

d. Planning & Zoning Commission - Regular Meeting - February 27, 2024

NAMPA PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES

February 27, 2024

Meeting Call to Order/Roll Call

Present: Commissioner Kody Daffer, Commissioner Matthew Garner (Remote), Commissioner Steve Kehoe, Commissioner Jeff Kirkman, Commissioner Bret Miller, Commissioner Drew Morgan, Commissioner Peggy Sellman, Commissioner Tom Turner, Commissioner Ron Van Auker Jr

Absent: None

Staff Present: City Attorney Bryan Norton, Deputy City Clerk Jo'an Corey, Planning Director Rodney Ashby, Senior Planner Parker Bodily, City Engineer Daniel Badger

Chair Van Auker, Jr called the meeting to order at 6:00 p.m.

(1) Communications

1-1. Report on Council Actions

Rodney Ashby, Planning and Zoning reported on February 13, 2024, Council agenda item approvals.

1-2. Staff Communications

1. Meeting Etiquette

The Chair presented that Mr. Bryan Norton, Legal would report on the Meeting Etiquette.

(2) Consent Agenda (Action Items)

MOVED by Kehoe and **SECONDED** by Sellman to Approve Consent Agenda.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None

2-1. Minutes

a. PZC Regular Meeting Minutes for February 13, 2024

MOVED by Kehoe and **SECONDED** by Sellman to Approve the item.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None

2-2. Plat Approvals

- a. Subdivision Final Plat Approval for Clearcreek Subdivision in the RS4 and RS6 (Single-Family Residential) zoning district; a 15.25 acre parcel R3203001000 addressed as 0 S Middleton Rd, for Challenger Development Inc/Becky McKay representing Endurance Holdings LLC (SPF-00251-2023). Original Concept: 58 Single-family detached dwelling units and 9 common lots. (Candace Fry)

MOVED by Kehoe and **SECONDED** by Sellman to Approve the item.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None

- b. One year extension to April 4, 2024 of Final Plat Approval for Sunnyvale East No 1 Subdivision in a RMH (Multiple-Family Residential) zoning district - a 6.31 acre portion of parcel #R3142800000) at 0 W Karcher Rd (located in the NE 1/4 of Section 18, T3N, R2W, BM) for Providence Holdings/Jessica Ticer (SPF-00229-2023). Original Concept: 88 units on 22 lots and 5 common lots. (Candace Fry)

MOVED by Kehoe and **SECONDED** by Sellman to Approve the item.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None

(3) Public Hearings

- 3-1. Action Item:** Subdivision Preliminary Plat approval for Middlebury South Subdivision at 12246 Orchard Ave and 0 Midway Rd, five parcels #R3280300000, R3279901000, R32799010C0, R32799010D0, and R3280001100 totaling 105.78 acres in the RS6 (Single Family Residential) zoning district (located in the S 1/2 of Section 13, T3N, R3W, BM) for Kent Brown representing Endurance Holdings/Clinton Wissel (SPP-00140-2023). Original concept: 340 single family detached dwelling units (one existing and 339 additional units) and 36 common lots. (Parker Bodily)

Chair opened the public hearing.

Kent Brown, Applicant, 3161 E Spring Wood, Meridian presented the request.

Parker Bodily, Planning and Zoning, presented the item to the Commission.

No one spoke in support of or in opposition to the item.

Applicant provided closing remarks.

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

MOVED by Morgan and **SECONDED** by Daffer to Recommend approval for the Subdivision Preliminary Plat for Middlebury South Subdivision at 12246 Orchard Ave and 0 Midway Rd, five parcels #R3280300000, R3279901000, R32799010C0, R32799010D0, and R3280001100 totaling 105.78 acres in the RS6 (Single Family Residential) zoning district for Kent Brown representing Endurance Holdings/Clinton Wissel (SPP-00140-2023) with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None

3-2. Action Item: Subdivision Preliminary Plat approval for Stoddard Crossing Subdivision at 0 E Locust Ln, five parcels #R2911900000, R2911600000, R2911700000, R2912000000, and R2912101000 totaling 25.07 acres in the RS6 (Single Family Residential) zoning district (located in the W 1/2 of the SE 1/4 of Section 2, T2N, R2W, BM) for Patrick Connor representing Hubble Homes, LLC (SPP-00139-2023). Original concept: 92 single family detached dwelling units and 16 common lots. (Rodney Ashby)

Chair opened the public hearing.

Patrick Conner, Applicant, 701 S Allen St, Meridian presented the request.

