



MINUTES OF REGULAR MEETING HELD TUESDAY, FEBRUARY 14, 2023

Audio recordings of the full proceedings may be accessed following the meeting at <https://www.cityofnampa.us/AgendaCenter>.

Video recordings of the full proceedings may be accessed following the meeting at <https://livestream.com/cityofnampa> and <https://www.youtube.com/@cityofnampapublicmeetings>

Chair Van Auken, Jr. called the meeting to order at 6:00 pm.

Commissioners Sellman, Garner, Miller, Turner, Kehoe, Kirkman and Morgan were present; Commissioner Daffer was absent.

Consent Agenda (Action Items):

Moved by Garner and seconded by Kirkman to approve the Consent Agenda which had the following items presented:

1. Approval of Minutes: January 24, 2023.

Motion carried.

Chair Van Auken, Jr. proceeded to public hearing items on the agenda at 6:01 pm.

Public Hearing 1: Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 0, 0, & 1121 Southside Blvd (Parcels #R3230700000, R3230800000, R3230701000, totaling 3.39 acres and located in the NE ¼ of Section 35, T3N, R2W, BM, Nampa), for Centurion Engineers, representing Francis Pearce (ANN-00259-2022). Original Concept: Annex all three parcels for a subdivision to be applied for at a future date – ACTION ITEM.

Chair Van Auken, Jr. proceeded to public hearing.

Tom Maile, 885 W Rush State St, Eagle, presented the project.

Principal Planner Watkins presented the staff analysis and findings for approval or denial.

Request:

- Parcel A, B & C to be annexed and zoned RD (Two-Family Residential-Duplex).
- Parcels A & C to be retained by current owner Francis Pearce to continue residence.
- Parcel B to be combined with property to the south that is already annexed and zoned RD (Two-Family Residential-Duplex) for potential future development.

The properties need to be annexed so that the lot line adjustment can be completed and Parcel B can be sold to an interested party to combine with an already annexed parcel to the south. It was recommended by city staff that the applicant pursue annexation and zoning of these properties prior to expending money and resources on a development layout when only a small portion of the property currently sits inside the city limits and a lot line adjustment is required to create the parcels for sale.

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. Legal description for right of way dedication pursuant to Nampa Engineering General Comment #2 for the two parcels that front on Southside Blvd shall be prepared by applicant's surveyor and shall be recorded with Canyon County by City of Nampa upon annexation of the property.
5. Developer shall coordinate with City of Nampa regarding construction of public pathway along Southside Blvd.

Chair Van Auker, Jr. proceeded to public testimony (sign-up sheet attached). Summary of concerns: Traffic, concern over irrigation water, density.

Daniel Badger, Engineering responded to Commission's questions regarding roadway classification(s) and traffic impact studies. Applicant addressed comments regarding irrigation concerns.

Moved by Morgan and seconded by Kehoe to close public hearing. Motion carried.

Moved by Kirkman and seconded by Kehoe to recommend to City Council approval of the item with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report. Motion carried.

Public Hearing 2: Comprehensive Plan Map Amendment from Commercial to Industrial designation, Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district, & potential Development Agreement at 1508 & 1510 W Karcher Rd. (parcel #s R2446800000 & R2446900000, located in the SE 1/4 of Section 8, T3N, R2W, BM) for Tyler Delay representing Doris Young (CMA-00055-2022 & ZMA-00170-2022). Original Concept: Obtain the correct zoning for the existing land use of outdoor storage of equipment for Young's Equipment addressed at 1502 W Karcher Rd and in order to construct a chain link security fence around the property – ACTION ITEM.

Chair Van Auker, Jr. proceeded to public hearing.

Bryce Delay, 1003 5th St S, Nampa, presented the project.

Principal Planner Critchfield presented the staff report and findings for approval and denial.

Conditions of approval:

- 1) Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.
- 2) The project will be subject to all required building codes and related permits based on the requirements of City Ordinance -Title 4 – Building Regulations
- 3) Access gates shall comply with requirements of the IFC. If gates are electronically operated, they shall be equipped with an automatic opening mechanism activated by the Opticom system. Manual gates shall be secured with a Knox brand padlock (IFC 503.6, D103.5). Gates shall allow a minimum opening width of 20' for Fire Apparatus access.
- 4) Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustibile materials on site. Provisions may be made for temporary access and identification measures.
- 5) Further review of the building permit will be contingent upon approval of this rezone and will be subject to commercial fence codes in place as of February 14, 2023.

Chair Van Auker, Jr. proceeded to public testimony. No one appeared in favor of or in opposition to the project.

Moved by Kirkman and seconded by Sellman to close public hearing. Motion carried.

Moved by Kehoe and seconded by Turner to recommend to City Council approval of the item with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report. Motion carried.

