

**NAMPA PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
TUESDAY, JANUARY 8, 2019, 6:30 P.M.**

Members: Lance McGrath - Chairman  
Adam Hutchings  
Steve Kehoe  
Jeff Kirkman  
Harold Kropp  
Bret Miller

Peggy Sellman  
Ron Van Auker, Jr  
Norm Holm, Director  
Doug Critchfield – Planner II  
Daniel Badger – City Engineer

Absent: Matthew Garner

**Chairman McGrath** called the meeting to order at 6:45 p.m.

**Announcements:** **Holm** advised the next Comprehensive Plan meeting was scheduled for January 24<sup>th</sup> at the Nampa Civic Center.

**Approval of Minutes:** **Sellman** motioned and **Van Auker, Jr** seconded to approve the Minutes of the December 11, 2018 Planning and Zoning Commission. Motion carried.

**Report on Council Actions.**

- **Holm** stated the City Council meeting was held last night, January 7, 2019. Items approved were: 1) The public hearing for a Variance to allow 3 ft side setbacks for lots in Bella Commons P-U-D Phase 2, for Chad Olsen; and, 2) Modification of Annexation and Zoning Development Agreement for 3905 Southside Blvd/Lava Springs Subdivision, for Peak Subdivision, a residential subdivision in place of the original BC zoning.

**Chairman McGrath** proceeded to the business items on the agenda.

**Business Item No. 1:**

**Subdivision Final Plat Approval for Eagle Stream Subdivision No. 4 on the south side of W Flamingo Ave, west of N Middleton Rd, in the RS-6 (Single Family Residential – 6000 sq ft minimum lot size) zoning district. (A parcel of land located in the SE ¼ of Section 18 T3N R2W BM – 36 buildable lots on 9.12 acres, 3.9 lots per gross acre), for Eagle Stream Properties, LLC (SPF-00076-2018). ACTION ITEM.**

**Planner II Critchfield:**

- The proposed Eagle Stream Subdivision No. 4, comprised 36 buildable lots and 4 common lots on 9.12 acres, located south of W Flamingo Ave and west of Middleton Rd, within an RS-6 zoning designation.
- Critchfield noted staff had reviewed the plat and found the development would be in substantial conformance, within acceptable limits, to the approved Preliminary Plat for the Eagle Stream Subdivision and with the relevant RS-6 zoning standards.
- Staff, added Critchfield recommended approval for the proposed subdivision, subject to all recommended conditions.

**Kropp** motioned and **Sellman** seconded to recommend to City Council approval of the Final Plat for Eagle Stream Subdivision No. 4, subject to:

**1. Generally, Applicant/Development shall:**

Comply with all City department/division or outside agency requirements pertinent to the 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 Eagle Stream Subdivision.

More specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

- a) Compliance with requirement(s) listed in the November 20, 2018 e-mail from the Pioneer Irrigation District authored by Mark Zirschky.
- b) Comply with the requirements listed in the December 17, 2018 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.

- c) **Compliance with the requirement(s) listed in the December 19, 2018 memorandum from the Engineering Division authored by Nicole Fletcher.**
2. **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.**

**Business Item No. 2:**

**Subdivision Final Plat Approval for Canyon Creek Subdivision No. 4 between Cherry Lane and Ustick Rd, at 17447 N Can Ada Rd, within the RS-7 (Single Family Residential – 7000 sq ft minimum lot size) zoning district. (A parcel of land located in the SE ¼ of Section 1 T3N R2W BM – 59 buildable lots on 18.15 acres for 3.09 lots per gross acre), for Bailey Engineering representing Toll Southwest, LLC (SPF-00077-2018). ACTION ITEM.**

**Planner II Critchfield:**

- Critchfield indicated the Canyon Creek Subdivision No. 4 to be located on 18.15 acres, proposed for 59 buildable and 5 common lots in the RS-7 zoning district, located north of Cherry Ln and west of N Can-Ada Rd.
- According to Critchfield staff had reviewed the plat and found the development would be in substantial conformance, within acceptable limits, to the approved Preliminary Plat for Canyon Creek Subdivision and in compliance with the relevant RS-7 zoning standards.
- Staff, added Critchfield, recommended approval for the proposed subdivision, subject to all recommended conditions.

