



Planning & Zoning Department

Planning & Zoning Commission Meeting

November 10, 2015

Staff Report – Public Hearing #2

To: Planning & Zoning Commission

Applicant: John Low

File No: ZMA 018-16

Prepared By: Norman L. Holm

Date: July 18, 2016

Requested Action: Rezone from RS 8.5 (Single Family Residential – 8,500 sq ft) to RA (Suburban Residential)

Status of Applicant: Owner of 17155 Star Rd and representative of other owners

Existing Zoning: RS 8.5 (Single Family Residential – 8,500 sq. ft.)

Proposed Zoning: RA (Suburban Residential)

Owner/Address/Location/Size: John Low – 17155 Star Rd – R30375 – 5 acres
Robert Bruno – 17175 Star Rd – R30375010 – 5.001 acres
David Brenneman – 0 Star Rd – R30375012 – 5.001 acres
Michael Dudley – 0 Star Rd – R30375011 – 4.354 acres
Add Ventures – 0 Cherry Lane – R30380 – 7.713 acres

Size of Property(s): Approximately 27.069 acres

Existing Land Use: Undeveloped farm land

GENERAL INFORMATION

Planning & Zoning History: Annexed and zoned RS 8.5 for Subdivision Development in 2006.

Proposed Land Uses: Owner is requesting the zoning change to accommodate conversion from previously planned smaller subdivision lots to the larger existing 4 acre+ parcels for rural residential use with planned large animal raising activity.

Surrounding Land Use and Zoning:

North- Agricultural, County AG

South- Rural Residential, County AG

East- Agricultural, County AG

West- Rural Residential - County AG, Agricultural - City RS 12

Comprehensive Plan Designation: Community Mixed Use Designation bordering Medium Density Residential Designation to the north. Zoning map amendment interpreted as being stretchable to include the subject area as a part of the adjacent Medium Density Residential designated area to the north.

Applicable Regulations: Rezones or zoning map amendments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and be in agreement with the adopted comprehensive plan for the neighborhood.

SPECIAL INFORMATION

Public Utilities:

No municipal sewer available

No municipal water available

No municipal irrigation available

Public Services: All present.

Transportation and Traffic: The property has frontage and access from Star Rd.

Environmental: The rezone would have little effect on the adjoining properties. The impact of downzoning the property from RS 8.5 to RA would have little or no impact on the neighborhood.

STAFF FINDINGS AND DISCUSSION

The requested rezone is appropriate. The parcel adjoins the Medium Density Residential Land Use Designation to the north making the rezone from RS 8.5 to RA compatible with the Future Land Use Map designation of Medium Density Residential.

If the Planning Commission votes to recommend to the City Council approval of the rezone the following findings are suggested:

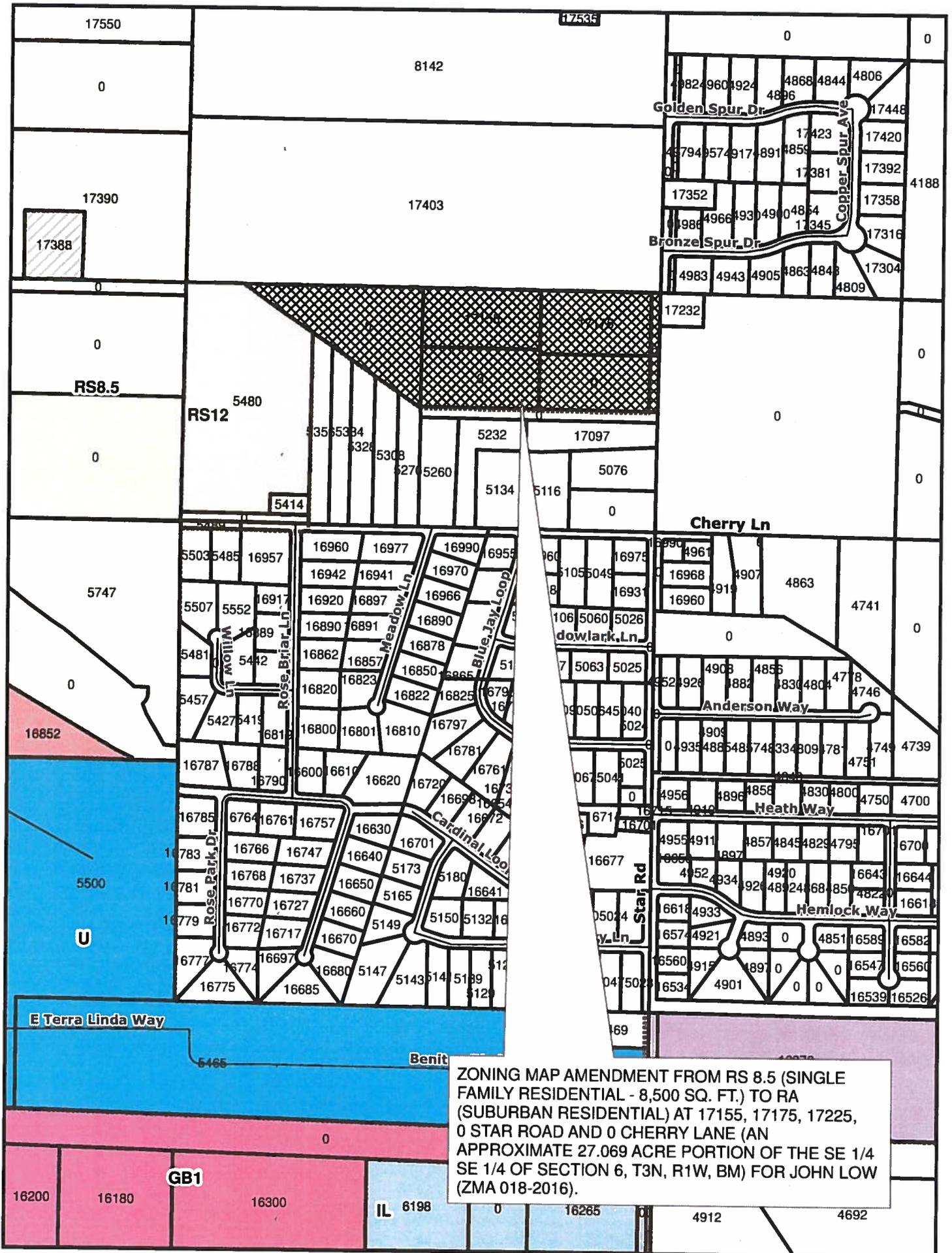
1. Rezone of the subject property to RA is reasonably necessary in order to allow the applicant to use the property as proposed.

2. Rezone of the subject property to RA is in the interest of the property owner(s) and conforms to the adopted comprehensive plan designation of Medium Density Residential use.
3. The proposed Rural Residential use of the subject property will be compatible with the existing Agricultural and Rural Residential uses established around the area.
4. The use of a development agreement to establish any conditions for the rezone of the property serves no purposes.

At the date of this memo I have received no statements of opposition or support from any property owners or residents in or around the area.

ATTACHMENTS

Application
Zoning and location map
Aerial photo
Application
Property descriptions
Agency and other correspondence



ZONING MAP AMENDMENT FROM RS 8.5 (SINGLE FAMILY RESIDENTIAL - 8,500 SQ. FT.) TO RA (SUBURBAN RESIDENTIAL) AT 17155, 17175, 17225, 0 STAR ROAD AND 0 CHERRY LANE (AN APPROXIMATE 27.069 ACRE PORTION OF THE SE 1/4 SE 1/4 OF SECTION 6, T3N, R1W, BM) FOR JOHN LOW (ZMA 018-2016).



Star Rd

Bronze

North



APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP

City of Nampa, Idaho

7/26/16 PZ
Norm

This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by a nonrefundable fee of \$406.00 (for 1 acre or less), and \$811.00 (for more than 1 acre) for a map amendment; or \$213.00 for a text amendment.

