



MINUTES OF REGULAR MEETING HELD TUESDAY, MAY 25, 2021

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Video recordings of the full proceedings may be accessed following the meeting at <https://livestream.com/cityofnampa>.

COMMISSIONERS PRESENT:

Peggy Sellman, Chair (Chambers)
Steve Kehoe, Vice-Chair (Chambers)
Michaela Franklin (via Teams)
Jeff Kirkman (Chambers)
Adam Hutchings (Chambers)
Matthew Garner (Chambers)

COMMISSIONERS ABSENT:

Bret Miller
Ron Van Auker, Jr.
Tom Turner

CITY STAFF PRESENT:

Rodney Ashby, Planning Director (Chambers)
Daniel Badger, City Engineer (Chambers)
Parker Bodily, Associate Planner (Chambers)
Kristi Watkins, Principal Planner (Chambers)
Doug Critchfield, Principal Planner (Chambers)

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT:

With a quorum of Commissioners present, Madam Chair Sellman called the meeting to order at 6:30 pm.

ANNOUNCEMENTS: Director Ashby stated he is available for questions regarding the fiscal impact of HB 389 and the City Council Special Meeting held on 5/24/21; Planning & Zoning Commission will start seeing fiscal impact analyses in staff reports in the near future which will be for informational purposes only and not to be considered a sole factor in decisions and findings.

APPROVAL OF MINUTES:

Kehoe motioned and Hutchings seconded to approve the minutes of the May 11, 2021 Planning & Zoning Commission Meeting. Motion carried.

REPORT ON COUNCIL ACTIONS: No Council member available to report on Council actions. Director Ashby stated P&Z items from the May 17, 2021 City Council agenda were moved to June 14, 2021.

Madam Chair Sellman proceeded to business items on the agenda.

Business Item 1: Subdivision Final Plat Approval for Hartland Subdivision No. 3 (phase) Subdivision in a RS7 (Single-Family Residential 7,000 sq. ft) zoning district; for 41 single family lots and 10 common lots with a 2.77 gross and a 4.7 net lot density; located on a 14.76 acre portion of a 17.08 county parcel - #R3437301200 (located in the NW 1/4 of the SW 1/4 of Section 34, T4N, R2W, BM) for Tradition Capital Partners, LLC (SPF-163-21) - ACTION ITEM.

Principal Planner Watkins provided a lot analysis and reviewed the zoning and history of the project (located in the staff report).

Conclusions of Law/Findings of Fact:

1. Within City limits zoned RS7.
2. Conforms to approved Preliminary Plat for Hartland Subdivision.
3. Conforms to applicable subdivision and zoning standards for the City of Nampa.

Suggested Conditions of Approval:

1. The Developer's Surveyor shall address all Final Plat comments prior to City Engineer signature of the Final Plat.
2. Developer's Engineer shall address all Construction Drawing and Drainage Report comments identified in the "Hartland Subdivision #3 – Construction Drawings & Final Plat – 1st Review" letter from the Nampa Engineering Division prior to construction drawing approval.
3. The Developer and their Engineer and Contractor shall adhere to the "Construction Duty and Responsibility Policy" Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
4. Developer shall submit plans to Pioneer Irrigation District for review of the proposed Groves Branch Lateral road crossing. Documentation of their approval shall be provided to the Nampa Engineering Division prior to Construction Drawing approval. The license agreement shall be fully executed prior to any work occurring within the Groves Branch Lateral easement.
5. Developer shall provide documentation from the Irrigation District that all irrigation assessments for the property have been paid in full prior to City Engineer signature of the plat.
6. Developer shall construct E Spruce Street as a new 1/4 Section Line Collector in accordance with Nampa City Code Section 9-3-1.B.
7. Developer shall coordinate and construct sewer and irrigation service stubs to the East Canyon Elementary School property.

The Commission found that the proposed subdivision final plat for Hartland Subdivision No. 3 conforms, or substantially conforms within acceptable limits, to the approved preliminary plat, and complies with relevant RS7 zoning codes and City of Nampa subdivision standards pertaining to the proposed Development.

Kirkman motioned and Kehoe seconded to recommend to City Council Subdivision Final Plat Approval for Hartland Subdivision No. 3 (phase) Subdivision in a RS7 (Single-Family Residential 7,000 sq. ft) zoning district; for 41 single family lots and 10 common lots for Tradition Capital Partners, LLC (SPF-163-21) with all conditions of staff and conclusions of law. Motion carried.

