

NAMPA PLANNING & ZONING COMMISSION

MINUTES OF REGULAR MEETING HELD TUESDAY, JUNE 23, 2020, 6:30 P.M.

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

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

Absent: Bret Miller

Madam Chair Sellman, and Commission members Kehoe and Kirkman were present in the Council Chambers. Commission members Franklin, Garner, Hutchings, Turner and Van Auker, Jr were connected via Teams meeting.

Madam Chair Sellman called the meeting to order at 6:48 p.m.

Approval of Minutes: Commissioner Garner motioned and Commissioner Kirkman seconded to approve the Minutes of the June 9, 2020 Planning and Zoning Commission meeting. Motion carried with all Commission members in favor.

Report on Council Actions. No City Council member present to report on City Council actions.

Madam Chair Sellman proceeded to the Business Item on the agenda.

Business Item No. 1:

Subdivision Plat Final Approval for Red Hawk Ridge Subdivision No. 6 proposing (A 4.18 acre parcel of land being a portion of the S ½ of the SE ¼ of Section 31, T3N, R2W, BM, Canyon County, Nampa, also referred to as Parcel No. R3207200000 on the west side of Middleton Rd and north of Greenhurst Rd. - 15 single family detached lots, 4 common lots and 1 private road on 4.16 acres for 3.59 dwelling units per gross acre for JUB Engineers (SPF-00134-2020). ACTION ITEM.

Principal Planner Watkins:

- Watkins stated the applicants were requesting approval for the Red Hawk Ridge Subdivision No. 6 Final Plat, comprising 4.16 acres, proposed for 15 buildable lots, 4 common lots, and 1 private road, on the west side of S Middleton Rd and north of W Greenhurst Rd.
- Watkins noted the subject property had recently been rezoned from RMH and RP to RS-6 and the Development Agreement had been amended. The Preliminary Plat was approved in March.
- The proposed Final Plat conforms to the approved Preliminary Plat layout and to the applicable Subdivision and Zoning standards for Nampa.

- Staff, added Watkins, feels it is appropriate for the Commission to recommend approval of the Final Plat for Red Hawk Ridge Subdivision No. 6 to City Council, subject to the Conditions of Approval listed in the Staff Report.
- **Commissioner Kehoe** inquired if there would be any further Red Hawk Ridge Subdivisions and **Watkins** replied Red Hawk Ridge Subdivision No. 6 would complete the Red Hawk Ridge development.

Commission Kehoe motioned and Commissioner Garner seconded to recommend to City Council approval of the Red Hawk Ridge Subdivision No. 6 to City Council, for JUB Engineers, representing MD IDHR Middleton 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 Red Hawk Ridge Subdivision No. 6.**
 2. **Include on the front of plat, a table showing setbacks as approved by Variance - VAR-00081-2019, and Development Agreement Modification - DAMO-00033-2019 (Preliminary Plat approval condition from letter dated March 18, 2020).**
 3. **Note/dimension the North Robinson Lateral easement on the plat.**
 4. **Provide street names per previous GIS Division comment. Note streets as “Private”.**
 5. **Sheet 5 Certificate of Owners – There are no public streets being dedicated with this plat.**
 6. **The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.**
 7. **Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Red Hawk Subdivision No. 6 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division prior to construction drawing approval. The Developer and their Engineer and Contractor(s) 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.**
 8. **Developer shall provide documentation of plan review/approval from Boise-Kuna Irrigation District prior to construction drawing approval. Provide copies of required executed license agreement(s), if any, prior to City Engineer signature of the plat.**
 9. **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 with all Commission members in favor.**

Madam Chair Sellman proceeded to the Public Hearing items on the Agenda at 7:00 p.m.

