



PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of May 1, 2023

PUBLIC HEARING ITEM STAFF REPORT

Rodney Ashby, AICP - Director

Appeal of the Planning and Zoning Commission approval decision for the Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), and potential development agreement for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023). Original Concept: Mixed Use Development with 1 commercial building and 192 residential dwelling units in 9 apartment buildings.
(Action: [Approval or Denial](#))

Original Applicant: Kelly Kitchens

Appellant: Loraine Knigge

Prepared by: Rodney Ashby, AICP – Director of Planning & Zoning

Nampa Planning & Zoning Commission Decision: The Nampa Planning & Zoning Commission held a public hearing on 2/28/2023 and voted to approve the above referenced Conditional Use Permit (CUP-00305-2023) for 1 commercial building and 192 residential dwelling units in 9 apartment buildings. The Commission approved the request conditional upon compliance with all items listed in the "Proposed Conditions" section of this report, and adopted the "Findings of Approval," also listed in this report.

STAFF RECOMMENDATION

Based upon the analysis that was completed utilizing the conclusions of law, Nampa Comprehensive Plan and Nampa City Code, coupled with the findings and conditions adopted by the Planning & Zoning Commission and listed in the staff report, the project appears to meet all requirements. Staff can reasonably recommend to the Council that the Conditional Use Permit be approved and deny the appeal.

CONDITIONAL USE PERMIT

- A. That the location, size, design and operating characteristics of the project will be compatible with and will not 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.

- **Application material supports meeting this criterion**

B. That the location, design and site planning of the project will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

- **Application material supports meeting this criterion**

C. That the project will enhance the successful operation of the surrounding area in its basic community functions, or, will provide an essential service to the community or region.

- **This conclusion of law provides the City Council/Commission significant liberty to determine whether this project will enhance the successful operation of the surrounding area or will provide an essential service to this part of the community. The Commission determined this conclusion of law was applicable to the proposed project. Therefore, this criterion is found by staff to be met.**

PROPERTY DETAILS

Current Jurisdiction/Status: This property is within the Nampa City Limits, and is owned or optioned by the Applicant or the Applicant has the Property owner's permission to apply for the entitlement.

Comprehensive Plan Future Land Use Map: Commercial

Current Zoning: BC (Community Business)

Surrounding Zoning:

North: Canyon County Single Family Residences – Karcher Acres Subdivision

South: BC – Sunnyvale Subdivision, Commercial lots fronting Karcher

East: BC – Treasure Valley Apartments pre-application December 2021

West: BC – Country Boys Landscaping Business

APPLICABLE REGULATIONS

Nampa City Code, Title 10

Conditional Use Permits

10-25-10: APPEALS AND FEE

During the fifteen (15) day period from the date of the action by the Commission, written appeals from action of the Commission may be taken to the Council by the applicant or other interested party. The use permit shall not become effective until the determination of any appeal pending against it. Appeals accompanied by the appropriate fee as established by resolution of the City Council shall be filed with the Planning and Zoning Department. Said office shall transmit a notice of appeal to the City Clerk.

10-25-13: ACTION ON APPEALS BY COUNCIL

The Council, at the next duly held meeting, shall set a date and time for a public hearing on any appeal of the Planning and Zoning Commission's grant of a CUP and notify affected parties and property owners within three hundred feet (300') of the property made the subject of the appeal. The Commission or Planning staff shall submit to the Council a report setting forth reasons for the Commission's action. Alternatively, members of the Commission shall be present at the Council's public hearing to represent the Commission's position on the matter. The Council, after said public hearing, shall render its decision

within twenty-one (21) calendar days. The Council may by resolution affirm, reserve or modify any decision, determination or requirements of the Commission, but before granting any item which was denied by the Commission or before changing any of the conditions imposed by the conditions in the use permit, the Council shall make written findings of facts setting forth wherein the Commission findings were in error.

10-25-1: DESCRIPTION AND PURPOSE

Certain types of uses require special consideration prior to their being permitted in a particular district. The reason for special consideration involves, among other things, the size of the area required for the full development of such uses, the nature of the traffic problems incidental to operation of the use, the effect such uses have on any adjoining land uses and on the growth and development of the community as a whole.

All uses permitted conditionally are declared to typically possess such unique and special characteristics as to make impractical their being included as outright uses in any of the various districts defined within this title. The authority for the location and operation thereof shall be subject to review and the issuance of a conditional use permit (CUP). The purpose of review shall be to determine that the characteristics of any such use shall not be unreasonable or incompatible with the type of uses permitted in surrounding areas, and for stipulating such conditions as may be reasonable so that the basic purposes of the chapter shall be served. Nothing construed herein shall be deemed to require the commission to grant a CUP.

10-25-4: CONDITIONAL USE PERMIT CRITERIA

10-25-4.A: A Conditional Use Permit may be granted only if the proposal conforms to all the following conditional use permit criteria, provisions of the zoning ordinance unless lawfully waived or modified by authorization of the Commission, and the Nampa comprehensive plan. The conditional use permit criteria are as follows:

10-25-4.A.1: The location, size, and design and operating characteristics of the proposed development will be compatible with and will not 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.

10-25-4.A.2: The location, design and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

10-25-4.A.3: The proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

10-1-8.E: Commercial, Healthcare, or Industrial Districts (Including RP Zoned Properties Whereon a Professional or Commercial Use, Like an Office or Store, is Located or Proposed to be Located, and, all Kinds of Multiple- [Non-single-] Family Residential Projects in all Zones): Fences not to exceed eight feet (8') in height (6 feet for multiple-family residential projects) may be located or maintained on any commercially or industrially zoned property. In the case of security fences, when a barbed wire top section is utilized, the eight foot (8') maximum height limitation may be exceeded by up to thirty inches (30") only by the barbed wire security top section.

Nampa City Code, Title 10, Chapter 3 (Schedule of Land Uses: Dwellings, Multiple-family – up to 3 or 4 stories are allowed in the BC zone with an approved Conditional Use Permit. See Footnotes for additional details.

Footnotes:

(Multi-Family Development – BC and DV zones):

- a. Multi-Family Residential Development in the DV (Downtown Village) or a BC (Community Business) Zoning District Within Three-Hundred Feet (300') of Caldwell Blvd., Garrity Blvd., 12th Ave S, 12th Ave. Rd., Idaho Center Blvd., Franklin Blvd., Northside Blvd. and Karcher Rd. right-of-way:
 - i. Any multi-family development with buildings exceeding thirty feet (30') in height:
 1. Shall provide commercial on the first floor facing the right-of-way. Additional floors may contain residential, office or commercial. Alternatively, a stand-alone commercial/office building with residential structures in the same complex may be placed on the property.

Nampa City Code, Title 10, Chapter 16 BC (Community Business):

The BC District is intended to create, preserve and enhance areas with a wide range of retail sales and service establishments serving both long- and short-term needs in compact locations typically appropriate to commercial clusters near intersections of major thoroughfares. This district also includes some development that does not strictly fit the description of this chapter but also does not merit a zoning district.

10-16-7.A: Landscaping: The following landscape standards (in addition to those listed in chapters 22 and 33 of this title) shall apply to new construction or expanded construction (as defined by § 10-1-6 of this title) within the BC zone:

10-16-7.A.1: Location(s) and Quantity of Landscaping Required:

10-16-7.A.1.a: General Location Requirement: Landscaping shall be emplaced on a site wherever a structure, pedestrian pathway or parking lot is not located.

10-16-7.A.1.b: Arrangement: Landscaping shall be designed by a landscape architect and shall serve to highlight the building entrances and pedestrian plazas without encroaching into public right-of-way or impede pedestrian and vehicular views or intrude into required vision triangles.

10-16-7.A.1.c: Around Building Exteriors: Shrubs and flowerbeds shall be required around any new building's exterior. Landscaping is also required in all yard areas of the development to enhance the appearance of a building when viewed from a right-of-way that abuts the development site.

10-16-7.A.1.d: Screening: Evergreens may be used to help screen mechanical equipment and service areas (refer to mechanical unit screening, subsection 10-34-10.A.2 of this title).

10-16-7.A.1.e: Growth Coverage: Plants used in landscaping around a building or on a development site shall be selected to complement the scale of the development area and any building(s) thereon.

10-16-7.A.2: Landscaping Components Requirements:

10-16-7.A.2.a: Composition of added plants selected (aside from what is required by chapter 33 of this title for a landscape strip along an arterial or collector street) shall be comprised of at least fifty percent (50%) flowering trees.

10-16-7.A.2.b: Landscaping shall be designed so that fifty percent (50%) coverage of the site occurs after the first year and ninety percent (90%) coverage occurs after five (5) years.

Nampa City Code, Title 10, Chapter 22 (Parking): **10-22-6.B: Number of Spaces Required:** The number of off-street/on- property (site) parking spaces required and/or provided for land and structure uses shall be no less than as set forth as follows for all zones save the DH and GBE districts. Where fractional number results, round to the next highest whole amount. Thus, 2.6 spaces needed for a project means that three (3) spaces are/will be actually required. ADA spaces required by ANSI Standards shall be installed in addition to the following parking calculations for Dwelling, Multiple-family developments:

- 1 Bed – 1.5 per dwelling unit with one covered space
- 2+ Beds – 2 per dwelling unit with one covered space
- .25 spaces per dwelling unit for guest parking
- Leasing tenants shall not be charged a separate fee for any required parking.
- Covered spaces shall be reserved for each specified dwelling unit.
- Garages may be used in the calculation for required parking only if the lease states that a garage space must be used for parking a vehicle. The management company for the rental units shall be responsible for ensuring compliance.

Nampa City Code, Title 10, Chapter 33 (Landscaping): Multiple-family residential along a collector/arterial – both Karcher Rd & Middleton Rd, requires a 25' wide landscape buffer containing the following:

One Class I Street Tree is required for every 25 feet (25') and/or one Class II Street Tree is required for every 35 feet (35') of street frontage. At least 50% of landscape buffer Class I and Class II Street Trees shall be placed in a linear layout parallel to the street frontage(s). The remainder the Class I or Class II Street Trees shall be in the landscape buffer area in any layout configuration.

Nampa City Code, Title 10, Chapter 34 (Design Review): Design Review Committee approval is required for new multiple-family projects.

ORIGINAL CUP APPLICATION CORRESPONDENCE

Agency/City department comments have been received regarding the Conditional Use Permit request associated with this matter [and report]. Such correspondence, by way of information, as received from agencies or the citizenry regarding the application package [received by noon February 22, 2023] is hereafter attached to this report. Agency comments that indicate no comment/issues/concerns will not be listed here, but are attached to this staff report.

- **Nampa Building Department:** The project will be subject to all required building codes and related permits based on the requirements of City Ordinance -Title 4 – Building Regulations.
- **COMPASS:** Please see the attached report from COMPASS. Analysis of the project was done for safety, economic vitality, convenience, and quality of life. One area of concern was the category for convenience, indicating that the project was not within ½ mile of a public school or park.
 - The Fiscal Analysis done by COMPASS indicated that revenue (including taxes) is likely to cover the cost of services and development within 1 year of development – indicating a beneficial financial impact score.Compass also highlighted the following transportation project to be constructed in 2024:

SH-55 (Karcher Road), Farmway Road to Middleton Road, Canyon

Regionally Significant: ☒

☒ Inflated

TIP Achievement:

Key #: 22715

System Performance

Requesting Agency: ITD

NHS-LOTTR

Project Year: 2024

Safety

Total Previous Allocations: \$6,550

Total Programmed Budget: \$172,284

Total Cost (Prev. + Prog.): \$178,834

Project Description

Widen State Highway 55 (Karcher Road) from Farmway Road to Middleton Road in Canyon County. The project will add one travel lane in each direction to improve mobility and reduce crashes along the corridor. Work includes a continuous median traffic separation, with signalizations intersections at the each miles, and u-turn opportunities at the half-mile.



• Nampa Engineering Division

Comments:

1. A pre-application meeting was held with Nampa Engineering Division, Planning Department, and Fire Department staff on June 22, 2022.
2. Streets providing access are as follows
 - W Karcher Rd/ Hwy 55 – classified a Principal Arterial, with a 45-mph speed limit.
3. Developer will be required to dedicate the following public right of way at time of development:
 - W Karcher Rd – 50' from section line.
4. Full frontage improvements per NCC 9-3-1 are required at time of development. It is understood that Idaho Transportation Department (ITD) which maintains W Karcher Rd/ Hwy 55 has a project in progress which will be widening the road and improving frontages.
5. A Traffic Impact Study (TIS) is required for any project generating more than 100 new vehicle trips during any peak hour or 1,000 new daily trips (total in and out vehicular movements).
 - A TIS is currently in review by both ITD and the City of Nampa.
6. Development access is required to adhere to current City Access Management Policy.
7. Nampa Bike & Ped Master Plan identifies a future pathway along the south side of Elijah Drain and along the south side of W Karcher Rd.
8. City utility availability:
 - Sewer – 30" gravity sewer along Elijah Drain, +/- 18' deep. Possible 8" gravity stub to the property from existing manhole. Due to proximity to critical pressure sewer lines, City staff will need to be present during any construction in this area.
 - Water – 12" main on the south side of W Karcher Rd.
 - Pressure Irrigation – 8" main along Crestwood Estates Subdivision boundary.