Name of Applicant/Representative: John Low Phone: 208-891-6436

Address: 4921 Cresthaven Dr. City: Boise State: ID Zip Code: 83704

Applicant's interest in property: (circle one) Own Rent Other _____ (208-949-1264)

Owner Name:s: John Low (208-891-6436) Michael Dudley (702-301-1820) Robert Bruno (208-938-2357) Ben Wright for ADD Ventures

Address: Low: 4921 Cresthaven Dr., Boise, ID Dudley: 1411 S. Secretariat Way, Nampa, ID 83686
Bruno: 947 E. Winding Creek Dr., Eagle, ID 83616 Wright/Add Ventures: 13127 West Pala Mesa Drive, Boise, ID 83713

Address of subject property: 17175 Star Rd and 17155 Star Rd, Nampa, ID 83687

Is a copy of one of the following attached? (circle one) Warranty Deed Proof Of Option Earnest Money Agreement

Subject Property Information

(Please provide one form of the following REQUIRED DOCUMENTATION to complete the amendment):

Original Legal description of property AND a legible WORD formatted document. (Must have for final recording)
Old or illegible title documents will need to be retyped in a WORD formatted document

Subvission _____ Lot _____ Block _____ Book _____ Page _____

Project Description

From RS-8.5 to RA

State the zoning desired for the subject property: RA Suburban Residential ("to create a semirural environment w/ limited agricultural pursuits in close proximity to nonfarm dwellings with full urban services available.")

State (or attach a letter stating) the zoning amendment desired, text or map, and the reason for the change, together with any other information considered pertinent to the determination of the matter. In the case of a text amendment please attach the full text of the proposed amendment.

We wish to amend the zoning to RA so that the ordinance on the subject properties will allow 1 large animal per dedicated 10,000 square feet and will allow a structure(s) to shelter such animal(s) to occupy that dedicated animal space. It is understood that land square footage containing human dwellings and other non-animal structures will not be allowed to count toward the dedicated animal square footage.

Dated this 16 day of June, 20 16

Signature of applicant

NOTICE TO APPLICANT

This application will be referred to the Nampa Planning Commission for its consideration. The Planning Commission shall hold a public hearing on the application and will then make its recommendation to the City Council. The City Council will then hold a second public hearing. Notice of the public hearings must be published in the Idaho Press-Tribune 15 days prior to said hearings. In the case of map amendments notice shall also be posted on the premises not less than 1 week prior to the hearings and notices will be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearings and should be present to answer any questions.

For Office Use Only:	
File Number: 8031 _____ - 20 _____	Project Name: <u>Rezone RS-8.5 to RA</u>
<u>ZMA-018-2016</u>	

PROPERTY DESCRIPTION

FOR

JOHN LOW

PARCEL A

A parcel of land lying in a portion of the SE1/4 SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said parcel being more particularly described as follows:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin, being the POINT OF BEGINNING;

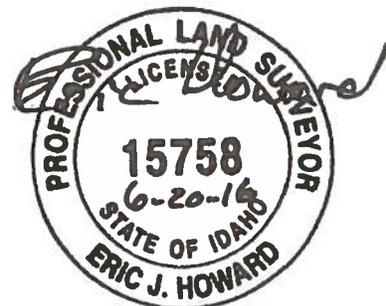
Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 352.97 feet to a 1/2" iron pin; Thence along the Southernly Easement Line, S.89°47'00"W. 614.60 feet to a 1/2" iron pin; Thence N.00°17'57"E. 356.08 feet to the Northerly Boundary Line of the SE 1/4 of the SE1/4 of said Section 6, marked by a 1/2" iron pin; Thence along the Northerly boundary line, S.89°55'35"E. 614.54 feet to the POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH:

A 50' (Fifty foot) Wide Access and Utility Easement being a Strip of Land Lying in a portion of the SE1/4 of the SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said Easement being more particularly described as follow:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin; Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 302.97 feet to the POINT OF BEGINNING;

Thence along the Northerly Easement Line, S.89°47'00"W. 1271.90 feet to a point; Thence S.00°18'43"W. 50.00 feet to a point; Thence along the Southerly Easement Line, N.89°47'00"E. 1271.95 feet to a 1/2" iron pin; Thence along the Westerly Right of Way Line of Star Road, N.00°15'39"E. 50.00 feet to the POINT OF BEGINNING.



