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

Approval of Minutes: Sellman motioned and Miller seconded to approve the Minutes of the October 22, 2019 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. Principal Planner Ashby reported on the City Council decision, during their November 4, 2019 meeting, to approve all of the Planning and Zoning Commission recommendations regarding Storage Facilities, except for the City Council decision to require Conditional Use Permits for Storage Facilities to go directly to City Council, bypassing the Planning and Zoning Commission.

Chairman McGrath proceeded to the business item on the agenda.

Business Item No. 1: Subdivision Plat Final Approval for Fall Creek Subdivision No. 4 in a RS7 (Single Family Residential - 7,000 sq. ft.) zoning district at the southeast corner of Ustick Rd. and Madison Ave. (64 Single Family Residential dwellings on 18.75 acres for 3.41 average dwelling units per gross acre - Located in a portion of Government Lot 2 and a portion of the SW ¼ of the NE ¼ of Section 3, T3N, R2W, BM) for Kent Brown representing Challenger Development (SPF-00108-19). – ACTION ITEM

Principal Planner Ashby:
- Ashby indicated the Final Plat for Fall Creek Subdivision No. 4, proposing 64 Single Family Residential lots and 9 common lots on 18.75 acres, for 3.41 dwelling units per gross acre, within an RS-7 zoning district, located south of Ustick Rd and east of Madison Rd.
- Ashby noted the existing RS-7 zoning district adjacent the proposed development, and Canyon County property to the northwest.
- In September of 2006, reported Ashby, the subject property was zoned RS-8.5 with a Development Agreement, and in 2014 it was Rezoned to RS-7 with a Modification of the Development Agreement.
- In 2006, continued Ashby, there were conditions regarding minimum dwelling size, and since then, noted Ashby, that requirement has been discontinued.
- Ashby indicated the Memorandum from the Idaho Transportation Department, dated November 1, 2019 stating although the development did not abut the State Highway system, ITD requested the City of Nampa require the applicant to do a traffic analysis for the State roadway.
- As part of the annexation and zoning of the subject property, continued Ashby, the City had required the applicant to do a Traffic Impact Study. The applicant has paid the Impact Fees, and nothing was required on the State roadway at that time.
- Ashby reported the City has no authority to require a Traffic Impact Study for property that does not abut the State roadway.
- The correspondence from the Nampa Meridian Irrigation District received after the Staff Report had been generated, indicated No Comment.
- According to Ashby, the subject property has been Annexed with an RS-7 zoning designation, subject to the conditions of approval recommended by Staff.
• The final plat substantially conforms to the approved Preliminary Plat and the applicable Subdivision and Zoning standards for Nampa, reported Ashby.
• In response to a question from Chairman McGrath, Ashby indicated there would be one more phase for development in the subdivision.

Miller motioned and Van Auker, Jr seconded to recommend to City Council Subdivision Final Plat approval for Fall Creek Subdivision No. 4, located at the southeast corner of Ustick Rd and Madison Ave, for Kent Brown representing Challenger Development, subject to:

Generally:
1. Developer(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] 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/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property.

Specifically:
1. Applicant shall comply with all Engineering Division plat comments:
   a) N Harpster Pl should be E Harpster Ct.
   b) Check Block #’s against the recorded Phase 1 and 2 plats. Also confirm Phase 3 Block #’s are correct prior to recording. It seems Block 13 should be Block 8, and Block 11 should be Block 7 based on the Phase 1 and 2 plats. Note that a change in Block # will change subsequent Block # sequence.
   c) Fix any text errors and conflicts.
   d) The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.
2. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Fall Creek 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 provide documentation of plan review/approval from Pioneer Irrigation District prior to construction drawing approval for proposed tiling of the unnamed drain. Provide copies of any executed license agreement(s) prior to City Engineer signature of the plat.
5. Developer shall provide documentation of Nampa Highway District No. 1 review of plans prior to construction drawing approval for improvements within Madison Road right-of-way. Developer is responsible to obtain required encroachment permit from the Highway District prior to start of work within the right-of-way.
6. If any encroachment or modification occurs to the existing 9.8 South Branch Lateral, written permission must be obtained by Pioneer Irrigation District.
7. Applicant/Development shall modify the final plat to show a well-lighted area for 20-30 students to gather for bus pick-up at the entrances to the subdivision and set back from the road by at least twenty feet (20’).

