E Florida Avenue (2 single family residential lots on .72 acres, 2.78 dwelling units per acre – A portion of the NW ¼ Section 35 T3N R2W BM), for Blake Wolf (SPS 003-16).

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

Assistant Planning Director Hobbs:

- The subject property, stated Hobbs, has been in its current configuration for a fairly short period of time.
- Therefore, added Hobbs, in order to divide the property as proposed, the short plat process was required.
- According to Hobbs, the short plat was an expedited process compared to the standard preliminary and final platting process.
- Hobbs reviewed the short plat process.
- Hobbs advised the proposed short plat was in care and keeping with the adopted subdivision and zoning code standards.
- Hobbs reviewed the Staff Report and recommended conditions of approval.

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

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

Gunstream motioned and Keim seconded to recommend to City Council approval for the East Florida Subdivision Short Plat, located at 1616 E Florida Ave, for Blake Wolf, subject to:

1. **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.**
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.

Conditional Use Permit for a Home Occupation Home School for up to 12 children in an RS-6 (Single Family Residential -6000 sq ft minimum lot size) zoning district at 69 S Peppermint Drive. (NE ¼ Section 26 T3N R2W BM, Sugar Manor No. 3 Replat, Lot 16, Block 7), for Michelle Wright (CUP 034-16).

Chairman McGrath proceeded to public hearing.

Michelle Wright of 69 S Peppermint Drive, Nampa – the applicant:

- The idea, stated Ms Wright, was to have children to teach, and considered it would be a school because there would be a kindergarten – and not just a daycare.
- Ms Wright stated the home had already been approved by the Fire Marshall for up to 12 children.
- Ms Wright stated she had been teaching 6 children for a few months, and with approval of the C-U-P would be able to teach up to 12 children.
- In response to a question from **Chairman McGrath**, **Ms Wright** stated she had been a teacher since 2000, previously teaching at Zion Christian School.
- According to Ms Wright, parents had asked if she would teach their children in a kindergarten, and added how much she loved teaching.
- **Keim** inquired the hours of operation and **Ms Wright** stated she would be operating from 8:00 a.m. to 4:30 p.m., with the children arriving and leaving at different times.

Planning Director Holm:

- Holm indicated the aerial view of the subject property.
- According to Holm, the parcel comprised 10,941 sq ft of land.
- The surrounding zoning, added Holm was Single Family Residential, and the proposed Home Occupation school/daycare would be an eligible use in the RS zone with an approved Conditional Use Permit.
- The applicant was the resident of the home, and the property was owned by another party.

- Code Enforcement had no issues or violations with the subject property, reported Holm.
- Holm reported no communications or comments had been received from any neighbors or property owners in the area.
- Holm reviewed the Staff Report and recommended conditions of approval.
- Discussion followed regarding licensing of preschools, daycares and kindergartens.

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

Keim motioned and Sellman seconded to approve the Conditional Use Permit for a Home Occupation Daycare/Home School for up to 12 children in an RS-6 zoning district at 69 S Peppermint Drive for Michelle Wright, subject to:

1. **The operator obtains and maintains licensing with the State of Idaho Department of Health and Welfare.**
2. **The use as a Home Occupation Daycare/Home School does not substantially change the character of the home and shall 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 daycare/home school 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 two (2) sq ft.**
7. **The Conditional Use Permit be granted to Michelle Wright and shall not be transferable to any other operator or location.**

Motion carried.

Comprehensive Plan Map Amendment from Medium Density Residential to Community Mixed Use and Annexation and Zoning to BC (Community Business) at the NE corner of Madison Rd and Ustick Rd. (A 1.52 acre portion of SE ¼ Section 34 T4N R2W, Lots 1-2 , Block 1, Frosty Acres Sub) for Mark L Hess, representing Jerry Hess (CMA 025-16 and ANN-043-16).

Chairman McGrath proceeded to public hearing.

