

# NAMPA PLANNING & ZONING COMMISSION

## MINUTES OF REGULAR MEETING HELD TUESDAY, FEBRUARY 11, 2020, 6:30 P.M.

Members: Peggy Sellman- Chair  
Steve Kehoe – Vice Chair  
Michaela Franklin  
Matthew Garner  
Adam Hutchings  
Jeff Kirkman  
Bret Miller

Tom Turner  
Ron Van Auker, Jr  
Norm Holm, Director  
Rodney Ashby – Principal Planner  
Kristi Watkins – Senior Planner  
Daniel Badger – City Engineer

Absent:

**Madam Chair Sellman** called the meeting to order at 6:41 P.M.

**Approval of Minutes: Garner motioned, and Hutchings seconded to approve the Minutes of the January 28, 2020 Planning and Zoning Commission meeting. Motion carried.**

**Report on Council Actions. Councilor Haverfield** reported on City Council actions. According to Haverfield there was only one public hearing item on the City Council Agenda for February 3<sup>rd</sup>. Haverfield noted there were four Final Plats for Subdivisions from Planning and Zoning recommended to City Council for approval by the Planning Commission. Public Hearings were authorized, continued Haverfield for five more annexation requests. Three of those were residential and two were for industrial use. Haverfield added City Council would be having a Workshop on February 28<sup>th</sup> to review the Comprehensive Plan Amendments, and then come back to City Council for a final vote on March 2<sup>nd</sup>.

**Madam Chair Sellman** proceeded to the Business Items on the agenda.

### **Business Item No. 1:**

**Subdivision Plat Final Approval for Southern Ridge Subdivision No. 7, south of Southern Ridge No. 5 (Located in the SW ¼ of the SE ¼ of Section 1, T2N, R2W, BM - 50 dwelling units on 12.53 acres for 3.99 dwelling units per gross acre) for Kent Brown representing HDP Southern Ridge Properties LLC (SPF-00120-2019). – ACTION ITEM**

### **Senior Planner Watkins:**

- Watkins stated the Preliminary Plat was approved by the Planning Commission in March of 2014,
- Phases 1 through 5 of the subject subdivision were approved and recorded from 2016 to 2018, and Phase 6 was approved in July of 2019.
- Fifty single family residential lots and 5 common lots are proposed for 12.53 acres.
- The Final Plat, continued Watkins, conforms to the Preliminary Plat layout and the applicable Subdivision and Zoning standards for Nampa.
- Staff feels it would be appropriate for the Planning Commission to recommend approval of the Southern Ridge Subdivision No. 7 to City Council with conditions as listed in the Staff Report.

**Kirkman motioned and Van Auker, Jr seconded to recommend to City Council, approval of the Southern Ridge Subdivision No. 7, on 12.53 acres, for Kent Brown representing HDP Southern Ridge Properties, LLC, subject to:**

1. **Comply 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 the approved Preliminary Plat of/for Southern Ridge Subdivision.

2. Provide revised landscape plans.
3. Submit a Land Use Change application and License Agreement application to Nampa Meridian Irrigation if there is any encroachment into the Elijah Drain easement.
4. The Developer's Surveyor shall address all Final Plan comments prior to City Engineer signature or the plat.
5. Developer's Engineer shall address all Construction Drawing and Drainage Report comments identified in the "Southern Ridge #7, 1<sup>st</sup> Review Letter, letter from the Nampa Engineering Division, dated 01/24/2020 prior to construction drawing approval.
6. The Developer and their Engineer and Contractor shall adhere to the "Construction Duty and Responsibility Policy", Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall also sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
7. Drainage shall be retained on site in accordance with approved plans. Inspection and certification of work shall be by a City of Nampa Engineering Inspector.
8. A Right-of-Way Permit with City of Nampa is required and should be approved 24 hours prior to the start of any work within the E Locust Lane right-of-way.
9. An Erosion Control Permit with City of Nampa is required prior to the start of any earth disturbing activities.
10. 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. Specifically, Note #6: add Lots 1 & 7, Block 25.

Motion carried.

**Business Item No. 2:**

**Request for a Third 1-Year Extension of Preliminary Plat Approval for Silver Star Subdivision in a RS 8.5, RS 12, and RS 18 (Single Family Residential – 8,500 sq ft, 12,000 sq. ft. and 18,000 sq. ft.) zoned area east of Star Rd and south of Ustick Rd (234 Single Family Residential Lots on 85.07 acres, 2.75 dwelling units per acre – A portion of the NW ¼ of Section 5, T3N, R1W, BM) for Engineering Solutions, LLP representing Star Development, Inc. (SPP 014-17 formerly SUB 660-15). Request to extend 10/10/19 approval which expired 2/15/2020 to 2/15/2021. ACTION ITEM.**

**Senior Planner Watkins:**

- The applicants were requesting the third one-year extension request for the Silver Star Subdivision, located east of Star Rd and south of Ustick Rd.
- The Preliminary Plat was approved, along with the annexation and RS-8.5, RS-12 and RS-18 zoning, in April of 2016.
- The first 18-month extension was approved in October of 2017, and the second one-year extension was approved in February 2019.
- Watkins explained the subdivision continues to require an extension because it has been in Plan Review with the Nampa Highway District No. 1 and Nampa Meridian Irrigation District for off-site sewer and water improvements. They have received those approvals now, as well as approval from the City of Nampa for the private sewer lift station.
- Because of the time taken to receive those approvals, Final Plat submittal and ultimately Final Plat recording will not be possible before the expiration date on February 15, 2020.
- **Kehoe** inquired when the applicant expected to submit for Final Plat and **Watkins** advised the Final Plat had not been submitted as yet.
- **Kehoe** questioned if a 6-month extension would be more appropriate.
- **Badger** replied that as well as the subject property, the applicants also annexed the Spring Hollow Ranch Subdivision property at the same time. Those applicants are proceeding with the construction and have jointly worked between the two to relocate the sewer lift station. It was anticipated construction would commence on the Silver Star Subdivision starting this year, with funding jointly between the two developers.

**Garner motioned and Kehoe seconded to grant the one (1) year extension for Preliminary Plat Approval for Silver Star Subdivision, located on Star Rd, south of Ustick Rd, subject to:**

- 1. Extension of Preliminary Plat Approval granted until February 15, 2021.**
- 2. All conditions imposed against the original approval of the Preliminary Plat for Silver Star Subdivision are still in force and effect.**

**Motion carried.**

**Business Item No. 3:**

**Request for Mobile Home Park Exceptions for density, recreation area, and storage area for Gem Mobile Manor at 914 N Midland Blvd. (A 4.78-acre portion of Block 13 Home Subdivision in the SW ¼, Section 16, T3N, R2W, BM) for the addition of 2 lots for a total of 36 lots, for Andrew Boespflug, Managing Member Gem Mobile Manor LLC (MHP 001-20).**

**Principal Planner Ashby:**

- Ashby explained the request had been submitted for exception to the Mobile Home Park Code for density, required recreational area space, and storage area space for the Gem Mobile Manor mobile home park, within an RA (Suburban Residential) zoning district.
- The request, continued Ashby, was to convert two lots from RV and other storage to mobile home lots.
- The Comprehensive Plan Future Land Use Map for the area indicated Medium Density Residential, with an RA (Suburban Residential) zoning district, and surrounded by primarily RS-6 zoning and RD zoning to the east.
- To the north was Comstock Subdivision with duplexes, to the south Home Subdivision mobile home park, zoned RS-6, and to the east Orchard Estates Townhomes, and single-family homes further east.
- To the west were some single-family enclaved properties, and some offices in the BN-PUD zoning district.
- Ashby reviewed the Mobile Home Park regulations and noted the applicants were requesting increased density to the current Code and decreased recreational and storage area.
- The current Code, continued Ashby, allows 6 mobile homes per acre and the applicants were proposing 7.53 mobile homes per acre. The recreational area they indicate zero, however, the mobile home park was a legal non-conforming use and the mobile home park was created prior to the requirement for a recreational area.
- The applicants currently have 5,000 sq ft of storage area and for the proposed 36 lots the Code would require 2,160 sq. ft of storage.
- The applicant has proposed removing all storage areas and maintaining “no recreational area” as existing today, while increasing the density from the existing 7.11 units per acre (currently a legal non-conforming use), to 7.53 mobile homes per acre.
- Ashby indicated the location of the two proposed additional mobile home lots on the northeast and southeast corners of the mobile home park.
- According to the applicant, they surveyed the park residents and the residents do not feel it is necessary to have a recreational area. According to the applicants, the existing storage area was not very well utilized and under market rate, and the applicants stated if they cannot turn them into mobile home lots then they would double the rate for the RV storage rental area.
- The applicants also state, added Ashby, they are increasing affordable housing for the community.
- Ashby explained the current requirements for recreational area and storage area for a new mobile home park.
- In response to a question from **Kehoe**, **Ashby** advised the City does not regulate how mobile home parks manage their storage areas – some will charge, others will be a part of the development.
- **Kehoe** considered there were not enough facts to consider whether the recreational area and RV storage area would be viable.
- **Kirkman** noted the mobile home park had been there a long time before the current Ordinance was in place requiring storage and recreation facilities. Kirkman considered the two additional mobile home in the subject park would help in the need for affordable housing in the City.
- **Van Auker, Jr** concurred there was not a huge demand for storage in the subject mobile home park.