Motion carried.

At 7:00 p.m. Chairman McGrath proceeded to the Public Hearing items on the Agenda.

**Public Hearing No. 1:**
Subdivision Short Plat Approval for Arbor Court Subdivision in an RS-6 (Single Family Residential – 6,000 sq. ft.) zoning district at 424 W. Greenhurst Road (4 Single Family detached lots on .658 acres for 6.08 average dwelling units per gross acre - A part of the SW ½ SE ¼ Section 33, T3N, R2W, BM) for Lindquist Properties LLC (SPS 025-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.
Craig Lindquist of 1425 S McDermott Rd, Nampa – the applicant:
- The Arbor Court Short Plat, stated Mr Lindquist, was a family project with his wife, son and daughter.
- According to Mr Lindquist, the family had purchased the property and taken the original house built in 1873 down to the studs and intend to make it really nice. The plumbing and electrical has been removed.
- The plan, continued Mr Lindquist, was to divide the property into four lots and then build three additional new homes, probably in a modern craftsman style.
- Chairman McGrath inquired if the applicants had any building elevations at this time and Mr Lindquist replied he did not at the present time, because they wanted to make sure the short plat would be approved first.

Principal Planner Ashby:
- Ashby reviewed the Short Plat process and advised if the Planning Commission denied the application it would not go on to City Council unless the applicant appealed the denial to City Council. If approved, it would be a recommendation to City Council for approval.
- Ashby indicated the subject property, located on the edge of Low Density Residential and Medium Density Residential on the Comprehensive Plan Future Land Use map.
- Ashby noted the surrounding residential subdivisions within the RS-6 zoning designation.
- To the north, added Ashby, was the Seasons Subdivision and to the south across Greenhurst Rd, the Morning Sun Subdivision.
- According to Ashby, access would be from Greenhurst Rd via a common drive.
- Utilities are available in the area and the applicants would need to work with staff to identify the sewer connection point.
- Ashby reviewed the Staff Report and recommended conditions of approval.
- With the existing structure on the property, noted Ashby, there could be a waiver of the 25 ft landscape buffer requirement, and instead it would be a 15 ft landscape buffer. The existing home was situated 22 ft from the right-of-way; therefore, staff was in accord with the 15 ft landscape buffer as proposed on the plat.
- Ashby reviewed the Nampa Engineering Division conditions of approval. There were a couple of different options for the applicants to connect to sewer, stated Ashby, and they will work with the Engineering Division regarding the sewer connection.
- Engineering Division was also recommending a 20 ft setback from Greenhurst Rd to allow for the potential expansion of Greenhurst Rd right-of-way at some time in the future. That was not in the plans at the present time, but Engineering Division had determined the existing home on the property set back of 22 ft would still allow that to occur.
- In response to a question from Kehoe, Badger stated the existing footprint was an 80 ft right-of-way and the Transportation Master Plan and the Nampa policy on arterial roadways indicated a 100 ft of right-of-way.
- However, the majority of the road had already been developed, therefore, it was anticipated maintaining the roadway within 80 ft. The right-of-way would be available if in the future traffic demands increase and it was necessary to widen the road.
- Ashby stated the subject property was located within the City limits, zoned RS-6, and with the recommended changes, the subdivision would substantially conform to the applicable Subdivision and Zoning standards for the City of Nampa.
- Chairman McGrath inquired if the proposed subdivision lots would be able to meet the required parking standards.
- Ashby discussed the parking and setback requirements for the lots.

Chairman McGrath proceeded to public testimony.

