

**NAMPA PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
TUESDAY, MARCH 26, 2019, 6:30 P.M.**

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

Chairman McGrath called the meeting to order at 6:40 p.m.

Approval of Minutes: Sellman motioned and Kehoe seconded to approve the Minutes of the March 12, 2019 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. City Councilor Haverfield reviewed City Council actions during the meeting of March 18, 2019: City Council voted to appoint a new Fire Chief, Kirk Carpenter as of April 1, 2019; approved the Annexation and HC zoning for St Luke’s on Cherry Ln; approved the Rezoning of the adjacent St Luke’s property on N Midland Blvd from BC to HC zoning; and, approved the Annexation and RS-6 zoning on the southwest corner of W Greenhurst Rd and S Midland Blvd.

Chairman McGrath proceeded to the business items on the agenda.

Business Item No. 1:

Subdivision Final Plat Approval for Copper River Basin No. 8 near the southwest corner of W Roosevelt Ave and S Middleton Rd. (A portion of the SE ¼ Section 30 T3N R2W BM – 48 single family dwellings on 11.39 acres, for 4.21 lots per acre), for Kent Brown representing Challenger Development, Inc. (SPF-00085-2019).

Senior Planner Critchfield:

- Critchfield reviewed the Final Plat for 48 buildable lots and 2 common lots on 11.39 acres, within an RS-6 (Single Family Residential – 6000 sq ft minimum lot size) zoning district.
- The proposed subdivision, continued Critchfield would be located near the southwest corner of S Middleton Rd and W Roosevelt Ave.
- Critchfield reviewed the Staff Report and stated the proposed subdivision conforms, or substantially conforms, within acceptable limits, to the approved Preliminary Plat for Copper River Basin Subdivision and complied with relevant RS-6 zoning and Subdivision Code.
- Staff, stated Critchfield recommends approval of the Copper River Basin No. 8 Subdivision, subject to recommended conditions of approval.

Kirkman motioned and Garner seconded to recommend to City Council approval of the Final Plat for Copper River Basin No. 8, located near the southwest corner of W Roosevelt Ave and S Middleton Rd, for Kent Brown, representing Challenger Development, Inc, 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 Copper River Basin Subdivision.

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) **Compliance with requirement(s) listed in the March 4, 2019 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.**
- b) **Compliance with requirement(s) listed in the March 13, 2019 memorandum from the City of 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. 2:

Subdivision Final Plat Approval for Carriage Hollow Subdivision at “0” W Iowa Ave. (A 9.06-acre parcel located in the NW ¼ of Section 31 T3N R2W BM), located between Midway Rd and Middleton Rd, south of Lake Lowell Ave – 24 Single Family Residential lots on 9.06 acres, or 2.65 lots/gross acre) for Engineering Solutions, representing Toll Southwest, LLC. (SPF-00086-2018).

Senior Planner Critchfield:

- Critchfield reviewed the Final Plat for Carriage Hollow Subdivision for 24 residential lots and 2 common lots located on 9.06 acres, within an RS-8.5 (Single Family Residential – 8,500 sq ft minimum lot size), located northeast of the intersection of W Iowa Ave and Midway Rd.
- Critchfield reviewed the Staff Report and stated the proposed subdivision conforms, or substantially conforms, within acceptable limits, to the approved Preliminary Plat for Carriage Hollow Subdivision, and complied with relevant RS-8.5 zoning and Subdivision Code.
- Staff stated Critchfield recommends approval of the Carriage Hollow Subdivision, subject to recommended conditions of approval.

Kirkman motioned and Sellman seconded to recommend to City Council approval for the Final Plat for Carriage Hollow Subdivision, located northeast of the intersection of W Iowa Ave and Midway Rd, for Engineering Solutions, 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 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 Hollow Subdivision.

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) Compliance with the requirement(s) listed in the March 6, 2019 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.

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 Item 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 Avenue. (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 continued from 01/08/2019 meeting).

Chairman McGrath proceeded to public hearing.

The applicant was not present:

Principal Planner Ashby:

- Ashby advised the applicant had requested a daycare for up to 12 children at 1023 E Sheridan and the initial public hearing was held on October 23, 2018. That public hearing was continued to allow the applicant to modify a door to meet Fire Code requirements. On January 8, 2019, the applicant requested an extension to complete the required door modification. On March 19, 2019, continued Ashby, the applicant indicated there were some concerns with continuing to rent the home at 1023 E Sheridan. Ashby advised the applicants had been evicted from the subject property and it was, therefore, recommended to close the public hearing and deny the application.

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

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

Kirkman motioned and Garner seconded to deny the application for a Home Occupation Daycare for up to 12 children at 1023 E Sheridan Avenue for Mary Luna.