**Van Auker, Jr motioned, and Miller seconded to grant the Exception for Density, for the addition of two (2) lots for a total of 36 lots for Gem Mobile Manor at 914 N Midland Blvd, for Andrew Boespflug, Managing Member Gem Mobile Manor, LLC, subject to:**

1. Conversion of two empty lots shown as Lot 1 and Lot 2 on the attached concept plan, to Mobile Home lots.
2. No common recreational area shall be required.
3. No common RV/Boat/or other equipment storage area shall be required.
4. Maximum Gross Density for the park shall be allowed up to 7.53 Mobile Homes Per Acre but shall not exceed that density.

Motion carried with Franklin, Garner, Hutchings, Kirkman, Miller, Turner and Van Auker, Jr in favor and Kehoe opposed.

Madam Chair Sellman proceeded to the Public Hearing items on the Agenda at 7:05 p.m.

Madam Chair Sellman suggested that due to the number of people present intending to testify regarding the proposed Annexation and IL and IH zoning for 346 acres, that the application should be first on the Agenda, instead of last. The Commission concurred.

**Public Hearing Item No. 1 (No. 5 on the Agenda):**

**Annexation with Zoning to IL (Light Industrial) or IH (Heavy Industrial) for fifteen parcels totaling 346.57 acres in the area located between Cherry Lane on the south, Ustick on the north, Midland Blvd. on the west and Northside Blvd. on the east within Section 4, T3N, R2W, BM, Nampa, Canyon County, Idaho for the City of Nampa on behalf of seven property owners (ANN 143-19). – ACTION ITEM:**

Owner	Parcel #	Address	Acres	Comp Plan	Zoning Request	Short Legal Description
Kinghorn Myrtice Life Estate	R30835010	0 W Ustick Road	38.36	Heavy Industrial	Heavy Industrial	04-3N-2W NE LT 2 E OF RR LS E 1.82 ACRES, LT 3 E OF RR
Johnson Shirley Family Trust	R30836011	0 Northside Blvd	60.2	Heavy Industrial	Heavy Industrial	04-3N-2W NE TX 96099 LS TX 11313 IN N1/2 SE1/4
Tuft Wayne LLC	R3083601	0 Northside Blvd	0.586	Heavy Industrial	Heavy Industrial	04-3N-2W SE TX 04770 & TX 04771 IN NESE
Tuft Wayne LLC	R30837011	0 Northside Blvd	8.77	Heavy Industrial	Heavy Industrial	04-3N-2W NE TX 04256 LS TX 07719 IN SENE
Tuft Wayne LLC	R30836012A	0 Northside Blvd	10.38	Heavy Industrial	Heavy Industrial	04-3N-2W NE N1/2 SE LYING E OF RR & W OF TX 96101
Tuft Wayne LLC	R30837	0 Northside Blvd	18.94	Heavy Industrial	Heavy Industrial	04-3N-2W NE TX 096101 IN S1/2 NE & N1/2 SE
Tuft Wayne LLC	R30836012	0 Northside Blvd	36.44	Heavy Industrial	Heavy Industrial	04-3N-2W NE S1/2 NE & N1/2 SE LYING W OF RR
JAG Investments LTD	R30855	0 Midland Blvd	16.73	Light Industrial	Light Industrial	04-3N-2W SW N 1/2 NESW LYING E OF CENTERLINE OF NOBLE SLOUGH DRAIN
JAG Investments LTD	R30862	17400 Midland Blvd	16.89	Light Industrial	Light Industrial	04-3N-2W SW N 1/2 NWSW LS TX 96729
JAG Investments LTD	R30863	17540 Midland Blvd	79.64	Light Industrial	Light Industrial	04-3N-2W NW S1/2 NW LESS TX 26

Corey Barton	R30837011A	0 Northside Blvd	9.77	Heavy Industrial	Heavy Industrial	04-3N-2W NE TX 07719 IN SENE
Adler Industrial	R30864	9641 Ustick Road	36.86	Heavy Industrial	Heavy Industrial	04-3N-2W NE LTS 2 & 3 LESS TX 19 W OF RR
Brad Miller, Adler Industrial	R30864010	9687 Ustick Road	0.72	Heavy Industrial	Heavy Industrial	04-3N-2W NW TAX 19 IN LOT 3
Brad Miller, Adler Industrial	R30865	9753 Ustick RD	7.28	Heavy Industrial	Heavy Industrial	04-3N-2W NW LT 4 N & E OF NOBLE SLOUGH DRAIN IN NWNW
JRL Properties LP	R30836011A	0 Northside Blvd	5.00	Heavy Industrial	Heavy Industrial	04-3N-2W NE TX 11313 IN SENESE
		<b>Total Acres</b>	<b>346.566</b>			

Madam Chair Sellman proceeded to public hearing.

**Robyn Sellers, Assistant Director, City of Nampa Economic Development:**

- Ms Sellers stated she was representing the property owners that have submitted applications for Annexation into the City of Nampa; and zoning their property for either Light Industrial or Heavy Industrial.
- According to Ms Sellers, the annexations were part of a broader strategy for the economic development of Nampa in the subject area.
- Ms Sellers indicated the area and properties involved in the proposed annexation and industrial zoning.
- Ms Sellers noted those areas already shown as Industrial by Canyon County.
- The dividing line between Nampa City limits and Caldwell, continued Ms Sellers, was located at the northwest corner of N Midland Blvd and Ustick Rd.
- Ms Sellers indicated the land within Nampa City limits, already zoned industrial.
- Amalgamated Sugar, continued Ms Sellers, has been located on W Karcher Rd and Northside Blvd since 1943 and was currently inside Nampa City limits within the Heavy Industrial zoning district.
- Other more recent industrial facilities, reported Ms Sellers, were Go-Go-Squeeze, Materne, Plexus and Heartland RV.
- Ms Sellers stated the subject area was originally established as Industrial land in the 1994 Comprehensive Plan by the City of Nampa. The industrial area then expanded to north of Ustick Rd in 2004.
- In the 2006 Urban Renewal Plan, the area was also identified for industrial use.
- Ms Sellers indicated pictures of some of the industrial businesses in the area, such as Plexus and stated those were the kind of manufacturing that Nampa would like to see in the area.
- According to Ms Sellers, the Nampa Development Corporation, the Urban Renewal Agency, and the Economic Development Department, along with the Mayor, desired to develop the land identified as industrial.
- Ms Sellers noted the subject properties were unique because of the rail service going through the area.
- Additionally, the subject area was in close proximity to two Interstate interchanges.
- Ms Sellers advised the utility services were in close proximity and Idaho Power has stated they have sufficient service in the area.
- The target industries Economic Development would like to see in the area were electronic manufacturing and food processing, similar to Materne or the cheese factory.
- According to Ms Sellers, the tools for developing industrial zones would be Development Agreements and the Conditional Use Permit process that would be required for some uses within the Light Industrial or Heavy Industrial zones.
- The Nampa Development Corporation Commission that oversees urban renewal, paid for the engineering design to bring utilities to the north Nampa industrial area.
- Nampa Economic Development, continued Ms Sellers, coordinated with the property owners to determine if they would like to annex into the City of Nampa and consider zoning their property to industrial.
- There was an overwhelming response from the property owners in the subject area confirming they would like to proceed.

- The requested annexations and industrial zoning applications, stated Ms Sellers, was a proactive effort to provide property ready for development and facilitate a quick development process.
- Ms Sellers added it was also a first step for the Nampa Development Corporation to consider a private-public partnership to move forward with construction of utilities in the subject area.
- **Kirkman** inquired if the subject property owners had indicated they were specific in wanting Heavy or Light Industrial upon annexation, or were they just signifying they were in approval of annexation.
- **Ms Sellers** advised the property owners/annexation applicants just followed the future land use map designation in the current Comprehensive Plan Future Land Use map.
- In response to a question from **Kirkman**, **Ms Sellers** stated that both Materne and Plexus business operations were considered Light Industrial, while Amalgamated Sugar was considered Heavy Industrial.
- **Ms Sellers** responded to a question from **Kehoe** and advised the inquiries they had received were for different manufacturing, not Heavy, but more on the Light Industrial side, for example cold storage.
- **Kirkman** noted if a business wanted a certain location for Light Industrial that had been designated Heavy Industrial, they could go through the rezoning process to request Light Industrial.
- **Ms Sellers** noted the tools for development included Development Agreements, that would include conditions for approval.
- Additionally, the Conditional Use Permit process was available for certain uses within the IL or IH zones.
- **Van Auker, Jr** noted in the table of proposed annexations and zoning for the 346 acres of land, there was an overwhelming large percentage of land that had been designated as Heavy Industrial.
- **Ms Sellers** responded the proposed IH area followed those lands indicated as Heavy Industrial in the current Comprehensive Plan Future Land Use Map.

