



MINUTES OF REGULAR MEETING HELD TUESDAY, JUNE 29, 2021

Audio recordings of the full proceedings may be accessed following the meeting at <https://www.cityofnampa.us/AgendaCenter>.

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

COMMISSIONERS PRESENT:

Steve Kehoe, Vice Chair (Chambers)
Michaela Franklin (via Teams)
Jeff Kirkman (Chambers)
Adam Hutchings (Chambers)
Matthew Garner (Chambers)
Bret Miller (Chambers)
Ron Van Auker, Jr. (Chambers)
Tom Turner (Chambers)

COMMISSIONERS ABSENT:

Peggy Sellman, Chair

CITY STAFF PRESENT:

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

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT:

With a quorum of Commissioners present, Vice Chair Kehoe called the meeting to order at 6:45 pm.

ANNOUNCEMENTS:

APPROVAL OF MINUTES:

Miller motioned and Hutchings seconded to approve the minutes of the June 15, 2021 Planning & Zoning Commission Meeting. Motion carried.

REPORT ON COUNCIL ACTIONS: No Council member available to report on Council actions. Principal Planner Watkins provided an overview of City Council Planning & Zoning related hearing items from the June 21, 2021 City Council meeting.

Vice Chair Kehoe proceeded to the business items on the agenda.

Business Item 1: Subdivision Final Plat Approval for Silver Star No. 1 Subdivision in a RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district; for 44 single family lots and 9 common lots with a 2.47 gross lot density and a 4.39 net lot density; located at 0 & 0 Star Rd (a 17.84 acre portion of parcel #3036301300 and R303600000, located in NW 1/4 of Section 5, T3N, R1W, BM) for Toll West Inc. (SPF 167-21) - ACTION ITEM.

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

Density - 2.47 units per gross acre
Total, Proposed RS 8.5 Lot Count - 53
Total Common Lot Count - 9 (3.68 acres, 20.63%)
Total Building Lot Count - 44 (10.03 acres)
Right of Way - 4.13 Acres
Total Acreage - 17.84

Various extensions have been submitted/approved to keep the preliminary plat active while acquiring access to city services.

Conclusions of Law/Findings of Fact:

1. Within City limits zoned RS8.5.
2. Conforms to approved Preliminary Plat for Silver Star 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 of/for Silver Star 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 "Silver Star No 1 – 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 submit plans for review to Nampa & Meridian Irrigation District for any work around the Safford Lateral. Developer shall provide documentation of their approval to the Nampa Engineering Division prior to Construction Drawing approval. A copy of any executed license agreements, if required, shall be submitted to the Nampa Engineering Division prior to City Engineer signature of the plat.
6. The property shall be annexed into the Nampa Municipal Irrigation District prior to being served by the City's pressure irrigation system. Prior to City Engineer signature of the Final Plat, Developer shall provide documentation from Nampa & Meridian Irrigation District that the entire property has active surface water rights and all irrigation assessments for the property have been paid in full. If water rights have lapsed, Developer shall reestablish rights prior to plat signature.
7. A sewer reimbursement agreement approved by City Council on June 21, 2021 will require a fee of \$110 per lot prior to City Engineer signature of the plat.

The Commission found that the proposed subdivision final plat for Silver Star No. 1 conforms, or substantially conforms within acceptable limits, to the approved preliminary plat, and complies with relevant RS8 zoning codes and City of Nampa subdivision standards pertaining to the proposed Development.

Van Auker, Jr. motioned and Turner seconded to recommend to City Council Subdivision Final Plat Approval for Silver Star No. 1 Subdivision in a RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district, for 44 single family lots and 9 common lots located at 0 & 0 Star Rd for Toll West Inc. (SPF 167-21) with all conditions of staff and conclusions of law. Motion carried.

Business Item 2: Subdivision Final Plat Approval for Silver Star No. 2 Subdivision in a RS8.5, RS12, & RS18 (Single-Family Residential) zoning districts; for 48 single family lots and 6 common lots with a 2.9 gross lot density and a 3.88 net lot density; located at 0 Star Rd (a 16.57 acre portion of parcel #303600000, located in NW 1/4 of Section 5, T3N, R1W, BM) for Toll West Inc. (SPF 168-21) - ACTION ITEM.