Business Item 2: Subdivision Final Plat Approval for Sunnyvale No. 4 (phase) Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 78 single family lots and 17 common lots with a 3.45 gross and a 5.73 net lot density; located at 0 W Flamingo Ave., on a 22.27 acre portion of county parcel - #R3143500000 (located in the E 1/2 of the NE 1/4 of Section 18, T3N, R2W, BM) for Kent Brown representing Hoff Companies (SPF-164-21) – ACTION ITEM.

Principal Planner Watkins outlined lot analysis and zoning and history of the project (located in the staff report).

Conclusions of Law/Findings of Fact:

1. Within City limits zoned RS6.
2. Conforms to approved Preliminary Plat for Sunnyvale Subdivision.
3. Conforms to applicable subdivision and zoning standards for the City of Nampa.

Suggested Conditions of Approval:

1. The Developer's Surveyor shall address all Final Plat comments prior to City Engineer signature of the Final Plat.
2. Developer's Engineer shall address all Construction Drawing and Drainage Report comments identified in the "Sunnyvale Subdivision #4 – Construction Drawings & Final Plat – 1st Review" letter from the Nampa Engineering Division prior to construction drawing approval.

3. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy” Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
4. Developer shall enter into a Memorandum of Understanding (MOU) with the City for the construction and reimbursement of the required regional pressure irrigation pump station. The regional pressure irrigation pump station shall be operational prior to City Engineer signature of the Final Plat.
5. Developer shall submit plans to Pioneer Irrigation District for review of proposed Stevens Lateral utility crossings. Developer shall provide documentation of their approval to the Nampa Engineering Division prior to Construction Drawing approval. A copy of the executed license agreement if required shall be submitted to the Nampa Engineering Division prior to City Engineer signature of the Final Plat.
6. Developer shall provide documentation from the Irrigation District that all irrigation assessments for the property have been paid in full prior to City Engineer signature of the plat.

The Commission found that the proposed subdivision final plat for Sunnyvale No. 4 conforms, or substantially conforms within acceptable limits, to the approved preliminary plat, complies with relevant RS6 zoning codes and City of Nampa subdivision standards pertaining to the proposed Development.

Garner motioned and Kehoe seconded to recommend to City Council Subdivision Final Plat Approval for Sunnyvale No. 4 (phase) Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 78 single family lots and 17 common lots with a 3.45 gross and a 5.73 net lot density; located at 0 W Flamingo Ave., on a 22.27 acre portion of county parcel - #R3143500000 (located in the E 1/2 of the NE 1/4 of Section 18, T3N, R2W, BM) for Kent Brown representing Hoff Companies (SPF-164-21) with all conditions of staff and conclusions of law. Motion carried.

Business Item 3: Subdivision Final Plat Approval for Henry’s Place Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 8 single family lots and 3 common lots with a 3.67 gross and a 5.03 net lot density; located at 406 and 0 W Dooley Lane, on 2.18 acres, including county parcels - #R2924100000, #R2924101100 (located in the SW 1/4 of the NE 1/4 of Section 4, T2N, R2W, BM) for Mason and Associates, Inc. representing J Kean Enterprises LLC (SPF-166-21) – ACTION ITEM.

Principal Planner Critchfield outlined lot analysis, and density, zoning and history of the project (located in the staff report).

Conclusions of Law/Findings of Fact:

1. Within City limits zoned RS6.
2. Conforms to approved Preliminary Plat for Henry’s Place Subdivision.
3. Conforms to applicable subdivision and zoning standards for the City of Nampa.

Suggested Conditions of Approval:

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 for Henry’s Place Subdivision.
2. The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.
3. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Henry’s Place – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division prior to construction drawing approval.
4. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy” Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
5. Developer shall provide documentation from the Irrigation District that all irrigation assessments for the property have been paid in full prior to City Engineer signature of the plat.
6. Local irrigation ditches that cross the property to serve neighboring properties must remain unobstructed and protected by appropriate easement.

7. The Project will be subject to all building codes and related permits based on the requirements of City Ordinance – Title 4 – Building Regulations.

The Commission found that the proposed subdivision final plat for Henry's Place Subdivision conforms, or substantially conforms within acceptable limits, to the approved preliminary plat, complies with relevant RS6 zoning codes and City of Nampa subdivision standards pertaining to the proposed Development.

Kirkman motioned and Kehoe seconded to recommend to City Council Subdivision Final Plat Approval for Henry's Place Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 8 single family lots and 3 common lots located at 406 and 0 W Dooley Lane, for Mason and Associates, Inc. representing J Kean Enterprises LLC (SPF-166-21)) with all conditions of staff and conclusions of law. Motion carried.

Madam Chair Sellman proceeded to Public Hearing items on the Agenda at 7:00 pm.