**Principal Planner Ashby:**

- Ashby addressed some of the questions brought up and noted a lot of the Heavy Industrial uses listed also included many of the Light Industrial uses.
- Ashby agreed the proposed IL and IH zoning followed the Comprehensive Plan Future Land Use Map.
- Although the Legal Notice for the annexations had indicated 16 properties for Annexation and IL or IH zoning, that number was now reduced to 15 properties, as one property was not eligible for annexation.
- Ashby concurred the proposed Annexations and IL and IH zoning were part of the overall broader strategy for economic development of the subject area, to make the properties viable for sale and development.
- Ashby indicated the maps related to the Comprehensive Plan Heavy and Light Industrial designated areas, and the location of the proposed annexations which follow those boundaries.
- According to Ashby, the City Council will consider the Comprehensive Plan revisions, and the recommendation has been for “Industrial”, and not specifically Light or Heavy Industrial. The properties could then be annexed into the City as Light Industrial and still comply with the Comprehensive Plan.
- If the Commission wished, reported Ashby, they could put a condition on the recommendation to City Council that those annexations should be consistent with the adopted Comprehensive Plan.
- Ashby discussed the areas surrounding the subject properties and their current zoning, Comprehensive Plan Future Land Use Map designation, and current land uses.
- Ashby noted the City of Caldwell Comprehensive Plan for the west side of N Midland Blvd, with a strip of Commercial designation on the west side of N Midland Blvd.
- Ashby indicated the location of Costco and St Luke’s Hospital east of N Midland Blvd and south of Cherry Ln, and Amalgamated Sugar Co on Karcher Rd and Northside Blvd in relation to the subject properties.
- Nampa’s 1994 Comprehensive Plan indicated the Nampa Impact Area and the Industrial area.
- In 2004, noted Ashby, Nampa’s Impact Area extended to Ustick Rd and further north, and in 1999 the Impact Area was expanded to Ustick Rd. The future land use was determined to be Light and Heavy Industrial.
- In 2012 the Comprehensive Plan was changed, with the Impact Area staying the same but the boundaries of the Heavy and Light Industrial, with the Heavy Industrial designated areas to follow the rail line. Property owners within the area were involved in the Comprehensive Plan update at that time and requested the Heavy Industrial designation.
- Ashby indicated the residential subdivisions to the west of N Midland Blvd that were actually in the City of Caldwell, to the west of the Commercially designated buffer on N Midland Blvd.

- In 2019 Canyon County approved a cement batch plant at the corner of N Midland Blvd and Ustick Rd, within the City of Nampa Heavy Industrial designation, however, that cement batch plant was not within Nampa City limits, and not adjacent to Nampa City boundaries, but in Canyon County.
- Ashby indicated the Caldwell Comprehensive Plan, and the Commercial buffer on the west side of N Midland Blvd. Ashby stated he had worked with the Caldwell planners to make sure there was a buffer between the different Caldwell and Nampa designations.
- Ashby noted the location of Sage Valley Middle School and the Blackhawk Subdivision, both within the City of Caldwell.
- Northside Estates, reported Ashby, was a nicer single-family residential County subdivision, on the southwest corner of Northside Blvd and Ustick Rd. The subdivision was approved in the County and now the City of Nampa was butting up against those properties.
- No utilities, stated Ashby, were immediately available to the subject properties, and annexation would be the first step to bring utilities to the area.
- According to Ashby, with any properties annexed in, to the centerline of the roadway, would mean the Nampa Police Department would be called out for any accidents occurring along the roadway, meaning an increased demand for services.
- Ashby continued that the types of development proposed for industrial use would not be high demand for police and fire. Ashby stated he had confirmed that to be true with the Nampa Police and Fire Departments.
- Access to the subject properties would be determined at the time of actual development.
- Ashby reiterated the time-line for the Comprehensive Plan Future Land Use Map: 1994 Nampa Future Land Use Map adopted Industrial to Cherry Ln; 1999 the Impact area extended to Ustick Rd; 2002 the Blackhawk Subdivision No. 1 Plat was approved by the City of Caldwell; 2004 the Nampa Impact Area and Future Land Use Map was extended half a mile north of Ustick Rd and adopted by the City of Nampa and Canyon County. The majority of homes in the City of Caldwell Blackhawk Subdivision were built In 2005 and 2006. In 2012 the City of Nampa Comprehensive Plan Future Land Use Map was updated after an extensive public involvement process and no opposition was recorded from any of the subdivisions in the area. In 2019 The Nampa Comprehensive Plan updated after extensive public involvement, with no opposition reported from Caldwell subdivisions. In late 2019 Canyon County approved the Cement Batch Plant at the corner of Ustick Rd and N Midland Blvd.
- Ashby noted the correspondence received from residents come down to the concerns about the conflict between residential and industrial land uses. Ashby advised a lot of laws and requirements had been put in place to prevent the type of old industrial uses that could be really damaging to people.
- Ashby suggested there could be restrictions placed on potentially harmful uses on the subject properties.
- It was unfortunate that Caldwell and Nampa had two opposing ideas on how the land should be developed and now that challenge was evident.
- According to Ashby, Canyon County previously approved subdivisions with a Conditional Use Permit in AG zones, which was challenging because the subdivisions would pop up in the middle of nowhere, or in a place where the City of Nampa was planning for industrial development. As the City expands, those areas have to be dealt with and that was what was happening at the present time.
- The Nampa Building Department had presented no conditions to the proposed annexations, stated Ashby, the Nampa Highway District had no objections, and Nampa Engineering Division had stated a 50 ft of right-of-way from the section line for the main arterials would be required upon annexation.
- COMPASS had also highlighted the consumption of farmland and the need for bicycle and pedestrian improvements. They also pointed out that with industrial development comes jobs and proximity to destinations such as Costco and St Luke's Hospital in the area.
- Pioneer Irrigation District noted several easements in the area and their conditions would also be recommended by the City.
- The proposed annexations, reiterated Ashby, were consistent with the Nampa Comprehensive Plan Future Land Use Map and added Nampa had planned for industrial land use for the general area for many years.
- Industrial development was an important part of a community's mix of land uses, providing jobs, services and tax revenue to offset other land uses.
- Without industrial development in the community, suggested Ashby, the community would not thrive, and there has to be some mix of uses.
- Ashby reported industrial uses typically look for rail access and open spaces, in order to diminish conflict

- The Commission does have the ability to recommend the owners enter into a Development Agreement to prevent some land uses of concern.
- Staff has worked with the City of Caldwell Planner to help identify ways to buffer land uses, including the City of Caldwell revising their Future Land Use Map to create a commercial buffer along N Midland Blvd, and higher density residential to the west.
- A proposed landscape berm on the Nampa side of N Midland Blvd was also something that had been worked on with the City of Caldwell Planner.
- Ashby reviewed the recommended conditions of approval, to include the dedication of 50 ft of right of way from centerline; a berm on the east side of N Midland Blvd that would be 20 ft deep and 3 1/3 ft high to provide a transition between the roadway and the adjacent uses; all easements identified by Pioneer Irrigation shall be protected and noted on all plats; and, all necessary permits shall be obtained for the Noble and Mason Creek Drains.
- In response to a question from **Madam Chair Sellman**, **Ashby** stated by State law, the properties annexed into the City would have to be zoned when they are annexed into the City and the City has to determine whether that would be IL or IH. Ashby continued, that some of the specific land uses under each zoning designation could be restricted.
- **Garner** noted Heavy Industrial would give more flexibility because IH zoned properties could also have IL uses.
- Discussion followed regarding the existing rural subdivisions.
- **Ashby** reported the Comprehensive Plan Future Land Use Map was reviewed by the City every time a development happened in the Impact Area. It comes down to the cities working with each other to create buffers and identify uses, advised Ashby.
- In response to a question from **Kehoe**, **Ashby** stated the City is in favor of industrial development based on the adoption of the 2012 Comprehensive Plan.
- Discussion followed regarding the varied Heavy and Light Industrial uses, and Ashby pointed out some uses may also require a second process for Conditional Use Permit for a particular use and come before the Nampa Planning and Zoning Commission.

**Madam Chair Sellman** proceeded to public testimony.

**Arline and Dana Devlin – 22026 Rio Vista Dr, Caldwell – in favor but did not wish to speak.**

**Dennis Parker of 2916 E Locust Ln, Nampa – in favor**

- Mr Parker spoke in favor of annexation and zoning of the subject properties.
- Since 2017, stated Mr Parker, he had been working with the City.
- The railroad area was a focus area for industrial development for the City of Nampa long before 2017, suggested Mr Parker.
- According to Mr Parker, he had spoken to the Brighton Corporation and another developer, developing residential developments nearby in the Caldwell area, and neither one objected to the plan.
- Mr Parker noted that Light Industrial zoning would give about 20 different options for industry, whereas, Heavy Industrial would be limited to less than half.
- Mr Parker considered there would be a cold storage facility coming into the proposed industrial area, hopefully this year.
- The idea was to bring in industry that supports jobs, such as food processing and warehousing, i.e. rail served industrial projects.
- Mr Parker stated the City of Caldwell had given Nampa very little say into the residential developments to the west.

**Larry Oman – 17793 Quiet Springs Ave, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- Mr Oman considered the City of Nampa was embracing an obsolete plan because the area was growing so fast and changing so rapidly and considered the road infrastructure would not be able to accommodate any kind of industrial uses.
- Ustick Rd has become a major corridor heading west or east and sometimes N Midland and S Midland are backed up ½ to ¾ of a mile.



- There was a high school within a mile, two elementary schools within one half mile, and a middle school within a half mile.
- Mr Oman stated the maps shown did not include about 5 existing City of Caldwell subdivisions already built or in process, within one half to one mile of the proposed industrial annexations.
- Mr Oman considered the area was rapidly morphing into a residential area and had changed from 20 years ago. The train was notorious for blocking traffic and would be blocking N Midland Blvd and Ustick Rd.
- Mr Oman considered there were other areas that would be more appropriate.
- According to Mr Oman, the proposed annexation areas would be better used for office space, medical offices and strip malls.