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

Density - 2.9 units per gross acre
Total, Proposed RS 8.5, RS 12, & RS 18 Lot Count - 53
Total Common Lot Count - 6 (.93 acres, 5.6%)
Total Building Lot Count - 48 (12.36 acres)
Right of Way - 3.28 Acres
Total Acreage - 16.57

Conclusions of Law/Findings of Fact:

1. Within City limits zoned RS8.5, RS12, and RS18.
2. Conforms to approved Preliminary Plat for Silver Star 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 of for Silver Star 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 "Silver Star No 2 – 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 submit plans for review to Nampa & Meridian Irrigation District for any work around the Safford Lateral. Developer shall provide documentation of their approval to the Nampa Engineering Division prior to Construction Drawing approval. A copy of any executed license agreements, if required, shall be submitted to the Nampa Engineering Division prior to City Engineer signature of the plat.
6. The property shall be annexed into the Nampa Municipal Irrigation District prior to being served by the City's pressure irrigation system. Prior to City Engineer signature of the Final Plat, Developer shall provide documentation from Nampa & Meridian Irrigation District that the entire property has active surface water rights and all irrigation assessments for the property have been paid in full. If water rights have lapsed, Developer shall reestablish rights prior to plat signature.
7. A sewer reimbursement agreement approved by City Council on June 21, 2021 will require a fee of \$110 per lot prior to City Engineer signature of the plat.

The Commission found that the proposed subdivision final plat for Silver Star No. 2 conforms, or substantially conforms within acceptable limits, to the approved preliminary plat, and complies with applicable zoning codes and City of Nampa subdivision standards pertaining to the proposed Development.

Garner motioned and Van Auken, Jr. seconded to recommend to City Council Subdivision Final Plat Approval for Silver Star No. 2 Subdivision in a RS8.5, RS12, & RS18 (Single-Family Residential) zoning districts; for 48 single family lots and 6 common lots located at 0 Star Rd for Toll West Inc. (SPF 168-21) with all conditions of staff and conclusions of law. Motion carried.

Vice Chair Kehoe proceeded to public hearing items on the agenda at 7:00 pm.

Public Hearing 1: Conditional Use Permit for Noncommercial Kennel License for four dogs in a RS6 (Single-family Residential 6,000 sq. ft.) zoning district at 639 S. Davin Creek Loop (a .18 acre parcel of land in the SW 1/4 of Section 29, T3N, R2W, BM) in the Creekside Subdivision, for Kevin and Shari Waltman (CUP-230-21) – ACTION ITEM – *Withdrawn*.

Public Hearing 2: Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft.) zoning district to connect to city utilities for a single family home at 1028 N Middleton Rd (a 1.09 acre parcel #R3139100000 in the SW ¼ of Section 7, T3N, R2W, BM) for James Cornell (ANN-202-21) – ACTION ITEM.

Vice Chair Kehoe proceeded to public hearing.

James Cornell, 1016 N Middleton Rd, applicant, requested approval of the annexation and zoning to RS6 and hook up to city utilities. Applicant states “We are in the process of getting a building permit to relocate a manufactured home and garage recently purchased from Ada County to this parcel of land. We wish to connect the house to city services that are available on Middleton Road.”

Principal Planner Critchfield reviewed zoning and history of the project, plat and lot analysis, services available to the property, density requirements, setback/open space requirements, utilities access, applicable regulations and agency comments located in the staff report.

The Property is in Canyon County and is surrounded by low-density rural and urban residential. The requested zoning is consistent with the Comprehensive Plan Future Land Use Map and narrative for the Medium Density Residential Land Use Setting. The stated purpose by the applicant is to connect City utilities to a single-family residence consisting of a manufactured home with a garage on permanent foundations. These are permitted land uses within the RS6 Zoning District. Access will be through a shared access easement and agreement between all property owners.

Suggested Conditions of Approval:

1. Any onsite wells shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
2. 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.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Site access for future development shall adhere to the City’s Access Management Policy.
5. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

Vice Chair Kehoe proceeded to public testimony. No public testimony forthcoming.

