Planning & Zoning Department
Planning & Zoning Commission Meeting
November 26, 2019

Staff Report – Public Hearing #7

Conditional Use Permit for Firearms Manufacturing in an IL (Light Industrial) zoning district at 1604 E. Plaza Loop for Brian Kennedy, Precise Innovation LLC (CUP 158-19).

Applicant/Business Owner: Precise Innovation LLC, Brian Kennedy
Property Owner: Robert Schwenkler, Triple F. Development LLC

File No: CUP 158-19

Prepared by: Norman L. Holm, Planning Director
Date: November 20, 2019

Requested Action: Conditional Use Permit
Purpose: Manufacturing of AR-15 rifles

GENERAL INFORMATION

Status of Applicant: Business Owner

Existing Zoning: IL (Light Industrial)

Address: 1604 E. Plaza Loop (Portion of Canyon County Parcel # R1503823900)

Legal Description: Tax 10016 in Lot 14 and part of Lot 1 and 2, Block 1, Mason Creek Plaza and a portion of the SW ¼ Sylvan Heights in Section 14, T3N, 2W, BM

Size of Property: An approximate 2,730 sq. ft. lease space with shared parking.

Surrounding Land Use and Zoning:
North- Industrial Buildings, IL (Light Industrial)
South- Industrial Buildings, IL (Light Industrial)
East- Industrial Buildings, IL (Light Industrial)
West- Vacant/undeveloped, BC (Community Business)
Comprehensive Plan Designation: Border of General Commercial and Light Industrial.

Zoning and Planning History: This property is being utilized as an industrial tenant space since the time of building construction.

Applicable Regulations: Nampa City Code, Title 10, Chapter 25 sets forth the criteria of approval. These criteria essentially require that the use be compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood. Section 10-25-4 states the general criteria for approval of a conditional use permit.

SPECIFIC INFORMATION

Public Utilities in E. Plaza Loop:
8" Sewer Main
8" Water Line
4" Pressurized Irrigation

Transportation: The property has access available from E. Plaza Loop

Environmental: Staff presumes that the business will be operated indoors in an office setting.

Parking: Shared off-street parking is available surrounding the building and available to all the tenant uses leasing the individual industrial suites.

CORRESPONDENCE

City of Nampa Engineering Division: Required utility use fees, if any, will be determined at time of Tenant Improvement Permit.

City of Nampa Building Department: Required Certificate of Occupancy or a Tenant Improvement Application, before the tenant can move in.

Nampa Highway District #1: no comment

Idaho Transportation Department: no comment

Nampa & Meridian Irrigation District: no comment

STAFF FINDINGS & DISCUSSION

From a land use standpoint, the location is in an industrial/commercial setting. The requested firearms manufacturing requires a conditional use permit in the IL zone. The business will manufacture AR-15 rifles. Completed rifles will be stored in a safe within an alarmed secured room. Other completed components will be also stored within the room. No direct sales will occur at the location. Rifles will be shipped from the location to gun dealers.
The Comprehensive Plan Future Land Use Designation identifies the desired future development of this area as Light Industrial, which appear to support the locating of this type of land use/business on the property.

If the City Planning and Zoning Commission votes to approve this Conditional Use Permit, the following findings are suggested:

1) The location, size and design and operating characteristics of the proposed Firearms Manufacturing Business will be compatible with and 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) The location, design, and site planning of the proposed Firearms Manufacturing Business 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) The proposed Firearms Manufacturing Business 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.

With regards the conditional use permit, staff recommendation is that operation of a firearms manufacture business at this location will have no negative impact on the surrounding industrial/commercial area, provided that the applicant/owner complies with the below stated conditions of approval.

SUGGESTED CONDITIONS OF APPROVAL

If the Commission determines to approve the conditional use permit for the proposed Firearms Manufacture Business, the following conditions are recommended:

1) All requirements of the Nampa Planning, Building, Engineering, and Fire Departments as well as state, or federal agencies regarding use of the property for a firearms manufacturing business shall be satisfied prior to occupancy.

2) The owner maintains all regulatory permitting, licensures and operational procedures as required by law.

3) Inventory is locked in a secure location.

4) 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.

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

ATTACHMENTS

1) Application (Page 4)
2) Vicinity zoning map (Page 5)
3) Vicinity comprehensive plan map (Page 6)
4) Google aerial photo (Page 7)
5) Google street view photo (Page 8)
6) Agency and other correspondence (Pages 9+)
**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)

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<tr>
<td>Robert Schweikler</td>
<td>208 284 3305</td>
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<td>208 284 3305</td>
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<tr>
<td><a href="mailto:Info@Franklinbusinesscenter.net">Info@Franklinbusinesscenter.net</a></td>
<td>208 284 3305</td>
<td>208 284 3305</td>
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</tbody>
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**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: **Manufacturing**

- Dated this 30 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 - 158 - 2019  PROJECT NAME: Precise Innovations LLC

12/11/13 Revised

**SCANNED** 10/31/2019
PRECISE INNOVATIONS
FIREARMS MANUFACTURING
1604 E Plaza Loop
Conditional Use Permit
CUP-00158-2019
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.
Building Department will require a Certificate of Occupancy or a Tenant Improvement Application, before the tenant can move in.

Good Morning Everyone! 😊

Re: CUP-00158-2019

Brian Kennedy, Precise Innovation LLC has requested a Conditional Use Permit for Firearms Manufacturing in an IL (Light Industrial) zoning district at 1604 E. Plaza Loop (Tax 10016 in Lot 14 and part of Lot 1 and 2, Block 1, Mason Creek Plaza and a portion of the SW ¼ Sylvan Heights in Section 14, T3N, 2W, 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-00158-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 08, 2019.

Thank you & Have a great day!
Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

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From: Shellie Lopez <lopez@cityofnampa.us>
Sent: Tuesday, November 5, 2019 7:38 AM
Subject: CUP-00158-2019

Good Morning Everyone! 😊

Re: CUP-00158-2019

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