Recommended Conditions:

1. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
2. Developer shall be responsible to coordinate any construction work in proximity to critical pressure sewer lines with City Engineering Division. City personnel are required onsite during any construction activities in this area.
3. Development will be required to construct 10' wide pathway along south side of Elijah Drain and deeded to the City with 20' wide easement.
4. Developer shall adhere to approved traffic impact study requirements and ensure that all TIS identified improvements are in place as a condition of development.
5. Developer shall dedicate 50' public right of way at time of development.
6. 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.
7. Utility connection fees shall be paid at time of Building Permit.
8. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation 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.

- **Nampa Fire District**

Conditions:

1. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
2. Structures greater than 30-feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26-feet in width and located at least 15-feet but no more than 30-feet from the building. (IFC D105)
3. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
4. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
5. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
6. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
7. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
8. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
9. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)

Emergency Response Time Analysis and Service Impact:

1. The City of Nampa 2040 comprehensive plan states the response objective for Nampa Fire Department is to arrive to 90% of emergency medical incidents within 5 minutes of the alarm time, and within 5 minutes and 20 seconds to fire incidents. To accomplish these response time objectives requires that travel distances be approximately 1 ½ miles from the nearest fire station. This development is located approximately 1.3 miles from Nampa Fire Station 4 with an approximate response time of 5 minutes.
2. To properly serve the public for an all-hazards response, the Nampa Fire Department should have 1 firefighter for every 1,000 residents served. This subdivision will add approximately 576 residents to 192 multi-family units, with an increased personnel demand of .576 firefighter positions.

General Requirements:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and City of Nampa Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

- **Nampa Police Department:**

The Nampa Police Department (NPD) projects future service needs based on overall population, population density, and development type. Karcher Ranch is projected to add 512.64 new residents to the City of Nampa's current population.

Therefore, NPD is recommending a commitment to fund 0.77 additional officers and 0.26 additional support staff if this project is approved in order to maintain current police service levels. The Nampa Police Department is currently authorized 144 sworn personnel and 66 non-sworn personnel.

The cost for the additional officers is \$75,840 and additional support staff is \$18,880 for the first year of employment.

- **Vallivue School District:**

If Karcher Ranch Residences development is approved, students from the 192 units would be within the Lakevue Elementary attendance boundaries.

As you are aware from previous letters of concern:

- Lakevue is overcapacity by more than 200 students.
- Lakevue does not have space for additional portable classrooms.
- Students zoned for Lakevue are currently bused to Central Canyon, which is also overcrowded.
- Newly approved developments by both the Caldwell and Nampa City Councils surround Lakevue Elementary, compounding the challenge to serve students.
- A bond to build two elementary schools failed twice in 2022.
- The Vallivue School Board will have a bond on the ballot in the May election. If the bond passes, two new elementary schools will be built to solve the overcapacity problem.

- **Public Comments:**

- Loraine Knigge, registered agent for Karcher Acres county subdivision Property Owners Association, concerns about:
 - Traffic
 - Access
 - Children drowning in Elijah Drain
 - Incompatibility with existing single-family homes
- Joshua Befus (11315 Hall Drive in the Karcher Acres county subdivision), concerns about:
 - Number of units
 - Height of buildings/Privacy
 - Traffic
 - Impact on Karcher Acres county subdivision

- **Public Comments submitted after the deadline for the P&Z Commission Packet:**

- Suzy Henshaw
- L. Howell
- Estevan Chaparro
- Steve Chaparro
- Debra McCarver (16159 Kootenai Pl)
- Merilee Spath (11195 Hunt Ave)
- Nicholle Montalvo
- Stephanie Peters

- **Summary of late comments:**

- General traffic and congestion concerns
- Specific traffic and congestion concerns for the Karcher/Caldwell Blvd and Karcher/Middleton intersections

- City and school overcrowding
- Belief that developers are greedy and "rape" the land
- Belief that we are growing too fast and have enough multi-family units
- Belief infrastructure improvements need to come first before development
- Belief that quality of life (rural country) is not being protected
- Concerns about the bulk, height, and density of the development being incompatible with existing single-family residential nearby.
- 1 comment stating that the commercial portion of the property is acceptable, but not the residential

NEW APPEAL CORRESPONDENCE

Agency Comments:

- **Building Safety Department:** Requested the applicant schedule a Conceptual Plan Review, obtain all necessary permits, and follow Title 4 regulations.
- **Idaho Transportation Department:**
 - The developer shall design and construct a SH-55 Westbound right-turn lane to meet ITD Traffic Manual standards:
 - A 340 ft Right turn lane which includes the Taper, Deceleration, and Storage Lengths
 - Residence Gate open from 1 hr before AM Peak Hour and 1hr after PM Peak Hour
 - The developer will dedicate right-of-way necessary to accommodate the turn lanes including pavement widening and drainage facilities.
 - Developer will be required to extend all pavement markings 300 feet beyond project limits in all directions.
 - Developer shall submit an ITD-2109 encroachment application complete with engineered drawings and temporary traffic control plans to ITD. Acceptance of application, drawings and plans shall be required prior to approval of a permit.
- **Vallivue School District:** Students would be within the Lakevue Elementary attendance boundaries.
 - Lakevue is overcapacity by more than 200 students.
 - Lakevue does not have space for additional portable classrooms
 - Students zoned for Lakevue are currently bused to Central Canyon, which is also overcrowded.
 - Newly approved developments by both the Caldwell and Nampa City Councils surround Lakevue Elementary, compounding the challenge to serve students.
 - A bond to build two elementary schools failed twice in 2022.
 - The Vallivue School Board will have a bond on the ballot in the May election.

Public Comments:

- Michael and Michelle Andreasen (11341 Hall Drive) submitted comments on the appeal (see attachments) and opposed the development for the following reasons (summarized):
 - The bulk, height, and density of the development is incompatible with the single-family county subdivision nearby. Believed the proposal was for 4-story buildings.
 - Concerns about losing privacy from "4-story" apartments looking down into yard.
 - Concerned for the safety of children drowning in Elijah Drain.
 - Belief that children are likely to vandalize their property.
 - Traffic concerns on Karcher Rd. (SH-55) – concerns that this property is located on the wrong side of Karcher Rd because residents would need to do a U Turn to get on the freeway in the morning.
- Joshua Befus (11315 Hall Dr) submitted comments on the appeal (see attachments) and opposed the development for the following reasons (summarized):

- Density
- Absence of parks and community recreational areas nearby
- Pricing of the apartments will not be achievable for “workers”
- Preference for a business over multiple-family residential, even if that means a risk of increased traffic.

STAFF ANALYSIS

Appellant justification for appeal: the appellant submitted a narrative describing their reasons for the appeal. That narrative is found as an attachment to this report, but essentially states that the reason for appeal is that they disagree with the Commission’s decision that the project meets the 3 criteria listed in code for a Conditional Use Permit to be approved, namely:

10-25-4.A.1: The location, size, and design and operating characteristics of the proposed development will be compatible with and will not 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.

10-25-4.A.2: The location, design and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

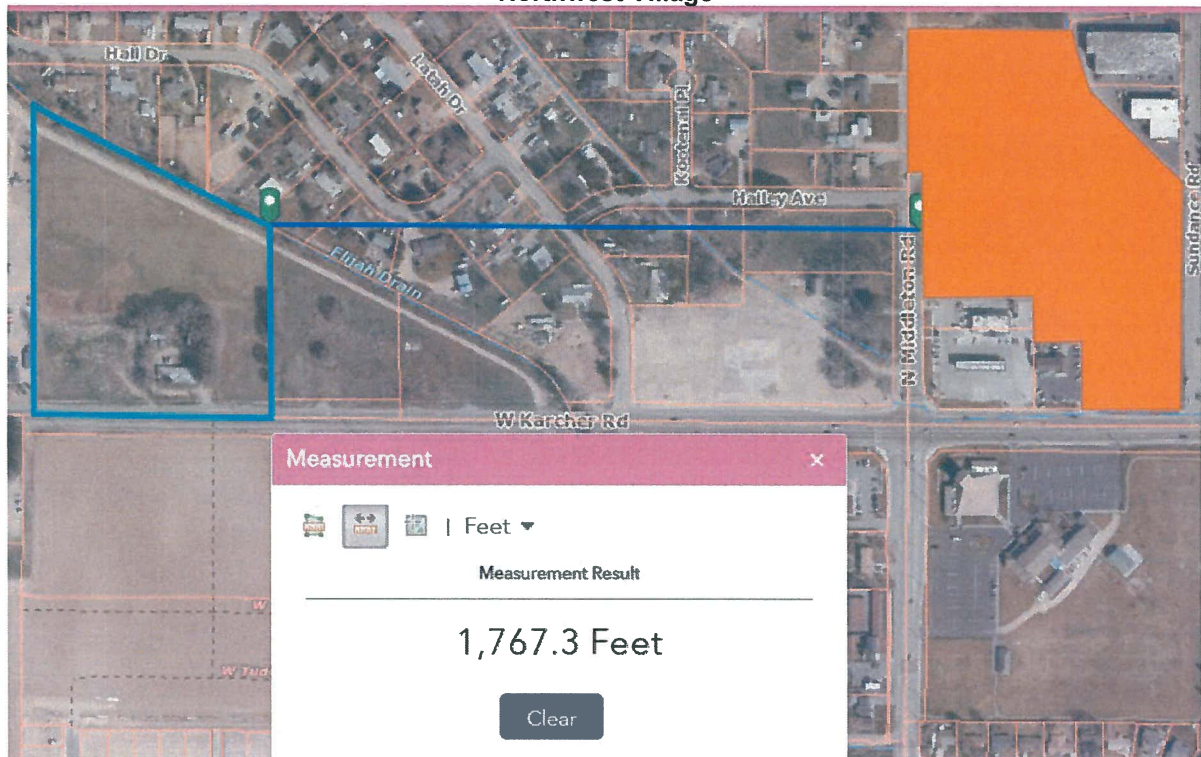
10-25-4.A.3: The proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

The appellant provided no facts or reasons related to their belief that the project did not comply with the stated criteria. The applicant will have an opportunity at the public hearing to provide justification for the appeal. Following the public hearing, if City Council chooses to approve the appeal and deny the Conditional Use Permit, the Council will need to “make written findings of facts setting forth wherein the Commission findings were in error.”

Land Uses in the area consist of convenience stores, medical facilities, storage facilities, religious facilities, future commercial development, and medium density and low density single-family residential properties.

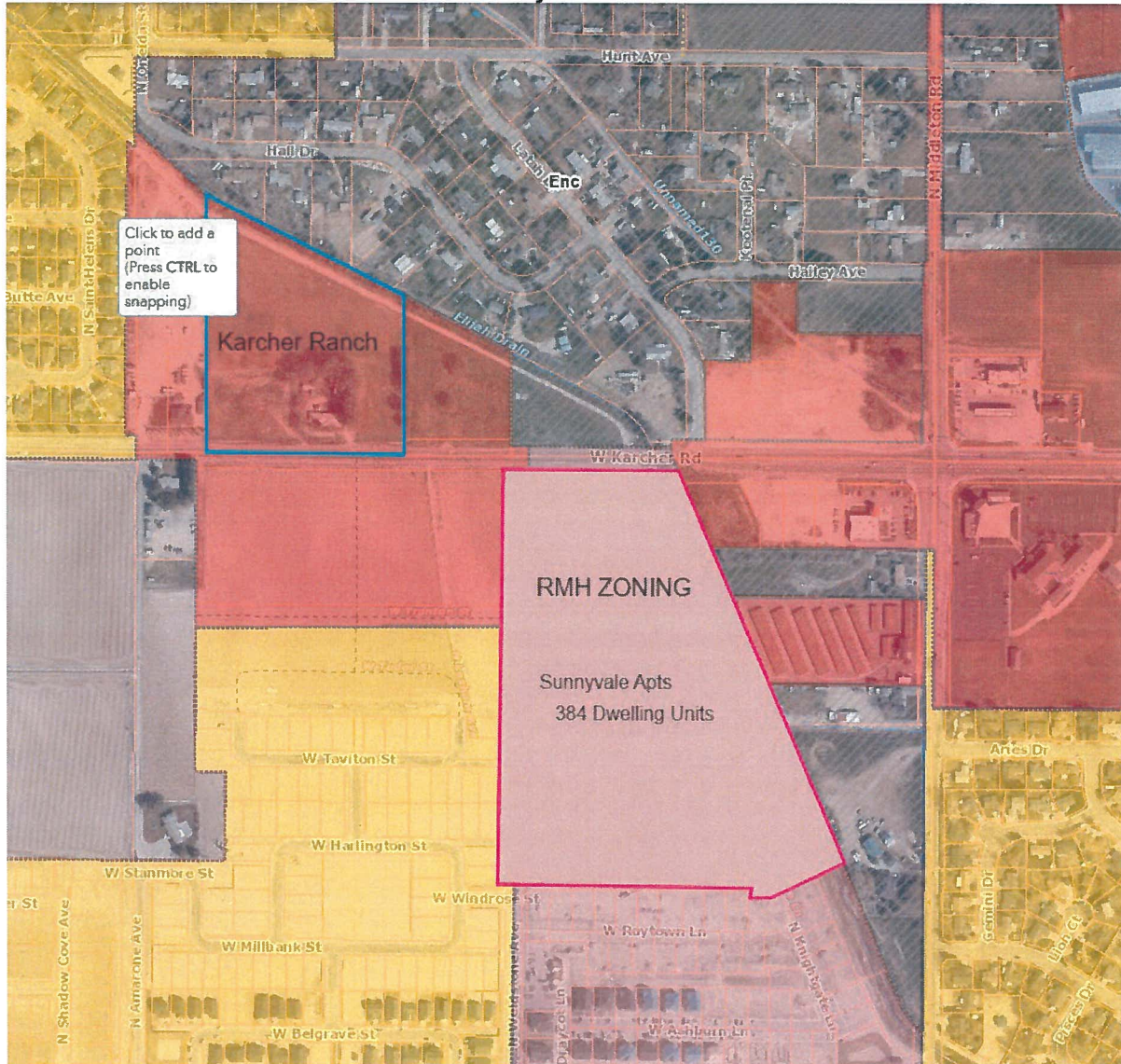
On April 17, 2023, Nampa City Council voted on reconsideration to approve the Annexation, zoning to BC (Community Business) and Conditional Use Permit for multi-family residential for the Northwest Village Apartments at 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd, approximately 1800’ to the east of the proposed apartments the subject of this report.

