

# **NAMPA PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES**

## **June 13, 2023**

### **Meeting Call to Order/Roll Call**

Present: Commissioner Peggy Sellman, Commissioner Jeff Kirkman, Commissioner Steve Kehoe, Vice-Chair Tom Turner, Commissioner Bret Miller, Commissioner Drew Morgan, Chair Ron Van Auker Jr

Absent: Commissioner Matthew Garner, Commissioner Kody Daffer

### **(1) Report on Council Actions**

### **(2) Staff Communication**

### **(3) Consent Agenda (Action Items)**

**MOVED** by Sellman and **SECONDED** by Kirkman to approve the consent agenda (Items 4 and 5).

#### **RESULT: Passed [6 TO 0]**

**AYES:** Sellman, Kirkman, Kehoe, Turner, Miller, Morgan

**NOES:** None

**ABSTAIN:** None

### **(4) Approval of Minutes**

4-1. Planning & Zoning Commission Minutes – May 23, 2023

### **(5) Plat Approvals**

5-1. Action Item: Subdivision Final Plat for Seven Maples Ranch No. 1 Subdivision in an RS6 (Single-Family Residential) zoning district at 0 E Oklahoma Ave, (portions of two parcels including #R2115601000 and #R2909301000 totaling 13.16 acres, portions of the S 1/2 of the NW 1/4, and the N 1/2 of the SW 1/4 of Section 1, T2N, R2W, BM) for Kent Brown representing Corey Barton (SPF-00239-2023). Original concept: 46 SF detached homes and 8 common lots.

5-2. Action Item: Subdivision Final Plat for Harvest Creek No. 3 Subdivision in an RS6 (Single-Family Residential) zoning district at 0 E Locust Lane (a 16.95 acre parcel #R28918010B0 located the S 1/2 of the NW 1/4, and the NW 1/4 of Section 7, T2N, R1W, BM) for Tim Mokwa representing Brookfield Holdings (Harvest), LLC (SPF-00240-2023). Original concept: 46 SF detached homes and 5 common lots.

5-3. Action Item: One-Year Time Extension to August 1, 2024 of Subdivision Final Plat Approval for Franklin Village North #2 Subdivision; a 9.44 acre portion of two parcels at 0 & 7354 Cherry Lane (Parcels #R2093901000 & R209400000) in the RS6 (Single-Family Residential) zoning district, located in the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 2, T3N, R2W, BM; for Franklin Village Development, LLC representing Donald K. Brandt (SPF-00205-2022). Original concept: 38 single-family dwelling units and 8 common lots.

### **(6) Public Hearings**

6-1. Action Item: Subdivision Short Plat approval for W Dooley Development Subdivision in an RS22 (Single-Family Residential) zoning district at 3260 & 3300 S Halibut Ln (parcels #R2926101000 & R29261010A0, totaling 3.39 acres (located in the NE 1/4 of the SW 1/4 of Section 4, T2N, R2W,

BM) for Blake Wolf - Wolf Building Co. (SPS-00051-2023). Original concept: 4 single family detached lots and 1 common lot. Scheduled to present: Parker Bodily.

Chair opened the public hearing.

Blake Wolf, 843 W Horizon Way, Nampa, presented the request.

Parker Bodily, Senior Planner, presented the staff report, applicable regulations and proposed findings.

Conditions of Approval:

1. The following changes shall be made prior to submitting for signatures:
  - Show S Halibut Ln street name on plat
2. Developer shall submit a landscape plan for review and approval prior to final plat signature.
3. Developer shall plant two (2) trees per dwelling unit; one (1) 'Class II' tree in the right-of-way, and one (1) 'any class' tree on each lot. If the right-of-way planting area is less than one hundred (100) square feet, the tree that is required in the right-of-way may, in lieu, be planted in the front yard of the property.
4. Developer shall address conditions of approval of SIP-00101-2022.

Daniel Badger, City Engineer, responded to questions regarding irrigation and water rights.

Public Comment: None.

