

**NAMPA PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
TUESDAY, APRIL 9, 2019, 6:30 P.M.**

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

**Vice Chair Sellman** called the meeting to order at 6:40 p.m.

**Approval of Minutes: Garner motioned and Van Auker, Jr seconded to approve the Minutes of the March 26, 2019 Minutes. Motion carried.**

**Report on Council Actions.** No City Council representatives present to report on City Council actions.

**Vice Chair Sellman** proceeded to the business item on the agenda.

**Business Item No. 1:**

**Request for 2<sup>nd</sup> Extension of Subdivision Final Plat Approval for Feather Cove Subdivision No. 1 on the east side of N Franklin Blvd, north of Cherry Lane. (A portion of Blocks 5 – 8 Cortland Place Subdivision located in the SW ¼ Section 3 T3N R2W BM – 53 single family dwellings on 18.79 acres for 2.82 lots/acre) all for Kent Brown/Heartland Townhomes Property Management, LLC (SPF-00022-2017).**

**Planning Director Holm:**

- Feather Cove Subdivision No. 1, advised Holm, had received previous approval for a one-year extension from March 28, 2018 to March 28, 2019.
- The applicant was now requesting another extension for one year.
- The applicant has indicated, continued Holm, that they were not able to begin construction last Fall and it would not be completed before the expiration date. The applicants now want to start construction very soon and get the plat recorded.
- The proposed subdivision would comprise 53 single family lots, located on the east side of N Franklin Blvd, north of Cherry Lane.

**Van Auker, Jr motioned, and Garner seconded to recommend to City Council approval of a one-year extension of the Final Plat for Feather Cove Subdivision No. 1, for Kent Brown, representing Heartland Townhomes Property Management, LLC, from March 28, 2019 to March 28, 2020, subject to all previous conditions.  
Motion carried.**

**Vice Chair Sellman** proceeded to the public hearing items on the agenda at 7:00 p.m.

**Public Hearing No. 1 and 2:**

- 1) **Zoning Map Amendment from RS-8.5 (Single Family Residential – 8,500 sq ft) to RS-7 Single Family Residential – 7,000 sq ft) for approximately 25 acres, and Zoning Map Amendment from RS-8.5 to RP (Residential Professional) for approximately 2 acres at 12203 W Karcher Rd (for land located in the NE ¼ Section 13 T3N R2W BM), for Kent Brown representing Providence Properties, LLC. (ZMA-00104-2019)**
- 2) **Modification of Annexation and Zoning Development Agreements between Quantum Investments Realty, LLC and the City of Nampa, recorded 02/08/2008 as Inst. No. 2008006946 and Inst. No. 2008006947, for property**

located at 12203 W Karcher Rd, modifying Exhibit A – Legal descriptions, Exhibit B – Conceptual Plans, and Exhibit C – Conditions of Approval, to match a new site design and layout;

for Kent Brown, representing Providence Properties, LLC. (DAMO-00028-2019)

- 3) **Subdivision Preliminary Plat Approval for Brownstone Estates Subdivision at 12203 W Karcher Rd. (14 Fourplex lots for a total of 56 multiple family dwelling units on 6.63 acres for 8.8 units per gross acre, and 94 single family detached dwellings on 24.36 acres for 3.85 units per gross acre – An approximate 30.8-acre parcel of land located in the NE ¼ Section 13 T3N R2W BM, Nampa),**  
for Kent Brown, representing Providence Properties, LLC. (SPP-00039-2019).

Vice Chair Sellman proceeded to public hearing.