William Mason with Mason and Associates, 924 3rd St S, Nampa – representing the applicant:
- Mr Mason stated Staff has reviewed everything worked out with the Engineering Division.
- The easement for the common drive would also be where the water and sewer lines would be located, and the new houses would face that common drive.
- Mr Mason indicated the building footprints on the drawings allowed staff to see the proposed building sites and the setbacks that would allow cars to get off the common drive and still allow room for emergency services access.
- Mr Mason reported the proposed lots would be 6,000 sq ft in size, and the 20 ft landscaping strip would be at the front. Mr Mason noted the proposed homes would be smaller, for someone looking for a smaller lot and smaller home to maintain.
• Mr Mason explained the sewer line location and the required regrading.

**Ray and Vicki Schnabel of 437 Autumn Dr, Nampa – in favor:**

- Mr Schnabel stated they live adjacent to the subject property and noted the big tree that had been hanging over the neighbors’ house.
- The owner/applicant added Mr. Schnabel had since brought someone in to cut the tree down.
- Mr Schnabel added he was in favor of the short plat just to get the property cleaned up, the big trees taken out, and have it look nice.

**Jody Crowson of 445 Autumn Dr, Nampa – in favor:**

- Mr Crowson indicated the aerial view and noted his home was right next to the fence on the subject property and agreed there were a lot of older, tall trees.
- According to Mr Crowson, his major concern was that a huge windstorm could bring the old trees down.
- The trees were also entangled in the power lines, added Mr Crowson.
- Mr Crowson reported when his family moved into their house, the occupants renting the existing home on the subject property had trashed the property, as well as burning tires, etc.
- Mr Crowson considered his property value would go up if the subject property were cleaned up.

**Lori Crowson of 445 Autumn Dr, Nampa – in favor:**

- Lori Crowson concurred with Jody Crowson’s comments.
- Ms Crowson added the former tenants had burned tires, aerosol cans, paint, debris and all kinds of things and she had to wear a breathing mask due to all the smoke coming into their home.
- Ms Crowson considered the subject property had already improved so much.

**Cindy Cleveland of 2106 Fall Ct, Nampa – in favor:**

- Ms Cleveland stated she managed the Homeowners’ Association for the Seasons Subdivision.
- Ms Cleveland advised she and the HOA president were very much in favor of the subject property being developed, for all the previous reasons given.
- According to Ms Cleveland, one of the homeowners had inquired what would the applicants be doing about the fencing because the established homes around the subject property already have fences.
- The trees, added Ms Cleveland were also a big issue.

**Vivian Turner of 441 Autumn Dr, Nampa – in favor:**

- Ms Turner stated she was very much in favor of the project and thanked Mr Lindquist for taking down the tree that was hanging over her house.

**Patty Jordan of 1912 Glen View Dr, Nampa – in favor:**

- Ms Jordan stated she was a former owner of the subject property.
- According to Ms Jordan, the property itself was in pretty bad condition with trees growing up underneath the shed and huge cracks on the masonry and bricks on the shed.
- The house itself had been added onto many times and some of the additions were not surviving very well due to problems with the floor and ceiling joists.
- Ms Jordan stated the Nampa Police had advised her about the problems with the people living there.
- Having the property cleaned up would be the best thing, suggested Ms Jordan.

**Mary Lopez of 405 Fall Dr, Nampa – opposed:**

- Ms Lopez noted their fence was located along the entire east side of the subject property.
- If her fence came down when the trees were taken down, inquired Ms Lopez, would the applicants put the fence back up.
- Another concern, continued Ms Lopez, was the fact someone involved with the development came to her home and wanted to take the sewer through her property, which would mean tearing up her driveway – and she was definitely not in favor of that.
- Ms Lopez stated she did not understand why the proposed development had to have four lots when the surrounding neighborhood had two lots in a similar space.
- The small lots, added Ms Lopez, would necessitate small houses, which may turn into rentals.
• Ms Lopez was in favor of the applicants cleaning up the property but wanted some assurance they would not be taking a sewer line through her property and questioned if they would be replacing fences if the fences were damaged with the removal of the trees.
• Ms Lopez reiterated she was opposed to four lots.