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

The Commission reviewed applicable regulations and determined that the application met conclusions of law for annexations and zoning.

Hutchings motioned and Garner seconded to recommend to City Council approval of Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft.) zoning district to connect to city utilities for a single family home at 1028 N Middleton Rd for James Cornell (ANN-202-21) with all conditions of staff and conclusions of law. Motion carried.

Public Hearing 3: Conditional Use Permit to construct six (6) duplex buildings on six (6) lots in an RS6 (Single-family Residential 6,000 sq. ft) zoning district at 1101, 1107, 1113, 1119, 1201, and 1207 Blaine Ave., totaling 1.41 acres (located in the NE ¼ of Section 29, T3N, R2W, BM) for Charles Brandon Rawlins representing Olde Mill Investment Properties, LLC (CUP-223-21) – ACTION ITEM.

Vice Chair Kehoe proceeded to public hearing.

Charles Brandon Rawlins, 5614 Stadium Lane, Eagle, applicant, requested approval of the application for a conditional use permit for a duplex. The applicant discussed another scenario regarding a potential soccer academy for an adjoining parcel. Kehoe stated the commission did not operate in an advisory capacity. Garner suggested the applicant host a public meeting on the site to obtain input from neighbors. Applicant stated he wished to move forward with this hearing for the CUP application. Hutchings asked if the duplexes were potentially meant to house the students at the soccer academy the applicant was discussing; the applicant stated this was a thought and at this point was not planning on selling the duplexes. Kirkman stated he was unclear on whether the applicant was ready to move forward with this project due to the variables involved.

Associate Planner Bodily provided a staff analysis, reviewing the property details, surrounding zoning, applicable regulations, agency/city/public comments, and land uses located in the staff report including the following:

January 2004: Planning and Zoning Commission denied the request for a CUP for up to 4 duplexes at 1101, 1107, 1113 and 1119 Blaine Ave stating that “by disapproving the request, the character of the surrounding single-family neighborhood would be better maintained.”

The proposed development is bordered on the north and west by single-family homes with churches to the east and an indoor soccer facility to the south. West Middle School is about 400 feet to the east. From a land use perspective, it is in a mostly single-family area; however, it could be seen as a transition from the other adjacent non-residential uses. The existing lots are currently vacant and have been vacant for years. Each lot will have access from W Blaine Ave. Each duplex will be required to supply two parking spaces per unit. A sidewalk will be a requirement of development.

This development is located approximately 2.1 miles from Nampa Fire Station 1 with an approximate response time of 8 minutes. This subdivision will add approximately 36 residents to 12 single family homes, with an increased personnel demand of .036 firefighter positions.

There is a current staffing shortfall of police officers (based on 1.5 officers per thousand residents). Projected population increase for this development is 294. NPD recommend City Council commit to fund 0.05 additional officers and 0.02 additional support staff (\$5,219 and \$1,299 respectively) to maintain current police service levels. Closest police department is 1.9 miles away. Developments in this reporting district have a call volume of 837 annually.

The following list identifies housing sizes and market values that meet the minimum threshold to be considered a positive for the city financially. These numbers fluctuate based on several criteria, including increases or decreases in persons per household and, therefore, the amount of services needed to serve them. This list is representative of fourplex style buildings. Data has not been provided for duplex developments at this time but would most closely be represented by fourplex developments. To determine market value per unit, take the total value of the development (including clubhouse, pool, open space, apartments, etc.) and divide that number by the number of units.

- 800 sq. ft. units for \$244,000 per unit
- 1000 sq. ft. units for \$255,000 per unit
- 1200 sq. ft. units for \$246,000 per unit
- 1400 sq. ft. units for \$287,000 per unit
- 1500 sq. ft. units for \$307,500 per unit
- 1600 sq. ft. units for \$288,000 per unit
- 1750 sq. ft. units for \$315,000 per unit
- 2000 sq. ft. units for \$310,000 per unit
- 2500 sq. ft. units for \$262,500 per unit
- 2700 sq. ft. units for \$351,000 per unit

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. Upon development, the pressure irrigation mainline shall be extended through the development providing irrigation services for each lot.
3. Required frontage improvements along W Blaine Ave frontage shall be per Nampa City Code 9-3-1 and shall include sidewalk at 5' width directly behind existing roll curb/ gutter.
4. Any encroachment into the easement for the Peters Lateral would need a signed License Agreement with the Nampa Meridian Irrigation District.