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

- Mr Brown explained the subject property was located at the southwest corner of Karcher Rd and Midway Rd.
- The subject property was located in a Medium Density Residential Comprehensive Plan Future Land Use map area. The western boundary of the property, added Mr Brown, follows the Stone Lateral -- also the boundary between the City of Nampa Impact Area and the Caldwell Impact Area. Karcher Rd was the northern boundary of the subject property, as well as the northern boundary of the Nampa Impact Area.
- The properties to the east were within the City of Nampa Impact Area: Community Mixed Use; and to the northeast General Commercial and Medium Density Residential.
- The area south of the subject property, advised Mr Brown, has an RS-6 P-U-D (Single Family Residential – 6000 sq ft minimum lot size Planned Unit Development) zoning designation.
- Nampa Christian Highschool, added Mr Brown, was located to the southeast.
- RS-6 zoning, added Mr Brown, was located to the northeast and to the south, and the current RS-8.5 zoning on the subject property was not consistent with the surrounding zoning.
- Mr Brown suggested the Mixed-Use Comprehensive Plan designated areas to the east would probably have some higher densities.
- The requested RS-7 zoning, considered Mr Brown, would be appropriate.
- Mr Brown noted the fourplex multi-family lots located in the RP zoned area would allow the lots to the south to be buffered from Karcher Rd.
- According to Mr Brown ingress/egress for Karcher Rd would be a right in-right out access, but considered most of the traffic would come in off Midway Rd.
- Mr Brown noted the proposed lot sizes would be consistent with the City of Caldwell subdivision to the west.
- According to Mr Brown, the applicants were agreeable with the conditions of approval.
- **Miller** inquired the size of the small lots between the fourplexes and the single-family lots.
- **Brown** replied the proposed smaller lots would be 40 ft x 100 ft and would have a home price sales point of \$195,000 to \$225,000.
- The standard single-family lot homes would average in the \$275,000 range.

**Senior Planner Watkins:**

- Watkins noted the applications were for: Rezone from RS-8.5 to RS-7, and Rezone from RS-8.5 to RP; a Development Agreement Modification; and, Preliminary Plat approval for Brownstone Estates Subdivision.
- The original RP zoned area, explained Watkins, was 3.55 acres and has now been requested to expand to 6.36 acres to fit the multi-family development on the north side of the development.
- In the previous Development Agreement, that area had been designated for professional offices, and had now been proposed for four-plexes.
- In the original zoning request, the RS-8.5 area had been 27.02 acres, and the current request was for 24.86 acres to be rezoned to RS-7 with a 7,000 sq ft minimum lot size, in place of the 8,500 sq ft minimum lot size.
- Watkins explained the proposed RS-7 zoning would accommodate a few more lots in the development than were originally proposed.
- The Comprehensive Plan designation, continued Watkins, indicated Medium Density Residential, which allowed 4 to 9 dwelling units per acre, which the development would fall well within.
- The Comprehensive Plan designation for the Karcher Rd frontage, stated Watkins, was Neighborhood Commercial, intended as a buffer zone between Commercial and Low Density Residential, therefore, a multi-family development, as proposed, would fit in as a buffer.

- Watkins reviewed the Staff Report and stated the expansion of the RP zoning and the Rezone from RS-8.5 to RS-7 would be an appropriate request and was recommended for the property.
- Watkins reviewed the two previous Ordinances containing Development Agreements, one for the RS-8.5 zoning and one for the RP zone. Watkins stated simplifying down to one Development Agreement to include all amendments would be preferable.
- Watkins reviewed the Staff Report for the Brookside Estates Subdivision and stated the Preliminary Plat was deemed to be compliant.
- According to Watkins, a Landscape Plan had been submitted with the application, however, a revised Landscape Plan will be required based on the City Forester's comments.
- There would be connectivity throughout the proposed development, advised Watkins, with sidewalks and a pathway through the open space in the center of the development.
- ITD was currently reviewing a Traffic Impact Study, stated Watkins, however, the final comments had not been received prior to the meeting.
- Watkins explained the previous requirement had been for a right-in and right-out on to Hwy 55/Karcher Rd and the developer would continue to provide the right-in and right-out.
- Watkins noted the recommended conditions of approval as noted in the Staff Report.

**Vice Chair Sellman** proceeded to public testimony.  
No public testimony forthcoming.

**Van Auker Jr motioned, and Kehoe seconded to close public hearing. Motion carried.**

- **Kehoe** considered the proposed development would be a good fit.