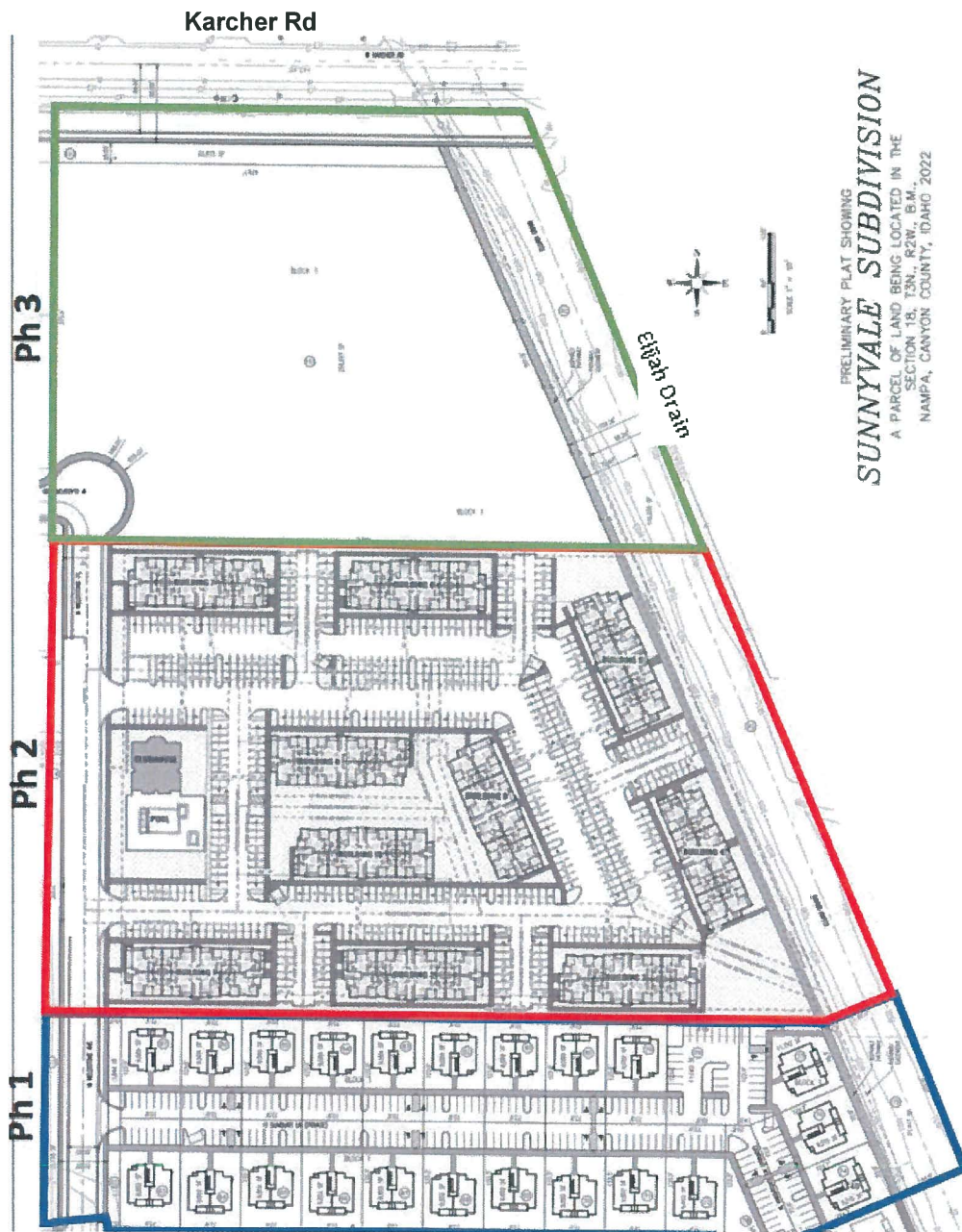
Northwest Village



In addition, on December 13, 2022, the Nampa Planning & Zoning Commission approved a preliminary plat for the Sunnyvale East Subdivision a short distance to the southeast of the subject property in the RMH zoning district. This project will construct 9 24-plex buildings (216 dwelling units), 22 four-plex buildings (88 units), and 1 assisted living building (80 units) – totaling 384 dwelling units at 0 W Karcher Rd (a 26.7 acre portion of parcel #R3142800000).

Sunnyvale East





Comprehensive Plan: The future land use designation is Commercial.

5.8.1.1 Commercial development near neighborhoods is typically adjacent to a local and collector classification of roadway. This supports small-scale commercial uses which could be directly connected to or within proximity of residential development. These are not strip malls. The transition from residential to commercial will include well-designed landscaping with building orientations that preserve a quiet residential neighborhood setting. Access to these types of commercial developments from residential neighborhoods will be by internal access from a residential dwelling unit, walking, biking or short vehicular trips. Commercial building and environmental footprints will be small in comparison to a larger commercial building complex.

Commercial development near neighborhoods would include groupings of services (barber shops, hair stylist, day care, etc.), professional offices and services (administrative, accounting, clerical, insurance, real estate sales offices, neighborhood markets, banks, restaurants and other types of services). This land use could also be designed to act as a transitional buffer between other more intense non-residential uses and high-density residential uses.

Public Interest: It can be said that providing additional housing opportunities close to services and major transportation corridors, is in the public interest of the Nampa community. The applicant indicated that a neighbor has requested that the development install an 8' tall vinyl fence along the property line. The applicant has indicated the willingness to do this. Existing Nampa City Code 10-1-8.E specifically states that only a six foot high fence is permitted for multiple-family residential projects. A staff level variance would allow up to 8 feet if the criteria for a variance listed in code are met.

Additional public testimony at the Planning & Zoning Commission public hearing and submitted in the packet to the Planning & Zoning Commission for the CUP included multiple concerns as outlined in the "Correspondence" section of this staff report. One primary, including:

Traffic:

- I-84 & Karcher Rd Interchange Improvements by Idaho Transportation Department – Construction anticipated to begin Fall 2023 with completion in 2025.
- Middleton Road corridor improvements between Lone Star Rd and Caldwell Blvd by City of Nampa – Master Planned between 2023 – 2029
- Karcher Rd (SH-55) widen to five lanes between Farmway Rd and Middleton Rd by ITD – Design and right-of-way acquisition is in progress with construction anticipated to begin in 2024 with completion in 2026.
- Access to Karcher will be right-in/right-out once the ITD improvements above have been completed.
- A traffic impact study was review and approved by the Idaho Transportation Department and Nampa Engineering Department. The developer will be required to comply with the results of the Traffic Impact Study findings regarding improvements needed to address the impact this project has on the transportation system. Existing traffic congestion problems are not likely to be fixed through the improvements required by this development.
- The Idaho Transportation Department and City of Nampa Engineering Comments can be found as an attachment to this report, and are summarized under the "Correspondence Section."

Bulk, Height, & Density:

- Some of the comments indicated opposition to the development because they believed the structures would be too bulky and too tall to be compatible with the single family residential nearby. Public comments indicated opposition to a "four-story" development. The narrative for the project indicates the buildings will be 35' in height. This and the draft elevations they submitted indicate that the buildings will be three-story, rather than four-story. The applicant argues that a BC zone would allow commercial uses that could be less compatible than the residential use being proposed.
- Density differences when the city grows into areas with existing County Residential Subdivisions, a natural conflict is almost always present because the highest density permitted in a county subdivision is the lowest density allowed in a city development. The densities in these growing areas will likely be in contrast because of the standards for the entities approving the subdivision being so different. In this case, the smallest distance between a proposed apartment building and an existing single-family home is 150' across the Elijah Drain. Council may consider this buffer adequate to create enough compatibility. The Council may also choose to add conditions to approval to mitigate concerns about compatibility: landscaping, fencing, etc.

Lack of Parks/Recreation Nearby:

- In the past 3 years, the City of Nampa transitioned from providing small and medium-sized parks near residential, to primarily being responsible for large community parks and

sports parks but requiring new subdivisions and multi-family developments provide a minimum open space and amenities (e.g. playgrounds) as a privately owned and maintained requirement of the development. This project will be required to provide at least 5% of the development as open space. They have proposed centrally located common space with possible amenities of: Bocce Court, Pool, and/or Pavillions. They Also have proposed an 8' wide multi-use path and 20' pedestrian easement along the Elijah Drain. The city's standards for a multi-use path is 10' wide and this will be a requirement when installed. This area next to the Elijah Drain in the 20' easement is also qualified open space. It appears this project will exceed the minimum requirements for open space.

Crime/Vandalism:

- Because this development will be a gated community, staff suggests that vandalism and crime may be less concerning than other locations. Council may require additional lighting or other protective measures if desired. The increase in population does impact the number of criminal cases occurring in the city, but I have been unable to find any credible research showing that multi-family developments lead to greater crimes per-capita than single-family developments.

Overall Project (CUP) Area - 10 acres
Multi-Family Dwelling Units: 192 units

Parking Spaces required: unclear, will be based on the number of rooms per unit
Parking Spaces provided: 414 (284 covered plus 11 ADA spaces)

Open Space: Landscaped area shall provide a minimum of 5% qualified open space. The concept submitted and the applicant's narrative indicate that they will meet this requirement. The potential amenities include: Bocce Court, Pool, and/or Pavilion. Staff recommends that amenities the Commission wishes to be required be included in the conditions of approval.

Commercial Land Use Required: Chapter 3 of Title 10 indicates that multi-family developments in the BC zoning district that are more than 30' in height, shall provide commercial on the first floor or a stand alone commercial/office building. The applicant has indicated that offices for rent shall be provided in the first building nearest the entrance.

Original applicant's proposed findings for Conditional Use Permit criteria for approval:

1. The location, size, and design and operating characteristics of the proposed development will be compatible with and will not 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 capacity of surrounding streets; and to any other relevant impact of the development.
 - a. **The property is zoned BC, which permits a wide range of commercial uses that would arguably be less compatible with nearby residential areas than a quality residential rental development such as is proposed. While multi-family development is a permissible use with the approval of a conditional use permit, the BC zone already permits such uses as a building materials store / lumberyard, car wash, convenience store / gas station, freight transfer point, hotel, assisted living center, restaurant, sports arena, vape shop, etc.**
 - b. **The property is located along a high-volume principal arterial roadway that ITD will soon be expanding to a 4-lane divided highway.**
 - c. **The property is adjacent to a vacant parcel to the east that is also zoned BC and a BC-zoned parcel to the west that is home to a local landscaping company. Existing homes to the north, which are outside the Nampa City Limits, are buffered from this proposed development by 55 feet of a wider drainage easement running along this property's northern boundary.**

2. The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.
 - a. **The proposed residential density is appropriate along a major roadway such as Karcher Road / State Highway 55.**
 - b. **Future residents will have direct and convenient access to the regional roadway system without burdening nearby local streets.**
3. The proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.
 - a. **The project will provide another quality option to help fill the housing deficit in the Treasure Valley.**
 - b. **The property is 0.35 mile from the nearest neighborhood retail/services.**
 - c. **The property is 2/3-mile west of the boundary of the Treasure Valley Nampa Urban Renewal District.**
 - d. **The property is 0.8 mile from regional shopping opportunities along Nampa-Caldwell Blvd. including Home Depot, Lowe's, WinCo, etc.**
 - e. **The property is 1.3 miles from I-84.**
 - f. **The property is 1.5 miles from the Treasure Valley Marketplace featuring Target, Best Buy, Kohl's, etc.**

PROPOSED CONDITIONS OF APPROVAL

The Commission voted to approve the Conditional Use Permit request with the following Condition(s) of Approval (note: the Council may add, subtract and/or modify conditions as it deems appropriate):

1. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
2. Developer shall be responsible to coordinate any construction work in proximity to critical pressure sewer lines with City Engineering Division. City personnel are required onsite during any construction activities in this area.
3. Development will be required to construct 10' wide pathway along south side of Elijah Drain and deed to the City, a 20' wide easement for the pathway.
4. Developer shall adhere to approved traffic impact study requirements and ensure that all TIS identified improvements are in place as a condition of development.
5. Developer shall dedicate 50' public right of way at time of development.
6. 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.
7. Utility connection fees shall be paid at time of Building Permit.
8. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation 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.
9. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
10. Structures greater than 30-feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26-feet in width and located at least 15-feet but no more than 30-feet from the building. (IFC D105)
11. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
12. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
13. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)

14. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
15. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
16. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
17. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)
18. Developer shall construct the commercial office space prior to the final inspection approval of the fifth multi-family building and site.
19. All open space and associated required amenities shall be constructed, installed prior to the final inspection approval of the fifth multi-family building and site.
20. Remove the site plan note (on concept plan) stating an 8' fence will be provided along the western border.
21. Amenities provided within the open space shall include a minimum of the following:
 - a. Dog run/park
 - b. Clubhouse, including a gymnasium
 - c. Picnic Pavilion with barbecue equipment
 - d. Bocce ball court

PROPOSED FINDINGS

Proposed Findings to confirm the Planning & Zoning Commission's CUP Approval:

A. The location, size, design and operating characteristics of the project will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character.