Public Hearing 3: Conditional Use Permit for Concrete Batching & Mixing for Classic Ready-Mix in a IL (Light Industrial) zoning district at 1904 E Sherman Ave (a 1.16 acre parcel #R31832000 0 located in the SW ¼ of Section 26, T3N, R2W, BM) for BSM Properties LLC representing Brian & Shala McDonald (CUP-00304-2022) – ACTION ITEM.

Chair Van Auken, Jr. proceeded to public hearing.

Jeff Luekenga, 2629 S Skyview Dr, Nampa, presented the purpose of the request.

Senior Planner Bodily presented the staff report, supplemental information regarding batch plant emissions, and potential findings for approval and denial.

Conditions of approval:

1. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
2. Applicant/Owner shall apply for an electrical permit and shall pass inspections as required.
3. Applicant/Owner shall make frontage improvements as required by the Engineering Division.
4. Applicant/Owner shall comply with Idaho Department of Environmental Quality requirements.
5. The CUP shall be issued to BSM Properties LLC without the ability to transfer the Conditional Use Permit to another owner or location.

Chair Van Auken, Jr. proceeded to public testimony. No one appeared in favor of or in opposition to the request.

Moved by Morgan and seconded by Kehoe to close public hearing. Motion carried.

Moved by Kehoe and seconded by Morgan to approve the item with the recommended conditions and adopt the proposed findings for approval as listed in the staff report. Motion carried.

Public Hearing 4: Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 905 N Midland Blvd (a 1.33 acre parcel #R3136000000 located in the SE ¼ of Section 17, T3N, R2W, BM, Nampa), for Blake Wolf, representing Lance & Racheal Givens (ANN-00264-2022). Original Concept: Annex for a future subdivision to 2-unit townhomes in 6 buildings - for a total of 12 units – ACTION ITEM.

Chair Van Auken, Jr. proceeded to public hearing.

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

Senior Planner Bodily presented the staff report and reviewed potential findings for approval and denial.

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. Legal description for right of way dedication at the previously identified width (5') shall be prepared by applicant's surveyor and shall be recorded with Canyon County by City of Nampa upon annexation of the property.
5. Owner shall enter into a development agreement that requires future development to meet the following criteria:

- a. At least 5% of the net buildable acreage shall be provided in qualified open space according to Nampa City Code Title 10 Chapter 27.
- b. A 25' setback shall be established on lots adjacent to Midland Blvd which shall be landscaped as a landscape buffer area according to Nampa City Code Title 10 Chapter 34.
- c. All other subdivision and lot requirements (setbacks, density, lot sizes, etc.) shall be as required in Nampa City Code Title 10 Chapter 27 and Chapter 10.

Chair Van Auker, Jr. proceeded to public testimony (sign-up sheet attached). Summary of comments in opposition: Parking in nearby church parking lot, units are two story, traffic on Midland. Applicant responded to public comments.

Moved by Garner and seconded by Miller to close public hearing. Motion carried.

Moved by Kirkman and seconded by Garner to recommend to City Council approval of the item with all findings and conditions listed in the staff report. Motion carried.

Public Hearing 5: Conditional Use Permit for Concrete Batching & Mixing for Sunroc Corporation in a IL (Light Industrial) zoning district at 39 N Picard Ln (a 7.83 acre parcel #R317450000 located in the SE ¼ of Section 24, T3N, R2W, BM) for Sunroc Corporation, representing Thomas V. Hines (CUP-00303-2022) – ACTION ITEM.

Chair Van Auker, Jr. proceeded to public hearing.

Bill King, Sunroc Corp, 13040 Hwy 20/26, Caldwell, presented the project.

Senior Planner Bodily presented the staff report and reviewed potential findings for approval and denial. Bodily reviewed the Comprehensive Plan relative to aviation hazards, proximity of concrete truck parking adjacent to the property line, the Nampa Airport Master Plan, and emission mitigation measures.

Conditions of approval:

1. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
2. N Cajun Lane should be improved for two-way traffic to support the intended use and provide better emergency vehicle access at the time of development.
3. Utility connection fees shall be paid at time of building permit.
4. The applicant/developer shall protect the irrigation/drainage ditch along the northerly and westerly property lines during development for storm water conveyance from the Airport to Mason Creek.
5. 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.
6. Site access shall adhere to current City of Nampa Access Management Policy and all comments concerning site access as described in the Engineering memo dated January 20, 2023.
7. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time property development/redevelopment and prior to connection to City services. Existing onsite wells may continue to be used solely as water supply for the batch plant operation. No cross connection between well and the City's domestic water system will be permitted.
8. Development/redevelopment of the property shall comply with conditions and requirements defined in the existing Aviation Easement established in 1975 and as Instrument No. 755201 in the records of Canyon County, Idaho.
9. The Applicant shall file FAA Form 7460 prior to commencing the building of any structure(s) on the property.
10. Applicant/Owner shall comply with Idaho Department of Environmental Quality requirements.
11. The CUP shall be issued to Sunroc Corporation without the ability to transfer the Conditional Use Permit to another owner or location.
12. Concrete trucks shall not be parked within 98' of the property line abutting the Nampa Airport.

