PUBLIC HEARING ITEM NO. 3
STAFF REPORT

Applicant(s): Nick Boban
Owner: Dustin Bristol
File(s): CUP 156-19
Prepared by: Rodney Ashby, AICP
Date: November 18, 2019

Requested Action: Conditional Use Permit for a Lounge in a DH (Downtown Historic) zoning district at 320 11th Ave. So., Ste. 100
(Decision Required: Decision)

Purpose: A conditional use permit is required for any lounge in the Downtown Historic Zone. The Craft Lounge is an existing bar in the Downtown Historic zoning district. The applicant has submitted a tenant improvement building permit application to expand the bar within the existing building. This requires a Conditional Use Permit for land use approval.

GENERAL INFORMATION

Status of Applicant: Representative
Existing Zoning: DH (Downtown Historic)
Address: 320 11th Ave. So., Ste. 100
**Legal Description:** A parcel situated in the SW ¼ of Section 22, T3N, R2W, BM, also Unit 2 Ground Floor, Historic 29th Masonic Lodge.

**Size of Property:** A 0.48 acre or 20,909 sq. ft parcel; unit 2 is 2,703 sq ft, of which approximately 754 sq ft is currently being used for the bar and approximately 691 sq ft is being proposed for expansion.

**Surrounding Land Use and Zoning:**
In the same building as Brick 29 Bistro
Northeast - Oreilly Auto Parts
West – Alsip Funeral Chapel
Southwest – Residential Duplex
Northwest – Mike Mussell’s Nampa Towne Square

**Comprehensive Plan Designation:** Downtown

**Zoning:** Downtown Historic

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**SPECIFIC INFORMATION**

**Public Utilities in alleyway:**
- 8" Sewer Main
- 6" Water Line
- 3" Irrigation line with a 2" connection to the property

**Transportation:** The property fronts 11th Ave S. and backs up to an alleyway.

**Parking:** The property is in the downtown area with no off-street parking required. However, on-street parking and some off-street parking lots are available.

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**CORRESPONDENCE**

**Nampa Building Department:** no conditions

**Nampa Code Enforcement:** no violations

**City of Nampa Engineering Division:** no opposition

**Idaho Transportation Department:** Does not anticipate any significant traffic impact to the State Highway system and has no objection

**Local Business and Citizen Support:** Planning received five e-mails indicating support for granting a Conditional Use Permit for Craft Lounge. These communications can be found in the attachments section of this report. In summary, the e-mails indicate that this is a high quality, nice looking lounge different from many other lounges in appearance and atmosphere. In addition, they write that the Craft Lounge brings customers to the downtown and is a valid
business to provide a need in the downtown and in Nampa. The following are those that indicated their support of the CUP:

1. Shayna Randall, Dutch Bros Coffee of Canyon County
2. Amber Miller, Dutch Bros Coffee
3. Aidan Erickson
4. Tara and Nathan Evans
5. Grace and Peace
6. Derrick Fleck, Dutch Bros Coffee
7. Snake River

APPLICABLE REGULATIONS

Nampa City Code, Title 10, Chapter 25 sets forth the criteria of approval for conditional use permits. Section 10-25-15 states that where an expansion of an existing conditioned use exceeds 25% the following applies:

“A2. Expansions: Proposed expansions to uses and/or structures exceeding twenty five percent (25%) of the square footage (whether related to 1 or more structure’s size(s) and/or a use’s area coverage on a property) of a use previously approved via a conditional use permit shall require public hearing approval from the planning and zoning commission before any such expansion will be considered lawful.”

10-25-15 B outlines the findings the Commission must conclude when approving such expansion:

“Conclusions: In order to approve such expansions, the commission shall be required to conclude that:

1. The proposed expansion will not add to the existing, approved use, land or structural square footage whose use would be contrary to that allowed in the zoning district within which the expansion is proposed; and

2. The proposed expansion as proposed will otherwise comply with all relevant sections of Nampa’s zoning code (e.g., parking, landscaping, exterior storage, setback, height restrictions, etc.) as contained within this title; and

3. The proposed expansion will not adversely impact the surrounding neighbor((s) or neighborhood(s)).”

STAFF FINDINGS & DISCUSSION

The applicant has a current liquor license. Formerly, Brick 29 Bistro operated in the area where Craft Lounge is operating. Brick 29 Bistro operated a restaurant that served alcohol as part of the restaurant – a permitted use when alcohol sales are less than 40% of gross sales. In July of 2017, the restaurant moved to the newly constructed top floor of the Old Masonic Temple (same building). The Craft lounge began operating a few months later in the same location where the restaurant bar was formerly located on the first floor.
Recently the Craft Lounge submitted a building permit application to expand the bar on the first floor. The permit was reviewed by Planning staff and staff directed the applicant to apply for a CUP for the expansion of the lounge.

