



MINUTES OF REGULAR MEETING HELD TUESDAY, NOVEMBER 9, 2021

Audio recordings of the full proceedings may be accessed following the meeting at <https://www.cityofnampa.us/AgendaCenter>.

Video recordings of the full proceedings may be accessed following the meeting at <https://livestream.com/cityofnampa>.

COMMISSIONERS PRESENT:

Peggy Sellman, Chair (Chambers)
Steve Kehoe, Vice Chair (Chambers)
Jeff Kirkman (Chambers)
Matthew Garner (Chambers)
Bret Miller (Chambers)
Tom Turner (Chambers)
Ron Van Auker, Jr. (Chambers)

COMMISSIONERS ABSENT:

Michaela Franklin

CITY STAFF PRESENT:

Rodney Ashby, Planning Director (Chambers)
Daniel Badger, City Engineer (Chambers)
Doug Critchfield, Principal Planner (Chambers)
Kristi Watkins, Principal Planner (Chambers)

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT:

With a quorum of Commissioners present, Madam Chair Sellman called the meeting to order at 7:00 pm.

APPROVAL OF MINUTES:

Kehoe motioned and Van Auker, Jr. seconded to approve the minutes of the October 26, 2021 Planning & Zoning Commission Meeting. Motion carried.

REPORT ON COUNCIL ACTIONS: Director Ashby provided an overview of Council decisions at recent Planning & Zoning related public hearings.

There were no business items on the Agenda.

Madam Chair Sellman proceeded to public hearing items on the agenda at 7:00 pm.

Public Hearing 1: Conditional Use Permit for Duplex - Two Family Attached Residential Dwelling in an RS6 (Single-Family Residential 6,000 sq. ft) zoning district at 0 Amity Ave. (Parcel R3229201000, located in the NE 1/4 of Section 35, T3N, R2W, BM) for The Nook Group LLC (CUP 241-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Wendi Roe, 11244 W. Knightsbridge Ct., Boise, requested approval of the CUP to build a duplex in an RS6 zoning district.

Principal Planner Critchfield provided the staff analysis.

- Existing zoning and surrounding zoning: RS6.
- Comprehensive Plan Designation: Medium Density Residential (2.5 – 8 DU/acre, gross).
- Proposed Density: 4 DU/acre, gross.
- Public Utilities/Public Services – All available.
- Access - Per Nampa Engineering Division: Per City of Nampa Access Management Policy, no new access to Amity Ave will be allowed. The planned duplex will be required to share the existing access at 2515 Amity Ave. A shared access agreement between 0 Amity Ave and 2515 Amity Ave will be a condition of approval.
- Parking: Two off-street paved parking areas per dwelling unit is required. At least one off-street parking space per unit shall be covered (carport or garage). A 12' wide paved driveway from the off-street parking to back of walk on E. Amity is required (NCC 10-8-9).
- The property is in Canyon County and is surrounded by residential land uses. The requested zoning is consistent with the Comprehensive Plan Future Land Use Map and narrative for the Low-Density Residential Land Use Setting.
- Reviewed agency correspondence from the staff report.

Suggested Conditions of Approval:

1. Developer/owner shall comply with all City Codes, including City Ordinance - Title 4 – Building Regulations, and adopted State Building Code; and,
2. Developer/owner shall remove weeds between the fence and sidewalk, all fence lines and at the entrance prior to occupancy; and,
3. Developer/owner shall remove the pile of miscellaneous debris on the site prior to occupancy; and,
4. Any future development of this site is subject to the City of Nampa building permit plan review process. Any additional applicable conditions or required inspections for the project will be generated via that process; and,
5. Developer/owner shall pay all applicable utility connection and engineering inspection fees upon approval of and prior to receiving any building permits; and,
6. Per City of Nampa Access Management Policy, no new access to Amity Ave is allowed. The planned duplex is required to share the existing access at 2515 Amity Ave. A shared access agreement between 0 Amity Ave and 2515 Amity Ave. is required; and,
7. Connection to City utilities is a requirement of this development. Existing water mainline is located in the northerly half of Amity Ave. Tapping this mainline requires a full road width asphalt patch at 20' width minimum; and,
8. Developer/owner shall annex into the Municipal Irrigation District prior to occupancy for this project.

Madam Chair Sellman proceeded to public testimony.

Aaron Anderson (online): Owns neighboring property at 2515 Amity, will be listing their property shortly. Concerned about interference with potential sales/buyers due to the shared access driveway and parking. Requesting another access.