Public Hearing 1: Zoning Map Amendment from RA to RS6 (Single-Family Residential 6,000 sq. ft) zoning district and Short Plat approval for Lion's View Estates Subdivision, at 707 Davis Ave (County Parcel #RS1615700000), for 4 single-family home detached dwelling units, for a gross density of 3.85 and a net density of 5.21; (a 1.04 acre portion of the NW ¼ of Section 21, T3N, R2W, BM, for Kenneth B. Moore (ZMA-141-21 & SPS-039-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Ken Moore, 707 Davis Ave, Nampa, applicant, requested approval of the zoning map amendment and short plat.

Associate Planner Bodily provided a staff analysis, reviewing the property details, available services, applicable regulations and agency comments located in the staff report. Bodily noted there are stretches of Smith Avenue without sidewalks.

Suggested conditions of approval:

1. Dedicate the following public right-of-way prior to finalizing the zoning map amendment:
 - a. Davis Ave – 40' from the Section Line.
2. The Developer's Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.
3. The Developer and their Engineer and Contractor(s) shall adhere to the "Construction Duty and Responsibility Policy" Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall also sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
4. Frontage improvements per City Code section 9-3-1 will be required to be constructed as part of this development. Submitted civil plans will be required to take this requirement into account.
5. The scope of work in the narrative needs to be updated to indicate that the large accessory structure which encroaches across the proposed property line must be demolished or relocated in order to meet IRC and State IDAPA code compliance. The structure needs to be demolished before the Plat can be recorded.
6. Construction drawings with a grading plan indicating minimum and maximum top of wall elevations from top back of curb, and a drainage plan for individual lots will be required at time of final plat final approval.
7. Developer shall adhere to the comments listed in the memo authored by Brent Hoskins, Nampa Fire Department, dated March 25, 2021 (staff report) as well as the International Building Code and International Fire Code as adopted and amended by the City.
8. Any additional conditions that the Commission would impose.

Kirkman inquired whether the comment regarding streetlights and sidewalk improvements are included in the Nampa Subdivision Improvement Agreement. Bodily responded condition #4, frontage improvements, will be required for the development.

Madam Chair Sellman proceeded to public testimony.

Jane Robenson, 179 N Horton, Nampa, opposed.

Concerns: Ingress/egress, traffic along Davis, lack of sidewalks and streetlights, lack of Police response, accidents from running stop signs.

Bodily clarified that frontage improvements will be required in front of the project and the developer will not be required to provide frontage improvements on the entire street. The drive will be a private drive.

Garner motioned and Hutchings seconded to close public hearing. Motion carried.

The Commission reviewed NCC § 10-25-3-(c) (zoning/rezones), NCC § 10-8 (RS District), and NCC § 10-3-2 (RS6 zone uses) and concluded that the project met the conclusions of law criteria.

Kehoe motioned and Hutchings seconded to recommend to City Council approval of Zoning Map Amendment from RA to RS6 (Single-Family Residential 6,000 sq. ft) zoning district at 707 Davis Ave, for 4 single-family home detached dwelling units, for Kenneth B. Moore (ZMA-141-21) with all conditions of staff and conclusions of law. Motion carried.

Kehoe motioned and Hutchings seconded to recommend to City Council Short Plat approval for Lion's View Estates Subdivision, at 707 Davis Ave for 4 single-family home detached dwelling units, for Kenneth B. Moore (SPS-039-21) with all conditions of staff and conclusions of law. Motion carried.

Public Hearing 2: Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district, Conditional Use Permit, and Preliminary Plat approval for Spyglass Ridge Subdivision, at 11544 and 11642 Iowa Ave, for forty eight (48) single-family attached (townhome) lots, fourteen (14) single-family detached residential lots, and seventeen (17) common (pathways, open space, storm drain & buffers) lots, for a gross density of 7.43 and a net density of 13.17; (an 8.88 acre portion of the NW ¼ of Section 31, T3N, R2W, BM), for Copium Investment LLC (ANN-194-21, CUP-215-21 & SPP-074-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Jeff Hatch, 5119 Briarcrest Dr, Nampa, requested approval of the annexation and zoning for Spyglass Ridge Subdivision at 11544 and 11642 Iowa Ave. In addition, a request for a preliminary plat to subdivide these properties and a conditional use permit to request 0-lot line for single family attached units. The zone requested is RS6, in accordance with the city's comprehensive plan for medium density residential, the plan is to build townhomes. The buildings on parcel 11642 Iowa will be removed, the home on parcel 11544 Iowa will remain. The project will contain a pathway and common area that follows the Thacker Lateral Easement. Mr. Hatch noted:

- The project has less density than this zone allows for.
- Staff report noted no concerns about school capacity.
- Reviewed open space, amenities and location of playground and gardens.
- Craftsmanship is similar in nature to the surrounding homes.
- Improvements along Beaverton Rd. are included in conditions of approval.
- Project meets parking code requirements.