Mark Hess of 519 E Karcher Rd, Nampa – representing the applicant:

- Mr Hess considered the subject lots were much better suited to commercial use rather than residential, due to the fact Ustick Rd on the south side of the property was a very busy road, as well as the nearby new high school.
- According to Mr Hess, the subject lots had been used as a staging point for the improvements along Ustick Rd.
- Mr Hess noted the Purdam Drain cuts across the corner of the lot.
- Additionally, stated Mr Hess, they had spent nearly \$5000 on extending the pipe further on the Purdam Drain.
- Mr Hess suggested that during the next few years the surrounding area would explode in growth, as well as the fact Ustick Rd was a very busy road between Boise and Caldwell, therefore, they could envision a Jacksons or Walgreens going on to the subject property.
- Mr Hess stated his father loved Nampa and wanted to keep jobs in Nampa.

Assistant Planning Director Hobbs:

- Hobbs indicated the Comprehensive Plan Future Land Use map and indicated the Medium Density Residential designation adjacent to the east, and the Community Mixed Use designation further east.
- Hobbs reviewed the criteria for a Comprehensive Plan Amendment.
- Regarding the annexation, Hobbs noted the subject parcels were eligible for consideration for annexation.
- Hobbs reviewed the Staff Report and recommended conditions of approval.

- Hobbs concurred the subject lots were at the intersection of two busy streets.
- Hobbs noted the growth to the north that had occurred.
- **Myers** inquired the location of the new high school and **Hobbs** stated it was located further north on the east side of Madison Rd.
- **Myers** inquired about improvements to the Ustick Rd and Madison Ave intersection.
- **City Engineer Points** stated some improvements had been done in front of the school itself but none to the intersection of Madison Ave and Ustick Rd. It was repaved – but no additional road width, added Points.

Chairman McGrath proceeded to public testimony.

Mark Hess:

- Mr Hess advised when the sewer was put in along Madison Ave, they negotiated with the contractor to put their sewer service in and at that time the sewer line was up-sized to a commercial line.
- Both the water and sewer utilities, added Mr Hess, were already in to the property.
- According to Mr Hess, a developer had purchased the 15 acres to the east of the subject properties but because of the cost of extending the sewer, development of that property would probably not occur soon.
- Mr Hess reiterated the amount of residential growth that would be occurring in the immediate area, and along with the new high school, would generate a lot of commercial interest in the subject lots.

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

- **Rodriguez** stated he did not see a problem with the proposed Comprehensive Plan Amendment and Annexation and Zoning to BC for the two lots at the intersection of Madison Ave and Ustick Rd.

Rodriguez motioned and Keim seconded to recommend to City Council approval for the Comprehensive Plan Map Amendment from Medium Density Residential to Community Mixed Use for Lots 1 and 2, Block 1, Frosty Acres Subdivision, for Mark L Hess, representing Jerry Hess.

Motion carried.

Rodriguez motioned and Kropp seconded to recommend to City Council Annexation and BC zoning for Lots 1 and 2, Frosty Acres Subdivision, for Mark L Hess, representing Jerry Hess, subject to:

1. **Compliance with all City department/division or outside agency requirements pertinent to this matter.**
2. **Compliance with the requirement(s) listed in the June 15, 2016 memorandum from the Nampa Engineering Division authored by Daniel Badger.**

Motion carried.

Rezone from IP (Industrial Park) and BC (Community Business) to IL (Light Industrial) at 415 N Kings Rd. (A 2.18 acre portion of the NE ¼ of Section 23, Plat A, Tax 16156 in Lot 1) for West Valley Construction representing H M Clause, Inc. (ZMA 014-16).

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

Planning Director Holm:

- Holm noted a similar rezone had recently been accomplished for parcels to the west and south.
- Holm indicated an aerial view of the property with frontage on to N Kings Rd, and on to Garrity Blvd via a narrow strip of land.
- The applicants, added Holm, also owned the property adjacent to the west, zoned Light Industrial.
- Holm advised the applicants were seeking to have all the property under the same Light Industrial zoning designation.
- According to Holm, no communication or comments had been received from surrounding property owners or businesses regarding the proposed rezone to IL.

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

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

Gunstream motioned and Miller seconded to recommend to City Council rezone from IP (Industrial Park) and BC (Community Business) to IL (Light Industrial) for 415 N Kings Rd, a 2.18 acre parcel of land, for West Valley Construction, representing H M Clause, Inc, subject to:

- 1. Compliance with all City department/division or outside agency requirements pertinent to this matter.**

Motion carried.

Meeting adjourned at 7:40 p.m.



Norman L. Holm, Planning Director

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