Ms. Roe stated she was the listing agent for 2515 Amity; the easement was established long before The Nook Group purchased the lot. The owners/investors at 2515 Amity bought the property with an existing easement, those were the same terms in which we bought the vacant lot as well. Applicant willing to revisit and potentially split the cost to extend the depth of the easement to go from north to south along the entire parcel or some better fit. A fence will be removed on their property side which may create additional space. Applicant reviewed the draft design renderings from the staff report with the Commission.

Badger stated the City would work with both the applicant and Mr. Anderson regarding ingress/egress and the shared driveway.

Van Auker, Jr. motioned and Miller seconded to close public hearing. Motion carried.

The Commission reviewed applicable regulations and found that the location, size, design and operating characteristics of the proposed development/duplex will be compatible with and will not adversely affect the livability or appropriate

development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development.

Van Auker, Jr. motioned and Kehoe seconded to approve the Conditional Use Permit for Duplex - Two Family Attached Residential Dwelling in an RS6 (Single-Family Residential 6,000 sq. ft) zoning district at 0 Amity Ave. for The Nook Group LLC (CUP 241-21) with all staff conditions and conclusions of law, including adding a condition that the owner, City Engineering and the neighboring property owner develop shared access amenable to all parties. Motion carried.

Public Hearing 2: Conditional Use Permit for an Alcohol Sales Establishment, Primary Use (The Sick Stag) in the DH (Downtown Historic) zoning district at 1215 1st St S. (a .18 acre parcel #R1330600000, located in the SE 1/4 of Section 22, T3N, R2W, BM) for Derek Cooper representing 1st Street Property LLC (CUP 240-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Derek Cooper, 7129 W Goodale Trail, Eagle, ID, requested approval of the CUP for a cocktail lounge.

Director Ashby provided the staff analysis.

- Zoning: DH (Downtown Historic).
- Surrounding Zoning:
 - North- DH (2C Family Brewing, Labyrinth Escape Games, and Mesa Tacos and Tequila)
 - South- DH (Antlers Boutique)
 - East- DH (PreFunk Beer Bar, Messenger Pizza, Holy Cow)
 - West- DH (Whiskey River and Wall Street)
- History: The Nampa Planning & Zoning Commission voted to approve a CUP for a lounge at this location. The CUP expired on January 9, 2021 due to no activity on the project.
- Comprehensive Plan: This lot is designated as Downtown.
- Land Uses: The surrounding land uses are all retail/services including other alcohol establishments and restaurants. The nearest church is approximately 500 feet (Bible Pentecostal Church Real Life Community Church). The nearest school is 0.3 miles away (Central Elementary).
- Public Interest: The applicant states in their narrative “The concept of the Sick Stag will be a light hearted cocktail lounge in the basement of a popular street on 1st St in Nampa. Our goal is to create an environment where you can go have a really well executed cocktail in a quiet intimate setting that will give the city of Nampa a different experience than what is currently available. On top of the cocktails, we will also offer a list of appetizers and main courses that we [will] be able to execute without a type 1 cooking hood.”
- Parking: Off street parking requirements regulating number of spaces required are not applicable to uses in the DH zone.

Proposed conditions of approval:

1. Owner/operator/Applicant(s) shall comply with all applicable requirements [including obtaining proper permits] 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, etc.) as the CUP approval does not and shall not have the effect of abrogating requirements from those agencies.
2. A Commercial Tenant Improvement with Change of Occupancy building permit will be required before a Certificate of Occupancy will be issued.

The Commission reviewed applicable regulations, and found the project met the following criteria:

1. That the location, size, design and operating characteristics of the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood

character; to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development.

2. That the location, design and site planning of the proposed use will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.
3. That the proposed use will enhance the successful operation of the surrounding area in its basic community functions, or, will provide an essential service to the community or region.

Madam Chair Sellman proceeded to public testimony.

Aaron Randell, 1212 12th Ave. S, Nampa, the architect for the project, stated this will be an excellent project and a great fit for downtown Nampa.

Miller motioned and Garner seconded to close public hearing. Motion carried.

Kirkman motioned and Van Auker, Jr. seconded to approve the Conditional Use Permit for an Alcohol Sales Establishment, Primary Use (The Sick Stag) in the DH (Downtown Historic) zoning district at 1215 1st St S. for Derek Cooper representing 1st Street Property LLC (CUP 240-21) with all staff conditions and conclusions of law. Motion carried.