Garner asked if the fiscal impact part of the presentation is related to the reports now being received from the Nampa PD. Bodily replied the fiscal impact considers the cost of services, the calculations indicate the market value required per square foot to offset the costs of services.

Kirkman asked if utilities were stubbed through the lots in question. Badger replied that, at the time it was constructed, a non-development agreement for those six lots was entered into because the developer did not wish to make the necessary improvements. At this time, if someone were to build on those lots, the pressure irrigation improvements need to be completed as well as the sidewalk and actual utility stubs. There is sewer and water available at Blaine, the stubs will have to be brought into the property.

Vice Chair Kehoe proceeded to public testimony.

Bob Sanchez, 1202 W Blaine Ave.

- Protested the 2004 CUP application.
- Against duplexes, requesting single family homes.

Kevin Dunton, 1215 W Hawk Ct.

- Agrees with previous comment.
- Parking, traffic concerns.

Daniel Klobnak, 1208 W Blaine Ave.

- Agrees with previous comments.
- Traffic, thoroughfare concerns.
- Blaine Ave. does not connect to Middleton.

Andrew Beebe, 1116 W Blaine Ave.

- Duplexes and apartments bring crime.
- Against duplexes, requesting single family homes.

Applicant rebuttal: "Most of the surrounding properties are almost half the size of these parcels, it would be a good fit to allow the duplexes. I understand traffic and emergency services concerns, we have a housing problem."

Kirkman asked if the applicant had any preliminary drawings or concept plans available for review (no). Many of the surrounding homes are two story, applicant is considering building two story duplexes.

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

Garner stated he was inclined to deny the application, if the applicant were to have a neighborhood meeting, take that feedback and engage the services of a master planner or land planner to come up with a plan for the whole property, it may be more a more cohesive plan. As this is primarily a single family residential area, given the conclusions of law, it doesn't seem to fit with the surrounding area. The idea of ownership vs. rental may be problematic to the surrounding single family homeowners.

Van Auker, Jr. agreed with the compatibility issues, trying to put two units on one lot with a garage and covered parking seems too dense.

The Commission reviewed applicable CUP regulations and conclusions of law and determined that the location, size, design and operating characteristics of the proposed duplexes will not be compatible with and will adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

Garner motioned and Van Auker, Jr. seconded to deny the Conditional Use Permit to construct six (6) duplex buildings on six (6) lots in an RS6 (Single-family Residential 6,000 sq. ft) zoning district at 1101, 1107, 1113, 1119, 1201, and 1207 Blaine Ave. for Charles Brandon Rawlins representing Olde Mill Investment Properties, LLC (CUP-223-21). Aye: Franklin, Garner, Hutchings, Kehoe, Miller, Turner, Van Auker, Jr. Nay: Kirkman. Motion carried.

Public Hearing 4: Annexation and Zoning to RS6 (Single-family Residential 6,000 sq. ft.) zoning district, at 0 E Locust Ln., a small portion of 0 Robinson Rd., 0 & 4417 S Happy Valley Rd (Parcel #'s: R2891801000, R2891700000, R29512010A0, R2951401000); and Preliminary Plat approval for Harvest Creek Subdivision for two hundred

fourteen (214) detached single-family lots on approximately 39 acres and thirty-five (35) common lots on 16.4 acres; for a gross density of 3.05 and a net density of 5.5; a 70.28 acre portion of the proposed 76.2 annexation area, located on the east side of S Happy Valley Rd (NW ¼ of Section 7, T2N, R1W, BM), for Hayden Homes Idaho LLC/Tim Mokwa representing multiple property owners (ANN-199-21 & SPP-077-21) – ACTION ITEM.

Vice Chair Kehoe proceeded to public hearing.