**Kirkman motioned and Kehoe seconded to recommend to City Council approval of Canyon Creek Subdivision No. 4 Final Plat, subject to:**

**1. Generally, applicant/Development shall:**

**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 Canyon Creek Subdivision.**

**More specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):**

- a) **Compliance with the requirements listed in the December 17, 2018 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.**
  - b) **Compliance with requirement(s) listed in the December 19, 2018 memorandum from the Nampa Engineering Division authored by Nicole Fletcher.**
- 2. 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.**

**Business Item No. 3:**

**Subdivision Final Plat Approval for Meadowcrest Subdivision No. 2 at the Northeast corner of Lake Lowell Ave and S Middleton Rd, within the RS-6 (Single Family Residential – 6000 sq ft minimum lot size) zoning district. (A portion of the SW ¼ of Section 29 T34N R2W BM – 39 Single Family Residential lots on 9.51 acres, or 4.1 lots per gross acre), for Hayden Homes Idaho, LLC, Tim Mokwa (SPF-00078-2018). ACTION ITEM.**

**Planner II Critchfield:**

- The proposed final plat for Meadowcrest Subdivision No. 2, advised Critchfield, comprising 9.51 acres for 39 buildable lots and 2 common lots, located in an RS-6 zoning district at the northeast corner of Lake Lowell Ave and S Middleton Rd.
- According to Critchfield, staff had reviewed the plat and found the development would be in substantial conformance, within acceptable limits, to the approved Preliminary Plat for Meadowcrest Subdivision and in compliance with the relevant RS-6 zoning standards.
- Staff, added Critchfield recommended approval for the proposed subdivision, subject to all recommended conditions.

Van Auker, Jr motioned and Sellman seconded to recommend to City Council approval of the Meadowcrest Subdivision No. 2 Final Plat, subject to:

**1. Generally, Applicant/Development shall:**

Comply with all City department/division or outside agency requirements pertinent to the 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 Meadowcrest Subdivision.

More specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the Agency providing the comments.

- a) Compliance with the requirements listed in the December 4, 2018 memorandum from the Nampa and Meridian Irrigation District authored by David T Duvall.
- b) Compliance with the requirements listed in the December 20, 2018 letter from the Idaho Transportation Department authored by Sarah Arjona.
- c) Compliance with the requirement(s) listed in the December 26, 2018 memorandum from the Nampa Engineering Division, GIS Section, authored by Alex Main.
- d) Compliance with the requirement(s) listed in the December 31, 2018 memorandum from the Nampa Engineering Division authored by Daniel Badger.

**2. 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.**

Chairman McGrath proceeded to the public hearing items on the agenda at 7:00 p.m.

**Public Hearing No. 1:**

**Conditional Use Permit for a Home Occupation Day Care for up to 12 children in an RS-6 (Single Family Residential – 6000 sq ft) zoning district at 1023 E Sheridan Ave. (A .10 acre or 4,300 sq ft parcel being the east 86 ft of Lot 1, Block 12, Kurtz Addition, and a portion of the SE ¼ Section 27 T3N R2W BM) for Mary Luna (CUP-00121-2018. ACTION ITEM continued from 10/23/2018 P and Z meeting.**

Chairman McGrath proceeded to public hearing.