Public Hearing 3: Conditional Use Permit for a home-occupation Firearms Business in an RS6 (Single-Family Residential 6,000 sq. ft) zoning district at 533 W Palmer Dr. (a .18 acre Parcel #R2924221400 located in the SE 1/4 of Section 4, T2N, R2W, BM) for Darren Havens (CUP 242-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Darren Havens, 533 W Palmer Dr, Nampa, requested approval of a CUP for a home-occupation online firearms business; they will also sell accessories, gear, clothing and other outdoor gear. Applicant clarified they will not be storing products at their home, nor will customers come into the neighborhood. Product will be shipped from a warehouse at a separate location; the CUP is required to conduct business out of their office via computer. Sales are conducted through Gun Broker and other similar websites.

Director Ashby provided the staff analysis.

- Reviewed Comp. Plan designation, surrounding zoning and history of project.
- Reviewed public comments regarding concerns about traffic and operating the day to day operations of their business out of their home.
- The surrounding land uses will be single-family homes when Canyon Creek Subdivision is completed. To operate a home occupation, owners agree to follow all city requirements found in NCC 10-1-10. If they do not operate their business within these parameters, there are complaint procedures in place that would require additional public hearings and action by the Commission.

Suggested Conditions of Approval:

1. Compliance with all City Codes, including City Ordinance - Title 4 – Building Regulations, and adopted State Building Code; and,
2. The owner shall maintain all regulatory permitting, licensures and operational procedures as required by law; and,
3. The owner operates the business as a typical home occupation business with no manufacturing and minimal storage of inventory.
4. Inventory is locked in a secure safe.
5. The home occupation for firearm sales shall be continuously operated in accordance with all City Codes
6. 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.

Kehoe asked if the Fire Department was aware of the location of the warehouse. Ashby responded that the City would not be aware of a specific location unless a Tenant Improvement permit is submitted. Garner noted the applicant's statement that he is moving product from other vendors as well and may not have a full stockpile of items in a warehouse (may be reselling product).

Madam Chair Sellman proceeded to public testimony.

Angela Pounds, 434 W Wycliff Dr., Nampa, on behalf of their HOA, stated the business does not meet the CC&R requirements of the HOA. Kirkman inquired what the specific concerns are, noting there may be nearby homeowners who have guns and ammunition stored in their homes they are not aware of. Ms. Pounds responded a neighbor had experienced a drive by shooting. Traffic and safety issues are a concern. The CUP address is now public knowledge which is also a concern. Requesting a condition be placed on not having guns or ammunition at this address.

Randall Plane, 514 W Palmer Dr., Nampa, opposed the issuance of the CUP to protect their home values and concerns about lack of CC&R compliance.

Applicant:

Reiterated there will be no traffic and no signage. Warehouse is in Arizona. Advertising through public websites using a PO box address. Kirkman clarified that no ammunition will be on site; applicant responded “no, other than my own personal stock.”

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

Miller noted that, especially during Covid, many people are working from home, and the applicant should not be penalized for attempted to follow City code. Miller stated if nearby homeowners begin to notice irregular and excessive traffic and/or parking outside of this address on a regular basis to contact the City.

The Commission found the project met the code criteria for CUP's and home occupations and that the project would not adversely affect the surrounding area as presented.

Kehoe motioned and Kirkman seconded to approve the Conditional Use Permit for a home-occupation Firearms Business in an RS6 (Single-Family Residential 6,000 sq. ft) zoning district at 533 W Palmer Dr for Darren Havens (CUP 242-21) with all conditions of staff and conclusions of law. No business-related guns or ammunition may be located on the premises other than for applicant's own personal use. Motion carried.

Public Hearing 4: Annexation and Zoning to RS6 (Single-Family Residential 6,000 sf) zoning district, potential development agreement, and Subdivision Preliminary Plat for Salazar Point Subdivision at 11496 Lake Lowell Ave (Parcel #R3204401000 totaling 6.93 acres in SE ¼ of Section 30, T3N, R2W, BM, Canyon County), for Monica E. Salazar (ANN 216-21 & SPP 093-21). Original Concept: 19 single family lots (4.58 acres), 2 common lots (1.11 acres), and 1 common driveway (.10 acres); for a gross density of 3.28 and a net density of 4.15 – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Becky Yzaguirre, 2760 W Excursion Ln., Meridian, reviewed the preliminary plat, landscaping and amenities, and the project's design concept with the Commission. Kehoe inquired whether there will be any two story homes in this development; applicant stated she did not know.