Public Hearing Item No. 1:

Annexation and Zoning to BC (Community Business) for construction of a church and future commercial development at 0 and 0 Cherry Ln (County parcel No. R3097300000 and R3097400000), a 26.21 acre portion of Lots 1 and 13 of Block 1, Midway Subdivision, located in the NW ¼ of Section 8, T3N, R2W, BM, Nampa, Canyon County, Idaho) for Rennison Design; Brian Liquin (ANN 176-20). ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

John Rennison of 410 E State St, Eagle – representing Caleb Roope - The Pacific Companies:

- Mr Rennison stated there were approximately 26 acres located west of the Treasure Valley Marketplace, and the St Alphonsus property immediately to the east.
- The applicants were requesting Annexation and BC zoning for the subject property.
- According to Mr Rennison, Caleb Roope had purchased the property in order to make way for the expansion of the Eagle Christian Church. The church would be located at the western side of the subject property.

- The development of the rest of the property was unknown at the present time and they would keep in mind that the City cares about job creation and job retention in the area as they continue to develop a Master Plan for the site.
- One of the big questions, continued Mr Rennison, was what would be happening on the St Alphonsus property to the east.
- Utilities are located on the east side of the St Alphonsus parcel so there would need to be a lot of coordination to bring the sewer and water across the St Alphonsus property to the subject property.
- Mr Rennison stated they would like to build the church as soon as possible, however, sewer and water are not there yet. They would like to bring the church on-line by utilizing a septic system, and possibly a well, but would like the opportunity to work through those issues with the City and the Engineering Division. The system would be designed to connect to sewer and water when available, and therefore they would like the Conditions of Approval to accommodate that issue.
- **Commissioner Kehoe** noted in the past there had been a lot of traffic issues in that particular area, with the one access from the bridge across the Interstate, and added that traffic really bogs down.
- Whatever is planned in the future for that property, added Kehoe, it would be best to keep in mind the traffic because neighboring property owners will be out in force if something is deemed to make the traffic situation worse. The church would not be a problem on Sundays, noted Kehoe.
- Mr Rennison suggested there was a future plan for Cherry Ln to be somewhat realigned and brought further away from Interstate 84, to provide a better connection to Middleton Rd.

Principal Planner Watkins:

- The applicants were requesting Annexation and zoning to BC (Community Business) for construction of a church and future commercial development on 26.21 acres on Cherry Ln at Middleton Rd, adjacent I-84.
- The property is currently outside the City limits, in Canyon County and zoned AG. It is bordered on the North, East and West sides by Canyon County AG zoned properties, and on the South by the I-84 corridor.
- The property is contiguous to the City limits and the IL zoned property south of the freeway.
- The Comprehensive Plan Future Land Use Map designation for the subject property is Commercial. BC (Community Business) zoning is proposed, and would therefore be in compliance with the Comprehensive Plan.
- The subject property is considered contiguous to the City limits because of the IL (Light Industrial) zoned property to the south of I-84, therefore, the applicants have included the portion of I-84 adjacent their property in the Annexation request.
- Watkins reviewed the uses allowed, or allowed with approval of a Conditional Use Permit, in the BC zone.
- Watkins also reviewed the signage information that would apply to the subject property.
- Water, Sewer and Pressurized Irrigation are available, but they are over 1500 ft from the subject property's easterly boundary. The properties to the east and south are currently serviced by Nampa Police and Fire Departments, and those services would be available to the subject property. No comments have been submitted by the Nampa Police or Fire Departments.
- Access to the subject property would be from Cherry Ln, classified as a Minor Arterial. Engineering Division has some right-of-way dedication and improvement requirements. The Planning and Zoning Department will have landscaping requirements at the time of Building Permit. The Nampa Parks Department would require a ten (10) ft side path along the south side of Cherry Ln. Building projects within the BC zoning district are also subject to Building and Site Design Standards Review.
- Watkins reviewed the Staff Report. The proposed church would be an allowed use and future uses would be reviewed according to the permitted or conditionally permitted use table.
- Watkins noted the wording of recommended condition No. 2 would not preclude the church from getting a Building Permit as it refers to on-site wells or septic system to be abandoned or removed - prior to connection to City services.
- **Commissioner Kirkman** inquired if the St Alphonsus land to the east was already annexed into the City and **Watkins** reported it had not been annexed into the City.
- At the present time, the City limits only go to the west side of The Villages Apartments, across from Stiehl Falls Subdivision.

- **Commissioner Kirkman** inquired if it was a common practice where the applicants would be allowed to put in a well and septic and later on connect to City services.
- **City Engineer Badger** explained a request for approval of installation of a well and septic does not occur on a regular basis, however, each request is looked at individually when received.