Kirkman inquired whether the open space along the Thacker Lateral Easement is usable and requested clarification of mixed use for the development. Response: "For the required definition of open space, that does not count towards our open space. The proposed project contains a little over 5% open space, in addition the easement over the canal not included in the open space calculation will be tiled and landscaped, we cannot put trees there but can plan landscaping and vegetation, shrubs, etc. The RP zone has a 10% commercial component, this rezone allows for lower density. We are proposing residential, no commercial."

Principal Planner Watkins provided a staff analysis, including zoning and history of the project, plat and lot analysis, services available to the property, COMPASS analysis, density requirements, setback/open space requirements, applicable regulations and agency comments located in the staff report.

Summary of public input received on this application (additional public input located in staff report):

- Compatibility
- Density

- Livability
- Traffic/Infrastructure
- Decrease in Property Values
- Crime
- Open Space
- School Overcrowding

Suggested Conditions of Approval:

1. Dedicate the following public right-of-way prior to finalizing annexation:
 - a. W Iowa Ave – 40’ from the Section Line.
2. Developer shall address all site layout comments identified in staff report and incorporate into final design and corresponding construction documents.
3. Frontage road improvements along Birch Lane shall be constructed in accordance with Nampa City Code Section 9-3-1.
4. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with local and State regulations at the time of individual property development/redevelopment and prior to connection to City services.
5. Property shall be annexed in the Nampa Municipal Irrigation District at the time of property development and prior to being served by the City’s pressure irrigation system. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel and head gate report for any surface water delivery prior to Final Plat submittal to support annexation into the District.
6. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
7. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.
8. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division dated May 5, 2021 prior to Final Plat submittal. Applicant shall submit a revised Preliminary Plat reflecting the corrected names.

Madam Chair Sellman proceeded to public testimony.

Hannah Samuelson, 11452 W Rosette Dr, (Carriage Hill North) – in favor.

- Supports higher density housing,
- Recognized and supported the need for housing in Nampa as housing prices are increasing.

David Morris 12355 S Abbot Downing Way, undecided.

- Townhome square footage/price per square foot?
- Renderings don’t match plat.
- Will the roads connect to other subdivisions.
- There are other large properties further down Iowa which when developed will create too much traffic.
- Don’t throw low income housing in the middle of some of the most affluent houses in the valley.

Opposed:

Jaye Johnson, 11700 W Buteo Dr.

- Asked what is socially responsible, reasonable and ethical.
- Disputes this zoning near their expensive and affluent neighborhood.
- Disputes the reported density.

Lee Bradley, 11433 Middlebrook Dr. (Verde Hills Subdivision)

- Criminal activity (break in/theft).
- Turnover of townhomes becomes greater with time.
- Overcrowding

Leanne Sweeney, 12844 S Orenko Way

- Doesn’t feel the developer went far enough to reduce density.
- Traffic (cumulative).
- Nampa PD already understaffed.
- Cost to maintain roads.

- Impact on Fire Dept./response time.

Jon Taff, 12474 S Sunrise Mist Loop

- Agrees with previous comments.
- Emergency response time already too long, need closer emergency personnel.
- City has a responsibility to fund emergency personnel before approving future growth.

Belinda McBurney, 11914 Iowa Ave.

- Agrees with previous comments.
- Criminal activity.
- Public safety.
- Townhomes do not fit in this area.
- Infrastructure/traffic.
- Smart growth is not happening.

William Farmer, 11966 W Buteo

- Doesn't fit, buildings too tall.
- Their views will be blocked.

Gerald/Jeanine Butler, 11728 W Buteo

- Doesn't want taller buildings, "high-rise."
- Growth
- Traffic

Jose Geran, 11625 W Cross Slope

- Agrees with previous comments.
- Traffic, including summer boat traffic.
- Golf course traffic.
- Townhome residents will be temporary, not long term.

Rebecca Green, 12377 S Sunrise Mist Loop

- Agrees with previous comments.
- Traffic/accidents.
- Schools are overcrowded.
- Middleton/Iowa not a safe intersection, no crosswalks.
- Gas station is overused and runs out of gas from boat traffic, more of a mini mart.
- No banking or big grocery stores for their use.
- Traffic
- Their greenspace/golf course is being taken over by people/dogs who do not live there.

Judy Farmer, 11966 W Buteo Dr.