From a land use standpoint, the location is in Nampa's downtown. As evidenced by the letters of support from other nearby businesses and citizens, the proposed atmosphere appears to be well kept, and likely to attract customers who may support other businesses in the area.

The Commission has significant freedom and ability to determine whether the lounge meets the three necessary findings for a use that expands the CUP use area. These findings are listed under the "Suggested Conditions" section of this report and are recommended for adoption if the P&Z Commission wishes to approve the Conditional Use Permit application.

**SUGGESTED CONDITIONS OF APPROVAL**

If the Commission determines to allow the Craft Lounge, the following conditions are recommended:

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) Any other conditions recommended by the Commission following public hearing.

If the City Planning & Zoning Commission votes to approve the subject Conditional Use Permit, the following findings are suggested as a part of the approval:

1. The proposed expansion will not add to the existing, approved use, land or structural square footage whose use would be contrary to that allowed in the zoning district within which the expansion is proposed; and

2. The proposed expansion as proposed will otherwise comply with all relevant sections of Nampa's zoning code (e.g., parking, landscaping, exterior storage, setback, height restrictions, etc.) as contained within this title; and

3. The proposed expansion will not adversely impact the surrounding neighbor((s) or neighborhood(s)).

**ATTACHMENTS**

1) Application
2) Zoning Map
3) Site Plan Drawings
4) Vicinity Map/Aerial
5) Agency and other correspondence
APPLICATION FOR CONDITIONAL USE PERMIT
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651  P: (208) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $234.00 (1 acre or less)  Nonrefundable Fee: $463.00 (more than 1 acre)

Applicant Name Nick Boban
Street Address 849 Mollywood Ave
City Nampa State ID Zip Code 83636
Home Number Mobile Number Email info@craftlounge.com
Property Owner Name Dustin Bristol
Street Address 11070 W. Highmont Dr.
City Boise State ID Zip Code 83714
Home Number Mobile Number Email dustanbristol@hotmail.com
Applicant’s interest in property: ( ) Own ( ) Rent ( ) Other

ADDRESS OF SUBJECT PROPERTY: 320 11th Ave S. Nampa, ID 83651
UNIT 2

Please provide the following REQUIRED DOCUMENTATION to complete the CUP
☐ A copy of one of the following: ☐ Warranty Deed ☐ Proof Of Option ☐ Earnest Money Agreement
☐ A sketch drawing of the site & any adjacent property affected, showing all existing & proposed
   locations of streets, easements, property lines, uses, structures, driveways, pedestrian walks, off-street
   parking & off-street loading facilities and landscaped areas, preliminary or final building plans & building
   elevations, together with any other information considered pertinent to the determination of this matter.
☐ Signed & Notarized Affidavit of Legal Interest (attached). Form must be completed by the legal
   owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to
   show that the person signing is an authorized agent)
☐ Original Legal description of property AND a legible WORD formatted document. (Must have for final
   recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

Project Description
☐ State (or attach a letter stating) the reason for the proposed Conditional Use Permit:

Date: 21 day of October, 2019

NOTICE TO APPLICANT
This application will be referred to the Nampa Planning Commission for its consideration. The Planning Commission shall hold
a public hearing on the application and it shall be granted or denied. Notice of public hearing must be published in the Idaho Press-
Tribune 15 days prior to said hearing. Notice shall also be posted on the premises not less than 1 week prior to the hearing. Hearing
notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice
of the public hearing and should be present to answer any questions.

If a Conditional Use Permit is granted by the Planning Commission, it shall not become effective until after an elapsed period of 15
days from the date of Planning Commission action. During this time any interested person may appeal the action to the City Council.
You will be notified of any pending appeals.

If the conditional use permit is denied by the Planning Commission, you may appeal the decision to the City Council within 15 days
from the date such action is taken by the Planning Commission. At the time the Conditional use permit becomes effective you will be
sent a document which constitutes an official “Conditional Use Permit”. This document will enumerate the conditions attached to the
issuance of the permit and state the consequences of failure to comply.

OFFICE USE ONLY
FILE NUMBER: CUP - 156 - 20 19 PROJECT NAME Alcohol Sales

12/11/13 Revised
SECOND AMENDED PLAT OF
OLD MASONIC LODGE CONDOMINIUMS

ALL OF LOTS 44, 46 & 48, BLOCK 49 OF NAMPA ORIGINAL,
A PART OF THE SOUTHWEST 1/4, OF THE SOUTHEAST 1/4,
OF SECTION 22, AND A PART OF THE SOUTHEAST 1/4, OF THE SOUTHWEST 1/4, OF SECTION
22, TOWNSHIP 3 NORTH, RANGE 2 WEST, B.M.,
CANYON COUNTY, IDAHO

-2018-

RECORD DATA
ROB INST. No. 2015049191

BASIS OF BEARING:
The Center line of 11th Avenue South located Northwest of Block 49 of
Nampa Original Subdivision in Section 22, Township 3 North, Range 2
West, Boise Meridian, taken as North 43°17'21" East and distance between
monuments found to be 260.00 feet.