**Mary Luna of 1023 E Sheridan Ave, Nampa – the applicant:**

- Ms Luna stated she had just renewed her lease for another year for 1023 E Sheridan Ave and was now requesting another month or two to make arrangements for the requirement to widen the door.
- According to Ms Luna, now that she had made the decision to stay at the 1023 E Sheridan location, she wanted to pursue the Home Occupation for up to 12 children, but still needed time to accomplish the Fire Department requirement of widening the second egress door.
- At the present time, continued Ms Luna, she was only caring for four children and was not required to comply with the door widening.
- According to Ms Luna, she wanted to proceed with the C-U-P for up to 12 children in case she had more children to care for in the future.
- Ms Luna requested the Conditional Use Permit public hearing be continued for a month or two to allow her time to arrange for widening of the egress door.

**Planning Director Holm:**

- Holm explained the requested continuation of the public hearing and suggested the public hearing be continued until the March 26, 2019 Planning and Zoning Commission meeting.
- Holm advised no comments had been received from surrounding property owners or residents.

Chairman McGrath inquired if anyone present wished to speak regarding the Conditional Use Permit for a Home Occupation Daycare for up to 12 children at 1023 E Sheridan Ave.

- No public comment received.

**Kehoe motioned and Sellman seconded to continue the public hearing for the Conditional Use Permit for a Home Occupation Daycare for up to 12 children at 1023 E Sheridan Avenue to allow the applicant time to bring the home into compliance with the Nampa Fire Department standards.**

**Motion carried.**

**Public Hearing No. 2:**

**A multi-part (package) application to: 1) Modify an Annexation and Zoning related Development Agreement (Ord 3554 – Instr. # 200629961) between BB One LLC and the City of Nampa by amending Exhibit B – Commitments and Conditions, and introducing an Exhibit C – Preliminary Plat for Laguna Farm Apartments; 2) Obtain a Conditional Use Permit for 78 Four-Unit Townhomes in 7 four-plex, 19 eight-plex, and 11 twelve-plex style buildings; and, 3) Obtain Subdivision Preliminary Plat Approval for Laguna Farms Subdivision (2 Commercial Lots and 78 Four-Unit townhome Lots for a total of 312 dwelling units on 22.53 acres for 13.8 dwelling units per gross acre). All actions pertaining to Parcel #R3041700000 (1652 Idaho Center Blvd.) a 24.53 acre property in a GB-2 (Gateway Business - 2) zoning district in Government Lot 1 and the NW of Section 7 T3N R1W BM – for Kent Brown representing FIG Laguna Farms, LLC (DAMO-00027-2018, CUP-00124-2018, and SPP-0035-2018). ACTION ITEM.**

**Chairman McGrath** proceeded to public hearing.

**Kent Brown of 3161 E Springwood Dr, Meridian – representing the applicant:**

- Mr Brown noted the two commercial lots fronting on to Idaho Center Blvd would remain.
- There would be an entrance into the proposed development from Idaho Center Blvd, between the two commercial lots.
- The existing Development Agreement, stated Mr Brown, describes how the commercial buildings/lots would have to be oriented towards Idaho Center Blvd, with parking behind and the uses to match the commercial uses in the general area.
- At the present time, added Mr Brown, it was unknown what the uses would be on the two commercial pads.
- Mr Brown explained the types of buildings proposed for the development: 2 to 3 story rear entry units; 3 story rear entry units, and front entry units.
- Mr Brown discussed the specific model homes in relation to the green spaces between the units, and some of the buildings would be 3 stories in the middle and two stories at the edges.
- According to Mr Brown, there would be a pool and clubhouse on the east side of the subdivision, a volleyball court, two tot lots, a covered picnic area, a sports court, and a dog park.
- Mr Brown indicated the extra landscaping up against the college property, as well as open view spaces running from south to north between the living units.
- **Kirkman** inquired if there would be a connection to the college frisbee golf court to the south and **Mr Brown** stated they had talked to the college and it did not appear they wanted the connection.
- Mr Brown discussed the layout of the proposed living units and garages in relation to the green spaces.
- Mr Brown emphasized the difference between the proposed development and other apartment complexes, instead of having a big parking lot and carports, the units would have garages, as well as extra visitor parking spaces throughout the development.
- Townhouse living, continued Mr Brown, would be similar to a single-family home, along with a myriad of amenities.
- Mr Brown stated the applicants had built the proposed type of project in Utah and Texas, and more recently in Meridian.
- It was a very high-quality product, emphasized Mr. Brown, that would provide for different users.
- **Kehoe** inquired if the snow would be shoveled in the green areas between the buildings and **Mr Brown** replied the Association would be handling that, as well as making sure the residents would be using their garages to park their cars and not as a storage unit.
- Mr Brown explained they would all be market rate rental units and not subsidized housing.