Madam Chair Sellman proceeded to public testimony.

No public comment forthcoming.

Commissioner Kirkman motioned and Commissioner Kehoe seconded to close public hearing. Motion carried with all Commission members in favor.

Commissioner Garner motioned and Commissioner Kirkman seconded to recommend to City Council Annexation and BC zoning for Parcels R3097300000 and R3097400000, at 0 and 0 Cherry Ln, to allow for the construction of the church and the future commercial development, for Rennison Design, representing TPC Commercial, LLC, subject to:

1. **Dedicate ROW on Cherry Ln – fifty (50) ft total from section line.**
2. **Any onsite wells or septic systems shall be abandoned and/or removed in accordance with local and State regulations at the time of property development/redevelopment and prior to connection to City services.**
3. **Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.**
4. **Applicant/owner shall comply with all City Codes, Policies and Standards in place at the time of property development/redevelopment.**

Motion carried with all Commission members in favor.

Public Hearing Item No. 2:

Conditional Use Permit for Dwelling, Multiple-Family in a BC (Community Business) zoning district at 4104 Garrity Blvd and 1010 N 39th Street (a 4.01 acre portion of the S ½ of the SE ¼ of Section 13, T3N, R2W, BM) for development of 81 units in the Canyon Terrace Apartments for The Housing Company/Thomas A. Hagood Living Trust (CUP-00184-2020). ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Blake Jumper of The Housing Company, 565 W Myrtle St, Ste 250, Boise – representing the applicant:

- Mr Jumper reported The Housing Company was a mission driven non-profit agency to both develop affordable housing and manage their apartments throughout the State of Idaho.
- The Housing Company, continued Mr Jumper had focused over the last couple of years on getting a development underway in Nampa, and it had been difficult to find land that would fit their budget and make it a possibility.
- The subject two parcels had been under contract since late 2019 and since then they had been in constant contact with the Planning and Engineering Departments of the City, as well as a site visit with those departments and the Mayor in January to discuss their overall plan for the project.
- There would be 81 units of affordable housing – with all of the units being affordable. The project would include 7 residential buildings, a clubhouse, a playground area and some green space.
- According to Mr Jumper, he had also had meetings with the Nampa Meridian Irrigation District regarding the Dewey Lateral that runs along the south portion of the subject property and how to design around that.
- Mr Jumper noted the Staff Report referred to the subject property being located within a Commercial area and adjacent an industrial area, and not lending itself to residential development.
- Mr Jumper considered that residential does fit the proposed location well, being within 1 ½ miles of pharmacies, banks, medical, grocery and retail facilities.

- With an award of 4 percent tax credits from Idaho Housing and Finance, there was a stipulation that those amenities do have to be walkable.
- Regarding site design, continued Mr Jumper, they have been advised there could not be any access off Garrity, therefore, the two access points would be off N 39th St and E Comstock Ave. Comstock Ave would be widened by approximately 6 or 7 ft, and there were future improvements also proposed by the City along N 39th St. The applicants would be building out infrastructure on E Comstock Ave to include sidewalk, curb and gutter, as well as a landscape buffer and detached sidewalk along N 39th St. In the future the City will be providing improvements on N 39th St, with a signal, etc.
- Mr Jumper emphasized Nampa was in need of affordable housing.
- **Commissioner Kehoe** noted “affordable housing” had been referred to several times and questioned what constitutes affordable housing for the proposed project.
- **Mr Jumper** replied the proposed development would be a truly Grant Restricted Project, with income limitations, as well as rent limitations for the units, based on area median income. For prospective tenants, the Housing Company would examine their tax returns, criminal background checks, prior residential records, etc.
- In response to a question from **Commissioner Kehoe**, **Mr Jumper** stated the Housing Company would accept housing vouchers.