- This multi-family project proposes multi-family residential structures at a minimum of 150' from the nearest single-family detached home – located to the north, thus not negatively affecting the livability of abutting properties.
- Considering the proximity to retail, commercial, medical, religious, transportation and city utility services, this multi-family development provides for a variety of housing types that will contribute to the community as a whole. It is separated from any immediately adjacent single-family structures and therefore, should not pose any harmful effect upon the neighborhoods nearby.
- Multi-family units could provide a buffer for the existing larger residential parcels in the area from the state highway as well as other commercial developments along Karcher Rd.
- The multi-family units would be located near necessary services and transportation corridors for its tenants.
- The property is zoned BC, which permits a wide range of commercial uses that would arguably be less compatible with nearby residential areas than a quality residential rental development such as is proposed. While multi-family development is a permissible use with the approval of a conditional use permit, the BC zone already permits such uses as a building materials store / lumberyard, car wash, convenience store / gas station, freight transfer point, hotel, assisted living center, restaurant, sports arena, vape shop, etc.
- The property is located along a high-volume principal arterial roadway that ITD will soon be expanding to a 4-lane divided highway.
- The property is adjacent to a vacant parcel to the east that is also zoned BC and a BC-zoned parcel to the west that is home to a local landscaping company. Existing homes to the north,

which are outside the Nampa City Limits, are buffered from this proposed development by 55 feet of a wider drainage easement running along this property's northern boundary.

- Required improvements to the roadway system that get identified through the traffic impact study will ensure the design and location of the project does not adversely affect the public system.

B. That the location, design and site planning of the project will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

- This multi-family development provides housing types that provide housing variety in the community. It provides convenient access to services, working, and shopping.
- This multi-family development is subject to design review standards listed in Title 10, Chapter 34 of the Nampa City Code and will be as attractive as the nature of the use and location warrants.
- This multi-family development will be built along State Highway 55, which provides a convenient and functional living environment because of access on SH55 to working, shopping, and civic land uses in the nearby vicinity.
- The design and site plan for the proposed project will serve as a transition of land uses from the state highway 55, and as such, its design and site plan will provide a convenient and functional living environment.
- Access to services will be convenient for future tenants of this housing complex.
- The comprehensive plan states that multi-family (mixed-use) developments should have access to transportation corridors and be walkable to necessary services. This location appears to meet those requirements.

C. That the project will enhance the successful operation of the surrounding area in its basic community functions, or, will provide an essential service to the community or region.

- Providing housing of all types allows for residents to find and keep a job and potentially establish permanent residency in this community. All phases of housing provide an essential service to the community.
- This development will enhance the successful operation of the surrounding area because it provides housing in proximity of churches, jobs, retail, and entertainment centers, connected by way of a significant transportation system – including State Highway 55 and Caldwell Blvd. The proposed housing addresses identified needs in the community and will be successful because of its access to services, including the following:
 - The property is 0.35 mile from the nearest neighborhood retail/services.
 - The property is 2/3-mile west of the boundary of the Treasure Valley Nampa Urban Renewal District.
 - The property is 0.8 mile from regional shopping opportunities along Nampa-Caldwell Blvd. including Home Depot, Lowe's, WinCo, etc.
 - The property is 1.3 miles from I-84.
 - The property is 1.5 miles from the Treasure Valley Marketplace featuring Target, Best Buy, Kohl's, etc.
- This project will enhance the successful operation of the surrounding area in its basic community functions by providing housing, as well as commercial services as outlined in Footnote 10-3-2:

"Multi-Family Residential Development in the BC (Community Business) Zoning District within Three-Hundred Feet (300') of the Karcher Rd. right-of-way that is thirty feet (30') in height shall provide commercial on the first floor facing the right-of-way. Additional floors may contain residential, office or commercial. Alternatively, a stand-alone commercial/office building with residential structures in the same complex may be placed on the property."

- This multi-family project provides a stand-alone commercial building on the Karcher Rd frontage with access from Karcher Rd in conformance with the footnote on the residential schedule of uses shown in NCC §10-3-2.

Proposed Findings of Facts Denial showing the Commission's Findings were in error:

A. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses.

- While the Planning Commission found that the zoning is the same as the existing surrounding properties to the south, east, and west, they did not adequately consider the compatibility of the development to the properties to the north. There are no other multi-family uses immediately adjacent to the subject property and therefore, the project may not be considered reasonably compatible with the existing, adjoining properties to the north which are in a large-lot single-family county-subdivision with densities much smaller than the proposed development.

B. The area can reasonably be assumed to be available for the orderly development of the city.

- While city services are available to the property, the Planning Commission did not adequately consider the incompatibility of multi-family housing being developed next to commercial and single-family residential land uses. Placing a multi-family development in this area would not ensure orderly development of the city because it will be inconsistent with other uses contiguous to this property. The timing of the development is not orderly because of upcoming roadway improvements along Karcher Rd that will need to be completed prior to approval of additional developments along this corridor.
- A single ingress/egress to and from this property is not sufficient to disperse traffic impacts in the area and is therefore not orderly development of the city.

<And any other findings determined by the Commission or Council>

POTENTIAL MOTIONS

APPROVE THE CONDITIONAL USE PERMIT:

I move to ***deny the appeal*** and confirm the Planning & Zoning Commission's decision to approve the **Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District** on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023) with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report.

DENY:

I move to ***approve the appeal*** and deny the **Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District** on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023) and adopt the proposed findings for denial as stated in the staff report.

Conditional Use Permit Conclusions of Law:

1. The location, size, and design and operating characteristics of the proposed development will be compatible with and will not 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.

2. The location, design and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.
3. The proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

ATTACHMENTS

- CUP Application
- Appeal Application
- Narrative
- Clarifying Email from Paul Oland Regarding Parking Spaces
- Concept Plan
- Comprehensive Plan Future Land Use Map
- Zoning Map
- Aerial View
- Inter-departmental/agency/citizen correspondence
- Appeal correspondence
- Planning & Zoning Commission Decision Letter



Planning & Zoning Department Master Application

Staff Use Only

Project Name: Karcher Ranch

File Number: CUP-00305-2023

Related Applications: _____

Type of Application

- | | |
|--|--|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Legal Non-Conforming Use |
| <input type="checkbox"/> Annexation/Pre-Annexation | <input type="checkbox"/> Planned Unit Development/MPC |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Short |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final |
| <input checked="" type="checkbox"/> Multi-Family Housing | <input type="checkbox"/> Condo |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Modification | <input type="checkbox"/> Fireworks Stand |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Daycare | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Kennel License | <input type="checkbox"/> Staff Level |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Zoning Map/Ordinance Amendment (Rezone) |
| <input type="checkbox"/> Mobile Home Park | <input type="checkbox"/> Other: _____ |

You must attach any corresponding checklists with your application or it will not be accepted

Applicant Name: KELLY KITCHENS

Phone: 208-794-7863

Applicant Address: 6116 BIRCH LANE

Email: KELLY@KELLYKITCHENS.COM

City: NAMPA

State: ID Zip: 83687

Interest in property: ☐ Own ☐ Rent

☒ Other: PURCHASER

Owner Name: RON PLATT

Phone: 208-573-4187

Owner Address: 15521 PRIDE LANE

Email: AALLSEED@AOL.COM

City: CALDWELL

State: ID Zip: 83607

Contractor Name (e.g., Engineer, Planner, Architect): PAUL OLAND

Firm Name: PARADIGM LAND DESIGN LLC

Phone: 520-664-4304

Contractor Address: 2976 E. STATE ST. #120-24

Email: GAD@PARADIGMLAND.US

City: EAGLE

State: ID Zip: 83616

Subject Property InformationAddress: 11364 W. KARCHER RD.Parcel Number(s): R3095100000 Total acreage: 10 Zoning: BCType of proposed use: ☒ Residential ☐ Commercial ☐ Industrial ☐ Other: _____Project/Subdivision Name: KARCHER RANCH RESIDENCESDescription of proposed project/request: 192-UNIT MULTIFAMILY NEIGHBORHOOD W/ CLUBHOUSE, REC. AMENITIES, OFFICE SPACES, PARKING & LANDSCAPING.Proposed Zoning: N/A Acres of each proposed zone: N/A**Development Project Information (If applicable)**

Lot Type	Number of Lots	Acres
Residential	1	8.5
Commercial		
Industrial		
Common (Landscape, Utility, etc.)		
Right of Way (internal roadways, ROW to be dedicated etc.)		1.5
Qualified Open Space		
Total	1	10

Please answer all questions that are relevant to your project

Minimum square footage of structure: _____ Maximum building height: 35'-40'

Minimum property size (s.f.): _____ Average property size (s.f.): _____

Gross density: 22.6 Net density: _____Type of dwelling proposed: ☐ Single-family Detached ☐ Single-family Attached☐ Duplex ☒ Multi-family ☐ Condo ☐ Other: _____Proposed number of units: 192Total number of parking spaces provided: ~~384~~ 414 *See Email from Paul Oland

% of qualified open space: _____

Additional information may be requested after submittal.

AuthorizationPrint applicant name: PAUL OLANDApplicant signature: [Signature] Date: 1-6-23**City Staff**Received by: JKW Received date: 01/06/2023



TO: City of Nampa
Planning & Zoning Department
411 Third Street South
Nampa, ID 83651

FROM: Paul Oland

DATE: 1/5/20203

PROJECT #: 22ala02

PROJECT: Karcher Ranch Residences
8.5 Acres / APN R3095100000
Conditional Use Permit Request

Project Overview

Approximately 8.5 acres of land along Karcher Road that was rezoned to "BC - Community Business District" in 2000 is proposed for a Conditional Use Permit to allow for the development of the Karcher Ranch Residences neighborhood, which will feature approximately 192 rental units (22.6 units per acre), a clubhouse with amenities and management office, and a central recreation area. This development will meet or exceed the NCC § 10-34-10.A.2.c.ii requirement that at



least 5% of the total net residential buildable area be retained as recreation space. In addition to the residential buildings, which will be roughly 35 feet in height as allowed by NCC § 10-3-2, the development will include landscaped bufferyards around the perimeter, landscaped parking areas, and approximately 1,000 square feet of office spaces that'll be available for residents and other community members to rent. Our nearest neighbor will be approximately 150 feet from the closest proposed building, while all other neighbors are over 200 feet away, with many being well over 350 feet from our closest proposed building. The development is planned to be gated. Preliminary architectural design is shown to the above, and the proposed site plan is included with this application.

Per NCC § 10-25-4.A we offer the following responses to the CUP review criteria:

1. The location, size, and design and operating characteristics of the proposed development will be compatible with and will not 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 capacity of surrounding streets; and to any other relevant impact of the development.
 - ✓ The property is zoned BC, which permits a wide range of commercial uses that would arguably be less compatible with nearby residential areas than a quality residential rental development such as is proposed. While multi-family development is a permissible use with the approval of a conditional use



PROJECT #: 22ala02

DATE: 1/5/23

permit, the BC zone already permits such uses as a building materials store / lumberyard, car wash, convenience store / gas station, freight transfer point, hotel, assisted living center, restaurant, sports arena, vape shop, etc.

- ✓ The property is located along a high-volume principal arterial roadway that ITD will soon be expanding to a 4-lane divided highway.
 - ✓ The property is adjacent to a vacant parcel to the east that is also zoned BC and a BC-zoned parcel to the west that is home to a local landscaping company. Existing homes to the north, which are outside the Nampa City Limits, are buffered from this proposed development by 55 feet of a wider drainage easement running along this property's northern boundary.
2. The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.
- ✓ The proposed residential density is appropriate along a major roadway such as Karcher Road / State Highway 55.
 - ✓ Future residents will have direct and convenient access to the regional roadway system without burdening nearby local streets.
3. The proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.
- ✓ The project will provide another quality option to help fill the housing deficit in the Treasure Valley.
 - ✓ The property is 0.35 mile from the nearest neighborhood retail/services.
 - ✓ The property is 2/3-mile west of the boundary of the Treasure Valley Nampa Urban Renewal District.
 - ✓ The property is 0.8 mile from regional shopping opportunities along Nampa-Caldwell Blvd. including Home Depot, Lowe's, WinCo, etc.
 - ✓ The property is 1.3 miles from I-84.
 - ✓ The property is 1.5 miles from the Treasure Valley Marketplace featuring Target, Best Buy, Kohl's, etc.

