

**NAMPA PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
TUESDAY, MARCH 12, 2019, 6:30 P.M.**

|          |                            |                                 |
|----------|----------------------------|---------------------------------|
| Members: | Lance McGrath - Chairman   | Harold Kropp                    |
|          | Peggy Sellman – Vice Chair | Bret Miller                     |
|          | Matthew Garner             | Ron Van Auken, Jr               |
|          | Adam Hutchings             | Norm Holm, Director             |
|          | Steve Kehoe                | Kristi Watkins – Senior Planner |
|          | Jeff Kirkman               | Daniel Badger – City Engineer   |

**Chairman McGrath** called the meeting to order at 6:32 p.m.

**Approval of Minutes:** Sellman motioned and Miller seconded to approve the Minutes of the February 26, 2019 Planning and Zoning Commission meeting. Motion carried.

**Report on Council Actions.** City Councilor Haverfield reported on the City Council meeting of March 4, 2019: 1) City Council did approve the Amendments to the Nampa City Code, Title 3, Chapter 7 – Impact Fees; 2) City Council also approved Amendments to the Nampa City Code – Title 10, new Design Review Chapter 34; 3) Appeal of the Denial by the Planning Commission for the 72 unit apartment complex on Merchant Way, near Treasure Valley Marketplace. After reviewing the City Council approved the Appeal, to allow approval of the Conditional Use Permit for the apartments with conditions to include meeting the Ordinance regarding parking, and the ADA parking requirements, as well as screening along the east side of the property where it abuts an industrial facility.

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

**Business Item No. 1:**

**Final Plat Approval for Carriage Hill West Subdivision No. 2 on the east side of Midway Rd between W Iowa Ave and Lake Lowell Ave. (A portion of the NW ¼ of Section 31 T3N R2W BM – 44 Single Family Residential lots, within an RS-7 zoning district, on 11.25 acres, or 3.91 lots/gross acre), for Engineering Solutions, LLP, representing Toll Southwest, LLC. (SPF-00082-2019).**

**Senior Planner Watkins:**

- Watkins indicated the location of the proposed subdivision at the southeast corner of Lake Lowell Ave and Midway Ave, within an RS-7 zoning district.
- Watkins reviewed the Staff Report and the Engineering Division memorandum, dated March 12, 2019, authored by Daniel Badger.
- Staff finds the proposed Final Plat for Carriage Hill West Subdivision No. 2 conforms, or substantially conforms to the approved Preliminary Plat for the Carriage Hill West Subdivision and complies with the relevant RS-7 Zoning Code and City of Nampa Subdivision standards pertaining to the proposed development.
- Staff, added Watkins, recommends approval for Carriage Hill West Subdivision No. 2, contingent upon compliance by the applicant/developer with the recommended conditions of approval listed in the Staff Report and those listed in the Engineering Division memorandum.
- **Garner** noted the Engineering Division memorandum indicated there should be a secondary access for the subdivision due to the number of lots in the development and inquired if that would change the plat.
- **Badger** replied that requirement would not significantly change the plat because they would more than likely be extending the existing collector road out to Midway Rd upon construction of Phase 3, probably concurrently with Phase 2, so there would be no significant change to the proposed plat.
- **Chairman McGrath** referred to the letter from the Boise Project Board of Control and inquired about the pressurized irrigation system for the proposed development.
- **City Engineer Badger** replied the Carriage Hill West Subdivision would be served by City of Nampa pressurized irrigation.

**Miller motioned and Garner seconded to recommend to City Council approval of the Final Plat for Carriage Hill West Subdivision No. 2 for Toll Southwest LLC, subject to:  
Generally, Applicant/Development shall:**

1. **Comply with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the city pertaining to the approved Preliminary Plat of/for Carriage Hill West 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):  
Specifically:
    - a) **Compliance with the requirement(s) listed in the January 24, 2019 e-mail from Nampa Highway District No. 1, authored by Eddy Thiel.**
    - b) **Compliance with the requirement(s) listed in the January 29, 2019 letter from Boise Project Board of Control, authored by Thomas Ritthaler.**
    - c) **Compliance with the requirement(s) listed in the February 25, 2019 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.**
    - d) **Compliance with the requirements listed in the March 12, 2019 memorandum from the City 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.