Planning Director Ashby:

- Ashby advised the proposed housing was truly an affordable housing development, and supported by the Community Development Block Grant Division of the Economic Development Department.
- Ashby indicated the location on the north side of Garrity Blvd, on the east side of N 39th St, and south of E Comstock Ave.
- The subject property being located in a BC (Community Business) zoning district, required Conditional Use Permit approval for a multi-family housing development.
- The proposal was for 81 living units, to include one, two and three bedroom units to be located in 7 different buildings, as well as a clubhouse, a play area and open space.
- Ashby reported the subject property was located completely within the Commercial area on the Comprehensive Plan Future Land Use map, and the BC zoned area, with IL zoning to the west and north.
- Ashby discussed the surrounding land uses, with a hospital to the northeast, retail, and industrial, housing in several mobile home parks in the area, a residential subdivision to the west, the Gateway Retail Center on the east side of Garrity Blvd, to the north Professional Construction Services in the IL (Light Industrial) zoning district, to the south is Drive Happy Auto Sales and Repair in the BC zoning district. On the south side of Garrity Blvd is Jalopy Jungle in an IH (Heavy Industrial) zoning district. To the east on the north side of Garrity Blvd is Wendy’s Restaurant in a BC zoning district; and to the west is vacant land in an IL zoning district.
- At the present time, stated Ashby, there was a single family home on each of the two subject parcels. Utilities are available in the area.
- Ashby noted that as additional housing projects are approved, that increases the demand on City Fire and Police Departments.
- Access to the subject property would be off N 39th St and E Comstock Ave, with no access from Garrity Blvd permitted.
- Ashby indicated the site plan for the proposed project and noted the development had already been reviewed by the Nampa Building and Site Design Standards Committee. The BSDS Committee recommended a pedestrian connection to Garrity Blvd and the applicants redesigned their landscape plan for a connection to Garrity Blvd on the east side of the development.
- Ashby noted the significant landscape buffer proposed along N 39th St and some buffering and substantial landscaping with trees and shrubbery along E Comstock Ave.
- Building elevations and floor plans for the 7 apartment buildings, as well as the clubhouse, were shown by Ashby.
- Ashby indicated correspondence received from Bradley and Debra Wilson, dated June 14, 2020, stating they own and operate a business within the Nampa Industrial Corporation Subdivision and were in opposition to

the proposed multi-family residential on the subject properties, due to problems associated with residential development being so close to business and industrial uses, and maintained the area should be commercial and industrial to prevent future conflict.

- Additional correspondence had been received from Timothy Tyler of 1106 N 39th St, dated June 17, 2020 with similar concerns, reported Ashby, also being opposed to multi-family residential not fitting with the land use plan for the area.
- Ashby indicated correspondence received from Matthew Jamison, Nampa Community Development Program Manager, reporting that in the 5 year City of Nampa Consolidated Plan for Housing and CBDG Funding, they identify the high priority to put money towards affordable housing, which the proposed project fits exactly, and would be consistent with the 5 year plan.
- According to Ashby, there were some Code violations reported by the Nampa Code Enforcement Department, and recommended the Conditional Use Permit not be issued until those cases are resolved.
- Century Link had stated there could be a conflict with an active facility at that location and applicants will be responsible for relocating, moving, removing, or replacing any Century Link facilities, and should also provide a complete set of construction drawings.
- Nampa Meridian Irrigation District requires a Land Use Change Application for review.
- Ashby reviewed the requirements of the Nampa Engineering Division.
- The Nampa Comprehensive Plan, advised Ashby, had just been updated and adopted in 2020. The Comprehensive Plan recommends that, walkable, bicycle connectivity to services, retail and jobs in the area for residential uses in the mixed use area.
- Ashby reviewed the Staff Report and recommended conditions of approval.
- **Commission Kirkman** noted there was only one area of IH (Heavy Industrial) zoning, and that was Jalopy Jungle, with the other nearby industrial areas being IL (Light Industrial). The subject property, continued Kirkman was completely within the BC (Community Business) zoning district.
- **Ashby** verified the letter of opposition had stated: "I believe the property should remain zoned commercial and light industrial". Ashby added that multi-family was an allowed use in the BC zone with Conditional Use Permit approval.

Madam Chair Sellman proceeded to public testimony.

Timothy Tyler of 1106 N 39th St, Nampa – opposed – but not present.

Commissioner Kirkman inquired if the applicant was aware of the violations on the property as reported by the Code Enforcement Department.