**Cindy Person – 17754 Polara Way, Nampa – Spoke in opposition. Canyon County subdivision.**

- Ms Person stated she was the president of the Northside Estates Homeowners Association.
- The land comprising Northside Estates, added Ms Person, was zoned residential in the County.
- According to Ms Person, Northside Estates was also within the taxing authority boundary for Nampa Economic Development, and, therefore taxed for the City of Nampa Urban Renewal Fund.
- Heavy Industrial added Ms Person would be right up against the Northside Estates back yard lot lines.
- Ms Person requested the Planning and Zoning Commission recommend denial of the requested annexations and IH and IL zoning for the 346 acres.
- Ms Person suggested the Economic and Community Development and the property owners come back to the Commission with a proposal that would respect the Planning tenets of compatible use and transition zoning.
- Ms Person stated if the Commission does not accept the Northside Estates plan, then include in the recommendation for approval an ironclad stipulation for a minimum 200 ft wide open space along the south and west borders of Northside Estates and adjacent to and surrounding any other residential areas. The open space to be landscaped, irrigated and maintained by the new owners; and any development immediately adjoining the open space as Mixed Use, i.e. offices or other light commercial development.
- Transition to industrial use as development advances to the south from the Mixed Use and Light Commercial.
- Ms Person discussed further the 200 ft minimum open space and considered there would still be ample profit and tax revenue to be realized.

**Gene Hill of 17805 Polara Way, Nampa – Spoke in opposition. Canyon County subdivision.**

- Mr Hill stated his property was also located in the Northside Estates Subdivision.
- According to Mr Hill, he bought the home in 2006, and noted the subdivision had been there since 2004.
- Upon hearing of the proposed IL and IH annexation of 346 acres, continued Mr Hill, it shattered their dreams of a quiet retirement.
- Mr Hill discussed the incompatibility of the existing residential and proposed industrial development and considered their property values would be substantially lower.
- Mr Hill questioned how the current proposal made sense.
- According to Mr Hill he was not against progress or the industrial businesses but was opposed to the industrial area being permitted to build along his and the Northside Estates property lines, with nothing but a chain link fence between.
- The residents of Northside Estates did not want noise, odor or light pollution.

**Mark Xavier of 19421 Bluebell Ct, Nampa – spoke in opposition. Canyon County subdivision.**

- Mr Xavier concurred with the two previous speakers.
- Mr Xavier considered 1994 was 26 years ago when the subject properties were in the middle of nowhere and no one expected the Treasure Valley to really expand in the way that it has.
- In 1994 it would have been a perfect spot for industrial development, but things have changed by 2020.
- The subject properties, added Mr Xavier, had no significance except for the railway.
- Mr Xavier considered there was a lot of difference between Plexus and a cement plant, or slaughter-house.
- The EPA website indicated health concerns with a cement plant, stated Mr Xavier.

**Rick Kuehn 17761 Polara Way – Nampa – Spoke in opposition. Canyon County subdivision**

- Mr Kuehn stated he was a resident of Canyon County and they are afforded fire protection through the Nampa Fire Department, and they were also part of the City of Nampa Urban Renewal District – totaling \$4,196.00 per year.
- Mr Kuehn stated he had 30 years' experience in emergency services and retired from the Boise Fire Department in 2017. For 20 years, added Mr Kuehn he was part of the Hazardous Materials Response Team and was liaison with tank farms, similar to the facility on Cherry Ln on the rail line.
- Mr Kuehn referred to a tank fire in LaMesa Texas where the lid flew off during the fire and flew 600 ft away and hit a news media van. Standards have now changed to maintaining a 1500 ft radius.
- Mr Kuehn also referred to asbestos, commonly used in wallboard and insulation and noted how times and standards change.
- According to Mr Kuehn, if Heavy Industrial and those type of occupancies were placed right next to houses then the residents and the industries would be stuck with those decisions.

**Richard Gibson of 17192 N Midland Blvd – Spoke in opposition. Canyon County Property.**

- Mr Gibson stated he was hoping for clarity on whether the proposed annexations would also pull the adjacent lands into the City limits, thus changing their taxes.
- **Madam Chair Sellman** stated only the properties listed in the application were requesting annexation. The City was not proposing to annex any adjacent properties.
- Mr Gibson stated it was his understanding N Midland Blvd would be widened by 50 ft and considered that would take away ¼ acre of his property and push the road almost to the front doorsteps of his and other properties.
- Mr Gibson suggested the statements about the railway system were based on assumptions that any new industries coming in would need the rail line.
- According to Mr Gibson, he and many of his neighbors had purchased properties in the rural area because that was where they wanted to settle down and he felt they were being pushed out.
- Mr Gibson considered many of the statements tonight were also assumptions regarding what industries would and would not come into the area.
- Mr Gibson added he had retired out of the military after 32 years and wanted to settle down in his home.
- Mr Gibson also noted the proposed business complex to the east of his property had indicated an easement through his property.

**Dan Xavier – of 19421 Bluebell Ct, Nampa – Spoke in opposition. Canyon County subdivision.**

- Mr Xavier stated he had gone to Canyon County to review their next 20-year plan and found that the whole area would be inundated with residential properties.
- According to Mr Xavier he was very opposed to Heavy Industrial in the area because it was unknown exactly what type of industry would be on the property.
- Those residents living north and east of the sugar beet plant, continued Mr Xavier, were reminded of the beet plant most of the time. Those were the fears that a lot of people have, what industries would they be getting, and questioned if it would be appropriate for their community.
- Mr Xavier suggested that the roads Adjacent to N Midland Blvd and Northside Blvd would deteriorate with all the additional traffic and truck use, and who would maintain those roads as they were County roads.

**Nathan Price of 18303 Admiral Way, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- Mr Price cited concerns with the intersection of N Midland Blvd and Ustick Rd as there was at least one accident per week, and that would put a huge strain on Nampa to send resources to those accidents.
- The proposed roundabout for that intersection, continued Mr Price, would be a nightmare for all the tractors and semi-trucks.
- Mr Price referred to the railroad spur north of Cherry Ln which goes to Emmett, Horseshoe Bend and McCall. Mr Price noted the Stop Signs at the railroad crossings had changed to Yield Signs and considered the spur was on its way to being abandoned. If that rail spur was abandoned the land would revert from Union Pacific to the adjacent landowners and businesses would not come if there was only an abandoned rail spur.

- According to Mr Price, every time Amalgamated Sugar moves rail cars around then Northside Blvd, Cherry Ln and Ustick Rd get blocked, and then the truck traffic and industrial traffic would have to wait for the rail cars to move.
- Mr Price stated Canyon County or the City of Caldwell should have done due diligence and informed the residents in the area about the concrete batch plant.

**George Haynes of 9890 Rosebud Dr, Nampa – Spoke in opposition. Canyon County subdivision.**

- Mr Haynes stated when he moved to the area in 2004, they were told the train would only be seen once a month, however, the train was still traveling through frequently, and with only Yield Signs and no Stop Signs, those crossings were more dangerous.
- Mr Haynes also voiced concern about the repair of Northside Blvd and how the roads would deteriorate even more with the increased trucks and traffic
- Mr Haynes reiterated his opposition to industrial use in an agricultural area.

**Zephyr Thuldandin 10778 Dragonfly Dr, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- Mr Thuldandin stated he moved there in 2018 but since then the majority of the farmland around them had turned into City of Caldwell residential areas.
- Mr Thuldandin voiced concern with the limited ability to buy land for farming.

**Shari Gomez of 18402 Viceroy Pl, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- Ms Gomez noted that although her property had a Nampa address it was a City of Caldwell Subdivision, and the City of Caldwell provided the services to the subdivision.
- Ms Gomez noted the surrounding residential neighborhood and the close proximity to the schools.
- According to Ms Gomez, there would be roundabouts constructed at the intersections at N Midland Blvd and Ustick Rd, and N Middleton Rd and Ustick Rd.
- Ms Gomez questioned the safety for the children attending the local schools and the busy roads.
- Ms Gomez questioned the difference between the Heavy Industrial uses and the Light Industrial uses.
- Residential neighborhoods and small businesses were what she would like to see on the subject properties, stated Ms Gomez.

**Ryan Johnson of 10662 Pipevine Dr, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- Mr Johnson suggested the overwhelming argument by the applicants had been that nothing had changed. However, everything had changed, and the map before the Commission was outdated. There were at least three different subdivisions (in City of Caldwell) that were not shown and noted the nearby areas that had already been approved for homes.
- There was a need for more single-family homes, added Mr Johnson, and more apartments, and considered light commercial uses would not mix with the any type of industrial uses.

**Aaron Hassamer of 10350 Colorful Dr, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- Mr Hassamer also believed the map of proposed IL and IH annexations to be outdated.
- According to Mr Hassamer there were also additional schools that were not shown on the map.
- Mr Hassamer suggested if the residential developers in the area had been fully informed of the proposed IL and IH annexations they would probably have been opposed because it would negatively affect their residential subdivisions.
- Mr Hassamer noted many residents of the area were not aware of the proposed IL and IH annexations.

**Nancy Smith of 17421 N Midsummers Ln, Nampa – Spoke in opposition. City of Nampa subdivision.**

- Ms Smith stated she lived to the east of the proposed IL and IL annexations.
- Vallivue School District, reported Ms Smith, would be building another elementary school in the area sometime.

- Ms Smith noted all the existing schools in the area.
- According to Ms Smith, the smell was so strong from Amalgamated Sugar it makes the students and the teachers sick when combined with the smoke in the area.
- If the annexation and industrial uses were to be approved, continued Ms Smith, would there be some way to restrict the sounds and the smells coming from those industries so the neighborhoods would have no worse exposure than at present.