We appreciate your consideration of these requests. We look forward to working with you to convert this aging infill property an asset for the Nampa community. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Oland", is written over the printed name "Paul Oland".

Paul Oland

Keana Apau

From: Janet Weybright
Sent: Monday, January 9, 2023 4:31 PM
To: Paul Oland
Cc: Keana Apau
Subject: Karcher Ranch - Conditional Use Permit Application

Paul – Thanks for the updates. No need to put them on the portal. I will do that, and will let all interested parties know.
Keana – As you review Karcher Ranch, CUP-00305-2022, please see the email below and incorporate the new information into your review

Thanks,
Janet



Janet Weybright
Planning Admin Specialist Senior
Planning & Zoning
208-468-4430

From: Paul Oland <gpo@ParadigmLand.us>
Sent: Monday, January 9, 2023 4:19 PM
To: Janet Weybright <weybrightj@cityofnampa.us>
Subject: [External]RE: [External]RE: [External]RE: [External]RE: Karcher Ranch - Conditional Use Permit Application

Caution: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using your Phish Button or call the helpdesk at 208-468-5454

Hi Janet,
A couple things:

- I just realized there is a typo in the number of parking spaces noted on the application and on the site plan. Both should read "414".
- We met with our neighbor to the west and they requested an 8-foot-tall fence along our shared property boundary, so I've updated the note on the site plan to reflect that commitment.

I've attached updated PDFs of the site plan and master application form. Should I upload these to the online portal as well?

Thanks!

Paul Oland
Paradigm Land Design LLC
Paradigm Land Agency LLC

1. APN:	R30951
2. Property Area:	3.5± Ac. Net of ROW Dedication
3. Existing Zoning:	BC (Community Business)
4. Proposed Units:	192 (A mix of 1-, 2- & 3-Bedroom)
5. Proposed Bld. Height:	3-Story
6. Parking Required:	414 Spaces
7. Recreation Area:	0.5± Ac.
8. Commercial/Office Area:	Approx. 1,000 Sq. Ft.

- | | |
|----------------------------|-----------------------------------|
| 1. APN: | R30951 |
| 2. Property Area: | 3.5± Ac. Net of ROW Dedication |
| 3. Existing Zoning: | BC (Community Business) |
| 4. Proposed Units: | 192 (A mix of 1-, 2- & 3-Bedroom) |
| 5. Proposed Bld. Height: | 3-Story |
| 6. Parking Required: | 414 Spaces |
| 7. Recreation Area: | 0.5± Ac. |
| 8. Commercial/Office Area: | Approx. 1,000 Sq. Ft. |

R30951
3.5± Ac. Net of ROW Dedication
BC (Community Business)
192 (A mix of 1-, 2- & 3-Bedroom)
3-Story
4/14 Spaces
0.5± Ac.
Approx. 1,000 Sq. Ft.

Crestwood
Subdivision

**Existing Sewer
Manhole w/
8" Stub**

**10' Landscape Bufferyard
Incl. 8' Fence along W. Edge**

≥380' (Typical)

Country Boys Landscape

Entry Gates

Karcher Road / State Highway 55

(Upcoming Widening Shown for Reference)

**Additional
Right-of-Way
Required by ITD**

**Agricultural
(MM & T Holdings LLC)**

Clubhouse, Leasing Office, Rental Offices, and Possible Amenities such as Bocce Court, Pool, and/or Pavilions

25' Landscape Bufferyard

**8' Multi-use Path
within 20' Pedestrian
Easement**

Lanning

Lanning

**Karcher Acres
Subdivision**

Andreasen

Andreasen

Befus

Befus

Buckley

Buckley

Vacant
(Orthopedic & Fracture Clinic
Profit Sharing Plan)

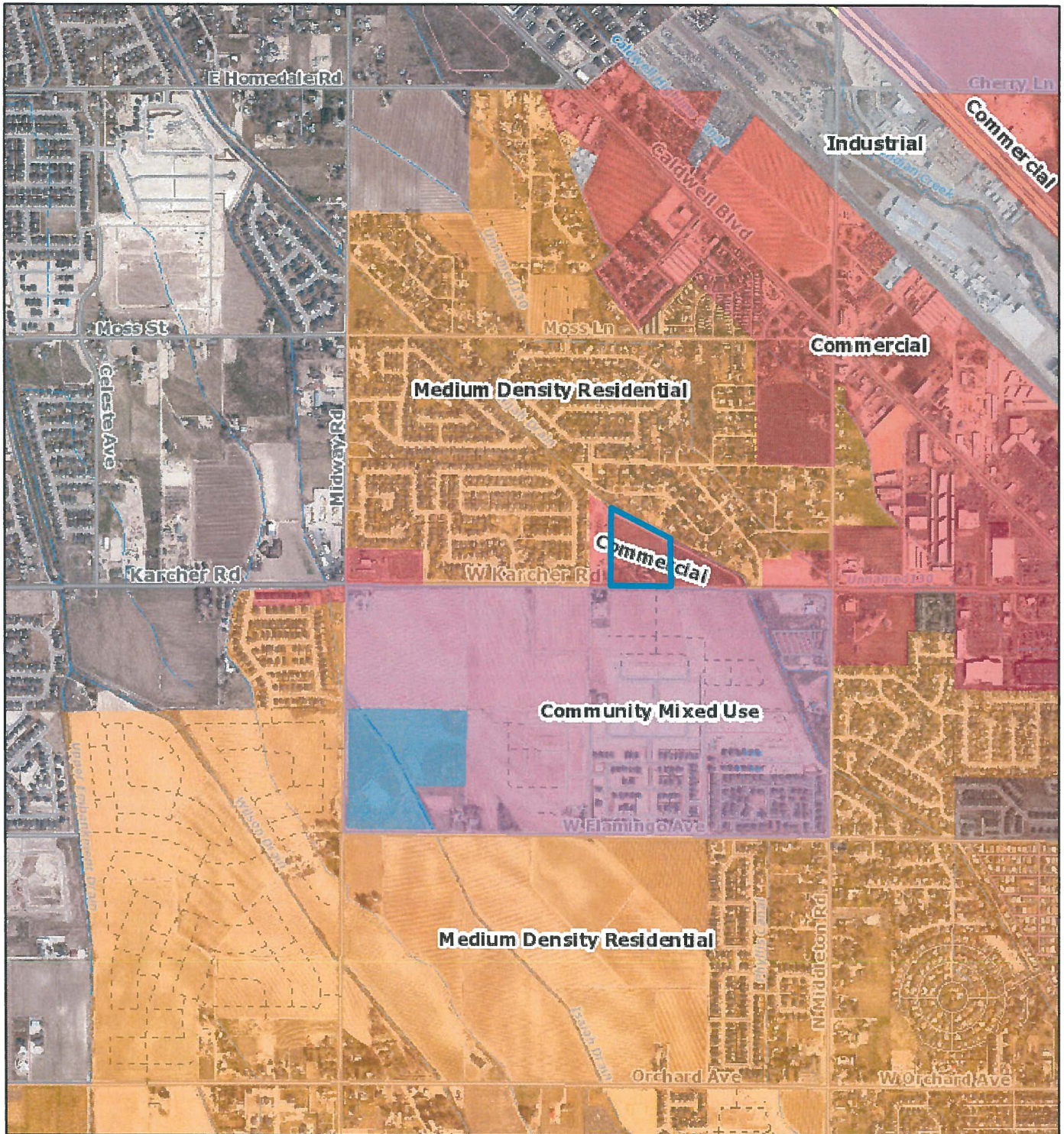
**PARADIGM
LAND DESIGN LLC**
GPO#ParadigmLand.US • (520) 664-4304

Glancey ♦ Rockwell & Associates
Architecture ♦ Planning
1337 White River Street, suite 110 • Boise, Idaho 83702
P: 208.345.0266 FAX: 208.345.0270 E: info@rockwellglancey.com

Karcher Ranch Residences Conceptual Site Plan

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Comp Plan FLUM

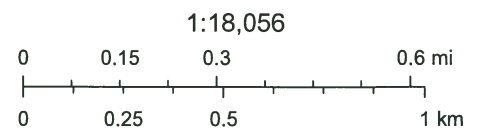


2/22/2023, 12:45:52 PM

Comp Plan 2040

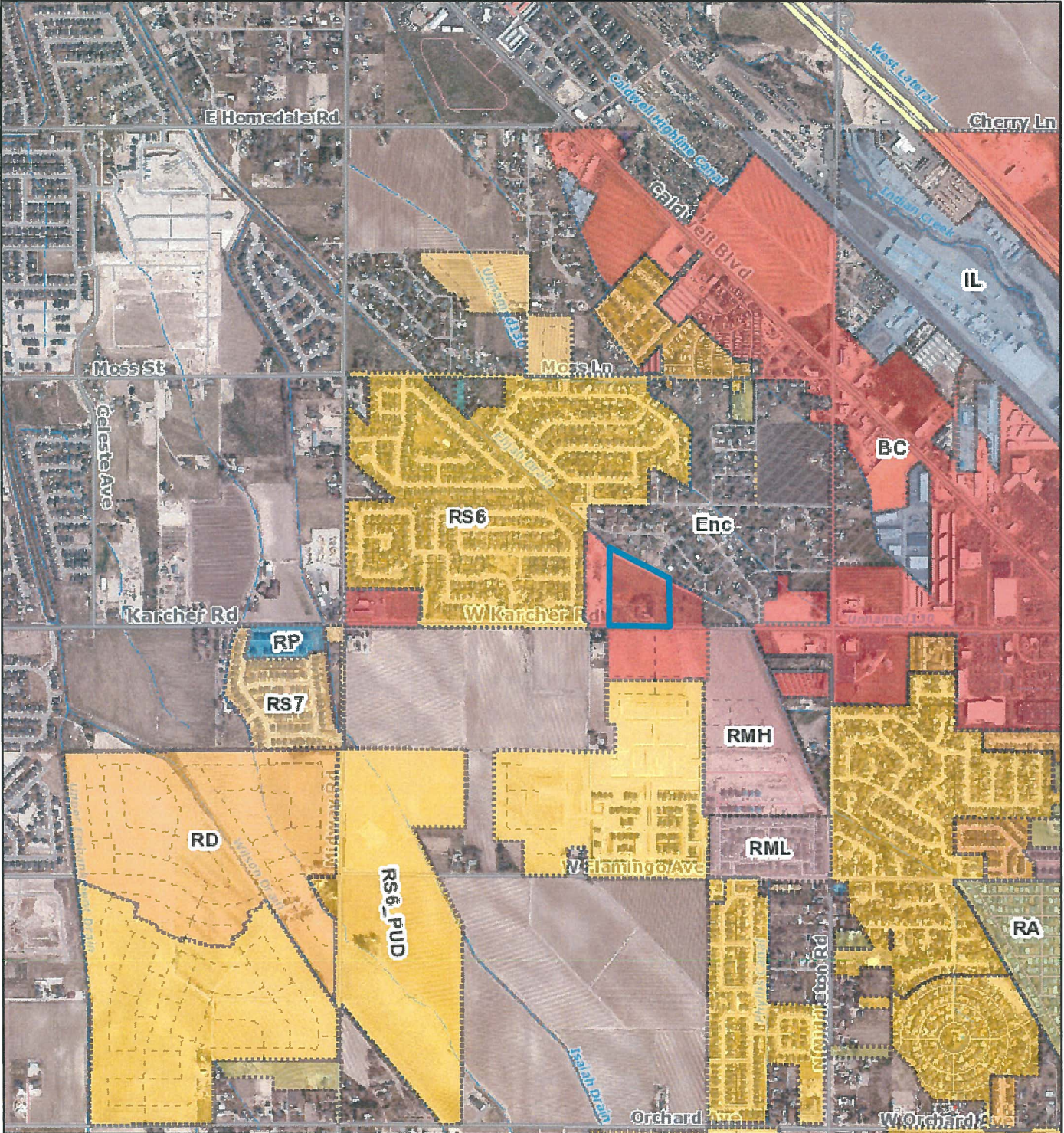
- Agricultural
- Airport
- Commercial
- Downtown
- Education, Public Administration, Healthcare and Other Institutions

- Industrial
- Parks



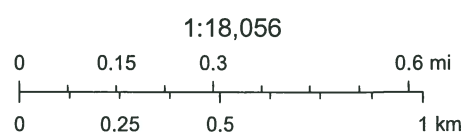
GeoTerra, Inc.