- Agrees with previous comments.
- Traffic/infrastructure.
- Over building.
- Too much building on Midway, Iowa and Middleton.
- Lake traffic, golf traffic, too much traffic.
- Infrastructure/roads.
- Doesn't want her view taken away by people paying a third of what she paid for her property.

Don Davis, 11444 W Cere (Red Hawk Ridge)

- Agrees with previous comments.
- Traffic/overcrowding.
- No starter homes should be allowed in this area.

- Slow down growth.

Ben Wickey, 11454 W Iowa

- Will improvements be made to Beaverton Rd.
- Traffic/accidents.
- Agrees with previous comments.
- There is never enough parking for townhomes, parking will spill out onto Iowa and Beaverton.

Julie Nichols, 12390 S Carriage Hill Way

- Traffic
- Will the developers continue to own the townhomes/properties.
- Owners vs. renters.
- Crime/break ins/drug use as a result of development.
- Single family homes ok, not townhomes.

Jim Post, 11364 Iowa

- Loss of view.
- Speed limits not adhered to.
- Iowa is a well-used shortcut from county into Nampa.
- Too much construction on Middleton Rd.
- Lonestar/Iowa needs intersection.
- Rent vs. owning.
- No roundabouts.
- Lack of emergency response or supervision.
- He lives in the county; the city needs to maintain its own property.
- No monitoring of fireworks.
- Traffic

John Beacham, 12562 Beaverton St.

- Agrees with all other comments.
- Traffic
- Townhouses will increase traffic.
- Beaverton is a county road; developer is only going to fix 200 ft. of that road.
- Adjacent county roads need to be fixed due to extra traffic from this development.

Kyle Ahrberg, 12395 Landau Way

- Traffic during peak times especially on Iowa and Middleton, stop sign is not adequate.

Paul Plourde, 1170 E Iowa

- Agrees with all other comments.
- Townhouses not a good fit, too much density for 9 acres.
- Property values will be reduced.
- Traffic/infrastructure.
- Lack of commercial resources currently available.
- Loss of view.

Bill Punkoney, 12420 Landau Way

- Doesn't meet criteria for approval.
- Respect current property owners investment.
- Annexation is not necessary/required.
- Density is too high.

Paul Haskew, 12325 Landau Way

- Agrees with all other comments.
- Lives in affluent part of Nampa, doesn't want townhomes.
- Crime rates increased/break ins.
- Traffic

Randy Evans 707 W Arbor Point Way

- No townhomes.
- Lack of police response.

Herb Stringborg

- Density too high.
- Development maintenance (lack of equipment for landscape maintenance).
- Not enough streetlights.
- Will there be fencing between units.
- No mention of design of these townhomes.

Opposed and did not wish to speak:

Wanda/Steve Hodges, 11741 W Cross Slope Way

Iping Stark, 11771 W Buteo Dr.

Rich Klein, 11461 S Cross Slope Pl.

Stephanie Bradley, 12438 S Sunrise Mist Loop

Herb/Melitta Strandberg, 11507 W Buteo Dr.

Steve Sartain, 11938 W Buteo

Trish McNelis (no address)

Steven/Rhonda Wright, 11731 W Cross Slope Way

Mervyn Nelson, 11761 W Cross Slope Way

Carol Friedli, 11518 W Buteo

John/Lanai Moore, 11924 W Buteo

Brook Schiller Atkinson, 12499 S Sunrise Mist Loop

Gary Atkinson, 12499 S Sunrise Mist Loop

Joanna Allison, 11454 Iowa Ave

Applicant Rebuttal:

Density: Nampa had public workshops regarding the comprehensive plan 2 years ago which could have been attended regarding density, zoning and use for this area. Half of the density that could be on that land is a nice compromise. Sellman clarified this is currently county land therefore is currently not zoned, RP zoning would have had to be applied for and accepted.

Elevation height: Amenable to limiting height.

Parking: All proposed dwellings have two parking spaces and parking on both sides of street in the development. Kirkman asked if the parking would be tandem or side by side, two car or one car garages (Hatch replied some two car and some single car with a carport for additional parking or patio space.)

The townhomes will be individually platted and sold. Elevations are probably two story.

Beaverton Road: Commission can condition that road be annexed.

Sq. ft./pricing: Creating a custom home format, townhomes will be 3-4 bedrooms, square footage, in the 2,000 sf range.

Most subdivisions require an HOA. The intent is preliminary fencing with additional fencing as appropriate during development.

Kirkman: Typically an HOA maintains the common areas, these townhomes are zero lot lined individually owned properties required to be maintained through an HOA. The renderings do not match (no conceptual renderings have been completed as they are at the annexation phase, some are examples and some are of the proposed project). Kirkman clarified this is not low income housing, Hatch stated the prices will be around \$400,000 per unit.