**James Ford of 1825 N Cassia St, Nampa – Spoke in opposition. City of Nampa property.**

- Mr Ford stated he had been in Nampa for more than 29 years, and his concern was for people.
- Industry was a good thing to have, but in a different situation where you do not have residential next to the industrial land.
- The industrial development would present a problem with pollution from sound and smell. The roads, such as Ustick Rd and N Midland Rd were not wide enough for industry.

**Torrey Bird of 17787 Polara Way, Nampa – Spoke in opposition. Canyon County subdivision.**

- Mr Bird stated he respectfully requested the Planning Commission to do away with the requested annexations and IL and IH zoning.
- Mr Bird noted the railway had been there since 1945 when Amalgamated Sugar Factory was built and questioned why all of a sudden it was so important.
- According to Mr Ford, there was no highway infrastructure to deal with any of the industrial growth and considered trucks were doing more of the transporting than the railroad.
- Mr Bird considered there was no way to make Northside Blvd wider at Amalgamated Sugar Co because the tanks were on one side of the road and the building on the other.
- Mr Bird reiterated the number of new schools and subdivisions in the area, and considered the railroad was not that important and should not be the main drive for the industrial development.

**Eileen Mickelson of 9502 Ustick Rd, Nampa – Spoke in opposition. Canyon County property.**

- Ms Mickelson stated her 2.2 acres was on the northeast corner of Ustick Rd and the railroad.
- According to Ms Mickelson, her home was 104 years old.
- Ms Mickelson stated they were told the railway did not get used, but that was untrue, it gets used often and wakes them up every night.
- Ms Mickelson stated it was now difficult to get out of her driveway because the stop signs were taken down and the yield signs put up for the railroad.
- She was not notified about the concrete batch plant, added Ms Mickelson, and she could see it from her front yard.
- Ms Mickelson voiced concern that many other people may not be notified about applications for heavier industrial uses on the subject properties and would not know to attend the meetings.
- Ms Mickelson requested the Planning Commission take into consideration how the annexation and IL and IH industrial zoning would impact all the existing residents and the investments they have already made in their property.

**Robert Mickelson of 9502 Ustick Rd Nampa – Spoke in opposition. Canyon County property.**

- Mr Mickelson stated he and Eileen Mickelson also own 9514 Ustick Rd, 17040 N Tanner Pl, 17028 N Tanner Pl, 17029 Lyonsdale, and 512 N Kings Rd, Nampa, six properties in the City of Nampa and Canyon County and have contributed to the City and do not feel the requested annexations and IL and IH zoning should pass.
- According to Mr Mickelson, residential properties would be more beneficial than Heavy Industrial.
- Too many properties, continued Mr Mickelson, were being wrapped up into the 346-acre IL and IH industrial annexations. If the subject properties used the railroad, then it would cause havoc on traffic.
- Mr Mickelson concurred with previous comments and stated the industrial annexations should not incorporate the proposed properties.

**David Cross of 18717 Smiley Creek Ave, Nampa – Spoke in opposition. City of Caldwell subdivision.**

- According to Mr Cross, the surrounding community rejects the idea of industrial annexations.

- Mr Cross voiced concern with the concrete batch plant and that was why a lot of people were concerned about additional industrial development.
- Mr Cross asked the Commission to reject the Light and Heavy Industrial annexations.

**Shantel Walker of 10642 Hackberry St, Nampa – Spoke in Opposition. City of Caldwell subdivision.**

- Ms Walker reported there were currently four schools and soon to be five schools within a mile radius of the proposed Heavy Industrial zoned area. Ms Walker detailed medical issues within her family due to Heavy Industrial uses.
- Ms Walker requested the children in the area should be taken into consideration in regard to the environment and the pollution that Heavy Industrial would bring.

**Rickey York of 18937 Lone Pine Ave, Nampa – Spoke in Opposition. City of Caldwell subdivision.**

- Mr York stated he was fairly new to the area, but since then 3 or 4 housing developments have come in.
- Mr York voiced concern with the fact there were too many people for the doctors and hospitals to currently handle.
- The emergency services were already impacted.
- Mr York noted he lived at his previous residence for 30 years on a small road and then warehouses went in with truck traffic all day and night, and then he moved to his current residence.

**Brent Luusli of 18368 Harvester Ave – Spoke in Opposition. City of Caldwell subdivision.**

- Mr Luusli stated he moved into his home thinking he lived in Nampa, but he did not, it was a Caldwell Subdivision.
- According to Mr Luusli, when there was a nearby fire, there was no response because they did not know which fire department. Mr Luusli suggested that would be the same with the proposed IH and IL industrial annexations.
- Mr Luusli suggested the railroad would be coming to an end, and trucks were now used for transporting the beets.
- According to Mr Luusli, the public hearing signs did not have any flyers left.
- Mr Luusli reported he had gone to Canyon County, Caldwell and Nampa about the concrete batch plant and added all entities were involved.

**David Dransfield of 8180 E Shallon Dr, Nampa – Spoke in opposition. City of Nampa subdivision.**

- Mr Dransfield stated he worked for Boise Mobile Equipment, a facility that manufactured fire trucks, in the middle of the tank farms in Boise. One of the main reasons they moved there was because there was a spur off the railroad, but they did not actually use that rail spur.
- Mr Dransfield considered the kind of companies that would use the railroad were the kinds of companies we would not want in the area.

**Paul Foley of 17774 N Newdale Ave, Nampa – Spoke in opposition. City of Nampa subdivision.**

- Mr Foley stated he was attending the meeting to obtain more clarity on what was proposed.
- Mr Foley considered it to be very frightening when there were no further definitions on what was proposed for the IL and IH industrial properties less than a half a mile from his home.
- Plexus, added Mr Foley, was a very nice Light Industrial facility.
- According to Mr Foley, he and his wife had come to Nampa for their forever home and a nice life.

**Deborah Parnham of 17810 N Newdale Ave, Nampa – Spoke in Opposition. City of Nampa subdivision.**

- According to Ms Parnham she moved here 2 ½ years ago from Phoenix, Arizona because she had a lung disease, and her home on Newdale Rd was supposed to be her forever retirement home.
- Ms Parnham stated she was very concerned about the impact of the proposed industrial uses on her health and did not know if she could afford to move again.
- Ms Parnham concurred with previous comments regarding the local children.

**Pat Brook of 9359 Ustick Rd, Nampa – Spoke in Opposition. Canyon County property.**

- Mr Brook stated he was surrounded on three sides by the proposed Heavy Industrial zoning properties.

- According to Mr Brook, if he had known the annexations and IL and IH zoning would take place he would not have bought his property because he bought it as an investment and his future.

**Mike Silva of 19438 Bluebell Ct, Nampa – Spoke in opposition. Canyon County subdivision.**

- Mr Silva stated the current land uses in the area were much different to what they were in 1994 and 2000. Decisions were made to approve homes, hospitals and stores in the area, and when he moved here 3 years ago it appeared the area was developing into more of a community for housing and schools.

**Margaret Rule of 17777 Polara Way, Nampa – Spoke in Opposition. Canyon County subdivision.**

- Ms Rule stated she was a former teacher and referred to the schools and children in the area that would be impacted by the inversions and additional industrial uses.
- Ms Rule added the right decision has to be made because it would not be possible to go back and fix the problem later.
- Ms Rule also advised she and neighboring properties have well water and she voiced concern regarding the impact on the water from the industrial uses.

**Bryan Lovell of 7351 Bay Meadows Dr – Spoke in Opposition. City of Nampa subdivision.**

- Mr Lovell stated although he was not a neighboring property owner, he did have concerns regarding the impact on the pollution in the air from the proposed industrial uses that would also impact people further away from those uses.
- Mr Lovell suggested it would be better to start with more restricted uses and if someone wanted to apply for a heavy industrial use they could apply, and a decision made at that time.

**Steve Miller of 17829 Polara Way, Nampa - Spoke as undecided with concerns. Canyon County subdivision.**

- Mr Miller stated he was trying to be very open minded about the proposed IL and IL annexations.
- According to Mr Miller, the back of his property would be adjacent to the proposed Heavy Industrial zone.
- Mr Miller agreed that jobs and places to work were needed.
- All the neighbors, continued Mr Miller, had made very valid points.
- Also, added Mr Miller, the proposed annexations and IL and IH zoning seemed very rushed and although contact had been made with the City of Caldwell regarding berms, and buffer zoning, yet there had been no consideration given to the residents of the County, or the surrounding property owners.
- Mr Miller stated his subdivision would have been approved prior to the amendment of the Nampa Comprehensive Plan to extend the Impact Area/Heavy and Light Industrial.

**David Broome of 17400 N Midland Blvd – Spoke as undecided with concerns. Canyon County property.**

- Mr Broome indicated the location of his property on the east side of N Midland Blvd and considered he would be impacted more than anyone because he owned 550 ft+ of right-of-way on N Midland Blvd, and that road would take 13 ft of his property.
- To the north side of his property, continued Mr Broome was the proposed extension of Laster St to the east.
- Mr Broome noted the 86 Yield signs at the railroad crossings instead of Stop signs, because they were considered to be safer than Stop signs.
- The Spur Line, added Mr Broome, served the chemical plant and the concrete plant.
- The subject properties were valuable for the proposed IL and IH annexations. The farmers had spent 30 or 40 years growing their crops and the land was their investment and they should be able to sell their property and do what they want with it.
- Mr Broome stated he did not care what was built behind him because it was their property.
- According to Mr Broome, J.A.G. Investments bought the 147 acres north and east of his property 15 years ago and have the right to build what they want.
- Mr Broome considered they would not be building slaughter-houses or smoke-stack industry, they will build industrial business that people want to go to. The rail line will bring businesses that want the rail.
- Mr Broome noted other businesses that had built near the rail line.
- Mr Broome stated the City does not build roads, but the developers and contractors construct the roads.
- Mr Broome inquired if he would be forced to annex into the City if adjacent lands were annexed and **Madam Chair Sellman** advised Mr Broome would not be forced to annex.