Juan Lopez of 405 Fall Dr, Nampa – opposed:
• According to Mr Lopez, his concern was for the subject property to be cleaned up.
• The way the wind blows, added Mr Lopez, the trees would fall on his house.
• Mr Lopez noted his property had the longest connection with the subject property along his back lot line.
• Mr Lopez addressed the issues with the renters that had previously occupied the subject property.
• Mr Lopez also considered two lots would be better than four for the subject development and stated his opposition to the proposed four home sites.

Jared Pennington of 416 Fall Dr, Nampa – opposed:
• Mr Pennington stated they could see the subject property from their house and the previous rental occupants had participated in a lot of questionable activity on the property.
• According to Mr Pennington, the subject property needed to be cleaned up and it would be the property owner’s duty to clean it up.
• Mr Pennington disagreed with allowing four homes on the subject parcel.

Elizabeth Moot of 412 Fall Dr, Nampa – opposed:
• Ms Moot explained they lived in the cul-de-sac just to the east of the subject property.
• According to Ms Moot, both she and her husband agreed the subject property was too small for four tiny .16-acre properties and small houses. Morning Sun Subdivision, continued Ms Moot, had much larger lots and advised her lot comprised .27 acre.

Mr Lindquist:
• Mr Lindquist explained the house was in complete disrepair and destroyed by squatters when they purchased the subject property.
• According to Mr Lindquist, when the neighbors called about the large tree on the property that was split, he did feel it was their responsibility to take that tree down as quickly as possible because it was a real danger.
• The intention, reiterated Mr Lindquist, was to make the proposed houses cute, cottage style, modern craftsman style homes. With the current cost of housing, continued Mr Lindquist, it was getting more and more difficult for families to afford to buy a house.
• In response to a question from Kehoe, Mr Lindquist advised his family would not be living in the proposed homes, their intention was to develop the property and sell the homes.

William Mason, with Mason and Associates:
• Regarding the surveyors questioning the sewer location, Mr Mason stated that when the surveyors were in the neighborhood, they were trying to identify the location of the sewer service line, noting the City records indicate it extending into the northeast corner of the subject property. That sewer line was stubbed out when the Seasons Subdivision was being developed, to allow for development of the subject property in the future.
• Mr Mason reiterated they would not be on anyone else’s property, as the sewer was actually already stubbed into the northeast corner.
• Mr Mason explained the proposed lots were actually over 7,000 sq ft in size, except for the one in the northeast corner – due to the orientation of the adjacent existing house.
• Kehoe inquired if fencing would be placed on the subject property.
• Mr Lindquist replied the fencing issue had not been addressed at the present time, however, the idea was that if the fence was in disrepair or could be improved, they would just work with the neighbors.
• If the neighbors were in favor of a fence, then they would share in the cost of fixing or replacing a fence.
• Mr Lindquist emphasized their goal was to be good neighbors.
• Kehoe noted the concern of the neighbors regarding the size of the homes and noted the trend towards smaller homes on smaller lots.
• Ashby concurred that smaller homes on smaller lots were becoming more and more popular due to the need for affordable housing.
• Ashby pointed out the surrounding RS-6 zoning and proposed of RS-6 zoning (Single Family Residential – 6000 sq ft minimum lot size) allowed for 6,000 sq ft lots.

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

• Kehoe considered the need for smaller homes in the City needs to be filled within the City. Kehoe added that he understood the neighbors’ concerns.
• Chairman McGrath stated it would be a nice infill project, with only four lots.
• Miller noted the property was already zoned RS-6 for 6000 sq ft lots.

