

c. Planning Commission – Regular Meeting – November 14, 2023

NAMPA PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES

November 14, 2023

Meeting Call to Order/Roll Call

Present: Commissioner Peggy Sellman, Commissioner Jeff Kirkman, Commissioner Matthew Garner, Commissioner Steve Kehoe, Commissioner Kody Daffer, Commissioner Drew Morgan, Commissioner Ron Van Auker Jr

Absent: Commissioner Tom Turner, Commissioner Bret Miller

Staff Present: Planning Director Rodney Ashby, Deputy City Clerk Jo'an Corey, Attendee Kristi Watkins, Attendee Doug Critchfield

(1) Communications

1-1. Report on Council Actions

Rodney Ashby, Planning and Zoning reported on November 6th council item extensions and approvals.

1-2. Staff Communications

None

(2) Consent Agenda (Action Items)

MOVED by Kehoe and **SECONDED** by Kirkman to Approve Consent Agenda

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

2-1. Minutes

a. October 24, 2023, Planning & Zoning Commission Regular Meeting

MOVED by Kehoe and **SECONDED** by Kirkman to Approve Consent Agenda

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

2-2. Plat Approvals

a. Subdivision Final Plat Approval for Steven's Place, including 17 single family lots, 2 commercial lots and 5 common lots at 0 Iowa Ave (a 6.24 acre Parcel #R32065012A0) in the RS8.5 (Single-Family Residential) and BC (Community Business) zoning districts, located in the NE 1/4 of section 31, T3N, R2W, BM, Canyon County) for Patrick Colwell (T-O Engineers) representing Blackhawk Investments Idaho LLC (SPF-00245-2023). (Kristi Watkins)

MOVED by Kehoe and **SECONDED** by Kirkman to Approve Consent Agenda

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

2-3. Extensions

One Year Extension to December 5, 2024, of Subdivision Final Plat for Middlebury North No. 1 Subdivision at 0 Midway Road (Parcel #R3279800000); totaling 20.5 acres (located in the S 1/2 of Section 13, T3N, R3W, BM) for Shawn Brownlee representing Endurance Holdings LLC (SPF-00219-2022). Original Concept: 62 single-family detached dwelling units and 12 common lots. (Kristi Watkins)

MOVED by Kehoe and **SECONDED** by Kirkman to Approve Consent Agenda

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

Six month extension to May 23, 2024 for Conditional Use Permit for a duplex in the RS6 zone at 811 3rd St N. (a .42 acre Parcel #R0870400000 located in the NE 1/4 of Section 22, T3N, R2W, BM) for Scott Macias (CUP-00311-2023). (Parker Bodily)

MOVED by Kehoe and **SECONDED** by Kirkman to Approve Consent Agenda

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

(3) Public Hearings

- 3-1. Action Item: Development Agreement Modification to Ordinance No. 3683 and Master Planned Community for a mixed use development with commercial, single-family detached and attached residential uses; Zoning Map Amendment from RS8.5 (Single-Family Residential) to 2.76 acres of BC (Community Business), 25.63 acres of RML (Limited Multiple Family Residential), 18.54 acres of RS4 (Single Family Residential), and 26.99 acres of RS6 (Single Family Residential) zoning districts; Subdivision Preliminary Plat for Haltom Heritage Subdivision on 3 parcels (R3422700000, R3422701200, & R3437700000) and addressed as 0 Prescott Ln, 7825 E Elm Ln, & 7851 E Elm Ln, totaling 73.92 acres (located in the NW 1/4 of Section 35, T4N, R2W, BM), for Trilogy Development - Shawn Brownlee (DAMO-00061-2023, MPC-00000-2023, ZMA-00176-2023, & SPP-00126-2023). Original Concept: 286 single-family detached and attached (townhouse) dwelling units, 1 commercial lot, and 46 common lots. Linden Road will also be extended through the site providing an east/west connection between Franklin Boulevard and Prescott Lane. (Kristi Watkins)

Chair opened the public hearing.

Bonnie Layton, Applicant Representative, 690 S Industry Way, Meridian presented the request.