Chair Van Auker, Jr. proceeded to public testimony, no one appeared in favor of or in opposition to the project.

Moved by Miller and seconded by Sellman to close public hearing. Motion carried.

Moved by Kirkman and seconded by Kehoe to approve the item with all findings and conditions listed in the staff presentation. Motion carried.

Public Hearing 6: Nampa City Code Text Amendment to change Title 10 Planning & Zoning, Chapter 34 Design Review and adopt the associated Design Review Guideline document. Changes to Chapter 34 include: Reference to the new guideline document; add the IP (Industrial Park), IL (Light Industrial) and IH (Heavy Industrial) zoning districts to the applicability of the chapter; clarify multiple-family units; add exception for IL and IH zoned projects to be reviewed by staff; add that significant IL and IH design exception requests shall go to Design Review Committee; reorder paragraphs in 10-34-10.A for clarity; change primary wall façades to 3 materials, leaving other walls with 2 materials; add requirements for metal sided structures; change wall lengths on standard commercial structures to 50' for jogs and offsets; add durable materials to description of trash enclosures; add section 10-34-10B with all new requirements for IL and IH zoned properties, for the City of Nampa (ZTA-00028-2022) – ACTION ITEM.

Chair Van Auker, Jr. proceeded to public hearing.

Principal Planner Watkins presented the staff report.

Chair Van Auker, Jr. proceeded to public testimony.

Will Goede, Adler Industrial, 2619 N 28th St, Boise, made comments on requiring multiple architectural elements on all façades, glazing requirements, and overhead door placement limitations.

Watkins stated mitigations or exceptions will be presented to the Design Review Committee for approval (which meets the 3rd Monday of every month), and that keeping certain requests at staff level would expedite the process to allow the applicant to proceed with the building permit process more quickly. Watkins noted the code change regarding overhead doors is due to the comments received about the size and visibility of the loading docks from Franklin Blvd for the Fuller 84 project.

Turner emphasized that Planning & Zoning staff was being given direction on these code changes and this seemed to be the best option at this point in time. Watkins stated code changes are made every 6 months and, if some of the elements do not seem to be working, can be readdressed in a future code change.

Meggan Manlove, 11116 West Mission Point Drive, Nampa, stated she is a member of the Design Review Committee and in favor of the code changes.

Moved by Kirkman and seconded by Garner to close public hearing. Motion carried.

Moved by Kirkman and seconded by Kehoe to recommend to City Council approval of the item with all findings as presented in the staff report. Motion carried.

Meeting adjourned at 7:59 pm.

Rodney A. Ashby, AICP
Planning & Zoning Director
:kh

HEARING #1 FEBRUARY 14, 2023 6:00 PM

Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 0, 0, & 1121 Southside Blvd (Parcels #R3230700000, R3230800000, R3230701000, totaling 3.39 acres and located in the NE ¼ of Section 35, T3N, R2W, BM, Nampa), for Centurion Engineers, representing Francis Pearce (ANN-00259-2022). Original Concept: Annex all three parcels for a subdivision to be applied for at a future date.

(Please sign up in the appropriate section below if you are for, against or undecided regarding the proposal, and indicate if you wish to speak regarding your position on the proposal. At the beginning of the hearing the Chair may establish a time limit to be observed by all speakers.)

For Proposal – PRINT LEGIBLY

Name Address I wish to Speak (Yes/No)

Tom Maile	885 W. Rush Engd Rd	yes
Francis Pearce	1211 So Side Blvd, Nampa	

Against Proposal – PRINT LEGIBLY

Name Address I wish to Speak (Yes/No)

MARK BRINKOETTER	3144 2ND ST. S.	YES
------------------	-----------------	-----

Undecided Regarding Proposal - PRINT LEGIBLY

Name Address I wish to Speak (Yes/No)

MAGGIE & WALT MODLER	2800 Taylor Ct.	YES -
----------------------	-----------------	-------

HEARING #5 FEBRUARY 14, 2023 6:00 PM

Conditional Use Permit for Concrete Batching & Mixing for Sunroc Corporation in a IL (Light Industrial) zoning district at 39 N Picard Ln (a 7.83 acre parcel #R3174500000 located in the SE ¼ of Section 24, T3N, R2W, BM) for Sunroc Corporation, representing Thomas V. Hines (CUP-00303-2022).

(Please sign up in the appropriate section below if you are for, against or undecided regarding the proposal, and indicate if you wish to speak regarding your position on the proposal. At the beginning of the hearing the Chair may establish a time limit to be observed by all speakers.)

For Proposal – PRINT LEGIBLY

Name	Address	I wish to Speak (Yes/No)
ANDREW PHELPS	10340 HWY 2726, CADIZ, MO	No

Against Proposal - PRINT LEGIBLY

Name	Address	I wish to Speak (Yes/No)

Undecided Regarding Proposal - PRINT LEGIBLY

Name	Address	I wish to Speak (Yes/No)