Kehoe motioned and Hutchings seconded to recommend to City Council approval of the Short Plat approval for Arbor Court Subdivision in an RS-6 zoning district at 424 W Greenhurst Rd, for four lots on .658 acres for Lindquist Properties, subject to:

Generally:
1. Developer(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] 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/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not have, the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property;

Specifically:
1. Applicant shall reference CC&R’s by note on the face of the Final Plat.
2. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Arbor Court Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 10/24/2019 prior to construction drawing approval.
3. CC&R’s or alternative agreement shall be submitted to the Nampa Engineering Division for review prior to City Engineer signature of the plat. CC&R’s shall specify maintenance and cost share responsibilities for the driveway and drainage improvements and the recording instrument number shall be noted on the plat.
4. Use of a shared sewer service will be subject to the following conditions:
   a. Upsize the proposed 1% sloped sewer lateral to 6” and replace the existing 4” sewer lateral with a 6” service line, along with provision of cleanouts as required by adopted Plumbing Code. As an alternative to upsizing the service line, the 4” sewer service would need to be sloped at 2% minimum for the entire distance.
   b. Applicant shall provide an analysis reflecting the shared service can support the proposed fixture count per Plumbing Code;
   c. The Applicant shall establish and record a shared use agreement detailing joint ownership and maintenance responsibilities of the service.

Documentation of the above shall be provided to the Nampa Engineering Division and Building Department prior to Construction Drawing approval. The final recorded Shared Use Agreement shall be provided prior to issuance of Certificate of Occupancy of the first building.
6. Drainage shall be retained on site in accordance with approved plans. Inspection and certification of work shall be by the Engineer of Record (EOR). EOR shall provide a letter to the Nampa Engineering Division certifying on-site drainage facilities were installed in substantial conformance with the approved plans and specifications at the time of Record Drawing submittal and prior to Certificate of Occupancy issuance for the first building.
7. Provide a 20 ft setback along the Greenhurst Rd ROW to accommodate potential future roadway expansion.
8. Shared private driveway easement shall be 22 ft wide minimum and meet agency standards.
9. Applicant shall obtain an Erosion Control Permit prior to start of any earth disturbing activities.
10. A Right-of-Way Permit with City of Nampa is required prior to any work within the Greenhurst Road right-of-way or the existing onsite sewer easement. 
Motion carried.

Public Hearing No. 2:
Zoning Map Amendment from RD (Two-Family Residential) to BC (Community Business) at 1511 7th St. So. (A .11 acre or 4,792 sq. ft. part of the NE ¼ of Section 27, Township 3 North, Range 2 West, BM being the SE 50’ of Lots 1 and 2, Block 5, Interstate Additions) for Dr. Brian Thomas, Nampa First Church of the Nazarene for a medical and counseling clinic (ZMA 113-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Reverend Anthony Johnson of 1468 S Millstream Ct, Nampa – representing Nampa First Church of the Nazarene at 601 16th Ave S and Care House Partnerships:
• Care House Partnerships stated Reverend Johnson was the compassionate ministry outreach of Nampa First Church of the Nazarene, a 501 C 3 non-profit sponsored by Nampa First Church.
• Reverend Johnson apologized for submitting the application so late and explained when they were in the process of developing the plans for the remodel of the house, it was determined a Rezone to BC would be required for the use.
• According to Reverend Johnson they were already into the construction project and were asking for an adjustment of the zoning to BC because the RD zoning does not allow for any type of medical clinic.
• They would like to continue developing the free and charitable medical and counseling clinic for those in the community who are uninsured and live at 200 percent, or below, of the Federal Poverty Limit.
• Medicaid Expansion, continued Reverend Johnson, only covers those up to 138 percent of the Federal Poverty Limit and it is estimated there would still be 80,000 people in Idaho, 30,000 people in the Treasure Valley, and upwards of 10,000 to 15,000 people in Nampa who were in that gap.
• Therefore, added Reverend Johnson, there would be a place for a free and charitable medical and counseling clinic in the community.
• Reverend Johnson explained there are four rooms in the house, two of them will be for counseling and two for medical exams.
• Reverend Johnson emphasized basic medical care would be provided. Acute or chronic care requirements would be referred to specialists and added there would be no surgeries or procedures performed at the subject facility.
• According to Reverend Johnson, there would be medical providers from Northwest Nazarene University’s Nurse Practitioner Program as well as medical providers from the community. The counseling will be provided by those in the Master of Counseling Program at NNU. Interns would be supervised by a Licensed Professional Counselor. They would all be volunteers, other than the Supervisor who oversees the Counselors.
• The driveway on the subject property would be utilized as a handicap parking spot, and because First Church of the Nazarene owns all the properties on that side of the street, people would be able to park in the parking lot on the corner of 16th Ave S and 7th St S – two properties down – and walk to the subject clinic.
• Reverend Johnson indicated the subject property was also on the Valley Transit No. 51 bus line.
• Initially the clinic would be open one night a week for four hours, stated Reverend Johnson, and they would have to call in to make an appointment and no walk-ins. As the need increases, in the future, they would potentially be open for two nights a week for four hours each evening.
• Kehoe inquired if the clinic facility would be limited to members of any particular church and Reverend Johnson replied it would not be limited but open to the public that fits within the previously mentioned financial parameters.