- The new industrial businesses would be good neighbors suggested **Mr Broome**.

**The following people signed up to indicate their stand on the proposed IH and IL annexations.**

- Michele Fristad of 8195 E Selway Ct, Nampa – Opposed – but did not wish to speak. City of Nampa Sub.
- James Fristad – 8195 E Selway Ct, Nampa – Undecided – but did not wish to speak. City of Nampa Sub.
- Kathy Oman – 17793 Quiet Springs Ave, Nampa – Opposed but did not wish to speak. City of Caldwell Sub
- Tiffany Kuehn of 17761 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Jenneth Castillo of 16709 Woodduck St, Nampa – Opposed but did not wish to speak. City of Nampa Sub.
- Tamara Gibson – 17192 N Midland Blvd – Opposed but did not wish to speak. Canyon County property.
- George Guerrero of 10563 Avalon St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Edgar Nunez of 8478 E Rathdrum Dr, Nampa - Opposed but did not wish to speak. City of Nampa Sub.
- Richard Long of 17887 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Patrick Callahan of 19315 Flora Rd, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Leah Lopor of 17923 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Victor Gomez of 18402 Viceroy Pl, Nampa - Opposed but did not wish to speak. City of Caldwell Sub.
- Lisa Peterson of 9921 Rosebud Dr, Nampa – Opposed, but did not wish to speak. Canyon County Sub.
- Eric Peterson of 9921 Rosebud Dr, Nampa – Opposed but did not wish to speak. Canyon County Sub
- Barbara Xavier of 19421 Bluebell Ct, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Barbara Xavier of 19421 Bluebell Ct, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Christina Butterfield, 18200 Harvester Ave, Nampa – Opposed, did not wish to speak. City of Caldwell Sub
- Krista Owens of 18576 Matterhorn Ave, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Tyson Walker of 10642 Hackberry St, Nampa – Opposed – but did not wish to speak. City of Caldwell Sub.
- Amy Miller of 10555 Hackberry Ct, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Benito Urizar of 17093 N Midsummers Ln, Nampa – Opposed but did not wish to speak. City of Nampa Sub
- Kristine Hymas of 10560 Copper St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Rickey York of 18937 Lone Pine Ave, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Katherine York of 18937 Lone Pine Ave, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Cheryl Bird of 17787 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub
- Flor Nunez of 8478 E Rathdrum Dr, Nampa – Opposed but did not wish to speak. City of Nampa Sub.
- Donald Wilson of 10298 Ryan Peak Dr, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Jami Wilson of 10298 Ryan Peak Dr, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Andrei Sandor of 8417 E Rathdrum Dr, Nampa – Opposed but did not wish to speak. City of Nampa Sub.
- Amanda Bonilla of 10575 Avalon St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Stanley Bonilla of 10575 Avalon St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- George Guerrero of 10563 Avalon St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Julie Butler of 10384 McKinley St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Julie Butler of 10384 McKinley St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub
- Mona Allen of 18611 Emerald Lake Ave, Nampa – Opposed but did not wish to speak. City of Caldwell Sub
- Cindy Patterson of 9173 Ustick Rd, Nampa – Opposed but did not wish to speak. Canyon County property.
- Richard Feiling of 17910 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Amy Feiling of 17910 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- KayLynn Hinkle of 17780 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Riley Castillo of 16709 Woodduck St, Nampa – opposed but did not wish to speak. City of Nampa Sub.
- Curtis Hinkle of 17780 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Wade Glen of 17982 Polara Way – Opposed but did not wish to speak. Canyon County Sub.
- Carolyn Glen of 17982 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- David Schmidt of 17961 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Kim Sawyer of 17774 N Newdale, Nampa – Opposed but did not wish to speak. City of Nampa Sub.

- Claire Free of 18674 Smiley Peak Ave, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Christine Gilbert of 17873 Mud Springs Ave, Nama – Opposed to High Industrial but did not wish to speak. City of Caldwell Sub.
- Janice Ford of 1825 N Cassia St, Nampa – Opposed but did not wish to speak. City of Nampa parcel.
- Clayne Klinginsmith, 17866 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub
- Savannah Klinginsmith, 17866 Polara Way, Nampa – Opposed, did not wish to speak. Canyon County Sub
- Wayne Nicholson of 18574 Emerald Lake Ave, Nampa – Opposed but did not wish to speak. Caldwell Sub.
- Nichole Nicholson of 18574 Emerald Lake Ave, Nampa – Opposed but did not wish to speak. Caldwell Sub.
- Marie King of 10289 Baker Lake St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Dave King of 10289 Baker Lake St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- David Paull of 10305 Iron Bag St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Kathy Paul of 10305 Iron Bag St, Nampa – Opposed but did not wish to speak. City of Caldwell Sub.
- Cynthia Schmidt of 17961 Polara Way, Nampa – Opposed but did not wish to speak. Canyon County Sub.
- Melodee Barrus, 18189 Northside Blvd, Nampa – Opposed, did not wish to speak. Canyon County parcel.
- Candy Urizar of 8454 Rathdrum Dr, Nampa – Opposed but did not wish to speak. City of Nampa Sub.
- Jean Urizar of 17093 N Midsummers Ln, Nampa, opposed but did not wish to speak. City of Nampa Sub.

**Robyn Sellers:**

- Ms Sellers discussed possible industrial uses for the subject properties from an Economic Development perspective.
- Ms Sellers reiterated the timeline for the Nampa Comprehensive Plan Future Land Use Map and Impact Area with the industrial designations, beginning in 1994, again in 2004 and again in 2012.
- According to Ms Sellers, the subject properties formed the only parcel in Nampa of that size and available for industrial use that could be turned around to use for business needs, increase the tax revenue base, and create jobs.
- According to Ms Sellers, developers do have to pay for development in the City.
- The available options could be Development Agreements to make developments reasonable.
- Ms Sellers reiterated the Economic Development Department did want to bring in electronic manufacturing and food processing to Nampa.
- Manufacturers, continued Ms Sellers would need to abide by the Clean Air Act.
- **Madam Chair Sellman** inquired if the applicants would be willing to annex into the City under Light Industrial only. Ms Sellers replied the applicants would be willing to consider that option, but it would be necessary to go back to them and obtain that change in writing and be ready for the City Council meeting.

**City Engineer Badger:**

- Badger responded to some of the issues raised during the public hearing.
- One of the things the Engineering Division looks at when working with Economic Development regarding prospective users to come to the subject areas, was to look at the water and sewer demands, and would the City be able to handle those.
- According to Badger, the City has adequate water rights and well networks, however, there would need to be distribution improvements, i.e. lines run through the area for both the distribution of the water and collection of any waste-water.
- Design work was already being completed, added Badger, funded by the Nampa Development Corporation to design the sewer system going into the subject area which would give adequate capacity to handle the proposed users.
- If for some reason a business/industry needed more capacity than Nampa had they would be responsible for funding the improvements necessary to provide their needs.
- Water rights already in the area would have to be preserved, noted Badger.



- Badger stated concerns were also raised about the roundabout and the ability of tractor and truck traffic from the industrial users using that roundabout. Badger reported when the roundabout was constructed near the cheese factory the same concerns were raised, however, there were no concerns from the trucks from the cheese factory using the roundabout once it was in place. The roundabout actually functions very well for the truck traffic advised Badger.
- Regarding the possible contamination of the water canals, the City policy was such that the industrial businesses would have to abide by, and the City would enforce, retention of any storm water on site in retention basins and treated per the City's requirements, so there would be no connection to any canal system or drains in those areas.
- The question regarding the rights-of-way and improvements required along the roadways, where there was a specific user they would be required to do a Traffic Impact Study to identify what their traffic generation is, what the impact to the roadway network would be and what mitigations they would have to fund in order to not reduce the level service of those intersections. The Traffic Impact Studies were triggered by a Conditional Use Permit application, or at the time of Building Permit or Subdivision Plat application.
- The applicants would be required to mitigate their impacts, in addition to paying Traffic Impact Fees that help fund projects and alleviate traffic issues throughout the City.
- Badger addressed the reason for the Yield signs in place of Stop signs on the rail line was due to the change in Federal guidelines by the Federal Highway Administration, with the default traffic signage at an at grade rail crossing would be a Yield sign in place of a Stop sign. Those signage changes were accomplished by ITD who have governance over all rail crossings within the State.
- Badger referred to the discussion regarding the trains blocking the roads and noted that does happen, and if it were to be a consistent and ongoing problem then the Public Works Department can be notified and contact can be made with the railroad. Badger added there had been no complaints received in the last 10 years regarding the subject rail spur.
- Badger addressed the issue regarding the ability of Northside Blvd to be widened because of the tanks on one side and the building on the other. According to Badger a grant had been awarded from the Transportation Department for improvements to Northside Blvd that was currently under design and the City was working with Amalgamated Sugar Factory on the design of how to get the needed lanes through there. Badger reiterated there was adequate room for improvement there and they were currently under design.
- Badger addressed the recently constructed cement plant and underscored the fact it was a concrete batch plant and not a plant making cement. Additionally, they would still have to meet all the EPA and DEQ standards for air quality.
- The right-of-way dedication required from the property owner upon annexation of the property, added Badger, was for right-of-way necessary for future road widening. If the property was annexed into the City but no construction or improvements occurred on the property, the right of way would still be available to the City and would not have to be purchased.
- For adjacent properties, continued Badger, if improvements were necessitated based on development there, then the City would work with the developers precipitating that need to negotiate with those adjacent property owners to purchase that right-of-way but would not automatically improve in front of those adjacent properties.
- According to Badger, the City's Transportation Master Plans do call for five lane facilities on Cherry Ln, Midland Blvd, Northside Blvd and Ustick Rd, and at some point, in the future those improvements would need to be done. Badger added that was not in the current plans and would depend on what industries go into the subject area, and what improvements would be necessary.
- Badger discussed the extension of Ten Ln and Laster St. Ten Ln, added Badger was a mid-mile collector, as is Laster St. The anticipation, continued Badger, would be that they would continue, however, the configuration would be dependent upon the development happening there but generally the City tries to keep them on the quarter or half mile section lines.