**MOVED** by Kehoe and **SECONDED** by Sellman to close the public hearing. Chair asked for a voice vote with all Commissioners voting **YES**.

**MOVED** by Kehoe and **SECONDED** by Miller to recommend approval of the item with all conditions listed in the staff report and adopt the proposed findings of approval as stated in the staff report.

**RESULT: [6 TO 0]**

**AYES:** Sellman, Kirkman, Kehoe, Turner, Miller, Morgan

**NOES:** None

**ABSTAIN:** None

- 6-2. Action Item: Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. (located in the SW ¼ of Section 17, T3N, R2W, BM), for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023). Original Concept: a single parcel with two existing homes to be split into two parcels w/ a home on each parcel. Scheduled to present: Rodney Ashby.

Chair opened the public hearing.

Patty King, 847 Park Centre Way, Nampa, presented the request.

Rodney Ashby, Planning Director, presented the staff report, applicable regulations and proposed findings, clarifying code relating to the subdividing process.

Conditions of Approval:

1. Any onsite wells shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
2. Property shall be annexed in the Nampa Municipal Irrigation District at the time of 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.

3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Applicant/Owner shall dedicate the following public road right-of-way as a condition of annexation:
  - W Orchard Ave – 40' from section line.
5. Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/approval by City of Nampa Engineering Division.

Public Comment: None.

**MOVED** by Kehoe and **SECONDED** by Sellman to close the public hearing. Chair asked for a voice vote with all Commissioners voting **YES**.

**MOVED** by Kehoe and **SECONDED** by Kirkman to recommend approval of the item with all conditions listed in the staff report and adopt the proposed findings of approval as stated in the staff report.

**RESULT: Passed [6 TO 0]**

**AYES:** Sellman, Kirkman, Kehoe, Turner, Miller, Morgan

**NOES:** None

**ABSTAIN:** None

- 6-3. Action Item: Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement at 19628 & 0 Franklin Rd (parcel #'s R342320000 & R3423301100 totaling 81.47 acres); Planned Unit Development and Subdivision Preliminary Plat for Resting Rock Subdivision; located in the W 1/2 of the NW 1/4 of Section 26, T4N, R2W, BM), for Sabrina Durtschi with KB Home Idaho representing the owner Linda Naugle, (ANN-00272-2023, PUD-00012-2023 & SPP-00120-2023). Original Concept: 291 single-family detached dwelling lots, 1 commercial lot and 32 common lots. Continued from May 9, 2023 and May 23, 2023. Scheduled to present: Kristi Watkins.

Chair opened the public hearing.

Sabrina Durtschi, 1299 N Orchard, Boise, presented the request and phasing/timing of the proposed project.

Kristi Watkins, Principal Planner, presented the staff report, applicable regulations and proposed findings, reiterating there is no commercial lot for this development. The traffic impact study has been submitted and is under review; however, the results should not affect the Engineering Division conditions according to Watkins. Watkins noted the development would provide a 10' sidepath rather than a bike lane. The Hwy. 20/26 Specific Area Plan designates the area covered by phases 5, 6 & 7 as Community Mixed Use (Plan contemplates regional commercial and multi-family). Single family housing in this location may not be compatible with the highway and other land uses along this corridor. The FLUM allows land use designations to be stretched over an adjacent parcel and the PUD request allows for greater density. Future Planning does not agree that stretching Medium Density Residential over the Community Mixed Use in this area to be in the best interest of the community or the future residents of this development.

Daniel Badger, City Engineer, responded to questions regarding utilities and ITD road improvements in the area and along Franklin Blvd, explaining that the transition from farm ground to subdivisions do not generally impact the ground water levels.

Rodney Ashby, Planning Director, reviewed the recently adopted Hwy. 20/26 Plan.