Planning Director Holm:
• Holm indicated the location of the subject property on .11 acre, presently zoned RD, the same as the rest of the properties to the west, and the First Church of the Nazarene across 7th St S.
• The church also owns the grassed parcel to the west as well as the parcel to the southeast that would be available for parking.
• The Comprehensive Plan designation, continued Holm, was Medium Density Residential, with the General Commercial boundary in the alley on the east side of the subject property.
• The applicants were seeking to stretch that Commercial designation to allow rezoning from RD to BC. It would be compliant with the Comprehensive Plan, continued Holm, to allow that stretch to take place.
• Holm indicated the existing BC zoning on 16th Ave S and Holly St further south, as well as further to the northwest on 12th Ave S and 7th St S.
• Frontage of the subject property would be on 7th St S, added Holm, with additional parking available adjacent to the southeast.
• Holm indicated a street view of the subject property and the applicant’s proposed site plan and adjacent uses.
• Holm reviewed the Staff Report and noted there were no recommended conditions of approval.

Chairman McGrath proceeded to public testimony.

David Ferdinand of 2419 W Herron Loop, Nampa – in favor:
• Mr Ferdinand gave some history for the First Church of the Nazarene and noted his grandfather was the first pastor of the church in 1913 and his aunt had started outreach ministries for food and clothing distribution.
• Mr Ferdinand stated when parcels become available around a church that was reaching out to the community it was very important to determine what the community needs.
• A mobile clinic has also been put together with St Alphansus, added Mr Ferdinand, to provide free health care and an additional need was recognized for counseling and medical care in conjunction with Northwest Nazarene Church.

Mike Treasure of 720 15th Ave S, Nampa – opposed:
• Mr Treasure indicated his property on the east side of 15th Ave S, 3 lots down from the subject property.
• Although most of his concerns had been addressed, stated Mr Treasure, the other major concern he had was setting a precedent that all of the nearby properties would be gobbled up and turned into businesses.
• At the present time, added Mr Treasure, most of the residents on the street were homeowners and not renters.
• As far as outreach from the church, noted Mr Treasure, they had heard nothing about the proposed change of use for the subject property and the subsequent rezone to BC.
• Mr Treasure voiced concern regarding increased traffic, and where would the rezoning end. Would the grass lot be rezoned and turned into a parking lot – and that parcel was only two lots down from his property.
• The applicants, added Mr Treasure, had not taken into consideration the neighboring property owners living next door to the proposed facility.
• A little bit of consideration from the applicants, for the community and the neighbors, added Mr Treasure, would have been received much better.

Allison Treasure of 720 15th Ave S, Nampa – opposed but did not wish to speak.