Rodney Ashby, Planning and Zoning, presented the item to the Commission.

Carrolyn King, 2418 E Locus Ln, Nampa spoke in opposition of the project. (Irrigation pump placement and privacy fencing)

Applicant provided closing remarks.

MOVED by Miller and **SECONDED** by Kehoe, to close the public hearing. Chair asked for a voice vote with all Commissioners present voting **YES**. MOTION CARRIED.

MOVED by Kirkman and **SECONDED** by Garner to Recommend approval of the Subdivision Preliminary Plat for Stoddard Crossing Subdivision at 0 E Locust Ln, five parcels #R2911900000, R2911600000, R2911700000, R2912000000, and R2912101000 totaling 25.07 acres in the RS6 (Single Family Residential) zoning district for Patrick Connor representing Hubble Homes, LLC (SPP-00139-2023) with all proposed conditions and find that the proposed preliminary plat complies with city codes and development standards; with the added condition that Lot 2 and Lot 14 Block 3 are single story homes.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None

3-3. Action Item: Conditional use permit for the operation of a concrete batch plant in an IL (Light Industrial) zoning district at 39 N Picard Ln (a 7.83 acre parcel #3174500000, located in the S 1/2 of Section 24, T3N, R2W, BM), for Sunroc Corporation (CUP-00328-2023). Original Concept: Development and operation of a concrete batch plant. (Parker Bodily) (*Continued from the January 23, 2024 meeting*)

Chair opened the public hearing.

Bill King, Applicant Representative, 851 E 1400 S, Salem Utah presented the request. Andrew Phelps, 10340 Hwy. 20, Caldwell responded to questions from the Commissioners regarding traffic, hauling, and wastewater. Brent Turpin, 2965 E Tarpon Dr, Meridian did not speak.

Parker Bodily, Planning and Zoning, presented the item to the Commission. Daniel Badger, Engineering, responded to Commission's questions regarding engineering and traffic. Rodney Ashby, Planning and Zoning, responded to Commission's questions regarding codes, signage, and findings of fact.

The following spoke in opposition of the project: Children's Safety, Water, Traffic, Visual Emissions, Air Quality, Particulate Matter, Property Depreciation, Noise, Location, and Existing Violations.

David	Paul	47 S Wasatch Ave, Nampa
Daniel	Markowski	209 S Blue Heron Way, Nampa
Cindy	Fritz	5514 Howard Ln, Nampa
Mike	Lewis	4116 E Boreal Ct, Nampa
Sue	Paul	Warhawk Air Museum, 201 Municipal Dr, Nampa
Renee	Kelley	5416 E Victory Rd, Nampa
Patti	Quinn	601 S Blue Heron Way, Nampa
Gregory	Palmer	3213 E Victory Rd, Nampa
Drey	Campbell	3850 E Kings Gate, Nampa
Aubree Miller	Nampa Airport Commissioner	1042 E Ustick Rd, Meridian
Dina	Brewer	10 N Spiceland Pl, Nampa
Vincent	Armbruster	3721 E Green Meadows Pl, NAMPA
Jayne	Hopkins	24 S Rolling Green St, Nampa
Tammy	Sanchez	2210 S Preakness Way, Nampa
Deana	Spracklen	5009 E Orchard Ave, Nampa
Kim	Taylor	3169 S Clearwater Ave, Nampa
Jayce	Taylor	3169 S Clearwater Ave, Nampa
Joseph	Brunschon	6015 Joe Ln, Nampa
Randy	Colburn	609 S Grays Ln, Nampa
Richard	Andersen	34 Ravine Way, Nampa
Steve	Delgadillo	56 S Frontier Way, Nampa
Ross	Barham	3832 Whistling Heights Way, Nampa
Linda	Carlisle	3704 E Kings Gate, Nampa
Craig	Hanson	3809 Whistler Ln, Nampa
Curt	Hensley	305 Buckskin Dr, Nampa