Motion carried.

Public Hearing Item No. 2:

Subdivision Short Plat Approval for Aquarius Subdivision in an RML (Limited Multiple Family) zoning district at 424 1st Ave N. (Three Single Family Attached lots on .195 acre for 15.38 lots per acre – A portion of Lot 12 Block 4 of Nampa City Acres Addition No. 2 located in the SW ¼ of Section 15 T3N R2W BM) for Aspen Engineering, representing Morgan Family Trust (SPS-00018-2019).

Chairman McGrath proceeded to public hearing.

Lance Warnick, with Aspen Engineers, 7312 Wildhorse Way, Nampa – representing the applicant:

- Mr. Warnick indicated the short plat to create a three-lot subdivision at 424 1st Ave N, an area primarily transitioning to apartments and townhomes.
- The proposal, added Mr Warnick, was for three attached units with zero lot lines between them.
- There were some minimal utility and street improvements, stated Mr Warnick, and they were working with Engineering staff.

Senior Planner Critchfield:

- Critchfield indicated comments received from City Engineer Badger, received today.
- The subject lot, advised Critchfield, comprised 8,592 sq ft, within an RML zoning district.
- The application, continued Critchfield, was in conformance with the zoning requirements, and recommended the development be approved contingent upon compliance with the conditions of approval.

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

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

Kehoe motioned and Sellman seconded to recommend to City Council approval of the Short Plat for Aquarius Subdivision, located at 424 1st Ave N for Aspen Engineering, representing Morgan Family Trust, subject to:

1. **Generally, the Applicant/Development shall:**
 - a) **Comply with all City department/division or outside agency requirements pertinent to this matter.**
 - b) **Compliance with the memorandum from the City of Nampa Engineering Division, dated March 26, 2019, 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.

Public Hearing Item No. 3:

Annexation and Zoning to RS-7 (Single Family Residential – 7,000 sq ft), at 2704 E Amity Ave. (A .46 acre or 19,726 sq ft portion of the SE ¼ of Section 26 T3N R2W BM and Tax 98951 less the South 40 ft), for Arnulfo Romero for connection to City water and sewer. (ANN-00113-2019).

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

Principal Planner Ashby:

- Ashby indicated the location of the subject property on the north side of E Amity Ave, contiguous to the City limits, and stated the applicants were requesting RS-7 zoning which would be consistent with the area.
- The RS-7 zoning, added Ashby, would also be consistent with the City of Nampa Comprehensive Plan Future Land Use map.
- Ashby explained utility services had been stubbed out to properties when the Amity Ave road widening occurred.
- Access to the property, continued Ashby, was from E Amity Ave.
- Ashby reviewed the Staff Report and suggested the Planning and Zoning Commission recommend approval of the Annexation and RS-7 zoning to City Council, subject to the conditions listed in the Staff Report.

Chairman McGrath proceeded to public testimony.

No public comment forthcoming.

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

- In response to a question from **Garner, Badger** stated the primary condition of approval was the abandonment of the septic system, and that was in process, and the applicant was aware of that condition.

Garner motioned and Kehoe seconded to recommend to City Council approval of the Annexation and RS-7 zoning for connection to City water and sewer, for 2704 W Amity Ave for Arnulfo Romero, subject to:

1. **Abandonment of the existing septic system will be accomplished under the guidelines established by Southwest District Health Department.**
2. **Disconnection from the existing well to be verified by City of Nampa Building Department, Plumbing Inspector, with issuance and inspection of a City Building Department Plumbing Permit.**

Motion carried.

Public Hearing Item No. 4:

Modification of Zoning Development Agreement between Moonlake Consulting, LLC and the City of Nampa recorded 11/06/2017 as Inst. No. 2017-048306, modifying the conceptual site and building plans to accommodate senior apartment living on a single-story arrangement for a 2.978-acre portion of the NW ¼ of Section 34 T3N R2W BM), for Joe Presher representing Douglas Petersen, Sky Ridge LP (DAMO-00029-2019).

Chairman McGrath proceeded to public hearing.

Chance Hobbs of Moonlake Consulting, 3818 Osprey Circle, New Meadows, a partner in Sky Ridge, LP.