Zoning Map



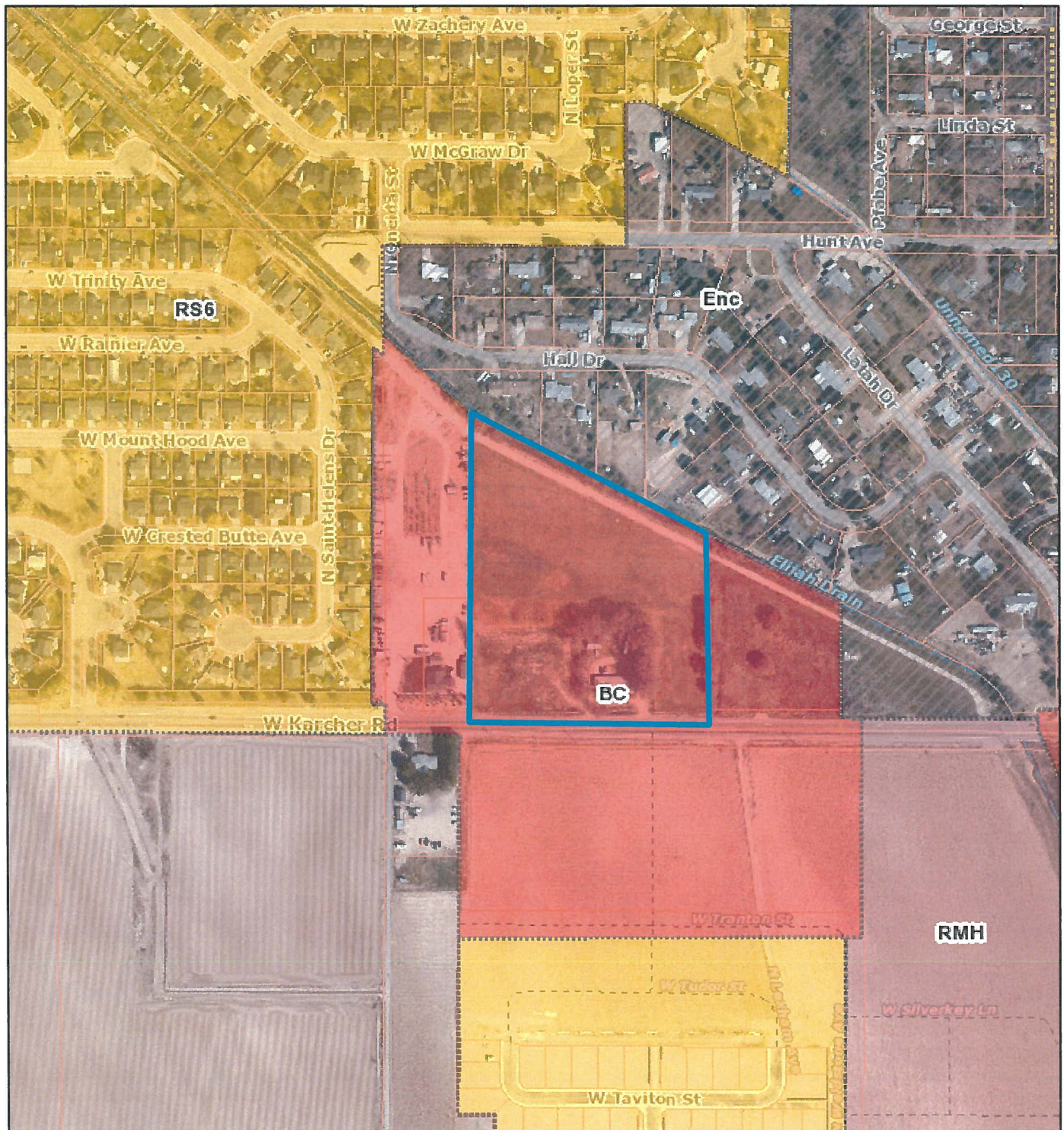
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Zoning	DB	HC	RA	RP_PUD
AG	DH	IH	RD	RS4
BC	DV	IL	RD_PUD	RS6
BC_PUD	Enc	IL_PUD	RMH	RS6_PUD
BF	GB1	IL_RS	RML	RS7
BN	GB2	IP	RML_PUD	RS7_PUD
BN_PUD	GBE	IP_RS	RP	RS8.5



GeoTerra, Inc.

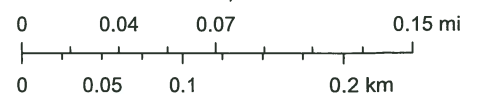
Zoning Map



2/22/2023, 2:12:11 PM

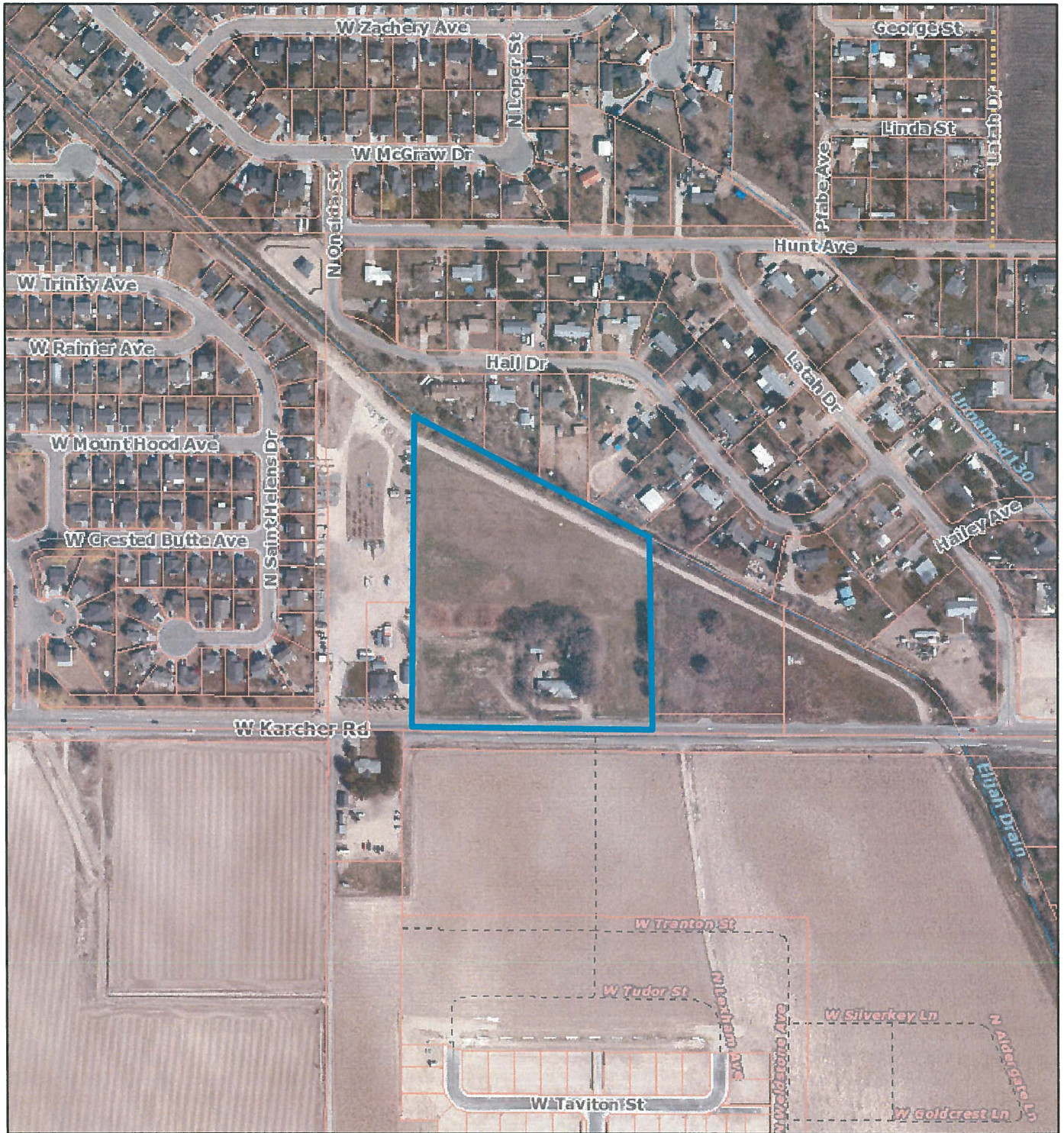
Zoning	DB	HC	RA	RP_PUD
AG	DH	IH	RD	RS4
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BC_PUD	Enc	IL_PUD	RMH	RS6_PUD
BF	GB1	IL_RS	RML	RS7
BN	GB2	IP	RML_PUD	RS7_PUD
BN_PUD	GBE	IP_RS	RP	RS8.5

1:4,514



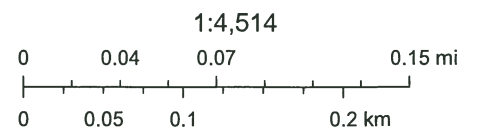
Canyon County Assessor, CCSO, GeoTerra, Inc.

Aerial View



2/22/2023, 2:27:38 PM

 County Parcels



Canyon County Assessor, CCSO, GeoTerra, Inc.

Keana Apau

From: Rob Willis
Sent: Thursday, February 16, 2023 8:11 AM
To: Keana Apau
Cc: Jeff Miranda; Patrick Sullivan; Cache Olson
Subject: RE: Karcher Ranch - CUP-00305-2022

Keana,

This action has been approved with conditions by the Building Department.

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



Rob Willis
Plans Examiner Supervisor
P: 208.468-5410 F: 208.468.4494
willisj@cityofnampa.us
[Department of Building Safety, Like us on Facebook](#)
NAMPA*Proud*

From: Keana Apau <apauk@cityofnampa.us>
Sent: Thursday, January 26, 2023 2:11 PM
Subject: Karcher Ranch - CUP-00305-2022

Good afternoon everyone,

RE: Conditional Use Permit for Karcher Ranch - CUP-00305-2022

I have attached for your review the application for Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), and potential development agreement for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023). Original Concept: Mixed Use Development with 1 commercial building and 192 residential dwelling units in 9 apartment buildings.

This application will go before the Planning and Zoning Commission as a public hearing item on the February 28, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to February 17, 2023.

Thank you,

Keana Apau

From: Josh Evans
Sent: Tuesday, February 14, 2023 8:26 AM
To: Planning-Zoning Staff
Subject: 11364 W KARCHER RD

Good Moring

There are currently no code violations at this time at the listed property at 11364 W KARCHER RD.

Thank you

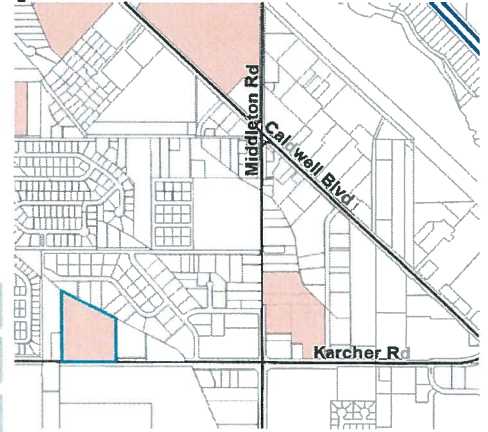
Joshua Evans
Code Compliance & Community Relations
O: 208.468. 5473 208 468 5705
2112 W. Flamingo Rd., Nampa, ID 83651
[City of Nampa – Like us on Facebook](#)



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Communities in Motion 2050 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of Communities in Motion 2050 (CIM 2050), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2050 goals.



Development Name: Karcher Ranch

CIM Vision Category: Existing Neighborhood **New Jobs:** 0

CIM Corridor: Karcher Road/State Highway 55 **New Households:** 192



Safety

Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes and travel speeds.

Pedestrian level of stress



Bicycle level of stress



Economic Vitality

These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

Activity Center Access



Farmland Preservation



Net Fiscal Impact



Within CIM Forecast



Convenience

Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations

Nearest bus stop



Nearest public school



Nearest public park



Quality of Life

Checked boxes indicate that additional information is attached.

Active Transportation



Automobile Transportation



Public Transportation



Roadway Capacity



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:

The [COMPASS Complete Network Policy](#) identifies State Highway 55 (Karcher Road) as a primary freight and secondary transit corridor, with a proposed pathway along the Elijah Drain. Ensure that future roadway facilities support modes identified above. Please note there is one planned transportation project in 2024 to widen State Highway 55 (Karcher Road) from Farmway Road to Middleton Road to five-lanes.

Communities in Motion 2050
[2020 Change in Motion Report](#)
[Development Review Process](#)

Web: www.compassidaho.org

Email: info@compassidaho.org



Sent: 2/16/23

Roadway Capacity

The COMPASS transportation improvement program (TIP) is a short-range (seven-year) budget of transportation projects for which federal funds are anticipated, along with non-federally funded projects that are regionally significant. Many projects help implement the Complete Network Policy, including adding additional travel lanes to existing roads and building new roadways.

The [COMPASS TIP](#) contains additional information about short-range capital projects.