Danielle Berrian of 716 15th Ave S – Undecided:
• Ms Berrian noted there was only one house between her property and the grass lot.
• According to Ms Berrian her husband is a mental health counselor and also worked for clientele that does not have insurance benefits and added they would love the additional help in the valley.
• As a homeowner, continued Ms Berrian, she had similar concerns to Mr Treasure, and questioned what the plan would be for the grass lot next to the subject property.
• Ms Berrian noted the lot used for a community garden had also been sold without any contact with the neighbors.
• It would be nice to receive consideration from the church, stated Ms Berrian, but they only received notification from the City for tonight’s meeting.
• Ms Berrian requested more specifics regarding the evening hours of operation and the impact on the alley and the neighborhood.

Reverend Johnson:
• Reverend Johnson again apologized for not contacting the neighbors regarding the proposed counseling and medical facility.
• There had been discussions, added Reverend Johnson with those neighbors that come to the food pantry and those attending the Wednesday night dinner that also received some health care provided there through a parish nursing model mini clinic.
• Currently there were no times set for the medical and counseling clinic evening openings stated Reverend Johnson, but the hours could be from 3:00 p.m. to 7:00 p.m. or 2:00 p.m. to 6:00 p.m. The clinic would not be open late but would be available during hours that would accommodate the working poor.
• Reverend Johnson advised the community garden lot had been sold in order to pay off indebtedness.
• There were no plans at the present time, stated Reverend Johnson, to develop the grassy lot next door to the subject property into a parking lot, or anything else.
• According to Reverend Johnson, if the proposed counseling facility and medical clinic went beyond operating more than four hours at a time for two days a week, then they would begin the process of looking for a new location.
• Chairman McGrath inquired if there would be adequate staffing to make sure the activities were contained to the clinic/counseling facility.
• Reverend Johnson replied that they could consider that request, and advised on Tuesday and Wednesday nights they have a Security Guard that walks around the church property, and the same could also be arranged if the facility was open Thursday night.
• Reverend Johnson reiterated they want to be good neighbors.

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

• Kropp inquired if the subject property were rezoned to BC and the clinic then moved to a larger facility, would the subject property remain BC and allow for another business to take over the property.
• Holm advised the property would remain zoned BC and if the applicants-maintained ownership, they could control the use on the property, however, if the property was sold it could be open to other uses.

Garner motioned and Sellman seconded to recommend approval to City Council for a Zoning Map Amendment from RD to BC at 1511 7th Street S, to allow for a medical and counseling clinic, for Dr Brian Thomas, Nampa First Church of the Nazarene.
Motion carried with Garner, Hutchings, Kehoe, Miller, Sellman and Van Auker Jr in favor and Kropp opposed.
Motion carried.

Public Hearing No. 3:
Annexation and Zoning to RMH (Multiple-Family Residential) for Townhomes at 622 N. 44th Street (A 2.02-acre parcel located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho) for Mason and Associates representing Sun Peak Development LLC (ANN 133-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Will Mason of Mason and Associates of 924 3rd St S, Nampa – representing the applicant:
• Mr Mason advised the application would be for annexation and RMH zoning for apartments on N 44th St where it ends at E Orchard Ave.
• Currently, stated Mr Mason, they were in the process of putting together an architectural plan for a townhouse project.
• If the applicants determined to plat the subject property, then a subdivision plat would come back to the Commission.

Planning Director Holm:
• Holm indicated the location of the subject property, on 2.02 acres.
• On the Comprehensive Plan, continued Holm, the subject property was located within the High-Density Residential designation.
• The property borders the RA zone where the Happy Valley Mobile Home Park was located to the north and west.
• Holm indicated the existing RMH zoning for the apartments to the northeast, bordering the subject property.
• Rural residential properties, continued Holm, were located to the south and east.
• Utilities do service the area, added Holm.
• No correspondence had been received from local property owners or residents, stated Holm.
• Holm reported he had received a call from the Manager of the adjacent mobile home park raising some concerns regarding the impact on traffic if the subject property were to be developed.
• Holm indicated the Memorandum from Caleb LaClair, Assistant City Engineer, dated November 6, 2019, with conditions of approval.
• Holm reviewed the Staff Report and recommended conditions of approval.
• Holm noted the subject property was contiguous to City limits and eligible for annexation. The Comprehensive Plan does designate the property for the type of use proposed.