**Motion 1:** **Kehoe motioned, and Garner seconded to recommend to City Council the Zoning Map Amendment from RS-8.5 to RS-7 for approximately 25 acres and Zoning Map Amendment from RS-8.5 to RP for approximately 2 acres at 12203 W Karcher Rd, for Kent Brown representing Providence Properties, subject to:**

1. **Provide a new Development Agreement document, to include Recitals, Conditions and Exhibits:**
  - a) **Total Area to be zoned RP and RS-7, legal descriptions.**
  - b) **Intent for development layout, density, etc.**
  - c) **Elevations of Four-Plex and Single-Family residential structures.**

**Motion carried:**

**Motion 2:** **Kehoe motioned and Kropp seconded to recommend to City Council Modification of the Development Agreement between Quantum Investments Realty, LLC and the City of Nampa recorded 02/08/2008 as Inst. No. 2008006946 and Inst. No. 2008006947 for property at 12203 W Karcher Rd, modifying Exhibit A – Legal Descriptions, Exhibit B – Conceptual Plans, and Exhibit C – Conditions of Approval to match a new site design and layout for Kent Brown representing Providence Properties, subject to:**

1. **Provide a new Development Agreement document, to include Recitals, Conditions and Exhibits:**
  - a) **Total Area to be zoned RP and RS-7, legal descriptions.**
  - b) **Intent for development layout, density, etc.**
  - c) **Elevations of Four-Plex and Single-Family residential structures.**

**Motion carried.**

**Motion 3:** **Kehoe motioned and Kropp seconded to approve the Preliminary Plat for Brownstone Estates Subdivision at 12203 W Karcher Rd (14 Four-Plex lots for a total of 56 Multiple Family Dwelling Units on 6.63; and 94 Single Family Detached Dwellings on 24.36 acres for Kent Brown, representing Providence Properties, subject to:**

1. **Provide revised street names as per memo from Alex Main.**
2. **Provide revised landscape plans as per memos from Planning and Forestry Departments.**
3. **Provide top of foundation wall or finish floor elevation, on the constructions prior to Final Plat approval.**

4. **Provide Irrigation District License Agreements.**
  5. **Apply for Right-Of-Way and Erosion Control Permits with the City of Nampa.**
  6. **Provide an approved Right-Of-Way Permit from ITD.**
  7. **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.**
  8. **Notes Correction(s): Developer's engineer shall correct any spelling, grammar, punctuation and/or and numbering type errors that may be evident on the plat face and/or in the proposed plat development notes.**
  9. **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:**

**Annexation and Zoning to RS-6 (Single Family Residential – 6,000 sq ft) at 904 W Greenhurst Rd. (A 1.92 acre or 80,376 sq ft portion of the SW ¼ of Section 33 T3N R2W BM), for Blake Wolf for connection to City utilities and construction of single-family housing. (ANN-00114-2019).**

**Vice Chair Sellman** proceeded to public hearing.

**Blake Wolf, 843 W Horizon Way, Nampa – the applicant:**

- Mr Wolf explained the property was an infill parcel of just under 2 acres, between S Midland Blvd and 12<sup>th</sup> Ave Rd on W Greenhurst Rd.
- Mr Wolf stated he purchased the property with the intent of annexing and zoning for 2 single family dwelling homes.
- The property adjacent to the west was already inside City limits, within an RA zoning district, and the property to the south across Greenhurst Rd was within an RS-6 zoning district. The property to the northeast was zoned RS-8.5.
- The intent, continued Mr Wolf, was to connect to City utilities.
- According to Mr Wolf, the first house to be constructed would probably be in the low \$300,000 price point, and the second one would be similar in price range. One house would be on an acre and the other house would be on a .6-acre parcel.
- In response to a question from **Chairman Sellman**, **Mr Wolfe** replied there would be a shared driveway along the east side of the properties, running approximately 350 ft north off Greenhurst Rd.