**Planning Director Holm:**

- Holm explained the three-part request for the proposed development: 1) Modification of the Development Agreement originally approved for commercial type uses. The applicants are retaining the two front lots for commercial use but the balance of the land would be converted to apartment use; 2) The Conditional Use Permit for apartments in the GB-2 zoning district; and, 3) To facilitate the Preliminary Plat for Laguna Farms Subdivision.
- Holm reviewed the Staff Report, with the conclusions of law, the findings, and recommended conditions of approval.

- According to Holm, there would be 312 living units, and noted the overall density did conform to the GB-2 density allowance.
- Holm indicated the recommended conditions of approval for the three applications.
- Holm advised they had received no communication from surrounding property owners or residents.
- The property being located next to the college, continued Holm, would be available for occupation by students.

**Chairman McGrath** proceeded to public testimony.

**Eric Fondgren of 16760 Idaho Center Blvd, Nampa – in favor:**

- Mr Fondgren stated he was completely in favor of the proposed development and noted it was similar to what he planned to do with his property, but on a larger scale.
- Mr Fondgren stated his only concern was the access on to Idaho Center Blvd.
- That road tapers off, continued Mr Fondgren.
- The developers for the project on the west side of Idaho Center Blvd, added Mr Fondgren, had just put in pressurized sewer for the subdivision going in on the north side of Cherry Ln.
- With the development currently before the Commission, stated Mr Fondgren, the road would be torn up again next year to put in gravity feed.
- According to Mr Fondgren, he did have a concern regarding 312 front doors in the proposed development going in through one access road. Currently, stated Mr Fondgren, the road is backed up from the stop sign all the way past Birch Ln, and questioned if there were any plans to widen Idaho Center Blvd.
- Mr Fondgren stated he would like as much information as possible on when and where the water lines, sewer lines, gas and electric would be going in.

**Kent Brown:**

- Mr Brown noted with a project of the proposed size they were required to perform a Traffic Impact Study – which does have requirements for the development.

**City Engineer Badger:**

- Badger stated the Traffic Impact Study for the proposed Laguna Farms Subdivision identifies that under current conditions the intersection at Cherry Ln and Idaho Center Blvd functions at an acceptable level of service for the City. However, it does show the intersection needs improvement by 2025 – which was in the works under the Draft Transportation Master Plan – as an intersection identified for signalization within that timeframe, therefore, the City would likely be undertaking that by 2022.
- Badger indicated the requirement for the Laguna Farms Development in the Traffic Impact Study, that they have a left turn lane into the site and therefore they will be required to do some widening on the roadway. Time wise, stated Badger, they will likely not end up doing full frontage improvements on Idaho Center Blvd, based on the proposed changes with the Impact Fees - where the developers will no longer be required to do full widening but just the turn lanes required based on the Traffic Impact Study.
- The City at some point in the future, continued Badger, would be coming back to do the full widening of the roadway for the 5-lane section.
- **Chairman McGrath** inquired about the capacity of the single entrance into the development to handle the ingress and egress for all the vehicles in the development.
- **Badger** replied the development would be required to have an emergency access out on to Idaho Center Blvd at the north end of the northern commercial lot.
- **Chairman McGrath** questioned if there were any plans for signalization for the proposed development and Badger stated there would be no plans to signalize that intersection, but the proposed signalization to the north and existing signal on Birch Ln, should create the gaps needed to allow people to make turns.
- In response to a question from **Kirkman**, **Badger** advised the Impact Fees were assessed based on the date of their Building Permit application.
- Discussion followed regarding the width of Idaho Center Blvd and how Mr Fondgren could plan for the road being widened. Badger stated the Master Plan for Idaho Center Blvd would be 100 ft of total right of way, 50 ft from centerline. Currently, continued Badger, there was a prescriptive Right-Of-Way of 50 ft – 25 ft on either side.
- The time lines, stated Badger, would be truly up to the developer for his portion and the time line for the City to widen that section of Idaho Center Blvd, was not in the current Capital Improvement Plan.