Tim Mokwa, Hayden Homes, 1406 N Main St, #109, Meridian, applicant, requested consideration of this annexation and rezone application and preliminary plat. The RS6 zoning will allow flexibility of product type, square footage and lot size.

Proposed amenities for the project will include: two tot-lots (with seating), pet waste station, large landscaped active play areas, basketball court, sand volleyball court, paved pathway network (Nampa's Bicycle & Pedestrian Master Plan calls for a 10' pathway along the Ridenbaugh canal which has been included), as well as extensive landscaping. 16.4 acres are proposed as common area (23.3%), usable open space is 11.4, much of the non-usable open space are the buffers along Locust and Happy Valley as well as the sizable irrigation easements along Ridenbaugh.

Two neighborhood meetings were hosted; a total of 6 people attended, 2 were the sellers. The one comment they heard during these meetings were traffic concerns, in particular the curve at Happy Valley. Kimley-Horn conducted a traffic impact study (primarily focused on intersections). Adjusting the shoulder, filling and packing the ditching along Happy Valley along Locust bordering the project, should help safety concerns. Any of the recommendations in the TIS for mitigation of traffic generated by the project will be complied with. Based on the new fiscal impact analysis tools prepared by staff, the square footage of the homes will meet or exceed the amounts required to be considered positive for the city financially. In agreement with staff recommended conditions of approval.

Kirkman inquired if the intersection of Happy Valley and Locust will be aligned; that is a dangerous intersection. Mokwa responded that, in coordination with Engineering, those were the dimensional requirements provided for a conceptual roundabout at that intersection; he is unaware of the construction schedule for the roundabout. They are required to dedicate the right of way along Locust and Happy Valley for future construction of the roundabout. Kimley-Horn provided accident reports for this location with their TIS.

Principal Planner Watkins reviewed the history of project, site specific information, surrounding land uses, COMPASS analysis, surrounding zoning, availability of services, lot analysis, access/layout and applicable regulations located in the staff report including:

Land uses in the nearby area consist of rural single-family lots (Kestrel Estates to the west across the Happy Valley ROW) and agricultural land bisected by a number of waterways and irrigation facilities. The City limits are to the southwest and northwest of the subject property. The nearest zoning designation is RS6, the path of annexation provides adjacency to RS8.5 zoned properties. The future land use designation is medium density residential.

COMPASS Analysis: The housing to job ratio indicates that more jobs are needed in the area. Farmland is being consumed by this development, but there are 1,117 acres of farmland existing within 1 mile of this project. The nearest bus stop is 3.8 miles away, the nearest park is 1.1 miles away and the nearest grocery store is more than 4 miles away.

Fiscal Impact: The following list identifies housing sizes and market values that meet the minimum threshold to be considered a positive for the city financially. These numbers fluctuate based on several criteria, including increases or decreases in persons per household and, therefore, the amount of services needed to serve them.

Single-Family Homes:

Smaller than 1200 Square Feet is a negative for the city

1200 sq. ft. home for \$366,000

1350 SF home for \$378,000

1500 SF home for \$382,500

1800 SF home for \$370,000

2000 SF home for \$410,000

2300 SF home for \$414,000

2500 SF home for \$450,000
2800 SF home for \$434,000
3000 SF home for \$465,000
3500 SF home for \$455,000
4025 SF home for \$422,625

Emergency Services:

- The Nampa Police Department (NPD) projects future service needs based on overall population, population density, and development type. The closest police department is 5.30 miles away. The Nampa Police Department current staffing shortfall (based on 1.5 officers per thousand residents) is 40 officers and 19 support staff. Harvest Creek is projected to add 629.16 new residents to the City of Nampa's current population; therefore, NPD is recommending a commitment to fund 0.94 additional officers and 0.31 additional support staff if this project is approved in order to maintain current police service levels. The cost for the additional officers is \$93,078 and additional support staff is \$23,171 for the first year of employment.
- The Nampa Fire Department states in their comment that 1 firefighter is required for every 1,000 residents serviced. This subdivision will add approximately 642 residents, with an increased personnel demand of .642 firefighter positions.