SH-55 (Karcher Road), Farmway Road to Middleton Road, Canyon

Regionally Significant: ☒ ☒ Inflated

Key #: 22715

Requesting Agency: ITD

Project Year: 2024

Total Previous Allocations: \$6,550

Total Programmed Budget: \$172,284

Total Cost (Prev. + Prog.): \$178,834

Project Description

Widen State Highway 55 (Karcher Road) from Farmway Road to Middleton Road in Canyon County. The project will add one travel lane in each direction to improve mobility and reduce crashes along the corridor. Work includes a continuous median traffic separation, with signalized intersections at the each mile, and u-turn opportunities at the half-mile.



Funding Source		State		Program State Hwy - Early Development				Local Match		100.00%
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share	
2024	0	0	0	0	11,730	112,200	123,930	0	123,930	
Fund Totals:	\$0	\$0	\$0	\$0	\$11,730	\$112,200	\$123,930	\$0	\$123,930	

Funding Source		TECM		Program State Hwy - Safety & Capacity (Capacity)				Local Match		100.00%
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share	
2023	0	2,300	20,250	100	0	0	22,650	0	22,650	
2024	0	0	5,100	0	0	0	5,100	0	5,100	
Fund Totals:	\$0	\$2,300	\$25,350	\$100	\$0	\$0	\$27,750	\$0	\$27,750	

Funding Source		Leading Idaho		Program Leading Idaho				Local Match		100.00%
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share	
2024	0	0	15,300	102	0	0	15,402	0	15,402	
2025	0	0	5,202	0	0	0	5,202	0	5,202	
Fund Totals:	\$0	\$0	\$20,502	\$102	\$0	\$0	\$20,604	\$0	\$20,604	

Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision-makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all.

More information about the COMPASS Fiscal Impact Tool is available at:

www.compassidaho.org/prodserv/fiscalimpact.htm

Overall Net Fiscal Impact Net Fiscal Impact by Agency



City



County

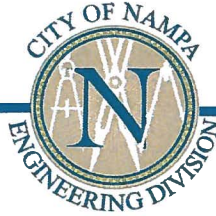


Highway District



School District

Break Even: 1 year

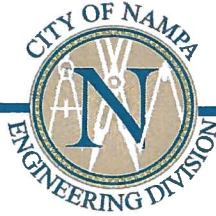


DATE: February 8, 2023
TO: Planning and Zoning Department
FROM: Peter Nielsen, Sr. Eng. Plans Examiner
CC: Caleb LaClair, P.E., Nampa Assistant City Engineer
CC: Daniel Badger, P.E., Nampa City Engineer
CC: Tom Points, P.E., Nampa City Public Works Director
APPLICANT: Kelly Kitchens
OWNER: Ron Platt
ADDRESS: 11364 W Karcher Rd
RE: CUP-00305-2022 – Multi-Family Development in BC Zone

The Engineering Division does not oppose this application with the following comments and recommended conditions.

Comments:

1. A pre-application meeting was held with Nampa Engineering Division, Planning Department, and Fire Department staff on June 22, 2022.
2. Streets providing access are as follows
 - W Karcher Rd/ Hwy 55 – classified a Principal Arterial, with a 45-mph speed limit.
3. Developer will be required to dedicate the following public right of way at time of development:
 - W Karcher Rd – 50' from section line.
4. Full frontage improvements per NCC 9-3-1 are required at time of development. It is understood that Idaho Transportation Department (ITD) which maintains W Karcher Rd/ Hwy 55 has a project in progress which will be widening the road and improving frontages.
5. A Traffic Impact Study (TIS) is required for any project generating more than 100 new vehicle trips during any peak hour or 1,000 new daily trips (total in and out vehicular movements).
 - A TIS is currently in review by both ITD and the City of Nampa.
6. Development access is required to adhere to current City Access Management Policy.
7. Nampa Bike & Ped Master Plan identifies a future pathway along the south side of Elijah Drain and along the south side of W Karcher Rd.
8. City utility availability:
 - Sewer – 30" gravity sewer along Elijah Drain, +/- 18' deep. Possible 8" gravity stub to the property from existing manhole. Due to proximity to critical pressure sewer lines, City staff will need to be present during any construction in this area.
 - Water – 12" main on the south side of W Karcher Rd.
 - Pressure Irrigation – 8" main along Crestwood Estates Subdivision boundary.

**Recommended Conditions:**

1. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
2. Developer shall be responsible to coordinate any construction work in proximity to critical pressure sewer lines with City Engineering Division. City personnel are required onsite during any construction activities in this area.
3. Development will be required to construct 10' wide pathway along south side of Elijah Drain and deeded to the City with 20' wide easement.
4. Developer shall adhere to approved traffic impact study requirements and ensure that all TIS identified improvements are in place as a condition of development.
5. Developer shall dedicate 50' public right of way at time of development.
6. 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.
7. Utility connection fees shall be paid at time of Building Permit.
8. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation 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.

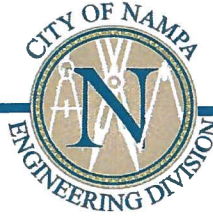
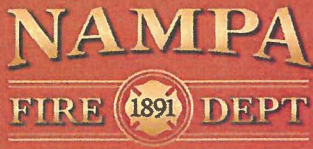


Figure 1 – Utility Map





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ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

p 208.468.5770 f 208.468.5780

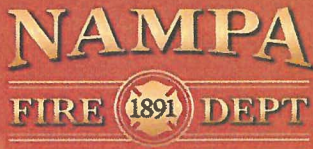
DATE: February 16, 2023
TO: City of Nampa – Planning and Zoning
FROM: Ron Johnson, Nampa Fire District, Fire Marshal
APPLICANT: Kelly Kitchens
OWNER: Ron Pratt
ADDRESS: 11364 W. Karcher Rd. Nampa
RE: CUP-00305-2023; Karcher Ranch Residences

This application is for Conditional Use Permit for a 192-Unit Multifamily development with clubhouse.

The Nampa Fire Department does not oppose the application subject to compliance with all the following code requirements and conditions of approval.

Conditions:

1. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
2. Structures greater than 30-feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26-feet in width and located at least 15-feet but no more than 30-feet from the building. (IFC D105)
3. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
4. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
5. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
6. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
7. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)



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ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

p 208.468.5770 f 208.468.5780

8. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
9. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)

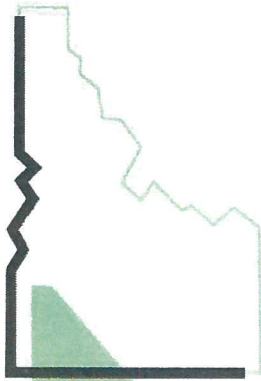
Emergency Response Time Analysis and Service Impact:

1. The City of Nampa 2040 comprehensive plan states the response objective for Nampa Fire Department is to arrive to 90% of emergency medical incidents within 5 minutes of the alarm time, and within 5 minutes and 20 seconds to fire incidents. To accomplish these response time objectives requires that travel distances be approximately 1 ½ miles from the nearest fire station. This development is located approximately 1.3 miles from Nampa Fire Station 4 with an approximate response time of 5 minutes.
2. To properly serve the public for an all-hazards response, the Nampa Fire Department should have 1 firefighter for every 1,000 residents served. This subdivision will add approximately 576 residents to 192 multi-family units, with an increased personnel demand of .576 firefighter positions.

General Requirement:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and City of Nampa Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.



ORGANIZED 1934

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

February 2, 2023

City of Nampa
Planning & Zoning
500 12th Avenue South
Nampa, ID 83651

RE: CUP-00305-2022/ Karcher Ranch; 11364 W. Karcher Rd.

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application, as it lies outside of our District boundaries. Please contact Kirk Meyers of Pioneer Irrigation at (208) 459-3617, P.O. Box 426 Caldwell, ID 83606-0426.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/eol

Cc:

Office/ file
K. Meyers Pioneer Irrigation District



APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

Keana Apau

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Thursday, January 26, 2023 2:54 PM
To: Planning-Zoning Staff
Subject: [External]FW: Karcher Ranch - CUP-00305-2022
Attachments: CUP-00305-2023_Karcher Ranch_Application.pdf; CUP-00305-2023_Karcher Ranch_Narrative.pdf; CUP-00305-2023_Karcher Ranch_Legal Description.pdf; CUP-00305-2023_Karcher Ranch_Concept Plan.pdf

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Good Afternoon,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@[nampahighway1.com](mailto:eddy@nampahighway1.com)
4507 12th Ave. Rd. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

From: Keana Apau <apauk@cityofnampa.us>
Sent: Thursday, January 26, 2023 2:11 PM
Subject: Karcher Ranch - CUP-00305-2022

Good afternoon everyone,

RE: Conditional Use Permit for Karcher Ranch - CUP-00305-2022

I have attached for your review the application for Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), and potential development agreement for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023). Original Concept: Mixed Use Development with 1 commercial building and 192 residential dwelling units in 9 apartment buildings.

This application will go before the Planning and Zoning Commission as a public hearing item on the February 28, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to February 17, 2023.

Thank you,

TO: PLANNING AND ZONING COMMISSION
FROM: ERIC SKOGLUND, LIEUTENANT
POLICE DEPARTMENT
DATE: February 16, 2023
SUBJECT: Conditional Use Permit for Karcher Ranch – CUP-00305-2022
HEARING DATE: February 28, 2023

The Nampa Police Department has reviewed the proposal for Karcher Ranch. This development is for 9 Multi-Family Housing lots resulting in 192 new dwelling units.

The Nampa Police Department (NPD) projects future service needs based on overall population, population density, and development type. Karcher Ranch is projected to add 512.64 new residents to the City of Nampa's current population.

Therefore, NPD is recommending a commitment to fund 0.77 additional officers and 0.26 additional support staff if this project is approved in order to maintain current police service levels. The Nampa Police Department is currently authorized 144 sworn personnel and 66 non-sworn personnel.

The cost for the additional officers is \$75,840 and additional support staff is \$18,880 for the first year of employment.

The following factors impact police response and demand on police resources and is provided as a reference for decision making:

1. The closest police department is 3.60 miles away. Officers patrol in different areas of the city and are often closer when calls occur, but support units are frequently at the police department or in other areas of the city further away when priority calls requiring multiple units occur.
2. Developments in this reporting district (RD) have a call volume of 570 service calls annually.
3. The following are the top 10 call types that we receive in the reporting district of the proposed development:

Rank	Calls for Service	Total
1	Abandoned Veh	45
2	Follow Up	39
3	Welfare Check	32
4	Directed Patrol	27
5	Susp Vehicle	25
6	Traffic Stop	22
7	Suspicious	18
8	Reckless Driver	16
9	Agency Assist	13
10	AC Animal at Lg	12



Lisa Boyd, Superintendent

5207 S. Montana Avenue
Caldwell, ID 83607
Phone (208) 454-0445
Fax (208) 454-0293

February 17, 2023

Re: R3095100000 Karcher Ranch Residences

Dear Nampa Planning and Zoning Commissioners,

If Karcher Ranch Residences development is approved, students from the 192 units would be within the Lakevue Elementary attendance boundaries.

As you are aware from previous letters of concern:

- Lakevue is overcapacity by more than 200 students.
- Lakevue does not have space for additional portable classrooms.
- Students zoned for Lakevue are currently bused to Central Canyon, which is also overcrowded.
- Newly approved developments by both the Caldwell and Nampa City Councils surround Lakevue Elementary, compounding the challenge to serve students.
- A bond to build two elementary schools failed twice in 2022.
- The Vallivue School Board will have a bond on the ballot in the May election. If the bond passes, two new elementary schools will be built to solve the overcapacity problem.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Palmer", written in a cursive style.

Joseph Palmer
Director

From: [loraine knigge](#)
To: [Planning-Zoning Staff](#)
Subject: [External]CUP-00305-2023
Date: Tuesday, February 21, 2023 11:25:01 AM

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Re: above mentioned proposal for 192 unit multifamily neighborhood at 11364 w Karcher Rd,Nampa,Idaho.

I am the registered agent for Karcher Acres Property Owners Association ,located in close proximity to the proposed development. We are all opposed to this project. There is already too much traffic on Karcher Rd,making it difficult to get in or out of our subdivision most of the time. In addition,Elijah Drain,which is very dangerous to small children is also adjacent to said proposed property. We feel high rise apartments placed between businesses and single family homes is totally unacceptable. Karcher Acres is home to 44 single family homes on 40 acres which originated about 50 years ago. High rise apartments would not fit well with the current surrounding area.

Thank you for your consideration.

Loraine Knigge,registered agent

From: [Josh Befus](#)
To: [Planning-Zoning Staff](#)
Subject: [External]Conditional Use Permit for 11364 Karcher Rd Concerns
Date: Sunday, February 19, 2023 9:54:51 AM

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Hello, my name is Joshua Befus and I live at 11315 Hall Drive, Nampa, one of the properties behind the proposed apartment buildings. I am concerned with the amount of apartments being proposed, the height of the buildings, the traffic it will bring to an already overfilled Karcher Rd and Middleton Rd, and the impact it will have on the neighborhood just behind it (that my family lives in).

My primary concern is that the apartments are planned to be three stories high, situated directly across the canal from the properties behind. This means that each property such as mine will have a three-story apartment building with patios and windows looking directly in at my backyard and house. *Having a young daughter who loves to be outside, you can imagine my concern at having several families and individuals looking straight into our yard and house.* My wife and I bought this property because of the larger size and the relative privacy it offers while still close to town. If these apartment buildings are built as proposed, it will completely change how our properties are valued and used.