Blake Jumper:

- Mr Jumper stated he had seen the Staff Report and the comments from the Code Enforcement Department referring to Unlawful Dumping; Unlawful Solid Waste Accumulation; Unlawful Nuisance, Maintenance – the property has weeds, trash, debris throughout, and buildings on site have graffiti, broken windows and doors.
- **Commissioner Garner** inquired why the subject property had been chosen for the affordable housing project and **Mr Jumper** explained the project would have to be located within a qualified census track, and the property did fall within that track.

Tom Hagood of 3649 S Oxbow Dr, Nampa – owner of the property – in favor:

- Mr Hagood stated there had been all kinds of problems with vagrants, and graffiti on everything.
- People come on to the property all the time and unlawfully dump on the property.
- Mr Hagood suggested that when the proposed development proceeds everything on the subject property would be demolished.
- According to Mr Hagood, they had mowed the property yesterday, and there was some old lumber in the middle that would be removed when construction starts.

- **Madam Chair Sellman** noted it was a condition of the Conditional Use Permit that the violations on the property would have to be corrected before the Conditional Use Permit could be issued.

Planning Director Ashby:

- Ashby advised the reason for the condition placed on the approval of the Conditional Use Permit was because in the past it had been difficult to get compliance with a property and therefore, any time there is an entitlement associated with a property, the Code Enforcement Division would like to get the correction of the violations requirement attached to the approval of the entitlement.

Commissioner Kehoe motioned and Commissioner Kirkman seconded to close public hearing. Motion carried with all Commissioners in favor.

- **Commissioner Kehoe** noted that when applications come in for affordable housing, the neighbors come to the public hearing and are often opposed. Kehoe considered the subject properties would be an ideal location.
- **Commissioner Kirkman** concurred with Commissioner Kehoe’s statement, noting the apartments would be located on a major corridor, close to shopping, bus lines and medical facilities.
- **Commissioner Franklin** stated the proposed properties were not the right location for multi-family affordable housing.
- **Commissioner Van Auken, Jr** suggested that area of Garrity Blvd really needs to be developed, and with the consideration the applicant has taken to buffer the project on N 39th St and E Comstock Ave, he would agree with the proposed multi-family project that would be harmonious with the surrounding uses.

Commissioner Kirkman motioned and Commissioner Kehoe seconded to approve the Conditional Use Permit for Multiple Family Dwellings in a BC (Community Business) zoning district for the 4.101 acres addressed as 4104 Garry Blvd and 1010 N 39th St, for the development of 81 dwelling units in the Canyon Terrace Apartments for The Housing Company/Thomas A Hagood Living Trust, subject to:

1. **Generally, the Applicant/Development shall:**
 - a. **Comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not have, the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property.**
2. **Specifically, the Applicant/Development shall:**
 - b. **Issuance of a Conditional Use Permit be held until two active Code Enforcement cases are resolved.**
 - c. **Property shall be subject to Nampa City Code – Title 4.**
 - d. **Applicant shall determine if conflict exists with any Quest/Century Link facilities or pedestals and if so, shall provide Century Link (Tommy Sassone) a complete set of construction plans to include cut depths, road widenings, or changes, etc. Applicant shall be responsible for 100% of any costs associated with relocating, moving, removing, or replacing of any Century Link facilities.**
 - e. **Applicant shall include a pedestrian connection to Garrity Blvd from proposed sidewalks, and revise landscape plan to show this change.**
 - f. **Applicant/property owner shall file a Land Use Change Application for review prior to final platting, to the Nampa & Meridian Irrigation District (NMIC).**
 - g. **Applicant/owner shall dedicate right-of-way to the City of Nampa, including the following:**
 - i. **N 39th Street – 50 feet from roadway centerline**
 - ii. **E Comstock Ave – 28 feet from roadway centerline**
 - iii. **25’ chamfer at the intersection of N 39th Street and Comstock Rd**

- h. Applicant shall coordinate access with Engineering Division during design to ensure compatibility with a future intersection improvement (signal) at N. 39th St and Comstock Rd, with the understanding that the 39th St access will likely need to be converted to a right-in/right-out only access at time of intersection improvements to accommodate turn lanes.
 - i. At time of development of the site, the developer shall extend all public utilities to and through the site in accord with current City Policy and Master Plans.
 - j. Development shall be subject to Building Permit/plan review process and fees.
- Motion carried with Commission members Garner, Hutchings, Kehoe, Kirkman, Turner and Van Auker, Jr in favor and Commissioner Franklin opposed.