Principal Planner Watkins provided the staff analysis.

- The homestead parcel was added into the annexation and plat totaling 20 lots.
- Surrounding Zoning: RS6.
- Utilities: The City's water, sewer, and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
 - 8" gravity sewer main, water main and irrigation main in S Collina Vista Dr.
- Nearest fire Station is 3.3 miles, 11 minute response time.
- Reviewed agency and public correspondence. Summary of concerns:
 - Traffic/Access/Accidents on Lake Lowell
 - Construction traffic
 - Lot sizes/density
 - Single story homes only

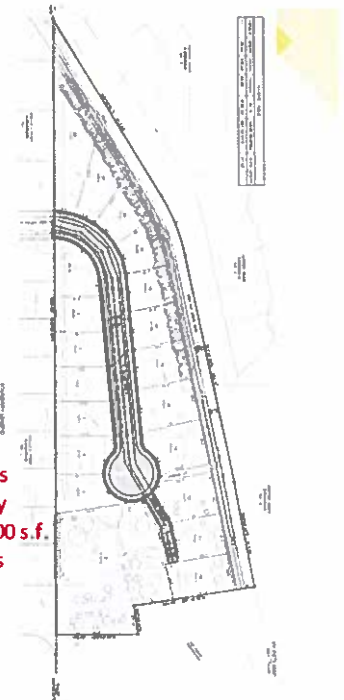
- Safety for pedestrians and children
 - Response time for emergency services
 - Water usage (Environmental Impacts)
 - Unaware of this development prior to purchasing home
 - “Cheaper” homes on small lots
 - Needs to be upscale homes
 - No open space – They will use Stella’s Point areas
 - HOA needs to be the same as Stella’s Point*
 - Birds in the trees
 - Use a diversity of builders
 - Views will be blocked
- Reviewed safe routes to school.
 - Plat analysis (all master lots demonstrate required lot width and depth-plat is compliant). The property will be developed with RS6 zoning, therefore, standard building lots shall meet or exceed 6,000 sf in area. The smallest buildable lot is 6,442 sf-plat is compliant. The smallest lot size in Stella’s Point is 9,348 sf. The average lot size required in RS6 zone lots is 8,000 sf. When 20% of the largest and 20% of the smallest standard lots are removed, the average lot size is 8,121 sf or an overall average of 10,575 sf-plat is compliant.

Preliminary Plat

Overall Annexation Area -	6.96 acres
Overall Plat Area -	6.54 acres
Total, Proposed RS 6 Lot Count -	24
Open Space Lot Count -	2 (.27 acres, 8%)
Total Common Lot Count -	2 (1.11 acres, Canal & Common Drive)
Total Building Lot Count -	20



Stella's point lots
On this boundary
Measure at 11,200 s.f.
With 76' lot lines



* Applicant’s response: “As for your suggestion to annex Salazar Point Subdivision into Stella's Point CC&Rs and HOA, I spoke with Stella's Point Subdivision developer. He indicated that he is not interested in amending the CC&Rs to include Salazar Point Subdivision. And after looking at the open space per residential lot in Stella's Point vs. Salazar Point, the request is not equitable. Stella's Point No. 1 has 5.502 Sqft of open space per residential lot. Salazar Point has 8.518 Sqft per residential lot. Salazar Point has more open space per residential lot, and this layout meets the open-space requirements set forth by the City of Nampa.”

Suggested Conditions of Approval:

1. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of individual property development/redevelopment and prior to connection to applicable City services.
2. Property shall be annexed in the Nampa Municipal Irrigation District at the time of property development and prior to being served by the City’s pressure irrigation system. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel and head gate report for any surface water delivery prior to Final Plat submittal to support annexation into the District.

3. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
4. Developer shall construct utility services the existing homesite on Lot 8.
5. Developer shall construct a public pathway along the west side of Deer Flat Nampa Canal in accordance with the 2019 Nampa Bicycle & Pedestrian Master Plan to be conveyed to the City by way of either of the following options:
 - a. Pathway located within a 20' wide easement on a subdivision common lot for the ownership/maintenance of the pathway to the benefit of the City.
 - b. A separate pathway lot at 20' width to be deeded to the City.
6. Developer shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.