- **Garner** inquired about the current zoning for the land in the County and how long it had been zoned that way.
- **Ashby** responded those lands in the County would have been zoned Agricultural from the beginning.

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

- **Madam Chair Sellman** stated that after listening to all the testimony she did not see how Heavy Industrial would fit in the subject area, but she would be agreeable to Light Industrial.
- **Kehoe** stated he was also not in favor of Heavy Industrial zoning in the subject area. Kehoe advised he had been on the Comprehensive Plan Committee years ago and it was a lot different then and did not think it was dependent upon the railroad, as a spur could be built to get there.
- **Ashby** indicated the list of approved uses in the Heavy Industrial and Light Industrial zones, as well as the uses that would require a Conditional Use Permit in those zones.
- **Kirkman** considered most of the testimony received during the meeting had been focused more on Heavy Industrial types of uses, and the uses that would require a public hearing for approval of a Conditional Use Permit in the Heavy Industrial zone. Kirkman considered there would be some building on the subject lands because of the railroad spur, and added he would love to see another Plexus, or that type of Light Industrial research facility.
- **Van Auker, Jr** stated a large part of his career, up until recently, had been centered around primarily Light Industrial and some Heavy Industrial businesses. His company, continued Van Auker, Jr, had built to the south of the subject properties.
- According to Van Auker, Jr, there were users than Amalgamated Sugar, that use the railroad, and noted some of the companies and the products that were brought in by rail, including sheet rock and building materials.
- PepsiCo added Van Auker, Jr, uses the rail spur and noted it was installed for them 10 to 15 years ago.
- Van Auker, Jr stated he was now out of the development business as the company had been sold last year and he had reengaged his passion for giving back to the community.
- Van Auker, Jr emphasized the subject properties were in the one last area where there was an opportunity to attract businesses to come to the Nampa community and provide jobs for all the people that live in the area, so they don't have to travel to other cities to work.
- The industries that need a rail spur, continued Van Auker, Jr, were food processing, cold storage, and manufacturing.
- The companies that move to Nampa and develop businesses, added Van Auker, Jr, would be paying Impact Fees on their Building Permits, that would fund the transportation infrastructure that Nampa desperately needs.
- According to Van Auker, Jr, the Economic Development Department had been at a big disadvantage over the last 10 years in Nampa because there was such a limited amount of entitled ground ready to go in the City. Opportunities have been missed that would have been great fits for the area because the land was not annexed or zoned, and a company could not say they wanted to buy 40 acres and get going immediately.
- Doing the work ahead of time to get industrial properties ready would pay big benefits in the future for the City of Nampa and the entire community, bringing more people in to bring more jobs, more people to attend CWI or NNU and learn trades that would enable them to stay in the community and work.

**Principal Planner Ashby:**

- **Kirkman** noted comments regarding the Legal Notice to the public had been brought up during the meeting.
- **Ashby** explained the City follows State Code requiring property owners located within 300 ft of the subject application property be notified, via a copy of the Legal Notice, of the upcoming Planning and Zoning Commission or City Council meeting applications and developments.
- The Legal Notices, added Ashby, also go in the Idaho Press Newspaper, to advise of upcoming meetings and applications before the Planning and Zoning Commission and City Council.
- Ashby noted the signage located on each property announcing the public hearings were now placed on a 40 inch x 40 inch sign, and over 12 signs were posted on the subject properties. Ashby suggested the turnout at tonight's meeting was an indication that people were aware of the public hearing regarding the annexations for IL and IH properties.

- When a comment or concern was received regarding the signs needing more copies of the Legal Notice, then that day a member of staff went out to refill the signs with the flyers.
- **Kehoe** inquired of the proposal to amend the Comprehensive Plan Future Land Use Map to only indicate Industrial zoning, and not indicate IL or IH on the Comprehensive Plan, and questioned if that would cause an impact.
- **Ashby** stated in the past the tendency was to pre-zone areas, either Heavy or Light Industrial, and added the Comprehensive Plan was intended to be more general and then come in with the specifics of the property upon annexation and zoning.
- With the proposed recommended changes to the Comprehensive Plan, that would then allow a lot of flexibility to go either Heavy or Light Industrial.
- **Van Auker, Jr** suggested if the subject properties were all annexed and zoned Light Industrial and if a company came in with a use that would be considered Heavy Industrial they would have to come before the Planning Commission and City Council and request rezoning to IH, and at that time the Commission could scrutinize the use and determine if that use would be appropriate.
- In response to a question from **Kirkman, Ms Sellers** reported the Economic Development Department could go back to the applicants and ask them to submit approval for the change in application to Light Industrial zoning upon annexation, and that would then go forward to City Council.
- **Kirkman** noted the majority of testimony at tonight’s meeting had been opposed to Heavy Industrial and recommend City Council go forward with Annexation and Light Industrial.

**Van Auker, Jr motioned, and Miller seconded to recommend to City Council approval of the Annexation, with IL zoning only, for the 15 parcels comprising 346.566 acres, for the City of Nampa, subject to:**

**Generally:**

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; and,
2. A recommendation of approval to Light Industrial for all properties, rather than heavy industrial, is conditioned on Nampa City Council’s approval of the proposed Future Land Use Map, in the Nampa 2040 Comprehensive Plan, which changes industrial land uses from Light and Heavy Industrial, to “Industrial”.

**Specifically:**

1. Fifty (50) ft of ROW from section line will need to be dedicated to the city at time of annexation for all properties fronting Midland Blvd, Ustick Rd, or Northside Blvd.
2. A twenty (20) ft deep and three-point three (3.3) ft high berm, shall be required for any property along Midland Blvd that is across from a residentially designated property within Caldwell City’s Comprehensive Plan, at time of development.
3. All easements identified by Pioneer Irrigation shall be protected and noted on all plats. All necessary permits shall be obtained for encroachment of Noble and Mason Creek Drains.

**Motion carried.**

**Public Hearing Item No. 2 (No. 1 on Agenda):**

**Zoning Map Amendment from RP (Residential Professional) to BC (Community Business) for a Used Auto Sales Lot at 924 16<sup>th</sup> Avenue South (A Lot 12 in Block 31 of Waterhouse Addition and a portion of 10<sup>th</sup> Street South (formerly Ash Street) as shown on the official plat of Waterhouse Addition – Comprising .31 acres or 13,504 sq. ft.) for James Newell (ZMA-00115-2019). – ACTION ITEM**

**Madam Chair Sellman** proceeded to public hearing.

**James Newell owner of the property at 924 16<sup>th</sup> Ave S, Nampa – the applicant.**

- Mr Newell advised he was requesting a Rezone for the subject property from RP to BC.
- The plan for the subject property, added Mr Newell, was to change to the business to a used car lot, and would, therefore, have to be rezoned to BC.
- The subject property, added Mr Newell, was directly north of Holly Shopping Center, within a BC zoning district, since 1963.
- On the southwest corner, a tire store was located on property that was fairly recently rezoned to BC.
- According to Mr Newell there was another used car lot 5 blocks to the north.
- North 2 blocks from the subject property, continued Mr Newell, was also zoned BC.
- In response to a question from **Madam Chair Sellman**, **Mr Newell** stated he wanted to run a small car lot with between 15 to 20 cars. Mr Newell added he would use the existing parking area on the corner for the cars.
- Previously, added Mr Newell, there was an insurance company on the subject property and there were additional offices that would accommodate multiple tenants. He indicated the additional parking behind the structure, as well as a 2 car detached garage.
- The cars for sale, stated Mr Newell, would be on the south end of the property.
- **Kehoe** inquired if any car repairs would be done on the property and **Mr Newell** confirmed there would not.