**Business Item No. 2:**

**Final Plat Approval for Lava Peak Subdivision at the SW corner of the intersection of E Locust Lane and Southside Blvd in the NE ¼ of Section 11 T2N R2W BM – 29 Single Family Residential lots on 6.85 acres, or 4.23 lots/gross acre), for Matt Schultz representing Quatro Properties Nampa, Inc. (SPF-00083-2019)**

**Senior Planner Watkins:**

- Watkins indicated the location of the proposed development at the southwest corner of Southside Blvd and E Locust Ln.
- Staff finds, continued Watkins, the proposed subdivision conforms, or substantially conforms within acceptable limits to the approved Preliminary Plat for Lava Peak Subdivision and complies with the relevant RS-6 Zoning Codes and City of Nampa Subdivision standards pertaining to the proposed development.
- Watkins indicated the Engineering Division memorandum dated March 12, 2019, authored by Daniel Badger.
- Staff recommends Lava Peak Subdivision Final Plat be approved contingent upon compliance by the applicant/developer with the recommended conditions of approval listed in the Staff Report and those listed in the Engineering Division memorandum.
- **Kropp** inquired if there would be any commercial use on the subject property and **Watkins** replied there would not.

**Miller motioned and Garner seconded to recommend to City Council Final Plat approval for Lava Peak Subdivision for Matt Schultz, representing Quatro Properties Nampa, Inc, subject to:  
Generally, Applicant/Development shall:**

1. **Comply with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the City pertaining to the approved Preliminary Plat of/for Lava Peak 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):  
Specifically:
  - a) **Compliance with the requirement(s) listed in the January 24, 2019 e-mail from Nampa Building Department, authored by Neil Jones.**
  - b) **Compliance with the requirement(s) listed in the February 15, 2019 letter from Idaho Transportation Department, authored by Sarah Arjona.**
  - c) **Compliance with the requirement(s) listed in the February 20, 2019 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.**
  - d) **Compliance with the Engineering Division memorandum dated February 27, 2019, 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:**

**Final Plat Approval for Canyon Creek Subdivision No. 5 on the west side of Can-Ada Rd between Cherry Lane and Ustick Rd at 17447 N Can Ada Rd. (A parcel of land located in the SE ¼ of Section 1 T3N R2W BM – 47 buildable lots on 15.53 acres for 3.23 lots per gross acre), for Bailey Engineering representing Toll Southwest, LLC (SPF-00084-2019).**

**Senior Planner Watkins:**

- Watkins indicated the location of the proposed development, north of Cherry Ln and west of N Can-Ada Rd in an RS-7 zoning district.
- Staff finds, continued Watkins, the proposed subdivision Final Plat for Canyon Creek Subdivision No. 5 conforms, or substantially conforms, within acceptable limits, to the approved Preliminary Plat for Canyon Creek Subdivision. The Final Plat complies with the relevant RS-7 Zoning Codes and City of Nampa Subdivision standards pertaining to the proposed development.
- Staff recommends Canyon Creek Subdivision No. 5 Final Plat be approved contingent upon compliance by the applicant/developer with the recommended conditions of approval listed in the Staff Report and those listed in the Engineering Division memorandum.

**Miller motioned and Kirkman seconded to recommend to City Council approval of the Canyon Creek Subdivision No. 5 for Bailey Engineering, representing Toll Southwest, LLC, 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 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 unless otherwise adjusted upon approval by the Nampa Planning and Zoning Commission acting within the scope of their authority and in conformance to adopted City Code.**

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

- a) **A memorandum from the Nampa Engineering Division dated March 6, 2019, authored by Nicole Fletcher, recommends approval of the Final Plat and lists comments pertaining to the Plat and construction drawings that will need to be addressed by the project engineer prior to construction.**
  - b) **Compliance with the requirement(s) listed on the February 25, 2019 letter from the Nampa Engineering GIS Dept, authored by Alex Main, that requests the following changes/additions prior to Final Plat signature:**
    - 1) **N Yuma Ave should be N Yuma Way**
    - 2) **E Payson St should be E Payson Dr**
    - 3) **Include areas of all individual lots, in square feet, listed in lot and/or table**
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. 4:**

**Request for a Second 1-Year Extension of Preliminary Plat Approval for Silver Star Subdivision in an RS-8.5, RS-12 and RS-18 (Single Family Residential – 8,500 sq ft, 12,000 sq ft and 18,000 sq ft) zoned area west of Star Rd and south of Ustick Rd (234 Single Family Residential Lots on 85.07 acres, 2.75 dwelling units per acre – a portion of the NW ¼ of Section 5 T3N R1W BM), for Engineering Solutions, LLP representing Star Development, Inc. (SPP-00014-2017 formerly SUB660-15). Request to extend 10/10/17 approval which expired 02/15/2019 to 02/15/2020.**

**Planning Director Holm:**

- Holm advised the first extension was from 10/10/2017 to 02/15/2019 and the applicants were requesting to extend another year to 02/15/2020.
- In response to a question from **Kirkman, Badger** advised Impact Fees would be paid at the time of Building Permit issuance and based on the date of the submittal of the Building Permit.