**Eric Fondgren:**

- According to Mr Fondgren, he had dedicated 50 ft of right-of-way in 2002 and noted it tapered across his property at an angle. Mr Fondgren considered there would be a lot of problems with the traffic on Idaho Center Blvd from all the nearby developments. Currently, the road in front of the proposed Laguna Farms Subdivision was very narrow, stated Mr Fondgren.
- Mr Fondgren stated he also owned the property at 16752 Idaho Center Blvd and reported he would be adding another 6 units over time.

**Kent Brown:**

- Mr Brown advised if everything went well with the proposed development, they might be building the first units a year from now.
- It would be a phased development, added Mr Brown, and it was anticipated the westerly portion would be the first phase. It could be 2022 before the units were built.
- Regarding the Development Agreement, the only thing to be added would be the allowance for Commercial as well as Residential. In the design, suggested Mr Brown, they have conformed to the Development Agreement and were sensitive to the adjoining residential neighbors.

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

- **Kirkman** stated it was a good location for the proposed type of project.
- **McGrath** concurred and stated he liked the project and considered there would be a reduced amount of asphalt.
- **Miller** stated he also liked the project.

**Modification of Development Agreement:**

**Van Auker Jr motioned and Kehoe seconded to recommend to City Council approval of the Modification of the Development Agreement (Ord 3554 – Inst. #200629961) between BB One LLC and the City of Nampa by amending Exhibit B – Commitments and Conditions, and introducing an Exhibit C – Preliminary Plat for Laguna Farms Apartments for Kent Brown, representing FIG Laguna Farms, LLC, for property located on 24.53 acres at 1652 Idaho Center Blvd, Parcel R3041700000, within a GB-2 (Gateway Business 2) zoning district in Government Lot 1 and the NW ¼ of Section 7 T3N R1W BM, subject to:**

1. **The Applicant, as Owner/Developer, shall enter into a Modified Development Agreement with the City of Nampa. The Agreement(s) shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the Applicant and agreed to and conditioned by the City through its Council or executive departments or outside agencies properly involved in the review of the Applicant's request for the Property's entitlement(s), including insertion of concept plans therein.**

**Motion carried.**

**Conditional Use Permit:**

**Kirkman motioned and Kehoe seconded to approve the Conditional Use Permit for 78 Four-Unit Townhomes in 7 four-plex, 10 eight-plex, and 11 twelve plex style buildings for property located on 24.53 acres at 1652 Idaho Center Blvd, Parcel R3041700000, within a GB-2 (Gateway Business 2) zoning district in Government Lot 1 and the NW ¼ of Section 7 T3N R1W BM, for Kent Brown representing FIG Laguna Farms, LLC, subject to:**

1. **Owner/Operator/Applicant(s) shall comply with all applicable requirements [including obtaining proper permits) as may be imposed by agencies appropriately involved in the review of the request (e.g. Nampa Fire, Building, Planning and Zoning (including Design Review) and Engineering Departments, etc], as the C-U-P approval does not and shall not have the effect of abrogating requirements from those agencies.**