Kristi Watkins, Planning & Zoning presented the item to the Commission. Daniel Badger, Engineering responded to Commissions questions regarding traffic concerns and a round-about placement.

The following spoke in opposition of the project: due to density concerns: Christine Thomas, 19885 Franklin Blvd., Nampa; Jacob Jones, 7987 Timberline Dr., Nampa; Cathy Aucoin, 19200 Prescott Ln., Nampa; William Spight, 7981 Timberline Dr., Nampa; Stacey Driskell, 8249 E. Drinkerd Ln., Nampa; Beau and Paula Bonds, 8080 E. Drinkerd Ln., Nampa.

Applicant Representative provided closing remarks.

Significant discussion ensued between the Commission and staff regarding the concern of density.

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

MOVED by Kehoe and **SECONDED** by Daffer to Recommend Approval of the Development Agreement Modification to Ordinance No. 3683 and Master Planned Community for a mixed use development with commercial, single-family detached and attached residential uses; Zoning Map Amendment from RS8.5 to 2.76 acres of BC, 25.63 acres of RML, 18.54 acres of RS4, and 26.99 acres of RS6 zoning districts; Subdivision Preliminary Plat for Haltom Heritage Subdivision on 3 parcels at 0 Prescott Ln, 7825 E Elm Ln, & 7851 E Elm Ln for Trilogy Development - Shawn Brownlee (DAMO-00061-2023, MPC-00000-2023, ZMA00176-2023, & SPP-00126-2023) with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report, with the addition of a new condition of approval for the applicant to work with staff to dedicate additional right-of-way to facilitate a round-about at the South corner of Linden Road.

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

3-2. Action Item: Subdivision Preliminary Plat approval for Trestle Creek Subdivision at 0, 0, & 0 Ustick Rd, three parcels #R3078101100, R3078100000, and R3078301100 totaling 42.28 acres in the BC, RS6 & RMH zoning districts (located in the NE 1/4 of the NW 1/4 of Section 2, T3N, R2W, BM) for Kent Brown representing Endurance Holdings (SPP-00122-2023). Original concept: 1 Commercial lot, 29 common lots, and 235 residential dwelling units in single-family detached, single-family attached, and multiple family buildings on 163 residential lots. (Parker Bodily)

Chair opened the public hearing.

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

Parker Bodily, Planning & Zoning presented the item to the Commission. Daniel Badger, Engineering responded to Commissions questions regarding Eustic Road traffic.

The following spoke in opposition of the project: due to traffic concerns: Daniel and Aspen Bugli, 7493 Eustic Rd., Nampa and Pricilla Sims, 7596 E. Shields Dr., Nampa.

Applicant provided closing remarks.

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

After Motion, Chair called for a 5 Minute Break.

MOVED by Sellman and **SECONDED** by Kehoe to Approve the Subdivision Preliminary Plat approval for Trestle Creek Subdivision at 0, 0, & 0 Ustick Rd, three parcels #R3078101100, R3078100000, and R3078301100 totaling 42.28 acres in the BC, RS6 & RMH zoning districts for Kent Brown representing Endurance Holdings (SPP-00122-2023) with recommended conditions and adopt the potential findings in the staff report.

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

3-3. Action Item: Annexation and Zoning to RMH (Multiple-Family Residential) zoning district on 4.6 acres, and BN (Neighborhood Business) zoning district on 3.45 acres, development agreement, and Planned Unit Development, for 0 & 617 E Greenhurst Rd and 2321 Sunny Ridge Rd; three parcels #R2016201200, R2016200000 & R2016201400 and the abutting ROW to centerline of Sunny Ridge Rd and E Greenhurst Rd, totaling 8.05 acres, for Greenhurst Crossing, a cottage cluster development (located in the NW 1/4 of Section 3, T2N, R2W, BM) for Sunny Acre Partners LLC. representing Entrust Group FBO Patricia A Schultz (ANN-00286-2023 & PUD-00013-2023). Original Concept: 42 single-family DUs in a cottage cluster alignment fronting common open space; and commercial development fronting the roadway. (Doug Critchfield)

Chair opened the public hearing.

Angie Wood, Applicant Representative, PO Box 1422, Boise presented the request.