Madam Chair Sellman proceeded to public testimony.

Monica Salazar, 11496 Lake Lowell, property owner.

- Had originally intended to grow livestock; however, due to rapid growth this is no longer a viable option.
- It is not in the long-term best interest of the City or the neighbors for her property to remain in the County.
- This proposal is a good faith attempt to conform to the changes occurring regarding growth.
- Neighbors' concerns regarding debris and inconveniences have been an inconvenience to her throughout the building of nearby subdivisions. Her horses had to be rehomed due to the drainage issues caused by nearby new subdivisions. Properties bordering her land now invade on her privacy, including Stella's Point.

Michelle Ferrano, 11658 W. Alyxandra Dr, Nampa, opposed-did not wish to speak.

Alison Kuykendall, 11657 W. Alyxandra Dr, Nampa, opposed-did not wish to speak.

Jim/Teri Curl, 11590 W Collina Vista Dr, Nampa, opposed-did not wish to speak.

Susanne Sharuga, 11642 W Dustin John Dr, Nampa, opposed:

- Opposed to the density/zoning.
- Traffic already too heavy.
- Construction concerns/using Stella's Point entrances.
- There needs to be some kind of direct access for Lake Lowell Ave (convert private lane to City St. to reduce traffic).
- Building guidelines should be the same as Stella's Point with multiple builders and established common areas, and pay S.P. HOA fees.
- Speed bumps added to slow down traffic.
- Change density to RS8.5.

Vasiliy Balan, 11684 W Alyxandra Dr, Nampa, opposed.

Robert Highsmith, 11686 W Alyxandra Dr, Nampa, opposed.

Jeff Wakelan, 13211 S Grave Point Way, Nampa, opposed.

Belinda McBurney, 11914 Iowa Ave, Nampa, opposed:

- Concerns regarding traffic, safety, infrastructure, growth.

Robert Anderson, 13108 S Hunt Dog Way, Nampa, opposed.

Dale/Bernice Montz, 13260 S Jeanette Way, Nampa, opposed:

- Development should mirror Stella's Point or be more high-end; concerned about privacy and access/traffic.

Lydia Anderson, 13108 S Hunt Dog Way, Nampa, opposed.

Busaraporn Clark, 13122 S. Hunt Dog Way, Nampa, opposed.

Chandra/Mark Schreck, 11588 W Alyxandra Way, Nampa, opposed.

Tawni Burley, 13190 S Jeanette Way, Nampa, opposed.

Krissy/Darren Delina, 13218 S Jeanette Way, Nampa, opposed.

Matt Miller, 13197 S Grace Point Way, Nampa, opposed:

- In agreement with other comments; traffic/speeding; add stop signs; construction debris (imposed fines).

Carolyn Stewart-Snow, 11655 W Dustin John Dr., Nampa, opposed:

- Entrances to their development are on either side of a rise (visibility issues); lot sizes/density.

Michael Mauldin, 13094 S Hunt Dog Way, Nampa, opposed:

- Traffic/speeding through Stella's Point.

Arthur Weatherford, 13204 S Jeanette Way, Nampa, opposed:

- Opposed to RS6 zoning and density.
- David Burley, 134190 S Jeanette Way, Nampa, opposed.
 Mike Clark, 13122 S Hunt Dog Way, Nampa, opposed.
 Adrian/Jennifer Dauluc, 13176 S Jeanette Way, Nampa, opposed:
- In agreement with previous comments.
- Sabryna Hawes, 13134 S Jeanette Way, Nampa, opposed.
 Nikky Letheridge, 11713 W Alyxandra Dr, Nampa, opposed.
 Matthew/Elizabeth Esquivel, 13163 S Jeanette Way, Nampa, opposed.
 David Dearborn, 11658 W Alyxandra Dr, Nampa, opposed.
 Natalie France, 11500 Lake Lowell Ave., Nampa, undecided.
 The one lane road in front of her house is privately owned.

Wendy Shrief, 2760 W Excursion Ln, Meridian.

- Infill project with many site constraints.
- Existing easement is restricted through deeds and cannot be utilized as a public street. Stella's Point streets are public streets.
- Suggests meeting with City Engineering Dept. to develop a plan for traffic calming prior to any future hearings.
- The Stella's Point HOA developer did not want them to join their HOA. Kirkman asked if the residents of Stella's Point are aware of this. Sellman stated that, prior to a City Council Hearing, neighbors will have an opportunity to speak with their developer about this.
- Cluster mailbox at end of a cul-de-sac.
- Open space can be addressed if the public hearing tonight is approved.
- No traffic study was required.
- There will be an HOA.

