

**NAMPA PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
TUESDAY, OCTOBER 11, 2016, 6:30 P.M.**

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

**Chairman McGrath** called the meeting to order at 6:47 p.m.

**Approval of Minutes.** Keim motioned and Sellman seconded to approve the Minutes of the September 27, 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.

**Subdivision Final Plat approval for Red Hawk Ridge Park Subdivision on the west side of Middleton Road in Section 31 T3N R2W, BM. (A portion of Parcel No. R3208301400 and a portion of Parcel No. R32083014A0). The plat contains 2 common lots on approximately 3.64 acres in RMH (High Density Multi-Family Residential) and BC (Community Business) zoning districts for M3 Companies (SPF-00014-2016).**

**Assistant Planning Director Hobbs:**

- Hobbs noted the proposed development was a parcel of land split by a public right-of-way.
- Hobbs reviewed the Staff Report and recommended conditions of approval.

**Kropp motioned and Rodriguez seconded to recommend to City Council approval of the Final Plat for Red Hawk Ridge Subdivision, for two lots on approximately 3.64 acres, on the west side of S Middleton Rd, for M3 Companies, subject to:**

1. **Compliance with all City department/division or outside agency requirements pertinent to the 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 Red Hawk 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 September 30, 2016 memorandum from the Nampa Engineering Division authored by Daniel Badger.**
2. **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.**

**Motion carried.**

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

**Subdivision Short Plat Approval for Low Angle Subdivision in a proposed RA (Suburban Residential) zoned area on the west side of Star Rd, north of Cherry Ln and south of Ustick Rd, 4 single family residential lots on 7.63 acres, .5 dwelling units per acre – Located in the SW ¼ of the SE ¼ of Section 6 T3N R1W BM) for John Low (SPS-0005-2016)**

**Assistant Planning Director Hobbs:**

- Hobbs noted the short plat process had been initiated through an Ordinance Amendment in 2015.
- The subdivision, added Hobbs, had been found to be in care and keeping with the RA zoning designation requirements. Hobbs added the proposed common driveway extension would be acceptable, with the requirement for the common driveway to be paved.
- Hobbs reviewed the Staff Report and recommended conditions of approval.
- In response to a question from **Kehoe**, **Hobbs** stated the common driveway would be paved for approximately 20 ft within the 50 ft access/egress easement.

**Chairman McGrath** proceeded to public hearing.

**John Low of 4921 Cresthaven Dr, Boise – the applicant:**

- Mr Low stated the plan was to split the property into four lots, build on one lot, and sell the other three.
- The Rezone to RA, added Mr Low, had already been approved by City Council.
- Mr Low explained 7 acres was too much to take care of and a two acre lot would be sufficient.
- According to Mr Low, the four lots to the east of the Low Angle Subdivision had just been purchased and the agreement was that as soon as 3 of the houses on the parcels to the east were built, then everything would be paved all the way through to, and including, Low Angle Subdivision.
- Mr Low inquired why there would be a requirement for 20 ft from the top of bank along Tenmile Creek to be deeded to the City for the future Tenmile Creek Pathway, when the two 5 acre parcels to the east were not required to do so.
- He had spoken to the Nampa Meridian Irrigation District, continued Mr Low, and had been advised there was already a 50 ft easement from the centerline of Ten Mile Creek for Nampa Meridian Irrigation District, and considered he would not be able to deed that to the City.
- Mr Low referred to recommended condition No. 1 in the Staff Report, requiring the water system for the Development shall be completely installed prior to any Building Permits being issued....
- According to Mr Low, they were planning for each parcel having their own water source (individual well), similar to the four parcels to the east.

**Hobbs:**

- Hobbs noted both the Parks Department and the City of Nampa Long Term Planner had requested, as part of the City's pathway extension, the dedication of the necessary ground, 20 ft from top of bank, to facilitate the future pathway going through the property.
- According to Hobbs, that was common practice whenever properties have some portion of their land align with an area designated for a future pathway.
- Hobbs indicated the aerial view of the property and the location of Tenmile Creek, and the 50 ft easement from the center of the channel. Within that 50 ft easement, added Hobbs, would be where the top of bank lies for the deed and dedication of the pathway.
- Hobbs discussed the process by which the City would work with the Irrigation District to obtain the deed and dedication for the land, to get the pathway in place.