Chairman McGrath proceeded to public testimony.

Kerry Elliott of 416 N 44th St, Nampa – in favor:
• Ms Elliott questioned if the road would be widened.
• Ms Elliott inquired about the oil that had previously been located on the property and wanted to make sure that would be cleaned up prior to development of the property.
• In response to a question from Keboe, Ms Elliott stated the previous owner had poured oil from small drums into a large drum and there had been spills on the ground. Ms Elliott added the adjacent properties were on wells and there was concern regarding contamination.

John Elliott of 416 N 44th St, Nampa – in favor but did not wish to speak.
Matthew Elliott of 416 N 44th St, Nampa – in favor but did not wish to speak.
Philip Batton of 410 N 44th St, Nampa – in favor but did not wish to speak.

David Ferdinand of 2419 W Herron Lp – in favor:
• Mr Ferdinand stated he was the listing agent on the subject property and the entire property had been cleaned up.
• It was previously Del’s Towing property with automobile parts and tires on the lot.
• There was a 1,000-gallon oil tank where they placed used oil, and a 250-gallon tank. Those were both sold in the auction.
• According to Mr Ferdinand, he obtained a sign-off from DEQ for the subject property to make sure there was no oil seepage into the ground. The DEQ official had come out to the subject property on a regular basis, added Mr Ferdinand to make sure the oil was recycled and used properly.
• The 1,000-gallon tank had been removed from the property by Gem State Oil and they signed off on the removal process, stated Mr Ferdinand.
• Other items were removed by a demolition company and taken for recycling.

Sherry Baker of 1746 N Jericho, Meridian – Undecided.
• Ms Baker stated she was the office manager for the owners of Happy Valley Mobile Home Park.
• Although she did not have a problem with the development stated Ms Baker, she did have concerns regarding the density of the proposed apartments/townhouses.
• According to Ms Baker the mobile home park also plowed snow on N 44th St as well as the roads within the mobile home park.
• The primary concern, continued Ms Baker, was the number of cars parked on the road, from the surrounding properties as well as the mobile home park.
• Ms Baker inquired if there would be any improvements or sidewalks for N 44th St when the subject property developed, or other properties on N 44th St sell.
• The only way to access the proposed townhouses added Ms Baker would be to go north on N 44th St from Airport Rd.
• Chairman McGrath inquired how much traffic was generated at the present time by the mobile home park and Ms Baker replied there were probably 15 to 20 homes on the west side of N 44th St.
• Ms Baker stated some of the homes only had one car and other homes had up to 4 cars.

City Engineer Badger:
• Badger advised N 44th St was a public road running north from Airport Rd to the southern edge of the northern section of Happy Valley mobile home park.
• Badger reiterated the subject parcel frontage was on a public right of way/street.
• **Kehoe** inquired about future improvements to N 44th St and **Badger** replied the current right-of-way was consistent with the requirements when the mobile home park was constructed which at that time had been a little more than half of the roadway.

• The proposed development, continued Badger, would be required to complete their road frontage, and depending on the dwelling unit count would determine if a Traffic Impact Study would be necessary, which would then dictate whether more improvements were needed beyond the parcel frontage.

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

**Van Auker, Jr motioned, and Garner seconded to recommend to City Council Annexation and RMH zoning for townhomes on a 2.02-acre parcel at 622 N 44th Street for Mason and Associates representing Sun Peak Development, LLC, subject to:**

1. Any onsite wells or septic systems 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. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

3. Utilities shall be constructed to and through the site at the time of property development/redevelopment, including public pressure irrigation main from N Happy Valley Road, at the sole expense of the Developer.

4. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

Motion carried.

Meeting adjourned at 8:31p.m.

Norman L Holm, Planning Director

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