I understand the need for more housing in the area, and honestly would not be opposed as much if the proposed buildings were situated differently. Please consider the families that live across the canal and the insecurity that these buildings may bring.

Thank you for your time,
Josh

Appeal Correspondence

Keana Apau

From: Rob Willis
Sent: Friday, March 17, 2023 2:48 PM
To: Keana Apau
Cc: Jeff Miranda; Patrick Sullivan; Cache Olson
Subject: RE: Appeal for Karcher Ranch - CUP-00305-2022 & APL-00018-2023

Keana,

Building Safety Department Comments:

Schedule a Conceptual Plan Review Meeting with the City of Nampa Building Safety Department prior to application for a building permit. Obtain all applicable building, mechanical, electrical, and plumbing permits for the proposed project. Satisfy all required inspections and permit conditions, prior to obtaining a Certificate of Occupancy to allow the permitted use. Reference Title 4 of the City of Nampa Code for adopted building codes.



Rob Willis

Plans Examiner Supervisor

P: 208.468-5410 F: 208.468.4494

willisj@cityofnampa.us

[Department of Building Safety](#), [Like us on Facebook](#)

NAMPAProud

From: Keana Apau <apauk@cityofnampa.us>
Sent: Friday, March 17, 2023 1:46 PM
Subject: Appeal for Karcher Ranch - CUP-00305-2022 & APL-00018-2023

Good afternoon everyone,

RE: Appeal of Conditional Use Permit for Karcher Ranch - CUP-00305-2022 & APL-00018-2023

I have attached for your review the application for Appeal of the Planning and Zoning Commission approval decision for the Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), and potential development agreement for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023). Original Concept: Mixed Use Development with 1 commercial building and 192 residential dwelling units in 9 apartment buildings.

This application will go before the City Council as a public hearing item on the May 1, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to April 21, 2023.

Thank you,

Keana Apau

From: Josh Evans
Sent: Friday, March 24, 2023 12:08 PM
To: Planning-Zoning Staff
Subject: 11364 W KARCHER RD

Good Afternoon

There are currently no code violations at this time at the listed property 11364 W KARCHER RD.

Thank you

Joshua Evans
Code Compliance & Community Relations
O: 208.468. 5473 208 468 5705
2112 W. Flamingo Rd., Nampa, ID 83651
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DATE: April 25, 2023

TO: Planning and Zoning Department

FROM: Caleb LaClair, P.E., Nampa Assistant City Engineer

CC: Daniel Badger, P.E., Nampa City Engineer

CC: Tom Points, P.E., Nampa City Public Works Director

APPLICANT: Kelly Kitchens

OWNER: Ron Platt

ADDRESS: 11364 W Karcher Rd

SUBJECT: Appeal of Decision for Application CUP-00305-2022

The Engineering Division memo dated February 8, 2023 for the original application consideration is still valid with all comments and conditions. Engineering Division provides the following supplemental information related to traffic.

A draft Traffic Impact Study (TIS) was included with the original CUP application submittal documents. The project is estimated to generate approximately 1,358 daily trips, including 85 trips in the AM peak hour and 107 trips in the PM peak hour with a build-out year of 2025. The study was prepared by NV5 in accordance with City of Nampa TIS Policy under a "Small" category (less than 200 peak hour trip volume), which considers intersections in all directions within 0.25-miles of the development boundary and traffic growth through the project build-out year.

The City and Idaho Transportation Department (ITD) have reviewed of the study and issued final acceptance in March 2023. ITD issued a development condition memo which is attached for reference.

The study reflects the following intersections as having a substandard level of service under existing and background traffic conditions along with the identified mitigation measures:

- Karcher Rd / Midway Road
 - Right-turn lane warranted on all approaches under Background Traffic.
- Karcher Rd / Middleton Road
 - Southbound right-turn lane and additional westbound through lane warranted under Existing Traffic.
 - Second left-turn lane on westbound approach warranted under Background Traffic.

The TIS did not identify any project triggered level of service deficiencies. However, it did identify a westbound right-turn lane was warranted at the project access off Karcher Road. The ITD condition memo requested the following improvements be constructed by the development:

- A 340-ft right-turn lane which includes appropriate taper, deceleration, and storage lengths in accordance with ITD traffic manual.
- Residence gate to remain open from 1-hr before AM peak hour and 1-hr after PM peak hour.

NAMPA DEVELOPMENT SERVICES CENTER

The following capital improvement projects are currently in progress or planned for the future by the City and ITD:

- I-84 & Karcher Road Interchange Improvements by ITD
 - Construction anticipated to begin Fall 2023 with completion in 2025
- Karcher Road (SH-55) widen to five lanes between Farmway Rd and Middleton Rd by ITD
 - Design and right-of-way acquisition is in progress with construction anticipated to begin in 2024 with completion in 2026
- Middleton Road corridor improvements between Lone Star Rd and Caldwell Blvd by City
 - Construction anticipated to begin in 2028

In accordance with City of Nampa TIS Policy the Developer is only responsible to address traffic impacts triggered solely by the project. Impacts that are shown under Existing Traffic and Background Traffic conditions are not the responsibility of the Developer and would generally be addressed by the City at some point through a capital improvement project. The development will be required to pay traffic impact fees that would go towards the project's contribution to regional traffic congestion and corresponding capital improvements. Nampa Engineering Division has no concerns regarding the proposed project with respect to traffic and agrees with ITD's requested improvements.



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

March 10, 2023

John Karnowski, P.E., PTOE, AICP
NV5
690 S Industry Way Suite 10
Meridian, ID 83642
john.karnowski@nv5.com

VIA EMAIL

RE: Karcher Ranch – ITD Development Condition Memo

Dear Mr. Karnowski,

The Idaho Transportation Department (ITD) has completed our review of the Karcher Ranch Traffic Impact Study (TIS). The proposed development is located north of SH-55 at mile post 15.2 between Latah Drive and Grape Lane and Midway Road in the City of Nampa, Idaho. The development is proposing primary access to the site via one access point located along SH-55.

The following intersection improvements are needed prior to buildout:

- **SH-55 Westbound right-turn lane**
 - The developer shall design and construct to meet ITD Traffic Manual standards:
 - A 340 ft Right turn lane which includes the Taper, Deceleration, and Storage Lengths
 - Residence Gate open from 1 hr before AM Peak Hour and 1 hr after PM Peak Hour

In addition, the developer will dedicate right-of-way necessary to accommodate the turn lanes including pavement widening and drainage facilities. They will also be required to extend all pavement markings 300 feet beyond project limits in all directions.

Please submit an ITD-2109 encroachment application complete with engineered drawings and temporary traffic control plans to itdd3permits@itd.idaho.gov. My staff will work with you on reviewing and accepting these documents prior to issuance of an approved permit. No work may begin in ITD's right-of-way without an approved permit.

Be advised, ITD Development Condition Memos and Acceptance letters are valid for a period of one year after issuance. After which, ITD has the right to require new trip counts to be collected and an updated TIS be submitted to ITD.



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Maintaining safety and mobility for Idaho's motorists is of utmost importance to ITD. If you have any questions please contact Development Services Coordinator Niki Benyakhlef at niki.benyakhlef@itd.idaho.gov or 208-334-8337.

Sincerely,

Vincent Trimboli
ITD – District 3
Planning & Development Services Manager

Cc:

Joe Barton, P.E. – Paragon Consulting, Inc.
Caleb Leclair, Assistant City Engineer – City of Nampa
Dan Lister, Planning Official – Canyon County

Keana Apau

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, March 20, 2023 7:43 AM
To: Planning-Zoning Staff
Subject: [External]FW: Appeal for Karcher Ranch - CUP-00305-2022 & APL-00018-2023
Attachments: APL-00018-2023_Karcher Ranch Appeal_Application.pdf; APL-00018-2023_Karcher Ranch Appeal_Narrative.pdf; CUP-00305-2023_Karcher Ranch_Concept Plan.pdf; CUP-00305-2023_Karcher Ranch_Decision Letter.PZ..pdf; CUP-00305-2023_Karcher Ranch_Legal Description.pdf

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Good Morning,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 12th Ave. Rd. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

From: Keana Apau <apauk@cityofnampa.us>
Sent: Friday, March 17, 2023 1:46 PM
Subject: Appeal for Karcher Ranch - CUP-00305-2022 & APL-00018-2023

Good afternoon everyone,

RE: Appeal of Conditional Use Permit for Karcher Ranch - CUP-00305-2022 & APL-00018-2023

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This application will go before the City Council as a public hearing item on the May 1, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to April 21, 2023.

Thank you,



Lisa Boyd, Superintendent

5207 S. Montana Avenue
Caldwell, ID 83607
Phone (208) 454-0445
Fax (208) 454-0293

March 31, 2023

Re: R3095100000 Karcher Ranch Residences

Dear Nampa City Council Members,

If Karcher Ranch Residences development is approved, students from the 192 units would be within the Lakevue Elementary attendance boundaries.

As you are aware from previous letters of concern:

- Lakevue is overcapacity by more than 200 students.
- Lakevue does not have space for additional portable classrooms.
- Students zoned for Lakevue are currently bused to Central Canyon, which is also overcrowded.
- Newly approved developments by both the Caldwell and Nampa City Councils surround Lakevue Elementary, compounding the challenge to serve students.
- A bond to build two elementary schools failed twice in 2022.
- The Vallivue School Board will have a bond on the ballot in the May election.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Palmer", written in a cursive style.

Joseph Palmer
Director

From: [Michelle Andreasen](#)
To: [Planning-Zoning Staff](#)
Subject: Comments regarding
Date: Wednesday, April 26, 2023 8:27:10 AM

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Nampa Planning & Zoning

Public Hearing for "Appeal of the Panning and Zoning Commission approval decision for the Conditional Use Permit for the Karcher Ranch Residences, Kelly Kitchens / Ron Platt, CUP-00305-2023

My name is Michael Andreasen. I live in the Karcher Acres Subdivision, at 11341 Hall Drive, Nampa. This community was built some 50 years ago, and we have lived here for 30 years.

My wife and I would like to voice our strong opposition to this apartment complex project! This 10 acre development would be just a stone's throw (east) from the back of our 1 acre property. Their **4 STORY TALL !!!** apartment buildings, 192 dwelling units in 9 buildings crowded into 10 acres, would TOWER over all of the single family neighboring communities. This project would be an eyesore. It is too big of a project on too small of a space. The back of the closest building to our property, divided only by the Elijah Drain and a flimsy plastic fence, would look down into our private property which we live in, garden in, and have enjoyed for 30 years.

This size of an apartment project would likely have many young children occupants. Living that close to the deep and swift Elijah Drain would surely be a dangerous situation. We've seen many children over the years walking the ditch banks on their way to the Maverick Store, climbing over tree limbs and branches, and breaking through fences.

The only entrance to this property would be a right turn from Karcher Blvd., from the west. The only exit from this property would be a right turn to the south onto Karcher Blvd. Nampa, shopping areas, and the freeway entrance, is to the east (a left turn) to this property. These people would have to turn right out of this property and find a u-turn somewhere down the way to be able to head back (west) to town. Sounds like a recipe for disaster to me. Karcher Blvd. already has a bad history on traffic related accidents and deaths. Adding another apartment project in this all ready bloated population area would only make things worse. This property would be on the wrong side of highway 55!

With a very large apartment project having been approved to the east of us, behind the Maverick Gas Station, and this project being proposed to the east of us, we are beginning to feel like the folks in the cartoon movie "UP". Their house was slowly surrounded on all sides by high rises and new developments, until they couldn't take it anymore and tied multitude helium balloons to their house and floated away.

4 STORIES TALL, 192 UNITS, IN 9 BUILDINGS IS TOO INVASIVE, TOO CONGESTED, AND TOO OUT OF PLACE ON THIS SITE!

PLEASE WITHDRAW YOUR APPROVAL FOR THIS PROJECT!

Michael and Michelle Andreasen

From: [Josh Befus](#)
To: [Planning-Zoning Staff](#)
Subject: [External]City Council Hearing May 1st
Date: Tuesday, April 25, 2023 1:13:32 PM

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Hello, I am planning on being present in-person at the May 1st City Council meeting and would like to provide some comments. I'm not sure if/how detailed I need to provide in writing what I would like to say in the meeting, but I'll outline a few things below:

- Density of multiple family developments within the area (especially in light of Middleton Rd development approval)
- Absence of parks and community recreational areas within three miles of location. A desire to make this area of Nampa desirable for young families as well.
- Pricing of the apartments does not appear to match the need for more housing for local employees needing housing. The argument that the development is high quality and that it offers housing to workers who need it seems to contradict.
- Exaggeration of 'worst-case scenarios' that could go into that property as an excuse for approving the multiple family development (i.e. traffic could be worse with a business but not necessarily, the property could become a freight warehouse, but also could become a nursery or a park). In light of this, an explanation that we as neighbors consider three story apartments as one of our worst-case scenarios and would gladly 'roll the dice' on a business or another entity buying that property.

Thank you,
Joshua Befus
11315 Hall Drive, Nampa ID 83651