**Staff Engineer Badger:**

- Badger advised the City was able to require the deed and dedication of land for the pathway at the time of platting or annexation.
- At the time of annexation, continued Badger, the subject development properties and the four parcels to the east were just one parcel and under the same ownership. At that time, the plan was for one single subdivision with much smaller lots and sewer coming from the west, with the intent to put the pathway along the entire length of the Tenmile drain.
- During the economy downturn, continued Badger, the land had been split into two and went to two separate owners. The Code, stated Badger, allowed the owners to create 5 acre parcels without platting action and

just a Record of Survey. Those four parcels to the east had been created without a plat and therefore there had not been the opportunity to acquire that dedication. At some point in the future, stated Badger, when the pathway goes in adjacent the two parcels to the east, then the City will negotiate with those two property owners for either an easement or fee dedication in order to put the pathway in.

- Regarding the water system, explained Badger, the applicant was correct and City water was not available and therefore, the applicant will not be required to put in fire hydrants and the water system. Badger advised the lot owners will put in individual wells and septic systems.

**Rodriguez:**

- Rodriguez noted Condition No. 1, should be struck from the recommended conditions of approval, regarding the requirement for the installation of the water system to be completely installed prior to any Building Permits being issued.

**Chairman McGrath** proceeded to public testimony.

**Mr Low:**

- Mr Low advised his main concern with the requirement for a pathway was the fact the Tenmile drainage was very deep at that location, and would not be a safe place to be riding bicycles, unless a fence was placed next to the pathway.
- **Chairman McGrath** noted it was common practice for the City to request deeding and dedication of that easement along drainages where the City has plans for pathways in the future.
- In response to a question from **Mr Low**, **Badger** advised the pathway would be on the north side of Tenmile Creek.
- Badger reiterated the pathway would be within the 50 ft easement shown on the plat, and would not be in addition to that easement.

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

**Rodriguez motioned and Kropp seconded to recommend to City Council approval for the Short Plat Subdivision approval for Low Angle Subdivision in a proposed RA zoned area on the west side of Star Rd, north of Cherry Ln and south of Ustick Rd, for four single family residential lots on 7.63 acres, for John Low, subject to:**

1. **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.**
2. **Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council.**
3. **The Applicant shall cause the existing common driveway that provides access to the Property, and, its proposed extension that will provide access to the lots from Star Road be paved in compliance with City standards prior to commencement of construction of any houses upon/within the Property.**
4. **Applicant/Project shall comply with the requirement(s) iterated in the memorandum dated September 30, 2016 from the City's Engineering Division, authored by Daniel Badger.**
5. **Applicant/Project shall comply with the requirement(s) listed in the memorandum dated September 7, 2016, from the City's Engineering Division, GIS section, authored by Craig Tarter.**

**Motion carried.**

**Zoning Map Amendment from RD to BC at 320 11<sup>th</sup> Ave N. (An approximate 26,312 sq ft portion of the NE ¼ Section 2, T3N R2W, Mrs J Posts Subdivision, Lots 8 through 10, and SW 53 ft of Lots 11 and 12, all in Block 104), for Adam Garcia representing Angel Navarrete. (ZMA-0001-2016)**

**Chairman McGrath** proceeded to public hearing.

**Adam Garcia with Houston-Bugatsch Architects, 1307 N 39<sup>th</sup> St, Ste 103, Nampa – representing the applicant:**

- Mr Garcia stated the applicant had requested a change of zoning from residential to commercial.
- The intent, added Mr Garcia, was to demolish the home and build a restaurant and parking area.
- The existing restaurant will be retained, explained Mr Garcia, until construction of the new restaurant, and the existing restaurant will be demolished at that time.
- **Rodriguez** noted the subject property was in the floodplain, and a small portion in the floodway.
- **Mr Garcia** responded, advising they will be getting a survey, and once the buildings are demolished and the asphalt taken out the property level can be raised.

**Planning Director Holm:**

- Holm indicated the subject parcel and noted the property had two zones, BC at the front and RD at the rear of the parcel.
- The existing house, explained Holm, was located within the RD zoned portion of the property.
- Holm advised the Comprehensive Plan Future Land Use Map designation indicated a Community Mixed Use designation, and rezoning to BC would conform to that plan.
- According to Holm, no comments or correspondence concerning the rezone had been received from surrounding property owners or residents.
- Holm considered the rezone to BC would be a logical extension of what was already in the area, but would be in close proximity to some of the residential uses in the neighborhood.
- Holm reviewed the Staff Report and recommended conditions of approval.
- There really was not a need for a Development Agreement with the proposed rezone, suggested Holm.
- In response to a question from **Kehoe, Mr Garcia** stated the property owner intended to keep the motel building and lease it out. Mr Garcia added, with the additional land rezoned to BC, there would be sufficient space for the required parking.
- Discussion followed regarding the address of the subject parcel because the house addressed as 320 11<sup>th</sup> Ave N was located adjacent 4<sup>th</sup> St N.
- **Badger** explained the restaurant would be addressed at the time of Building Permit review.