Preliminary Plat Analysis:

Minimum Lot Areas: The proposed Development is slated for development in conjunction with RS 6 zoning, this requirement applies...all master or standard building lots meet or exceed 6,000 sq. ft. in area (20% infill lots allowed = 43, infill lots proposed 43). The smallest infill buildable lot is 5,500 sq. ft., the smallest standard buildable lot is 6,034 sq. ft.; therefore, the Plat is deemed compliant in this regard.

Average Lot Size: There is a total of 214 lots. Including 35 common lots, 43 infill lots and 171 standard sized buildable lots. When 20% of the largest and 20% of the smallest standard lots are removed, the average lot size is 8,007 s.f.; therefore, the plat is deemed compliant in this regard.

Lot Compatibility: Due to the location of this project, which is greater than 85' from Kestrel Estates (a county residential 1-acre lot subdivision), there are no compatibility requirements.

Lot Width and Depth: All master lots demonstrate required lot width and depth; therefore, the project is deemed compliant in this regard.

Right-Of-Way Dedication(s)/Improvements: As needed, ~50' from the section line of Happy Valley Rd, ~50' from section line of E Locust Lane and additional right-of-way at intersection of Happy Valley Rd and E Locust Ln for a future roundabout.

Landscaping: A landscape plan was submitted with the application paperwork. The Nampa Forester has stated that Forestry discourages the use of River Birch as it does not grow well in Canyon County soil conditions. Therefore, the city requests a revised landscape plan to be submitted with the final plat addressing this comment.

Suggested Conditions of Approval:

1. Provide a revised landscape plan, per City Forester's comments.
2. Work with the Boise Project Board of Controls, Bureau of Reclamation and Nampa Meridian Irrigation District for any work involving the irrigation/drainage facilities within their jurisdictions.
3. Correct street names, per Nampa GIS Division comments (revised plat submitted and in review).
4. Dedicate the following public right-of-way prior to finalizing annexation:
 - A. S Happy Valley Rd – 50' from Section Line.
 - B. E Locust Lane – 50' from Section Line.
 - C. Additional right-of-way at intersection as reflected on the preliminary plat for future roundabout.
5. Frontage road improvements along S Happy Valley Road and E Locust Lane shall be constructed in accordance with Nampa City Code Section 9-3-1.
6. Developer shall address all project triggered mitigation measures identified in the final approved Traffic Impact Study at the time of property development and to the satisfaction of the Nampa Engineering Division.
7. 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.
8. Property shall be annexed into the Nampa Municipal Irrigation District at the time of Final Plat recording. 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.

9. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer. Utility construction to include the following main lines based on the City's Master Plans:
 - A. Extend 12" pressure irrigation main in Locust Lane and Happy Valley Road.
 - B. Extend 12" water main in Locust Lane and Happy Valley Road.
10. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.
11. Prior to submittal of the first Final Plat, Applicant/Owner shall address all street name comments identified in the letter from Nampa Engineering Division dated May 11, 2021 prior to Final Plat submittal. Applicant shall submit a revised Preliminary Plat reflecting the corrected names.
12. Prior to submittal of the first Final Plat, Applicant/Owner and their Engineer shall coordinate with the Nampa Engineering Division to address sewer alignment and profile concerns as noted in the Preliminary Plat Engineering Review Memo, as well as coordinate proposed drain tiling and crossings with the Nampa Engineering Division and Nampa & Meridian Irrigation District.

Watkins clarified the surrounding zoning and path of annexation for Vice Chair Kehoe. The properties providing the path to annexation are not part of the preliminary plat and will not be developed as part the plat.

Vice Chair Kehoe proceeded to public testimony.

Dallas Nelson, 4429 S Happy Valley Rd.

- Has concerns about additional traffic near his home.

Linda Hammann, 4433 S Happy Valley Rd.

- How would this development impact the traffic near her home?
- Traffic at the entrance/exit off of Locust onto Happy Valley. When will the roundabout be built?

Steve Henrickson, 5101 High Hope Ln.

- Concerned about his property becoming landlocked (capacity for sewer when he decides to develop his property).