**Motion carried.**

**Laguna Farms Preliminary Plat:**

**Kirkman motioned and Kropp seconded to approve the Preliminary Plat for Laguna Farms Subdivision (2 Commercial Lots and 78 Four-Unit townhomes, in 7 four-plex, 19 eight-plex, and 11 twelve-plex style buildings, for a total of 312 dwelling units on 22.53 acres for 13.8 dwelling units per gross acre), pertaining to Parcel R3041700000 (1652 Idaho Center Blvd), on 24.53 acres in a GB-2**

zoning district in Government Lot 1 in the NW ¼ of Section 7 T3N R1W BM, for Kent Brown representing FIG Laguna Farms, LLC, subject to:

1. The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of the matter including, specifically the following:
    - a) Those listed in the January 8, 2018 memorandum from the Nampa Engineering Division authored by Daniel Badger
    - b) Those listed in the December 3, 2018 letter from the Nampa and Meridian Irrigation District authored by David Duvall.
  2. The water system for the Development shall be completely installed and able to deliver water prior to any Building Permits being issued within the Development. The water shall be sufficient in volume and pressure to provide sufficient adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable.
  3. Developers' engineer shall correct any spelling, grammar, punctuation and/or and numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in/on a/the Final Plat that may be submitted to the City following approval of a/the Laguna Farms Subdivision Preliminary Plat.
  4. Any exceptions to City adopted subdivision design standards shall/will require separate design (exception) approval from the City Council.
- Motion carried.

**Public Hearing No. 3:**

**Conditional Use Permit for a New Duplex in an RS-6 (Single Family Residential -6000 sq ft lot size) zoning district at 1130 Rosenlof Ave. (A 9,624 sq ft portion of Lot 1, Amended in Plat of Rosenlof Addition to Nampa, Book 1A, 15½, being in the NW ¼ of Section 23 T3N R2W BM) for Maria Anna Molina Lopez (CUP-00125-2018). ACTION ITEM.**

Chairman McGrath proceeded to public hearing.

**Maria Anna Lopez of 407 Stampede Ln, Nampa – the applicant:**

- Ms Lopez stated she would like to build a duplex at 1130 Rosenlof Ave.
- Ms Lopez indicated the proposed floor plan and building elevations for the duplex.
- Each side, added Ms Lopez, would have 3 bedrooms, 2 bathrooms and a garage.
- **Kehoe** inquired if the proposed lot was vacant and **Ms Lopez** advised there was nothing on the lot at this time.
- **Kehoe** noted there have been a lot of tractor trailers parked on the lot from time to time and questioned if they belonged to the applicant.
- **Ms Lopez** replied they belonged to her father but were no longer on the lot and would not be coming back.

**Planning Director Holm:**

- The application, stated Holm, was for a duplex in the RS-6 zoning district. The subject property was across the street from an RML (Limited Multiple Family) zoning district, RD (Residential Two Family [Duplex] on the corner, and BC (Commercial) zoning not too far away.
- According to Holm, the property comprised approximately 9,200 sq ft and met the criteria for lot size for a duplex.
- Holm reviewed the Staff Report and Memorandum from the Engineering Division dated December 20, 2018, the site plan, and the recommended conditions of approval.
- Holm stated there had been no communications received from surrounding property owners or residents.

Chairman McGrath proceeded to public testimony.

**Martin Lopez of 1121 Rosenlof Dr – in favor:**

- Mr Lopez confirmed he was in favor of the duplex and his sister was the applicant.
- Mr Lopez considered it would be good for the neighborhood as the subject property was currently a vacant lot.

**Jesse Elmsworth of 1140 Rosenlof Ave – in favor:**

- Mr Elmsworth stated he was 100 percent in favor of the duplex and considered it would be a good addition to the neighborhood. Although the area was an old neighborhood, it was slowly being rejuvenated.