City Engineer Badger:

Streetlights: Existing streetlight at Landau/Iowa, the streetlights proposed are in compliance with Nampa Engineering standards. Garner asked how the city determines if a photometric analysis is required to determine how many lights are needed (Badger: City does not have a photometric requirement for streetlights, one is required at each intersection and every 400 ft. thereafter).

Traffic: These properties will pay traffic impact fees for the project and throughout the area and the city. Sellman asked about adjacent county roads (Badger: Beaverton is part of an existing subdivision based on the layout, it was likely originally intended to be a quarter mile section line road all the way through to Iowa and have a road on that quarter section north up to Karcher; this is obviously not how the development ultimately occurred. Regarding annexation of Beaverton Rd. the city would likely only consider annexation from the frontage of the subdivision or from where the road comes out south to Iowa. Due to the condition of the roadway on Beaverton, we would likely recommend not annexing that portion until the county rebuilds that section of roadway or require the developer to rebuild the section of roadway from their intersection south to Iowa. Under either of those circumstances Engineering would not oppose annexation of that portion.

Sellman stated the reports from Police and Fire indicate inadequate staffing for public safety. "If funding is already lacking for what is currently in place, how do we as stewards here make appropriate decisions knowing that it is going to put an even bigger strain on the system?" Watkins replied she understands City Council has requested that emergency services submit cumulative reports regarding what has already been approved and what is being proposed in order to determine how growth will affect emergency employment levels. The capital improvement plan calls for 1 per 1,000, unaware of current staffing levels.

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

Kirkman stated traffic is always going to be an issue and does not agree with the comment that a commissioner's mind is already made up; testimony and comments are taken into serious consideration. Not opposed to the annexation and zoning, the issue is the conditional use and meeting conclusions of law for this use is questionable. Appreciates the developer's amenability to adhere to additional conditions. Traffic is a concern; unfortunately, the infrastructure needed in Nampa to curb traffic problems will only come with growth. The comments about lack of retail/commercial did not make a lot of sense, that is the reason many of you moved out there, to get away from the commercial areas, etc. Opposition to the conditional use is based on conclusions of law (livability, compatibility, etc.). Kehoe agreed. Garner stated he agreed as well, appreciates the concessions made by the developer to make the project more palatable. This is a public hearing; the public is being heard and it is obvious this project is not wanted in this area.

Kirkman: It is difficult to balance the rights of the property owner and the ability for that individual to develop that property the way they want, and also ensure that what is being proposed is compatible with what is already there or is proposed to be there in the future. Public input and attendance matters; however, a decision will be made based on the conclusions of law.

The Commission reviewed applicable regulations and found that the location, size, design and operating characteristics of the proposed apartment development will NOT be compatible with and WILL adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development.

Kirkman motioned and Kirkman seconded to recommend to City Council approval of Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district, 11544 and 11642 Iowa Ave for Copium Investment LLC (ANN-194-21) so the developer may continue to move forward if necessary. Motion carried.

Kirkman motioned and Kehoe seconded to recommend to City Council denial of Conditional Use Permit for Spyglass Ridge Subdivision, at 11544 and 11642 Iowa Ave, for forty eight (48) single-family attached (townhome) lots, fourteen (14) single-family detached residential lots, and seventeen (17) common (pathways, open space, storm drain & buffers) lots, for Copium Investment LLC (CUP-215-21) due to the following findings: The development, as presented and as proposed, is not compatible with the surrounding area, is not compatible with the existing neighborhoods, does not fit the general surrounding neighborhood character and would contribute to the generation of traffic. Motion carried.

Kirkman motioned and Garner seconded to deny the Preliminary Plat approval for Spyglass Ridge Subdivision, at 11544 and 11642 Iowa Ave, for forty eight (48) single-family attached (townhome) lots, fourteen (14) single-family detached residential lots, and seventeen (17) common (pathways, open space, storm drain & buffers) lots, for Copium Investment LLC (SPP-074-21). Motion carried.

Public Hearing 3: Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district for East Canyon Elementary, at 18408 Northside Blvd, in order to connect the school to utility services; (a 10 acre portion of the SW ¼ of Section 34, T4N, R2W, BM), for Kristen McNeill (The Land Group, Inc) representing Vallivue School District No. 139 (ANN-197-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Applicant Kristen McNeill, 462 East Shore Dr, Eagle requested approval of the application for annexation and zoning associated with Vallivue School District East Canyon Elementary, in order to create access to city water and sanitary sewer services. A water line extension project is planned for summer of 2021 and sanitary sewer connection will occur when available.