- Mr Hobbs explained his company builds affordable housing, and they were currently constructing the new facility at the old Mercy Hospital site at 1615 8th St S.
- The subject project, added Mr Hobbs, had been proposed as an affordable housing project close to 12th Ave S, and previously a family project was applied for, that would not age restrict. That project had been proposed as a garden style walk-up apartment complex.
- Since that time, added Mr Hobbs, they had been approved under the Idaho Housing and Finance Agency Qualified Allocation Plan that had pushed developer's towards senior housing.
- According to Mr Hobbs, they had been awarded under IHFA for a 70-unit Senior Development.
- Mr Hobbs stated they thought it would be a better fit in the neighborhood with a single level more park like atmosphere around the structure, and a more user-friendly parking structure.
- Mr Hobbs stated they had submitted for Building Permits on the development and were proceeding on the finance and expecting to start construction as early as May 1st.
- The proposed project, considered Mr Hobbs, would be a substantial change to the Development Agreement and the new project would not be in compliance with the Development Agreement.
- Therefore, added Mr Hobbs, the Modification of Development Agreement was before the Planning Commission.

Principal Planner Ashby:

- The original Development Agreement, stated Ashby, was approved on October 16, 2017, to Rezone from RP (Residential Professional) to RML (Limited Multiple Family Residential).
- The applicant, added Ashby, was the current owner of the property.
- In December 2018, the property owner deeded the property to Skyridge Limited Partnership, and Skyridge, LP applied for Development Agreement Modification on February 27, 2019, to change the Development Agreement to accommodate Senior apartment living with a single-story arrangement.
- The Comprehensive Plan, advised Ashby, focuses meeting the housing demands of the changing demographics and emphasized the need for diversity in Nampa housing stock. The Comprehensive Plan also strongly encourages support for infill development and the proposed plan would be a good example of infill development where there are services in the immediate area and appears to meet the needs of a growing segment of our population.
- Ashby referred to the applicants' proposed amended and restated Development Agreement.
- Ashby reviewed the Staff Report and recommended conditions of approval.

Chairman McGrath proceeded to public testimony.

Chance Hobbs:

- Mr Hobbs referred to a Market Study from Valbridge Associates, based out of Boise, indicating there was a demand for 2000 housing units for 55 and older in the City of Nampa primary marketing area, and 4000 housing units overall.
- For the Senior Housing designation, continued Mr Hobbs, it would mean one person in the household would have to be 55 or older; and only 80 percent of the units would have to be restricted to that age requirement, leaving 20 percent of the housing units allowing for any type of family, which would provide for some diversity in the project.
- Mr Hobbs noted the Mercy Creek project on 16th Ave S was scheduled to finish in July and already there was a waiting list of 55 people, for a 50 dwelling unit development.

Doug Crowther of 2901 N Fry, Boise – in favor but did not wish to speak.

Melanie White of 324 E Hawaii – opposed:

- Ms White stated the proposed project did not seem as bad as some projects, however, they were still opposed to it.
- Ms White noted they had Mountain States Tumor Institute on one side of their property and will now have the proposed senior housing project on the other side.
- According to Ms White, she was hoping for something more professional to go into the subject property.
- Ms White reiterated she was opposed.

Dale L White, 324 E Hawaii Ave, Nampa – Opposed but did not wish to speak.

Alex Gladysz of 1228 S Locust St, Nampa

- Mr Gladysz inquired where the roads and entry in the development would be located if the applicants proceeded with the proposed development.
- According to Mr Gladysz, they purchased their property at 1228 S Locust St because they have children and their property was located at the end of S Locust St, a dead-end street.
- Mr Gladysz inquired if the applicants would have a fence going across S Locust St where it was currently a dead-end, or would the road continue into the proposed development.

City Engineer Badger:

- Badger stated the applicants have not proposed any ingress/egress to the north, S Locust St.
- They have proposed two access points on to E Hawaii Ave, which would meet the City access policy.

Chance Hobbs:

- Mr Hobbs stated there will be a fence going across their property line, adjacent S Locust St and no vehicle access from S Locust St.

Sellman motioned and Kirkman seconded to close public hearing. Motion carried.

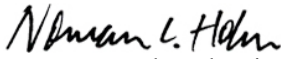
Chairman McGrath noted the proposed development would comprise a single story with lower building elevations than previously approved under the Development Agreement.

Kirkman motioned and Garner seconded to recommend to City Council approval of the Modification of Zoning Development Agreement between Moonlake Consulting, LLC and the City of Nampa recorded 11/06/2017 as Inst. No. 2001-048306 modifying the conceptual site and building plans to accommodate senior apartment living on a single-story arrangement for a 2.978-acre parcel addressed as 412 E Hawaii Ave, LP, subject to:

- 1. The Applicant, as Owner/Developer shall enter into a Modified Development Agreement (contract) with the City of Nampa for the Property. The Agreement shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the properties 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(s), including pathway deeding and dedication.**

Motion carried.

Meeting adjourned at 7:30 p.m.



Norman L Holm, Planning Director

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