NOTES:
1. Refer to the Condominium Declaration regarding uses, responsibilities
and relationships of the Unit and the Condominium, Insurance, Parking and Access agreements.
2. Unit is the separate interest in the condominium with boundaries being
the interior surface of perimeter walls, floors, ceilings, windows, doors,
furnishings and improvements within the unit.
3. No irrigation water will be provided to the units.
4. No condominium shall be divided or adjusted without filing an amended
platt
5. Final floor exterior lines are shown on the plat. Upper floor area is the
same as the first floor.

FOUNDATION DETAIL
NOT TO SCALE
BRICK FACE

BUILDING SURVEYED 1302 POINT
NATURAL GROUND
SECOND AMENDED PLAT OF
OLD MASONIC LODGE CONDOMINIUMS

ALL OF LOTS 44, 46 & 48, BLOCK 49 OF NAMPA ORIGINAL,
A PART OF THE SOUTHWEST 1/4, OF THE SOUTHEAST 1/4,
OF SECTION 22, AND A PART OF THE SOUTHEAST 1/4, OF THE SOUTHWEST 1/4, OF SECTION
22, TOWNSHIP 3 NORTH, RANGE 2 WEST, 8.M.,
CANYON COUNTY, IDAHO
-2016-
SECOND AMENDED PLAT OF
OLD MASONIC LODGE CONDOMINIUMS

ALL OF LOTS 44, 46 & 48, BLOCK 49 OF NAMPA ORIGINAL,
A PART OF THE SOUTHWEST 1/4, OF THE SOUTHEAST 1/4,
OF SECTION 22, AND A PART OF THE SOUTHEAST 1/4, OF THE SOUTHWEST 1/4, OF SECTION
22, TOWNSHIP 3 NORTH, RANGE 2 WEST, B.M.,
CANYON COUNTY, IDAHO

-2016-

UNIT 2

UNIT 5

UNIT 6B

UNIT 6A

UNIT 7

UNIT 9

UNIT 4

UNIT 8

UNIT 3

UNIT 1

1ST FLOOR

2ND FLOOR

3RD FLOOR

4TH FLOOR

Section A

Section B

4TH ST. S.

SURVEYING

DISCLAIMER
Timberline Surveying assumes no responsibility for
present or future compliance or non-compliance of
any ordinance or building permits or the
preceding standards.

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November 6, 2019
Planning and Zoning Department
Peter Nielsen, Sr. Eng. Plans Examiner
Daniel Badger, P.E., Nampa City Engineer
Tom Points, P.E., Nampa City Public Works Director
Nick Boban
Dusten Bristol
320 11th Ave S, Unit 2
CUP-00156-2019 – Bar/ Craft Lounge in a DH Zone

The Engineering Division does not oppose this application as the site is already constructed with existing access and utility services. Required utility use fees, if any, will be determined at time of Tenant Improvement Permit.
Good afternoon,
ITD has received application CUP-00156-2019 for review. My apologies for the tardiness of our response. We are working thru a backlog of applications.
ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

Good Afternoon Everyone! 😊

Re: CUP-00156-2019

Nick Boban has requested a Conditional Use Permit for the existing Bar in the Craft Lounge in a DH (Downtown Historic) zoning district at 320 11th Ave. So., Unit 2 Ground Floor, Historic 29th Masonic Lodge (A portion of a .48 acre or 20,909 sq. ft. parcel situated in the SW ¼ of Section 22, T3N, R2W, BM).

This application will go before the Planning and Zoning Commission as a public hearing item on the November 26, 2019 agenda.

Please find attached the CUP-00156-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 08, 2019.
Building Department has no conditions on the sale of lacquer. The building is fire sprinklered.

Good Afternoon Everyone! 😊

Re: CUP-00156-2019

Nick Boban has requested a Conditional Use Permit for the existing Bar in the Craft Lounge in a DH (Downtown Historic) zoning district at 320 11th Ave. So., Unit 2 Ground Floor, Historic 29th Masonic Lodge (A portion of a .48 acre or 20,909 sq. ft. parcel situated in the SW ¼ of Section 22, T3N, R2W, BM).

This application will go before the Planning and Zoning Commission as a public hearing item on the November 26, 2019 agenda.