- Badger noted the subject development would incur significant off-site costs related to it and extending the plat would not vest the development with lower impact fees.
- In response to a question from **McGrath**, **Badger** stated the subdivision was vested in their rights to discharge to the Birch sewer and that was a vested right by the Birch Sewer Agreement. Badger reported there would be adequate sewer capacity to serve the Silver Star Subdivision.

**Kirkman motioned and Sellman seconded to grant the second request for extension of the Preliminary Plat Approval for Silver Star Subdivision, for Engineering Solutions, LLP, representing Star Development, Inc., to February 15, 2020, subject to compliance with all previous conditions attached to the plat.**

**Motion carried.**

**Business Item No. 5:**

**Request for a First 1-Year Extension of Subdivision Final Plat Approval for Modena Subdivision at 17590 N Franklin Blvd. (A portion of the N ¼ Section 2 T3N R2W BM, located on the east side of N Franklin Blvd, one half mile south of Ustick Rd – 32 Single Family Residential lots on 11.74 acres or 2.73 lots/gross acre) for 1099 LLC (SPF-00046-2018). Request to extend 03/13/2018 approval which expires 03/13/2019 to 03/13/2020.**

**Planning Director Holm:**

- Holm stated the Final Plat was approved on March 13, of 2018 and expires March 13, 2019.
- The applicants, continued Holm were requesting the approval be extended to March 13, 2020.
- **Kirkman** inquired if the extension of the subject development would interfere with any other development or improvements occurring in that vicinity.
- **Badger** reported the proposed subdivision was awaiting development of the first phase of Feather Cove Subdivision before they can proceed.
- The sewer for Modena Subdivision, added Badger, was sandwiched between the Meriwether Park Subdivision and the proposed Feather Cove Subdivision and it appeared the Feather Cove development anticipated starting this summer and therefore, the Modena Subdivision would likely move forward as soon as the sewer was available to them, and would not be holding up any other development.

**Kirkman motioned and Sellman seconded to grant the request for the first one-year extension of the Final Plat for Modena Subdivision, for Engineering Solutions, LLP, representing 1099 LLC, to March 13, 2020, subject to compliance with all previous conditions attached to the plat.**

**Motion carried.**

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

**Public Hearing Item No. 1:**

**Annexation and Zoning to BC (Community Business) at 0 Star Road (Parcel R3036301200) on the south side of Ustick Road east of Star Road for access to City utilities for a mixed-use development (A 4.72-acre parcel situated in the NW ¼ Section 5 T3N R1W BM, Tax 99106 in Lot 4), for Matt Garner representing JABR LLC – Justin Reynolds and Alan Bean (ANN 112-19).**

**Matt Garner** recused himself from the Commission for public hearing item No. 1.

**Chairman McGrath** proceeded to public hearing.

**Randy Haverfield, Architecture Northwest, 224 16<sup>th</sup> Ave S, Nampa – representing the applicant:**

- Mr. Haverfield stated the application was for annexation and zoning to BC for the subject property. The Comprehensive Plan, continued Mr. Haverfield, indicated the area designation of Community Mixed Use, and the BC zoning would fall within that designation.
- The developer, advised Mr. Haverfield, was requesting annexation in order to gain access to City utilities, rather than staying in the County. The property is contiguous to the City of Nampa along the south boundary line.
- The developer has reviewed the Staff Report and recommended conditions of approval and is in agreement with those.

**Planning Director Holm:**

- Holm indicated an aerial view of the subject property, on the south side of Ustick Rd, with Sterling Nursery located to the east.
- The Annexation and BC zoning, added Holm, would conform to the Community Mixed Use designation for the Comprehensive Plan Future Land Use map.
- Holm noted the concept plan for the subject property indicated a storage facility on the south end of the property, stated Holm, with other potential commercial/mixed uses on the remainder of the property.
- Holm stated there had been no comments received from surrounding property owners or residents.
- **Chairman McGrath** inquired about the pipeline easement shown on the site plan and **Mr. Haverfield** replied it was a high-pressure gas line.