Doug Critchfield, Planning & Zoning presented the item to the Commission. Rodney Ashby, Planning & Zoning responded to Commission questions regarding EV station placements.

The following spoke in favor of the project: Buddy Compher, Jr. – Neighborhood Works, 802 S. Vick Ln., Middleton

Applicant Representative provided no closing remarks.

MOVED by Kehoe and **SECONDED** by Garner 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 Morgan to Recommend Approval of the Annexation and Zoning to RMH (Multiple-Family Residential) zoning district on 4.6 acres, and BN (Neighborhood Business) zoning district on 3.45 acres, development agreement, and Planned Unit Development, for 0 & 617 E Greenhurst Rd and 2321 Sunny Ridge Rd; three parcels #R2016201200, R2016200000 & R2016201400 and the abutting ROW to centerline of Sunny Ridge Rd and E Greenhurst Rd, totaling 8.05 acres, for Greenhurst Crossing, a cottage cluster development (located in the NW 1/4 of Section 3, T2N, R2W, BM) for Sunny Acre Partners LLC. representing Entrust Group FBO Patricia A Schultz (ANN-00286-2023 & PUD-00013-2023) with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report.

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

3-4. Action Item: Conditional Use Permit for an "Unlisted Land Use" (NCC 10-3-2.B) for rental or sale

of storage containers in a BC (Community Business) zoning district at 0, 3602, & 3610 Garrity Blvd (parcels #R15238500, R31784011, & R31132000) totaling 1.39 (located in the NW ¼ of Section 24, T3N, R2W, BM) for Chase Hiday, representing Sunshower Holdings LLC - William T Brown (CUP-00325-2023). Original concept: storage of empty storage containers for rent/sale on approximately back half of the site, with one technician on the property. Manufactured home sales anticipated for the front half of the property - a permitted use in the BC zone. (Rodney Ashby)

Chair opened the public hearing.

Mark Butler, Applicant Representative, 1675 E. Bishop Way, Eagle presented the request.

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

The following spoke in favor of the project: Ty Pullman, 5285 W. Masio Dr., Meridian

Applicant Representative provided closing remarks.

MOVED by Morgan and **SECONDED** by Kirkman 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 and staff on the codes and conditions of the CUP, with the Commission recommending that the following conditions be added or changed from, the original proposed conditions as stated in the staff report.

MOVED by Morgan and **SECONDED** by Daffer to Approve the Conditional Use Permit for an "Unlisted Land Use" (NCC 10-3-2.B) for rental or sale of storage containers in a BC (Community Business) zoning district at 0, 3602, & 3610 Garrity Blvd totaling 1.39 for Chase Hiday, representing Sunshower Holdings LLC - William T Brown (CUP-00325-2023) and adopt the proposed conditions to the CUP: 1. The CUP limited for Boise Box, LLC "ONLY". 2. No Double Stacking of the storage boxes. and 3. The proposed condition 14 shall be changed to state that the containers shall be stored only behind the existing vinyl fence and take up no greater than 20% of the property. The Commission also directed Planning staff to propose new formal findings for approval, which shall include the following:

- The proposed use will mostly be screened from view with an existing vinyl fence and with manufactured homes being displayed in the front area of the property.
- Though the proposed use is not an ideal use for a major gateway into the community, it is a use that may easily be converted to another commercial use because no permanent buildings are being constructed on the property.
- The proposed use is better than having an empty, unused property not providing any services to the community.

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

3-5. Action Item: Comprehensive Plat Text and Future Land Use Map Amendment to change Agriculture Land Use title to Very Low Density Land Use title for the City of Nampa (CTA-00024-2023 & CMA-00056-2023). (Doug Critchfield)

Chair opened the public hearing.

Doug Critchfield, Planning & Zoning presented the item to the Commission.

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

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

MOVED by Daffer and **SECONDED** by Kehoe to Approve

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None

Adjournment

MOVED by Sellman and **SECONDED** by Kehoe to Adjourn the meeting

RESULT: Passed [6 TO 0]

AYES: Sellman, Kirkman, Garner, Kehoe, Daffer, Morgan

NOES: None

ABSTAIN: None