Kristina Henrickson, 5101 High Hope Ln.

- Clarified the location of their property with staff and wants clarification on the landlock to sewer. Concerned their property would be landlocked if a proper size trunk line is not put in place when this development is built.

City Engineer Badger:

- Intersection improvements at Locust/Happy Valley: Nampa does not currently have those improvements scheduled in the CIP. The K-H TIS reviewed accidents at that intersection; during the last 5 year period there have been reports of 5 accidents. Offset intersections are not desirable; when a roundabout is built that issue will be addressed.
- Sewer Capacity: The property mentioned during testimony is north of Locust Ln. (between Locust Ln. and Greenhurst near the railroad tracks). This is located in a different basin which, under the current master plan, would require construction of a new larger trunk line from the existing wastewater plant behind Fred Meyer out to this area. The issue will not be addressed in the near term nor has funding been identified. The city will be reviewing alternative, cost effective service methods during the next 1.5 years as the sewer master plan is updated.
- The issue heard during testimony was sewer capacity and the ability for other properties to develop, this development would not preclude those developments, it is a timing issue.

Mokwa stated "landlocked" is typically a term referring to access of public right of way, it is more commonly referred to as "landlocked" if you are blocking somebody from access to a public right of way as you wouldn't be able to develop without an easement across the subject property. "When this property came on the market, there were several other parcels available as well, there was a call for offers of this 71 acre piece and another 190, I think the Henricksons are south of the 190 acre parcel. The reason we bought the 71 acres is because it was in the canyon sewer basin which has capacity, you can see the flag of yellow at the corner of Happy Valley and Locust, we are extending sewer about

600 ft. and crossing under Locust Ln. into the property and extending all the way south of the Ridenbaugh canal through our streets, that is providing gravity sewer to our project. South of the Ridenbaugh is a different sewer basin. Even if we oversize a trunk line through the project, we can't get it deep enough to serve the property south; it is not this project that is landlocking them, it is gravity. There are properties all over Nampa that are facing the same situation, that is part of why the city is going through their sewer master plan analysis."

- One of the Engineering conditions was dedication of right of way for the roundabout; unclear on the timing because this was considered in the TIS.
- Annexation Path: "We originally disagreed with staff on the path of annexation, our attorney also reviewed and disagreed with the city's legal counsel; nevertheless, we had to look for a different path. We approached the owner of the odd shaped piece; he was interested in participating. He is going to be annexed in with the condition that when sewer and water become available he would connect, we are not extending sewer and water for them. The other two annexation path parcels are owned by the person who owns the project."
- A draft record of survey was provided to staff increasing the size of the annexation path parcels in order to increase the buffer between those parcels and this development.

Kirkman asked if New York Landing has access to Happy Valley from the path of annexation. Badger replied their access is onto Alma Ln. Improvements to the intersection of Alma and Happy Valley (adding a left turn bay at that intersection) have been completed.

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

The Commission reviewed applicable regulations and determined that the area can reasonably be assumed to be available for the orderly development of the city and the proposed zoning is consistent with the comprehensive plan future land use map.

Kirkman motioned and Garner seconded to recommend to City Council approval of Annexation and Zoning to RS6 (Single-family Residential 6,000 sq. ft.) zoning district, at 0 E Locust Ln., a small portion of 0 Robinson Rd., 0 & 4417 S Happy Valley Rd for Harvest Creek Subdivision for two hundred fourteen (214) detached single-family lots on approximately 39 acres and thirty-five (35) common lots on 16.4 acres, for Hayden Homes Idaho LLC/Tim Mokwa representing multiple property owners (ANN-199-21) with all conditions of staff and conclusions of law. Motion carried.

Kirkman motioned and Garner seconded to approve the preliminary plat for Harvest Creek Subdivision for two hundred fourteen (214) detached single-family lots on approximately 39 acres and thirty-five (35) common lots on 16.4 acres for Hayden Homes Idaho LLC/Tim Mokwa representing multiple property owners (SPP-077-21) with all conditions of staff and conclusions of law. Motion carried.

Meeting adjourned at 8:29 pm.

Rodney A. Ashby, Planning Director
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