**Chairman McGrath** proceeded to public testimony.

**Lavon Webb of 4663 Ustick Rd, Nampa - in favor but did not wish to speak.**

**Dan King of 4663 Ustick Rd, Nampa – in favor but did not wish to speak.**

**Mike Gable of 5680 E Franklin Rd, Nampa – in favor but did not wish to speak.**

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

**Kirkman motioned and Kehoe seconded to recommend to City Council Annexation and BC zoning for 0 Star Rd (Parcel R3036301200) on the south side of Ustick Rd, east of Star Rd, for Matt Garner representing JABR LLC – Justin Reynolds and Alan Bean, subject to:**

1. At time of development of the site, the developer will need to meet with City staff to discuss City utility extensions and design requirements to serve the site.
2. City Water: Currently located approximately 1.60 miles to the southwest on Cherry Lane.
3. City Sewer: Parcel is in the Purdam drainage basin. Existing trunk line is currently located approximately 3.50 miles to the west on Ustick Road.
4. Pressure Irrigation: Currently located approximately 1.70 miles southwest on Can-Ada Road just north of Cherry Lane.
5. Granting of any access or facility easements for and to the City of Nampa and any other utility company or jurisdictional entity as necessary for the operation and maintenance of any utility existing, proposed, or relocated with the development of this site.
6. With development of the property, access points will be required to meet the current adopted Access Management Policy.
7. Right of Way dedication – Required.
  - a) Ustick Road – Functional Classification is an arterial. Annexation will only be required to the prescriptive right-of-way of Ustick Road. Dedication required to be fifty (50) feet from centerline to Nampa Highway District No. 1.

**Motion carried with Hutchings, Kehoe, Kropp, Miller, Kirkman Sellman and Van Auker, Jr in favor and Garner recused.**

**Public Hearing Item No. 2:**

**Conditional Use Permit for a Call Center and Administrative Offices for Collection Bureau Inc, in an IL (Light Industrial) zoning district at 8925 Birch Lane, Building 100. (A portion of a 20.57-acre parcel being Tax 08310 in the SW ¼ Section 10 T3N R2W BM), for Collection Bureau Incorporated (CUP-00132-2019).**

**Chairman McGrath** proceeded to public hearing.  
The applicant was not present.

**Senior Planner Watkins:**

- Watkins explained the Conditional Use Application was required because the previous office occupying the property was the administrative office for Pepsi Co - an accessory use to the manufacturing/distribution business, and Pepsi Co have now moved their offices to a different location on the property.

- The applicants then applied for Certificate of Occupancy and moved into the subject building.
- However, added Watkins, the current Land Use Chart only allowed professional offices in the IL zone with approval of a Conditional Use Permit.
- Therefore, the intent was to bring the subject office into compliance with the current Code.
- Watkins reviewed the Staff Report and noted the collection bureau offices would not be a huge impact on that particular area.
- The subject office, continued Watkins, was located within an IL zoning district and the surrounding uses were all industrially related.
- No objections had been received, stated Watkins, regarding the collection bureau administrative offices.
- Watkins reviewed the Staff Report and recommended conditions of approval.
- **Kehoe** inquired if Pepsi Co had vacated the entire building or just a portion of the building.
- **Watkins** advised that Pepsi Co is still located on the property, and they just downsized their administrative offices and moved them into the main building.
- Watkins indicated the location of the small separate building on the property, the location of the collection bureau office, that was not a part of the main manufacturing/distribution building.

**Chairman McGrath** proceeded to public testimony.  
No public comment forthcoming.

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

**Kirkland motioned and Kehoe seconded to approve the Conditional Use Permit for a professional office and debt collection call center for an IL zoned property at 8925 E Birch Lane, Building 100, for Collection Bureau Inc, subject to:**

**1. Generally:**

**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 the request (e.g. Nampa Fire, Building, Planning and Zoning and Engineering Departments, etc) as the Conditional Use Permit approval does not, and shall not, have the effect of abrogating the need to comply with lawful requirements administered by those agencies.**

**Motion carried.**

Meeting adjourned at 7:20 p.m.



Norman L Holm, Planning Director

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