Kehoe asked if any open space in Stella's Point is allocated for a play area for children. Director Ashby stated he did not see one in the final plat. There is open space in certain locations (generally strips of landscaping).

Garner motioned and Turner seconded to close public hearing. Motion carried.

Turner stated he drove through Stella's Point after reviewing public comments. There are 7 lots backing up to Stella's Point similar in size. The plat map for Stella's Point clearly shows Collina Vista was stubbed out to eventually access that piece of ground, not be a long-term cul-de-sac. There is one house on Jeanette Way that backs up to Salazar Point that did not have an RV bay, these requests regarding height restrictions do not correspond to all the RV bays these neighbors enjoy. Due to the RV bays in Stella's Point, a stipulation on this project limiting the homes to one story does not appear to be equitable. There are single story homes among two story homes everywhere.

Kirkman:

- There are smaller lots in Stella's Point as well.
- Reviewed the comments regarding number of builders in Stella's Point and their enjoyment of diversity of home type; these comments are inconsistent with the conditions they are attempting to place on this project.
- "Traffic is always an issue, we don't build roads to the traffic/drivers, we expect the drivers to conform to the roads we build and adhere to the laws associated with those roads. People speeding through neighborhoods and running stop signs, that is not the fault of road capacity, that is the driver's fault for not obeying the traffic laws."
- It is not fair to condition this project on green space when Stella's Point does not have any that same condition.
- It is not feasible to connect this project to Lake Lowell.

Garner:

- These Commission volunteers have listened intently and quietly during testimony, the same consideration would be appreciated during deliberation.

Kehoe stated a recent accident at Middleton/Iowa was caused from running a stop sign without slowing down. The problem is the drivers, not the roads.

Turner asked whether the speed limit may be adjusted from 45 to 35 mph. Badger responded that a speed study for this area is planned; no time line is set for this. Speed limit changes are a business item before City Council.

Van Auker, Jr. stated that the project seems to conform and be a good compliment to the area. Kehoe stated during a recent hearing regarding a fourplex project on Lake Lowell, which was turned down due to opposition, all the comments were from the public stating they wanted single family homes. This project has single family homes, now they don't want these homes either.

The Commission reviewed applicable regulations and determined the project met the conclusions of law criteria.

Van Auker, Jr. motioned and Turner seconded to recommend to City Council approval of Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft.) zoning district to connect to city Annexation and Zoning to RS6 (Single-Family Residential 6,000 sf) zoning district, potential development agreement for Salazar Point Subdivision at 11496 Lake Lowell Ave for Monica E. Salazar (ANN 216-21), amending condition 1 to allow the existing well and septic to remain on lot 8, with all conditions of staff and conclusions of law. Motion carried.

Van Auker, Jr. motioned and Garner seconded to recommend to City Council approval of Subdivision Preliminary Plat for Salazar Point Subdivision at 11496 Lake Lowell Ave for Monica E. Salazar (SPP 093-21), including researching traffic calming measures in the neighboring subdivision, with all conditions of staff and conclusions of law. Motion carried.

Public Hearing 5: Zoning Map Amendment from IP (Industrial Park) to RS6 (Single-Family Residential, 6,000 sf) zoning district and potential Development Agreement at 16127 N Franklin Blvd (a .38 acre parcel #R2200900000 located in the SE ¼ of Section 10, T3N, R2W, BM, Nampa, Canyon County) for Albert Bradley (ZMA 151-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Albert Bradley, 1581 Whipoorwill Way, Boise, ID requested approval of the zoning map amendment from IP to RS6, a residential zone is being required by their lender prior to the sale of the home.

Principal Planner Watkins provided the staff analysis.

- Surrounding zoning: IP (Industrial Park) and RS6. The area surrounding this property is a mix of industrial and residential. This property was originally a larger piece that was annexed and zoned IP, and was later split to create this residential parcel and the industrial parcel behind it.
- History: August 2003 – Annexation and Zoning to IP, Ordinance #3245. Original parcel included this residential property and the property to the rear that is now an industrial building. Applicant is requesting RS6 zoning to accommodate the existing residential use.
- The future land use designation is Industrial. However, Medium Density Residential exists across Franklin Blvd and can be stretched to incorporate this property. The RS zoning district allows for single-family residential development.