Please find attached the CUP-00156-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 08, 2019.
Shellie Lopez

From: Josh Evans
Sent: Wednesday, October 30, 2019 8:18 AM
To: Shellie Lopez
Subject: 320 11TH AVE S

There are no code violations at this time at 320 11TH AVE S
Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
From: Derrick Fleck <djfleck@me.com>
Sent: Friday, November 15, 2019 8:41 AM
To: Norm Holm
Subject: [External]  Craft Lounge

Caution: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using your Phish Button or call the helpdesk at 208-468-5454

To Whom it may concern:

I am in support of Craft Lounge, and it's presence in the community. I am in favor and in support of the conditional use permit. Please approve it, Craft has and continues to grow and bring a positive customer base from all around the valley out to Nampa that positively effects the surrounding businesses as well. Thank you for your consideration on this matter.

Grace and Peace,
Derrick Fleck
Dutch Bros Coffee
Snake River
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I support Craft Lounge and I love the presence in the community.

We absolutely support the Conditional use permit for Craft Lounge.

I request you approve the use as craft continues to be a positive place where we spend our time with friends and family!

Amber Miller
Director of HR & Finance
Dutch Bros Coffee
From: Tara Schaffer <mytribesociety@gmail.com>
Sent: Tuesday, November 19, 2019 10:14 AM
To: Norm Holm
Subject: [External] Craft Lounge

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Hello Norm -

We are writing to you in regards to Craft Lounge in Nampa. As a Nampa resident (Downtown Nampa) we are so thankful for a classy, upscale, responsible establishment where we can enjoy quality beverages within walking distance from our home.

Since Craft Lounge has been established it has encouraged us to get out and walk around our beautiful town, visiting other local businesses with the knowledge that we can stop in on our way home for a delicious Smoked Old Fashioned to cap the night off.

Working in the service and wine industry, I hear great things about this company and know of so many responsible Nampa (and Caldwell) residents who enjoy visiting Craft. I firmly believe not having them would deter quite a few people from making a stop in Downtown Nampa on their evenings out.

Please, consider full support of Craft’s conditional use permit.

Thank you,
Tara and Nathan Evans
Vi Norm Holm

From: Shayna Randall <shayna.randall@dutchbros.com>
Sent: Friday, November 15, 2019 8:34 AM
To: Norm Holm
Cc: Beth Ineck; Deborah Kling; Amy Bowman
Subject: [External] Craft Lounge

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Hi Norm, my name is Shayna Randall and my husband and I own both the Dutch Bros Coffee locations (5 in Canyon County) and also Mesa Tacos and Tequila here in Nampa. I am writing this email in regards to Craft Lounge and Nick Boban. Nick is a former employee of ours at Dutch Bros who worked for us for 4 years while completing his degree in Accounting at Boise State. We have known Nick and his family for many years through our church and serving on many missions trips together with him and his family. After graduating college, he decided to forgo his career in accounting and follow his dreams of being an entrepreneur and business owner. He had a dream to bring a place to Nampa that would mix high end cocktails, top notch service with a classy, speakeasy feel. Something that Nampa has never had before. We are all aware of the dive bars that riddle downtown Nampa and Craft Lounge is nothing like that. Craft is beautiful on the inside and employs some of the most talented bar tenders who are incredibly service minded and care about this community. I have been a part of many community mixers as well as private events at Craft and the people of Nampa are so proud to have this lounge as a part of our city and especially our growing downtown. As a fellow downtown business owner, having options for people to come downtown and stay downtown is vital to all of our success. We have seen first hand at Mesa how difficult it is to seat the amount of people that want to be in downtown! Craft is a go to waiting place for our guests who are waiting for a table and especially for Brick 29. Both restaurants often see up to a 2 hour wait for a table on the weekends. Having a local place like Craft to mingle while you wait has been a highlight for diners in downtown. We have all worked so hard to break the old stigmas of Downtown Nampa and we are finally making headway to make it a destination. My hope in writing this email is to shed light on what a gem this little place is for our downtown and ask that you would approve their conditional use permit. It will not only show thanks to the people who are working so hard to revive downtown but will also show potential business owners how business friendly our city is and what a great place it is to open a business. I am confident in our city planners, council and our mayor that you will all do what is best for Nampa. Thank you for your time and please feel free to contact me for any questions or additional feedback.

Thank you,

Shayna Randall
Dutch Bros Coffee of Canyon County
Caution: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using your Phish Button or call the helpdesk at 208-468-5454.

Hello Norm Holm, this is Aidan Erickson and I currently work for Nick Boban at Craft Lounge! I really enjoy my job bartending and cocktail waitressing and it’s helped my people skills by quite a bit! I worked for Dutch Bros of Canyon County for 5 1/2 years where I met nick, and seeing his growth with this business has made Nampa such a fun and welcoming area.

I support the Conditional Use Permit 100%.

Thank you,

Aidan Erickson