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

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

**Myers motioned and Rodriguez seconded to recommend to City Council approval of the Zoning Map Amendment from RD to BC at 320 11<sup>th</sup> Ave N, for Adam Garcia representing Angel Navarrete.  
Motion carried.**

**Conditional Use Permit for a Wireless SmartStack Monopole in a DB (Downtown Business) zoning district at 225 1<sup>st</sup> Ave S. (A .183 acre or 7,989 sq ft portion of the NE ¼ Section 2 T3N R2W BM, Pleasant's Addition SE 70 ft of Lots 11 and 12 and ½ Vacated 1<sup>st</sup> Ave S, Block 19 less Highway) for Verizon Wireless (CUP-00045-2016)**

**Chairman McGrath** proceeded to public hearing.

**Jodie Knopp with Verizon Wireless, 10569 W Carolina, Boise – representing the applicant:**

- Verizon Wireless, explained Ms Knopp, was proposing a 35 ft SmartStack monopole, within a 10 ft by 10 ft leased area.
- The SmartStack monopole, added Ms Knopp, will basically be self-contained, with all the associated equipment inside the pole.
- Ms Knopp noted the monopole would be a passive, unoccupied use, and will only generate on average, one trip per month for maintenance. The monthly maintenance visit, stated Ms Knopp, will not impact local streets or traffic.

- The only interaction with surrounding uses, stated Ms Knopp, would be to provide reliable wireless communication services to the customers in the area.
- According to Ms Knopp, the facility would be structurally engineered to meet or exceed local Building Code safety requirements, as well as FCC and FAA requirements.
- Ms Knopp considered the proposed SmartStack monopole would help strengthen Nampa's infrastructure as it will be meeting both the social and economic needs of the residents.
- In response to a question from **Myers, Ms Knopp** stated she did not think Verizon Wireless currently had any SmartStack monopoles installed in Nampa, but they were working towards more.
- Ms Knopp responded to a question from **Kehoe**, and stated she anticipated there would be a mix of the standard monopoles with antennas and the new SmartStack monopole in the future.
- The purpose behind the SmartStack monopole, explained Ms Knopp, was to help relieve overloading of the signal in an area.
- **Keim** stated she had seen similar monopoles with foliage added to look like trees and questioned if the proposed monopole would have foliage.
- **Ms Knopp** advised Verizon did not like to add foliage to the monopoles unless the municipality or jurisdiction required.
- Ms Knopp added Verizon had been adding parking lot lights to SmartStack monopoles to make them look more like a light structure, however, there would be no lighting on the monopole proposed for 225 1<sup>st</sup> Ave S, and noted the subject property was currently a vacant lot.

**Planning Director Holm:**

- Holm indicated the location of the subject property at the northeast corner of Caldwell Blvd/3<sup>rd</sup> St S and Northside Blvd.
- Holm considered the proposed SmartStack monopole would look more like a utility pole.
- Holm reviewed the Staff Report and recommended conditions of approval.
- The Building Permit, added Holm, would be acquired through the Building Department for placement of the structure.
- Holm stated no comments or correspondence had been received from surrounding property owners or businesses.

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

**Rodriguez motioned and Miller seconded to close public hearing. Motion carried.**

**Rodriguez motioned and Sellman seconded to approve the Conditional Use Permit for a Wireless SmartStack Monopole in a DB zoning district at 225 1<sup>st</sup> Ave S, for Verizon Wireless, subject to:**

1. All City Code requirements of the Nampa Planning, Building, Engineering and Fire Departments, as well as applicable State or Federal agencies regarding use of the property for a Wireless SmartStack Monopole shall be satisfied prior to occupancy.
2. The conditional Use Permit shall be issued only for a Wireless SmartStack Monopole.
3. The conditional Use Permit shall be granted to the Applicant permanently, and shall not be transferable to any other operator or location.

**Motion carried.**

Meeting adjourned at 7:43 p.m.



Norman L. Holm, Planning Director

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