**Principal Planner Ashby:**

- Ashby noted the requested zoning for the property was RS-6 (Single Family Residential – 6000 sq ft minimum lot size).
- Ashby indicated the Memorandum from the Engineering Division, authored by Peter Nielsen regarding the requested Annexation and RS-6 zoning, requiring dedication of 50 ft right-of-way starting from the centerline of W Greenhurst Rd for the entire frontage; and would also require additional right-of-way dedication of 2 ft width along the western side of as yet un-named public access road (approximately 355 ft in length) running north from W Greenhurst Rd along the eastern property line of the subject property.
- Ashby noted the access road right-of-way would also require annexation.
- The existing zoning for the subject property, reported Ashby, was County R-1 (Single Family Residential).
- According to Ashby, the proposed RS-6 zoning would be consistent with the City of Nampa Comprehensive Plan Future Land Use Map designation of Medium Density Residential, and the existing zoning to the west and south.
- The property, advised Ashby, was contiguous to the City limits, and therefore eligible for annexation.
- Ashby advised there were City utilities available in the roadway on W Greenhurst Rd.
- No comments had been received from surrounding property owners or residents regarding the requested Annexation and RS-6 zoning, stated Ashby.
- Ashby reviewed the Staff Report and recommended conditions of approval.

**Vice Chairman Sellman** proceeded to public testimony.

**Blake Wolf:**

- In response to a question from Vice Chair Sellman, Mr Wolf advised the existing house will be removed, he was aware of the right-of-way requirements, and did not have an issue with dedicating that right-of-way.

**Kropp motioned and Miller seconded to close public hearing. Motion carried.**

Van Auker, Jr stated it looked to be a straightforward request.

**Van Auker, Jr motioned, and Miller seconded to recommend to City Council Annexation and RS-6 zoning for 904 W Greenhurst Rd (and adjacent un-named right-of-way), for Blake Wolf, subject to:**

1. **Dedication of Fifty (50) ft right-of-way starting from the centerline of W Greenhurst Rd for the entire W Greenhurst Rd frontage.**
2. **Dedication of additional right-of-way of two (2) width along the western side of as yet un-named public access road (approximately 355 ft in length) currently shown as running north from W Greenhurst Rd along the eastern property line.**

**Motion carried.**

**Public Hearing No. 4:**

**Annexation and Zoning to RS-7 (Single Family Residential – 7,000 sq ft) at 2700 E Amity Ave. (A .5 acre or 21,737 sq ft portion of the SE ¼ of Section 26 T3N R2W BM and Tax 98110) for Ricardo Reyes for connection to City utilities. (ANN-00115-2019).**

**Ricardo Reyes of 2700 E Amity Ave, Nampa – the applicant:**

- Mr Reyes stated he had requested annexation and RS-7 zoning for his property in order to connect to City sewer and water.
- **Kehoe** inquired if the applicant was aware his tax base would be changed from County to City and may be higher.
- **Mr Reyes** did not indicate concern.

**Principal Planner Ashby:**

- The request for Annexation and RS-7 zoning was quite straightforward in order to connect to City utilities.
- Ashby noted about two weeks ago the property to the south, at 2704 E Amity Ave had also requested annexation in order to connect to City utilities.
- Ashby explained at the time Amity Ave was expanded, City services were stubbed into the adjacent properties so when their septic tanks failed, they could annex into the City and be connected to the City sewer system.
- The proposed zoning designation of RS-7, stated Ashby, would be consistent with the City's Comprehensive Plan designation of Medium Density Residential.
- The subject property, continued Ashby, was enclaved and infill development.
- Ashby indicated the adjacent properties inside the City limits to the north and east.
- Ashby reviewed the Staff Report and recommended conditions of approval.
- City sewer, domestic water and pressurized irrigation would be available in the immediate area and noted Nampa Police and Fire already service the area.
- Access to the property, continued Ashby, would be off Amity, from a private driveway.
- Ashby stated no correspondence had been received from surrounding property owners or residents.
- In response to a question from **Kehoe, Badger** advised annexation into City limits did not automatically require the property owner to connect to City utilities, and the timing was up to the property owners.

**Vice Chair Sellman** proceeded to public testimony.

No public comment forthcoming.