Conditions of Approval:

1. Provide a revised landscape plan to address the Forester's comments and increase the landscape buffer along Hwy. 20/26 to 35' wide.
2. Applicant/Owner(s) shall dedicate the follow public road right-of-way as a condition of annexation:
  - a. N Franklin Blvd – 50' from Section Line along development frontage along with the strip of land along the frontage of the property addressed 19980 Franklin Blvd (Parcel R3423300000) that is still shown as part of the Naugle property.
3. Frontage road improvements along N Franklin Blvd shall be constructed in accordance with Nampa City Code Section 9-3-1. Skyway Street shall be constructed with full width improvements between N Franklin Blvd and the east boundary of the development in accordance with the City's collector road standards.
4. Developer shall address the following traffic mitigation measures at the time of property development, along with any other project triggered mitigation identified in the final Traffic Impact Study:
  - a. N Franklin Blvd & Linden Road – Southbound right-turn lane
  - b. N Franklin Blvd & E Cherry Grove Dr – Southbound left-turn lane
  - c. N Franklin Blvd & Skyway Street – Southbound left-turn lane
  - d. N Franklin Blvd & E Drinkard Street – Southbound left-turn lane
5. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of individual property development/redevelopment and prior to connection to applicable City services.
6. Property shall be annexed in the Nampa Municipal Irrigation District at the time of property development and prior to being served by the City's pressure irrigation system. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel and head gate report for any surface water delivery prior to Final Plat submittal to support annexation into the District.
7. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer. Utility construction to include the following main lines based on the City's Master Plans:
  - a. Extend 18" Sewer Trunk in Skyway St and 12" sewer in Franklin Blvd.
  - b. Extend 12" water main and pressure irrigation main in Franklin Blvd along the project frontage.
  - c. Extend 12" water main and pressure irrigation main in Skyway Street.
  - d. Complete 12" water main in Franklin Blvd south of Linden to the existing system. Timing of the improvement will be dependent on phasing and associate fire flow.
8. Offsite utility improvements including regional pressure irrigation pump station being performed by the Cherry Grove Subdivision shall be complete prior to the first phase of the Resting Rock Subdivision, or the Resting Rock Subdivision shall be responsible to complete said improvements.
9. Developer shall address all preliminary plat comments described in the memo from Nampa Engineering Division dated May 4, 2023 prior to Final Plat submittal.
10. Developer shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.

Public Comment (Opposed):

Laura Villegas, 7685 E Iroquois St, Nampa  
Beau Bonds, 8080 E Drinkard Ln, Nampa  
Stacey Driskell, 8249 E Drinkard Ln, Nampa  
Nancy Drinkard, 8249 E Drinkard Ln, Nampa  
Rocky Baker, 19845 N Franklin Rd, Nampa  
Shelley/Robert Montclair, 19721 Madison Rd, Nampa

Concerns: Bicycle and road safety, preservation of Ag land, traffic, development not utilizing smart growth principles, would create sprawl, lack of emergency services, school capacity, wells going dry, density too high, infrastructure not in place, loss of income due to already existing traffic.

Kirkman disclosed for public record that a person submitting public testimony is related to one of his employees, and that his office building is the same address as the applicant/presenter. Kirkman stated he had no financial interest in the project or conflict of interest.

Applicant responded to public comments. Robert Beckman, Kimley-Horn (via Teams), discussed traffic mitigations and traffic impact in the area of this development.

Commission concerns: Appropriateness of single family homes abutting Hwy. 20/26 (perhaps duplexes or multi-family), road traffic/noise from 20/26 affecting abutting homes, inconsistency with adopted Comprehensive Plan, lack of commercial services existing in the area which would increase traffic, lack of access to any potential commercial parcels along 20/26, locking in this project is not prudent due to phasing/timing of the project, not the right time or place.

**MOVED** by Kehoe and **SECONDED** by Sellman to close the public hearing. Chair asked for a voice vote with all Commissioners voting **YES**.

**MOVED** by Morgan and **SECONDED** by Kirkman to recommend denial of the project due to concerns listed above. The Commission found the Findings for Denial listed in the staff report to be appropriate for their decision. Chair broke the tie by voting **YES**.