Public Hearing Item No. 3:

Conditional Use Permit for a Bar in the DH (Downtown Historic) zoning district within the basement of the building addressed as 1215 1st St South (part of the .18 acre parcel also described as portions of lots 13,15, & 17 of Block 19 of the Original Townsite of Nampa, Canyon County, Idaho in the SE ¼ of Section 22, T3N, R2W, BM) for 1st Street Property, LLC – Derek Cooper (CUP 179-20). ACTION ITEM

Madam Chair Sellman proceeded to public hearing.

Derek Cooper of 7129 W Cadet Trail, Eagle – the applicant:

- Mr Cooper stated he was proposing more of a high end cocktail lounge in the basement space at 1215 1st St S. Mr Cooper noted the other businesses in the vicinity and the bar/cocktail lounge was proposed for the vacant basement space in the building addressed as 1215 1st St S.
- In response to a question from **Commissioner Kehoe, Mr Cooper** reviewed the other buildings he owned in the area and the businesses operating in those buildings.
- Mr Cooper reported the business upstairs was a brewery that did not serve hard alcohol.
- The hours, added Mr Cooper, would be evening only and no daytime opening.

Principal Planner Watkins:

- The applicant had requested Conditional Use Permit approval for a lounge in the basement of the building addressed as 1215 1st St S.
- No off-street parking is required by Code, and angled on-street parking is immediately adjacent to the building on 1st St S.
- The Comprehensive Plan Future Land Use Map shows the designation of Downtown, which includes the following strategies: encourage development of small business and entrepreneurial networks, and work with the Downtown businesses to support Downtown revitalization efforts in conjunction with the Nampa Main Street program.
- The zoning designation is DH (Downtown Historic) and the cocktail lounge/bar will be in the basement of the unit that is currently 2C Family Brewing, and is surrounded by other restaurants and businesses.
- According to the applicant, the basement was previously used for storage.
- Correspondence received from the Main Street Association and Downtown businesses shows support for this project.
- The applicant had provided additional information, attached in the Staff Report, to indicate the mood anticipated for the proposed location, with the floor plan and design images, indicating the mood and the setting, as well as the food and cocktails that would be served.
- Watkins reviewed the Staff Report and recommended conditions of approval.
- **Commissioner Kirkman** inquired if the entrance would be through the 2C family Brewing business.

Mr Cooper:

- Mr Cooper stated the cocktail lounge would not be located under 2C Brewing, but would actually be under the Paddles Up Poke business space and would have its own separate entrance off the street.
- Mr Cooper stated he wanted to provide an atmosphere where people could sit together and talk.
- **Mr Cooper** responded to a question from **Commissioner Franklin** and stated it would be a non-smoking environment.

Commissioner Kehoe motioned and Commissioner Hutchings seconded to close public hearing. Motion carried with all Commissioners in favor.

- **Commissioner Kehoe** considered the proposed bar/cocktail lounge would fill a niche in downtown Nampa where people could sit and talk.

Commissioner Van Auker, Jr motioned and Commissioner Franklin seconded to recommend to grant the Conditional Use Permit for a Bar/Cocktail Lounge in the basement of the building addressed as 1215 1st St S (part of the .18 acre parcel also described as portions of Lots 13, 15 and 17 of Block 19 of the Original Townsite of Nampa), for 1st Street Property, LLC – Derek Cooper, subject to:

- 1. The Conditional Use Permit is granted to the applicant until such time as it no longer operates as a lounge and shall not be transferable to a new tenant, business owner, or any other party.**
- 2. Comply with all City department/division or outside agency requirements pertinent to this matter.**

Motion carried with all Commission members in favor.

Meeting adjourned at 8:10 p.m.

Rodney A Ashby, Planning Director _____

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