Suggested Conditions of Approval:

1. A professionally prepared legal description is required for the legal documentation of the dedication of a 40' x 118' area of frontage along N Franklin Blvd per Nampa Engineering Conditions.
2. The property must be annexed into the City's Municipal Irrigation District prior to connection to the pressure irrigation utility.
3. Applicant/owner shall comply with all City Codes, Policies and Standards in place at the time of property development/redevelopment.

Madam Chair Sellman proceeded to public testimony.

Van Auker, Jr. motioned and Kirkman seconded to close public hearing. Motion carried.

The Commission reviewed applicable regulations and found the request to be in harmony with the Comprehensive Plan and existing/surrounding land uses.

Kirkman motioned and Kehoe seconded to recommend for approval Zoning Map Amendment from IP (Industrial Park) to RS6 (Single-Family Residential, 6,000 sf) zoning district and potential Development Agreement at 16127 N Franklin Blvd for Albert Bradley (ZMA 151-21) with all conditions of staff and conclusions of law. Motion carried.

Public Hearing 6: Annexation and Zoning to RS22 (Single-Family Residential 22,000 sq. ft.) zoning district to connect to city utilities for an existing single family home at 1414 Southside Blvd (a .82 acre parcel #R3242501000 in the NW ¼ of Section 36, T3N, R2W, BM) for Banessa and Evann Tona (ANN 218-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Banessa Tona, 1414 Southside Blvd, Nampa requested approval of the annexation in order to connect to City sewer.

Principal Planner Critchfield provided the staff analysis.

- Surrounding Zoning:
 - North: Unincorporated Canyon County Residential
 - South: Unincorporated Canyon County Residential
 - East: RML Zoning District
 - West: RS 6 (Single-Family Residential 4,800 - 9,000 sq. ft. lot size range) Zoning District
- Should applicant wish to subdivide in the future, staff recommends zoning to a “closer zoning” (range of RS6-RS7).
- Comprehensive Plan – Low Density Residential.
- Utilities: Per Nampa Engineering Division:
 - Domestic water – 12” main line
 - Pressure irrigation – 12” main line
 - Sewer – 8” main line; +/-23’ deep
- Legal Access (per Nampa Engineering Division): Existing: Off of Lone Star Rd., classified as a Minor Arterial

Suggested Conditions of Approval:

1. NMID's Langdon Lateral courses along the northeast boundary of this property. The easement for the Landon Lateral at this location is a minimum of forty feet (40') total, twenty feet (20') from centerline each side. Any work within this easement will require a Land Use Change application and full review of plans; and,
2. All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, MID will need to review drainage plans. The developer must comply with Idaho Code 31-3805; and,
3. Applicant shall dedicate 40' of public right-of-way from section line along Southside Blvd.; and,
4. Any onsite wells 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; and,
5. Property shall be annexed into the Nampa Municipal Irrigation District and water right verification provided prior to being served by the City's pressure irrigation system; and,
6. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment; and,
7. Applicant/Owner shall adhere to all required building codes and related permits based on the requirements of City Ordinance -Title 4 - Building Regulations.

Applicant requested clarification on the right of way dedication. Critchfield stated the right of way dedication is required by Engineering prior to finalization of the ordinance for annexation and is a separate process through the Engineering Dept.

Madam Chair Sellman proceeded to public testimony. No public comment forthcoming.

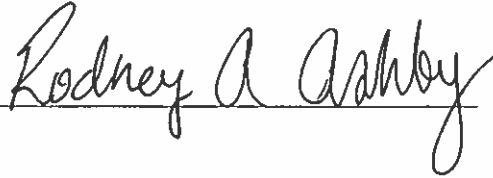
Garner motioned and Kehoe seconded to close public hearing. Motion carried.

The Commission reviewed code regulations and determined the project met applicable conclusions of law criteria.

Van Auken, Jr. motioned and Miller seconded to recommend for approval Annexation and Zoning to RS22 (Single-Family Residential 22,000 sq. ft.) zoning district to connect to city utilities for an existing single family home at 1414 Southside Blvd (for Banessa and Evann Tona (ANN 218-21) with all conditions of staff and conclusions of law. Motion carried.

Meeting adjourned at 9:28 pm.

Rodney A. Ashby, Planning Director
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A handwritten signature in black ink that reads "Rodney A. Ashby". The signature is written in a cursive style and is positioned above a horizontal line.