**RESULT: Passed [4 TO 3]**

**AYES:** Sellman, Kirkman, Morgan, Van Auker Jr

**NOES:** Kehoe, Turner, Miller

**ABSTAIN:** None

- 6-4. Action Item: Annexation and Zoning for multiple portions of road right-of-way including: 1) 4.6 acres along Madison Rd between Birch Ln and Northside Blvd to IL (Light Industrial) zoning district; 2) 9.10 acres of Midland Blvd between Cherry Ln and Ustick Rd and a small sliver of ROW along the south side of Ustick Rd to IL (Light Industrial) zoning district; 3) 3.04 acres of Ustick Rd between Birch Ln and Northside Blvd, to RS7 (Single-Family Residential) zoning district; 4) 1.86 acres of W Flamingo Ave between Midway Rd and N Amarone Ave to RS6 (Single-Family Residential) zoning district; 5) 7.62 acres of N Can Ada Rd between Cherry Ln and E Landry St with ROW for the Idaho Center Blvd and Cherry Ln roundabout to RS7 (Single-Family Residential) zoning district; 6) 2.74 acres of Locust Ln just west of Happy Valley Rd to RS6 (Single-Family Residential) zoning district; 7) 4.01 acres of Locust Lane east of Happy Valley Rd to RS6 (Single-Family Residential) zoning district; 8) 5.89 acres of Orchard Ave from 1/2 mile west of N Middleton Rd to the west boundary of Laurelwood Subdivision to RS6 (Single-Family Residential) zoning district; 9) 29.99 acres of E Franklin Rd between Star Rd and McDermott Rd and south of E Franklin Rd purchased by the State of Idaho for the State Highway 16 project to GB1 (Gateway Business) zoning district; 10) 3.38 acres of Cherry Ln west of Midland Blvd between the Eagle Christian Church property and the east boundary of the Driftwood Subdivision to BC (Community Business) zoning district; 11) 1.24 acres of Beaverton St and Iowa Ave along the frontage of the Spyglass Ridge Subdivision to RS7 (Single-Family Residential) zoning district; 12) 1.23 acres of Happy Valley Rd between Wagon Rd and the south edge of the Happy Valley Rd and E Victory Rd roundabout to RS22 (Single-Family Residential) zoning district; 13) .39 acres of Happy Valley Rd along the frontage of 88 S Happy Valley Rd to RS22 (Single-Family Residential) zoning district; 14) .09 acres located at the rear of properties addressed as 1217, 1223, and 1303 Josh Place to RS6 (Single-Family Residential) zoning district; 15) .95 acres parcel addressed as 2518 W Orchard Ave to RS6 (Single-Family Residential) zoning district; and 16) .42 acre parcel addressed 2519 W Orchard Ave to RS6 (Single-Family Residential) zoning district - a map of all the proposed properties and right-of-way annexations is available from

the City of Nampa Planning & Zoning Department - for Caleb LaClair representing City of Nampa, Engineering Division (ANN-00279-2023). Scheduled to present: Rodney Ashby.

Chair opened the public hearing.

Daniel Badger, City Engineer, presented the request.

Rodney Ashby, Planning Director, presented the staff report and proposed findings, noting that the City MOU with Nampa Highway District dictates that the City will annex and take over management of roadways from the District once City utilities are constructed within the right of way.

Public Comment: None.

**MOVED** by Kirkman and **SECONDED** by Kehoe to close the public hearing. Chair asked for a voice vote with all Commissioners voting **YES**.

**MOVED** by Kirkman and **SECONDED** by Morgan to recommend approval of the item and adopt the proposed findings of approval as stated in the staff report.

**RESULT: Passed [6 TO 0]**

**AYES:** Sellman, Kirkman, Kehoe, Turner, Miller, Morgan

**NOES:** None

**ABSTAIN:** None

## **Adjournment**

**MOVED** by Kirkman and **SECONDED** by Morgan to adjourn the meeting at 7:50 pm.

**RESULT: Passed [6 TO 0]**

**AYES:** Sellman, Kirkman, Kehoe, Turner, Miller, Morgan

**NOES:** None

**ABSTAIN:** None