Director Ashby provided a staff analysis, reviewing the property details, surrounding zoning, applicable regulations, and land uses located in the staff report. The fiscal impact of the annexation would be negative as it is a public institution exempt from property taxes; however, Nampa's Comprehensive Plan states that it is in the public interest to provide schools near single-family residential development.

Reviewed Nampa Engineering comments:

1. The property has public access from the following roads:
 - Northside Blvd – classified as “Principal Arterial” speed limit 45-mph. 2-lane rural section.
 - E Spruce Street – Future mid-mile “Collector” along the north boundary.
2. Dedication of 50’ from section line required.
3. Additional 15’ ROW required across north property line.
4. The City’s sewer, water and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the property:
 - 8” gravity main being constructed in the Hartland Subdivision to the east of the property. The school is working with the Hartland developer to stub a sewer service to the property.
 - 12” water main in Northside Blvd south of the property.
 - 12” irrigation in Northside Blvd south of the property.
5. The property will need to be annexed into the Nampa Municipal Irrigation District at time of development.
6. The City’s Bicycle & Pedestrian Master plan reflects a 10’ side path to be constructed along Northside Blvd. The specific side of the road is undefined and there is no clear ideal location due to the constrained right-of-way and industrial uses to the south of Birch Lane.

Suggested Conditions of Approval:

1. Dedicate the following public right-of-way for future street improvements:
 - 50’ from Section Line along Northside Blvd.
 - 15’ along the north boundary line for future E Spruce Street.
 - 25’ chamfer at the southeast corner for intersection.
2. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations prior to connection to City services.

3. Property shall be annexed in the Nampa Municipal Irrigation District prior to being served by the City's pressure irrigation system.
4. Utilities shall be constructed to and through the site at the time of property development/ redevelopment at the sole expense of the Developer.
5. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

Madam Chair Sellman proceeded to public testimony. No public comment forthcoming.

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

The Commission reviewed applicable regulations and conclusions of law and determined that it is in the public interest to provide schools near single-family residential development. Expressions of that policy are published in Nampa's adopted Comprehensive Master Plan.

Kehoe motioned and Garner seconded to recommend for approval to City Council Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district for East Canyon Elementary, at 18408 Northside Blvd, in order to connect the school to utility services for Kristen McNeill (The Land Group, Inc) representing Vallivue School District No. 139 (ANN-197-21) with all conditions of staff and conclusions of law. Motion carried.

Public Hearing 4: Zoning Map Amendment from RS6 (Single-Family Residential 6,000 sq. ft) to RD (Duplex Residential) zoning district, and **Preliminary Plat approval** for Smith Townhomes, at 0, 336, & 322 Smith (County Parcel #s: R1614450100, R16142010, R161420100), for twenty (20) single-family zero-lot line attached lots (seven 2-unit buildings and two 3-unit buildings), for a gross density of 12.42 and a net density of 14.84; (a 1.61 acre portion of the NW ¼ of Section 21, T3N, R2W, BM), for Mateo Echeverria representing Trifecta Development (ZMA-142-21 & SPP-075-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Mateo Echeverria, 5873 S Orchid Way, Boise requested consideration of this rezone application and preliminary plat.

- Reviewed proposed structure, plat, open space, location (downtown Nampa, near schools) and nearby amenities.
- Unit Size: 1,400-1,600 sf (3 bedroom, 2.5 bath), proposed elevations allowed for this zone.
- Single car garage with storage.
- 2 parallel parking spots and 3 ninety degree parking spots, driveway parking and street parking.
- 6 ft cedar fence around perimeter of property, fully landscaped.
- 35,800 sf of greenspace.
- Project will increase water pressure for surrounding communities.
- HOA
- Ownership properties, not rentals.

Associate Planner Bodily provided the staff analysis, reviewing the history of project, site specific information, surrounding land uses, COMPASS analysis, surrounding zoning, availability of services, lot analysis, access/layout and applicable regulations all located in the staff report, noting that infill subdivisions in the RD zone are exempt from lot averaging and compatibility.

Suggested Conditions of Approval:

1. Dedicate the following public right-of-way prior to finalizing the rezone:
 - a. Smith Ave – 30' from the Quarter Section Line.
2. Developer shall submit an updated Preliminary Plat reflecting all missing information identified in this memo and addressing street name comments identified in the letter from Nampa Engineering Division dated May 10, 2021 (staff report), prior to Final Plat submittal.
3. Frontage road improvements along Smith Ave. shall be constructed in accordance with Nampa City Code Section 9-3-1.
4. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of individual property development/redevelopment and prior to connection to City services.

5. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
6. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.
7. Construction drawings with a grading plan indicating minimum and maximum top of wall elevations from top back of curb, and a drainage plan for individual lots will be required at time of final plat final approval.
8. Developer shall adhere to the comments listed in the memo authored by Brent Hoskins, Nampa Fire Department, dated March 25, 2021 as well as the International Building Code and International Fire Code as adopted and amended by the City.
9. Corrections by the City Forester on the landscape plan shall be addressed before final plat approval.
10. Any additional conditions that the Commission would impose.

Madam Chair Sellman proceeded to public testimony.

In favor:

Mike Lovette, 300 Smith Ave.

- Developer agreed to put fencing up.
- No objections to project.

Kelsey Cavallo, 5873 S Orchid Way

Ted Burke, 902 N 19th St, Boise

- Civil Engineer for the project, available for questions.

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

The Commission reviewed NCC § 10-2-3 (c), NCC § 10-3-2 (RD zone uses), NCC § 10-10 (RD zone) and determined that it is in the public interest to provide a variety of residential development opportunities as outlined in Nampa's adopted Comprehensive/Master Plan.

Hutchings motioned and Kehoe seconded to recommend to City Council approval of Zoning Map Amendment from RS6 (Single-Family Residential 6,000 sq. ft) to RD (Duplex Residential) zoning district, for Smith Townhomes, at 0, 336, & 322 Smith for twenty (20) single-family zero-lot line attached lots (seven 2-unit buildings and two 3-unit buildings), for Mateo Echeverria representing Trifecta Development (ZMA-142-21) with all conditions of staff including sidewalks on at least one side of the street. Motion carried

Hutchings motioned and Kehoe seconded to approve the Preliminary Plat for Smith Townhomes, at 0, 336, & 322 Smith for twenty (20) single-family zero-lot line attached lots (seven 2-unit buildings and two 3-unit buildings), for Mateo Echeverria representing Trifecta Development (SPP-075-21) with all conditions of staff and conclusions of law. Motion carried.

Public Hearing 5: Conditional Use Permit for a Hospice and Assisted Living Facility for up to 10 beds in a RS6 (Single-family Residential 6,000 sq. ft) zoning district at 601 Blaine Ave (located on Lt 1 Blk 2 of the Cottonwoods Unit 5 Subdivision - in the NW 1/4 of Section 28, T3N, R2W, BM, Nampa) for Lanae Hetland, LUNA ALF representing Hepburn and Wolverine, LLC (CUP-220-21) – ACTION ITEM.

Madam Chair Sellman proceeded to public hearing.

Dr. Louise Ye-Liew/Lanae Hetland requested approval of a conditional use permit for a residential assisted living memory care and hospice house at 601 W Blaine Ave.

Associate Planner Bodily provided staff analysis, reviewing zoning, parking requirements, surrounding land uses, history of project, and agency correspondence located in the staff report. As noted in the staff report, should additional parking be required, Applicant will be required to apply for a site improvement permit.

Suggested Conditions of Approval:

1. 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 this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments, etc.) as the CUP approval does not and shall not have the effect of abrogating requirements from those agencies.
2. Owner/applicant shall receive for a certificate of occupancy through the Nampa Building Department and final inspection to complete the require approval process for occupancy.
3. Parking shall be provided as required in NCC 10-22-6.B.
4. If trees are removed for the creation of additional parking, additional trees shall be added to maintain the minimum of two trees.
5. Any additional conditions that the Commission wishes to impose.

Sellman asked if the previous owners removed the trees to meet parking requirements. Bodily stated the lot is the same as it was before. Garner stated he believed there are at least three parking spaces there now (two car driveway and another concrete pad accommodating two more parking spaces); handicapped parking is directly on the driveway-clarified by applicants.

Madam Chair Sellman proceeded to public testimony. No public comment forthcoming.

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

The Commission reviewed applicable regulations NCC § 10-25 (CUP's and land uses); this type of use is permitted conditionally in the RS zone. Commission found the proposed use would bring a desired service to the area.

Kehoe motioned and Kirkman seconded to approve the Conditional Use Permit for a Hospice and Assisted Living Facility for up to 10 beds in a RS6 (Single-family Residential 6,000 sq. ft) zoning district at 601 Blaine Ave (located on Lt 1 Blk 2 of the Cottonwoods Unit 5 Subdivision for Lanae Hetland, LUNA ALF representing Hepburn and Wolverine, LLC (CUP-220-21) with all conditions of staff and conclusions of law. Motion carried.

Meeting adjourned at 9:51 pm.

Rodney A. Ashby, Planning Director
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