Tina	DeBoer	5925 E Victory Rd, Nampa
Berni	Geeway	6005 E Victory Rd, Nampa
Kurt	Stieglitz	4012 E Parkridge Dr, Nampa
Gordon	Page	205 N Pilatus Ln, Nampa
John	Flanagan	803 N Grey Pebble Way, Eagle
Marsha	Kinsela	3424 E Park Ridge Dr, Nampa
Bill	Beverage	200 S Buttercup, Nampa
Greg	West	313 Buckskin Dr, Nampa
Connie	Sharp	3 N Kings Rd, Nampa
Juan	Zavala	2950 N McDermott Rd, Nampa
Matt	Lara	94 S Greenscape Ln, Nampa
Don	Larson	24 S Jarome Ln, Nampa
Troy	Pett	93 S Blue Bonnet Way, Nampa
Peter	Kong	4022 E Erie Ct, Nampa
Ray	Booze	2017 S Serenade, Nampa
Madeline	Hubbard	67 N Happy Valley Dr., Nampa
Ruth	DeHaven	224 S Buttercup Ct, Nampa
Dennis	Parker	2916 E Locust Ln, Nampa
Garrett	Nelson	819 S Florence, Nampa
Matthew	Conde	4110 E Roan Meadow Ct, Nampa
Dean	Johnson	323 Buckskin Dr, Nampa
Justin	Harrison	3612 E Wellington Pl, Nampa
Vickie	McMinn-Colburn	609 S Grays Ln, Nampa
Kris	Torderson	3520 Parkridge Dr, Nampa
Christina	Andersen	52 N Kings Rd, Nampa
Cindy	Allen	232 Buckskin Dr, Nampa
Sydney	Holgreen	204 S Buttercup, Nampa
Patty	Evans	3616 E Rolling Green Pl, Nampa
Christopher	Scott Alan	3807 E Kings Gate Ave, Nampa
Glen	Morgan	3616 E Rolling Green Pl, Nampa
Matthew	Powell	2627 E Spicewood Ave, Nampa
Melody	McCann	2008 W Camelot Dr, Nampa
Kim	Earp	3705 E Kings Gate Dr, Nampa
Daniel	Lemon	5904 Airport Rd, Nampa
Kevin	Ford	61 S Norcrest Ave, Nampa
Bonnie	Cobsoft	3606 E Kings Gate Dr, Nampa
Louis	Koloca	16 S Mason Creek Rd, Nampa
Bruce	Mount	3805 Whistling Heights Way, Nampa
Christina	Swenson	322 Buckskin Ct, Nampa
Jesus	Havala	2950 N Montgomery Rd, Kuna
David	Straight	30 S Greys Ln, Nampa

Cheryl	Higley	12441 S Abbot Downing Way, Nampa
Bob	Higley	12441 S Abbot Downing Way, Nampa
Tammy	Allen	2404 E Locust Ln, Nampa
Susan	Brown	21 N Campbell Ln, Nampa
Thomas	Cox	3503 E Victory Rd, Nampa
Jack	Garrett	10 S Rolling Green St, Nampa

Clerk's Note: Chair motioned for a short recess at 8:03 p.m. and 10:05 p.m.

Applicant Representative provided closing remarks.

MOVED by Kirkman and **SECONDED** by Daffer, to close the public hearing. Chair asked for a voice vote with all Commissioners present voting **YES**. MOTION CARRIED.

Significant discussion ensued between the Commission, Staff and Legal on water, particulate matter, traffic, hauling, air quality, tower height, airport, museum, noise, housing, location, roadway deterioration, schools, waste runoff, and legalities of CUP violations.

MOVED by Sellman and **SECONDED** by Kirkman to Deny the Conditional use permit for the operation of a concrete batch plant in an IL (Light Industrial) zoning district at 39 N Picard Ln for Sunroc Corporation (CUP-010328-2023) and adopt the proposed findings for denial as listed in the staff report.

RESULT: Failed [4 TO 5]

AYES: Garner, Kirkman, Sellman, Turner

NOES: Daffer, Kehoe, Miller, Morgan, Van Auker Jr

ABSTAIN: None

Clerk's Note: Chair gave clarification to the Board and Public for what the motion being voted on was.

MOVED by Sellman and **SECONDED** by Kirkman to Deny the Conditional use permit for the operation of a concrete batch plant in an IL (Light Industrial) zoning district at 39 N Picard Ln for Sunroc Corporation (CUP-010328-2023) and adopt the proposed findings for denial as listed in the staff report.

RESULT: Passed [5 TO 4]

AYES: Garner, Kehoe, Kirkman, Sellman, Turner

NOES: Daffer, Miller, Morgan, Van Auker Jr

ABSTAIN: None

Adjournment

MOVED by Kehoe and **SECONDED** by Kirkman to Adjourn the meeting at 11:42 p.m.

RESULT: Passed [9 TO 0]

AYES: Daffer, Garner, Kehoe, Kirkman, Miller, Morgan, Sellman, Turner, Van Auker Jr

NOES: None

ABSTAIN: None