**Planning Director Holm:**

- Holm pointed out the location of the subject property at the northeast corner of 16<sup>th</sup> Ave S/S Holly St and E Roosevelt Ave
- Holm advised the subject property had been a financial office, with a hair salon at the back.
- The Comprehensive Plan Future Land Use Map, continued Holm, indicated the subject property as High Density Residential, however it was adjacent and across E Roosevelt Ave from the Commercial designation for Holly Shopping Center.
- According to the Comprehensive Plan, continued Holm, consideration can be given for stretching the Comprehensive Plan designation.
- BC zoning, continued Holm, was located on the south side of E Roosevelt Ave and further north on 8th St S.
- Holm indicated the ingress into the subject property and the back-parking area would come off E Roosevelt Ave.
- Holm reviewed the Staff Report and recommended conditions of approval.
- Holm noted the letter of opposition received from Christopher and Shanae Lloyd of 10<sup>th</sup> St S, across 16<sup>th</sup> Ave S from the subject property.

**Madam Chair Sellman** proceeded to public testimony.

**Chris Lloyd of 1515 10<sup>th</sup> St S, Nampa – opposed:**

- From his property, stated Mr Lloyd, they could see the subject property.
- Mr Lloyd stated he would prefer it if the property did not turn into a used car lot as there were already a lot of used car lots in Nampa.
- Mr Lloyd advised they had recently purchased their property as a family home and plan to be there for a long time.
- According to Mr Lloyd, the subject commercial spot had recently converted to a residence and was no longer a business.

**Dana Fillmore of 911 16<sup>th</sup> Ave S – submitted a letter of opposition but did not wish to speak.**

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

- **Kehoe** stated he was opposed and voiced concern there would be one property after another becoming commercial.
- **Kirkman** agreed with Kehoe and considered it would be an obvious commercial property with cars on the lot. Kirkman did not think it would be appropriate to stretch the BC zone across the street.
- **Garner** noted the subject lot was already set up for a commercial business and the parking lot was already there. It would shield the residential homes from the busy corner and not generate a lot of trips per day.

- **Miller** concurred the proposed used car lot would act as a buffer.

**Garner motioned and Van Auker, Jr seconded to recommend to City Council the Zoning Map Amendment from RP to BC for a Used Auto Sales Lot at 924 16<sup>th</sup> Ave S, for James Newell, subject to:**

1. **The Building Department required condition that a Certificate of Occupancy be obtained prior to occupancy.**

**Motion carried with Garner, Van Auker, Jr, Miller, Turner, Hutchings and Franklin in favor and Kirkman and Kehoe opposed.**

**Public Hearing Item No. 3 (No. 2 on Agenda):**

**Conditional Use Permit for Retail Sales of Firearms, Ammunition and Accessories in a BC (Community Business) zoning district at 1527 N. Park Centre Place (Part of a .38 acre parcel situated in the NW ¼ Section 16, T3N, R2W, BM, Nampa, Canyon also known as Tax 05141 in Block 3 of Argon Subdivision) for Jim Payne/Jim’s Guns, Ammo and Repair LLC (CUP 163-19). – ACTION ITEM.**

**Madam Chair Sellman** proceeded to public hearing.

**Jim Payne of 1527 N Park Centre Pl, Nampa – the applicant.**

- Mr Payne stated he was applying for a Conditional Use Permit for sales of ammunition, firearms and accessories.
- His old location, added Mr Payne, was only 50 yards away from the proposed location.
- **Kehoe** inquired why Mr Payne was moving to the new location and Mr Payne replied the new location was closer to Caldwell Blvd.

**Principal Planner Ashby:**

- The subject property, reported Ashby, was zoned BC, with a Comprehensive Plan designation of General Commercial.
- Ashby indicated the aerial view of the property.
- Ashby reviewed the Staff Report and recommended conditions of approval.

**Madam Chair Sellman** proceeded to public testimony.

No public comment forthcoming.

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

**Kirkman motioned and Miller seconded to approve the Conditional Use Permit for Retail Sales of Firearms, Ammunition and Accessories in a BC zoning district, subject to:**

**Generally:**

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**
2. **abrogating requirements from those departments/agencies in connection with entitlement of the Property; and,**
3. **Specifically:**
4. **The owner maintains all regulatory permitting, licensures and operational procedures as required by law.**
5. **The conditional use permit is granted only to the property for the duration of the use and shall not be transferable to any other location.**
6. **The conditional use permit is granted only to the applicant (Jim’s Guns, Ammo and Repair LLC), and property located at 1527 N Park Centre Place, Nampa, ID. for the duration of the use and shall not be transferable to any other person(s) or location(s).**

**Motion carried with Garner, Miller, Turner, Van Auker, Jr, Hutchings, and Franklin in favor and Kirkman and Kehoe opposed.**

**Public Hearing No. 3 on Agenda – Withdrawn: ANN-00132-2019, CUP-00164-2019 and RVP-00002-2019**

**Public Hearing No. 4:**

**Conditional Use Permit for Home Occupation Online Auto Parts Sales with Occasional Auto Repair in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district at 821 S. Cove Lane (A .85 acre parcel being a part of the NE ¼ of the NW ¼ of the NE ¼ of Section 32, T3N, BM, Nampa Canyon County, including Lot 15, Block 3 of Victory Subdivision) for Raffi Kassardjian (CUP 165-19). – ACTION ITEM**

**Madam Chair Sellman** proceeded to public hearing.

**Raffi Kassardjian of 821 S Cove Ln, Nampa – the applicant.**

- Mr Kassardjian stated he started the business about 6 years ago in a small garage at his old house in Boise and they moved to Nampa about 1 ½ years ago. There were no signs to indicate there was a business on the property.
- Only recently, added Mr Kassardjian, he figured out that he needed a Conditional Use Permit for his property in Nampa.
- Mr Kassardjian stated he specialized in jeeps: building parts, reconditioning parts, fabricating parts and then selling them on-line. The occasional auto repair was mostly people coming in to get fabricated parts to fit on their vehicles. The majority of the traffic to his house was shipping carriers, UPS, Fed Ex, etc.
- Mr Kassardjian spoke in favor of the Conditional Use Permit and noted all the neighbors were aware of his business, and added he worked out of an insulated pole barn, which was closed off, and the door was always shut.
- Mr Kassardjian indicated pictures of his property, the shop and the mail pick-up point for the packages he ships out packages almost daily.
- Mr Kassardjian reported his property access drive went up to Lake Lowell Ave with an easement for the other property owners to access their property.
- In response to a question from **Madam Chair Sellman**, **Mr Kassardjian** stated 98 percent of his business was all on-line.
- Mr Kassardjian stated he maintained the private drive/easement with grading, trimming trees, and pulling weeds.
- Van Auker, Jr inquired how delivery trucks turn around to leave the property and Mr Kassardjian stated a full-size Fed-Ex truck can come in and there is plenty of room to pull out.
- In response to a question from **Kirkman**, **Mr Kassardjian** stated there was room for two passenger vehicles to pass on the private drive, but not with a delivery truck, but you could just pull over to the side and then continue.
- Mr Kassardjian stated he had explained to the neighbor that sent in the letter that he had no intent to sell the business, or to have someone else work out of the shop.
- In response to a question from **Kehoe**, **Mr Kassardjian** stated the delivery trucks turn up anywhere from 11:00 a.m. to 5:00 p.m.

**Planning Director Holm:**

- Holm reviewed the Staff Report and recommended conditions of approval.
- Zoning for the property, advised Holm was RS-6 and the Comprehensive Plan Future Land Use map designation was Medium Density Residential.
- Holm indicated the aerial view of the property with the private drive owned by Mr Kassardjian access via easement for four properties.
- Holm noted an anonymous letter had been received stating concerns with the requested C-U-P.
- Holm confirmed the C-U-P could not be transferred to another location and stated a condition could be placed on the C-U-P that it could not be transferred to another owner.

**Madam Chair Sellman** proceeded to public testimony.

**Nick Ferronato of 813 S Cove Ln, Nampa:**

- Mr Ferronato stated he was one of Mr Kassardjian's immediate neighbors on the access drive, with an easement to his property.
- Mr Ferronato advised he was present at the meeting to show his support for Mr Kassardjian's requested Conditional Use Permit and added Mr Kassardjian was a fantastic neighbor.
- According to Mr Ferronato, there was not a lot of traffic on the lane and the business was not obtrusive.
- Mr Ferronato requested the Commission approve the Conditional Use Permit.

**Dan Farnworth:**

- Mr Farnworth stated Mr Kassardjian was an employee of his and reported Mr Kassardjian ran a tight ship.
- His Home Occupation business in the new shop reflected that organization.
- Mr Farnworth spoke in favor of the Conditional Use Permit.
- When Mr Kassardjian bought the house, added Mr Farnworth, he started trimming the trees, grading the road and pulling the weeds.

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

**Miller motioned and Garner seconded to approve the Conditional Use Permit for a Home Occupation Online Auto Parts Sales with Occasional Auto Repair at 821 S Cove Lane, for Raffi Kassardjian, subject to:**

1. All requirements of all applicable City Departments as well as state, or federal agencies regarding use of the property shall be satisfied prior to occupancy. The Building Department will require permits if any vehicle repair is done on site.
2. The Home Occupation shall be operated in the manner described by the applicant: 98% Online Parts Sales, and 2% Repair (fitting-testing parts).
3. The conditional use permit shall be issued only for approved uses. No outside impoundment of vehicles or salvage shall be allowed. All repairs shall be conducted in the shop/office building.
4. The outdoor parking and yard area adjacent the shop/office building shall be maintained free of debris and otherwise maintained in a neat and orderly manner.
5. The property shall be continuously maintained in conformance with weed and nuisance ordinance provisions.
6. The conditional use permit is granted only to the property for the duration of the uses and shall not be transferable to any other location

**Motion carried.**

Meeting adjourned at 10:35 p.m.



Norman L Holm, Planning Director

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