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

**Garner motioned and Kropp seconded to recommend to City Council Annexation and RS-7 zoning for 2700 E Amity Ave in order to connect to City water and sewer services, for Ricardo Reyes, subject to:**

1. **Abandonment of the existing septic system will be accomplished under the guidelines established by Southwest District Health Department.**

2. City shall be responsible for connecting meter to the existing stub and applicant's plumber shall be responsible for connecting water and sewer services.
3. Standard connection fees for water and sewer services shall be paid prior to connecting to the City services.
4. With issuance of the plumbing permits the residence will be disconnected from the existing shared well. Owners will retain the shared well for irrigation purposes.

**Motion carried.**

**Public Hearing No. 5:**

**Annexation and Zoning to RD (Two Family Residential) at 3500 E Greenhurst Rd. (A 1.33 acre or 57,913 sq ft portion of the SW ¼ of Section 36 T3N R2W BM, in the SE ¼ of Section 26 T3N R2W BM) for Roberta Konzek. (ANN-00117-2019).**

Vice Chair Sellman proceeded to public hearing.

**Roberta Konzek – 7323 Southside Blvd, Nampa – the applicant:**

- Ms Konzek stated the subject property originally had a single-family home at the front of the property and a manufactured home at the back.
- Previously, stated Ms Konzek, she had converted the home at the front to a Veterinary Clinic and worked from there for 7 or 8 years.
- Ms Konzek explained she had since closed the Veterinary clinic and the County did not allow two residential homes on one parcel.
- Therefore, added Ms Konzek, she had decided to annex the subject property into the City and requested RD (Two Family [Duplex} Residential) zoning for the property.
- Ms Konzek stated she would eventually like to split the lot and had obtained a survey for the property split.

**Planning Director Holm:**

- Holm confirmed the request was for Annexation and RD zoning for the property located at 3500 E Greenhurst.
- The applicant, stated Holm, purchased the subject property in 2007 and it was zoned AG in the County at that time.
- The front dwelling was then converted to a Veterinary Clinic with a Conditional Use Permit through the County, and the manufactured home at the back of the property was rented as a dwelling, advised Holm.
- Holm reported the Comprehensive Plan designation for the property was Medium Density Residential, which would allow the requested RD zoning designation.
- Lexi's Creekside Subdivision to the north was a four-plex development zoned RD, as well as the drive access to the subdivision located on the west side of the subject property.
- The requested annexation, continued Holm, would also accomplish the City objective of annexing enclaved parcels into the City.
- The requested Annexation and RD zoning, stated Holm, would allow the applicant to split the existing lot into two, sell off the single-family home at the front, and possibly develop the rear into multi-family dwellings in the future, as noted by the applicant.
- Holm reviewed the Staff Report and recommended conditions of approval.
- Holm indicated the Memorandum from the City Engineering Division, authored by Peter Nielsen, requiring dedication of 50 ft of right-of-way along Greenhurst Rd frontage; as well as a cross-access and utility easement for the shared access and underground utilities running across the multiple properties on the easterly side. City utilities were available to the subject property.
- Holm noted no comments had been received from surrounding property owners or residents.

**Roberta Konzek:**

- Ms Konzek explained she was not requesting annexation in order to connect to City utilities. The front house, continued Ms Konzek, was already connected to City sewer, along with a well.
- The back house was connected to City water and had a septic system.
- In response to a question from Vice Chair Sellman, Ms Konzek stated she was only requesting annexation and RD zoning at this time.
- Ms Konzek advised she was aware of the requirement for the dedication of 50 ft of right-of-way for the E Greenhurst Rd frontage.

**Vice Chair Sellman** proceeded to public testimony.  
No public testimony forthcoming.

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

**Van Auker, Jr motioned, and Garner seconded to recommend to City Council Annexation and RD zoning for 3500 E Greenhurst Rd for Roberta Konzek, subject to:**

- 1. Annexation will include fifty (50) ft of right-of-way dedication along the East Greenhurst Road frontage.**
- 2. A cross-access and utility easement will be necessary for the shared access and underground utilities running across the multiple properties on the easterly side.**

**Motion carried.**

Meeting adjourned at 7:50 p.m.



Norman L Holm, Planning Director

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