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

**Kehoe motioned and Sellman seconded to approve the Conditional Use Permit for the two story duplex at 1130 Rosenlof Ave, in an RS-6 zoning district, for Maria Anna Molina Lopez, subject to:**

- 1. All requirements of the Nampa Fire and Building Departments regarding the proposed duplex shall be satisfied.**
- 2. General compliance at the time of Building Permit issuance with the site plan approved, including the continual maintenance of the off-street parking spaces shown on the plans.**
- 3. The Conditional Use Permit shall be issued for the life of the building as a duplex.**

**Motion carried.**

**Public Hearing No. 4:**

**Conditional Use Permit for an Auto Repair Shop in a DV (Downtown Village) zoning district at 104 6<sup>th</sup> Ave S. (Lots 14, 16, 18 and 20, Block 25, Nampa Original Townsite, being a .68 acre portion of the SW ¼ Section 22 T3N R2W BM) for Michael J Wetzel, DBA Alignment Specialists Northwest, LLC (CUP-00126-2018). ACTION ITEM.**

**Chairman McGrath** proceeded to public hearing.

**Michael Wetzel of 10586 W Riley Ct, Boise – the applicant:**

- Mr Riley explained he would like to rent the subject building from Simplot Corporation.
- According to Mr Riley, he operated a mobile alignment and truck repair service and had run into the situation where some customers do not have a shop location and, therefore he needed a place to do alignment, as well as for storage, to park his service truck overnight, and work out of the subject building.
- He would not be doing general auto repair, added Mr Wetzel, because Simplot had been worried about waste oil, antifreeze, etc. Mr Wetzel reported he would be doing suspension repair and that type of thing but no oil changes and radiators, etc.
- **Kehoe** inquired if the buildings in that vicinity were mostly unoccupied and were there a lot of homeless people try to get into them.
- **Mr Wetzel** replied there were three buildings on the subject property, two Quonset huts and one shop.
- According to Mr Wetzel, he had not seen any issues, and a friend of his storing boats in a nearby building had no problems with homeless people.
- The building he would be occupying, added Mr Wetzel, was a metal building with a big padlock.

**Planning Director Holm:**

- Holm noted the proposed use would be eligible for the subject location with Conditional Use Permit approval.
- Holm advised that rather than auto repair, the applicant would be performing vehicle alignment and suspension repair. The property would not be a full time shop open to the public added Holm.
- No communications, reported Holm, had been received from surrounding property owners or residents.
- Holm reviewed the Staff Report and recommended conditions of approval.
- Holm indicated the Engineering Division Memorandum dated December 20, 2018, regarding connection to City utilities and frontage improvements for curb, gutter and sidewalk.

**Chairman McGrath** proceeded to public testimony.

No public comment forthcoming.

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

**Kirkman motioned and Kehoe seconded to approve the Conditional Use Permit for a Vehicle Alignment and Suspension Repair Shop at 104 6<sup>th</sup> Avenue South (Parcel R1334900000), Lot 20, Block 25 Nampa Original Townsite, in the SW ¼ of Section 22 T3N R2W BM, in the DV (Downtown Village) zoning district for Michael Wetzel, dba Alignment Specialists Northwest, LLC, subject to:**



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 vehicle alignment and suspension repair shop shall be satisfied prior to occupancy.
2. At the time of permit application, owner will pay the standard utility connection fees, if applicable.
3. Applicant will be required to do frontage improvements, including but not limited to, curb, gutter and sidewalk.
4. The change of use may require approval and issuance of a Building Permit and compliance with applicable Fire and Building Code requirements pertaining to a vehicle alignment and suspension repair shop.
5. The Conditional Use Permit shall be issued only for a vehicle alignment and suspension repair shop. No outside impoundment of vehicles or salvage activities beyond those outlined in the definition of automobile repair in Section 10-1-2 will be allowed. All repairs shall be conducted in the building.
6. The outdoor parking and yard area adjacent the shop shall be maintained free of oil and debris and otherwise maintained in a neat and orderly manner. Any vehicle fluids shall be disposed of at an approved dump site and not on the property.
7. The property shall be continuously maintained in conformance with weed and nuisance Ordinance provisions.
8. 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.

Motion carried.

Meeting adjourned at 8:11 p.m.



Norman L. Holm, Planning Director

:sm