PROPERTY DESCRIPTION

FOR

JOHN LOW

PARCEL B

A parcel of land lying in a portion of the SE1/4 SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said parcel being more particularly described as follows:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin; Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 352.97 feet to the POINT OF BEGINNING;

Thence along the Southerly Easement Line, S.89°47'00"W. 614.60 feet to a 1/2" iron pin; Thence S.00°17'57"W. 306.96 feet to the Southerly Boundary Line of the SE 1/4 of the SE1/4 of said Section 6, to a point; Thence along the Southerly boundary line, S.89°53'59"E. 614.79 feet to a point; Thence N.00°15'39"E 310.36 feet to the POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH:

A 50' (Fifty foot) Wide Road Easement being a Strip of Land Lying in a portion of the SE1/4 of the SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said Easement being more particularly described as follow:

Commencing at a point marking the E1/4 Corner of said Section 6, Thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin; Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 302.97 feet to the POINT OF BEGINNING;

Thence along the Northerly Easement Line, S.89°47'00"W. 1271.90 feet to a point; Thence S.00°18'43"W. 50.00 feet to a point; Thence along the Southerly Easement Line, N.89°47'00"E. 1271.95 feet to a 1/2" iron pin; Thence along the Westerly Right of Way Line of Star Road, N.00°15'39"E. 50.00 feet to the POINT OF BEGINNING.



PROPERTY DESCRIPTION

FOR

JOHN LOW

PARCEL C

A parcel of land lying in a portion of the SE1/4 SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said parcel being more particularly described as follows:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin; Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 663.35 feet to a point; Thence along the Southerly Boundary Line of the SE1/4 of the SE1/4 of said Section 6, N.89°53'59"W. 614.79 feet to the POINT OF BEGINNING;

Thence continuing along the Southerly Boundary Line of the SE1/4 of the SE1/4 of said Section 6, N.89°53'59"W. 657.39 feet to a point; Thence along the Westerly Boundary Line N.00°18'43"E. 331.29 feet to a 1/2" iron pin; Thence along Northernly Boundary Line S.89°55'38"E. 657.32 feet to a 1/2" iron pin; Thence S.00°17'57"W. 331.60 feet to the POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH:

A 50' (Fifty foot) Wide Road Easement being a Strip of Land Lying in a portion of the SE1/4 of the SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said Easement being more particularly described as follow:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin; Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 302.97 feet to the POINT OF BEGINNING;

Thence along the Northerly Easement Line, S.89°47'00"W. 1271.90 feet to a point; Thence S.00°18'43"W. 50.00 feet to a point; Thence along the Southerly Easement Line, N.89°47'00"E. 1271.95 feet to a 1/2" iron pin; Thence along the Westerly Right of Way Line of Star Road, N.00°15'39"E. 50.00 feet to the POINT OF BEGINNING.



PROPERTY DESCRIPTION

FOR

JOHN LOW

PARCEL D

A parcel of land lying in a portion of the SE1/4 SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said parcel being more particularly described as follows:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 664.64 feet to the POINT OF BEGINNING;

Thence continuing along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W 657.05 feet to a 5/8" iron pin; Thence along the Westerly Boundary Line S.00°18'43"W. 331.46 feet to a 1/2" iron pin; Thence along the Southerly Boundary Line, S.89°55'38"E. 657.22 feet to a 1/2" iron pin; Thence N.00°17'57"E. 331.44 feet to the POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH:

A 50' (Fifty foot) Wide Road Easement being a Strip of Land Lying in a portion of the SE1/4 of the SE1/4 of Section 6, T.3N., R.1W. Boise Meridian, Canyon County, Idaho, said Easement being more particularly described as follow:

Commencing at a point marking the E1/4 Corner of said Section 6, thence S.00°16'41"W., 1326.55 feet along the East line of said Section 6 to a 5/8" iron pin; Thence along the Northerly boundary line of the SE1/4 of the SE1/4 of said Section 6, N.89°55'35"W. 50.10 feet to the Westerly Right of Way Line of Star Road to a 5/8 iron pin; Thence along the Westerly Right of Way line of Star Road, S.00°15'39"W. 302.97 feet to the POINT OF BEGINNING;

Thence along the Northerly Easement Line, S.89°47'00"W. 1271.90 feet to a point; Thence S.00°18'43"W. 50.00 feet to a point; Thence along the Southerly Easement Line, N.89°47'00"E. 1271.95 feet to a 1/2" iron pin; Thence along the Westerly Right of Way Line of Star Road, N.00°15'39"E. 50.00 feet to the POINT OF BEGINNING.



Landlocked Triangle

17175 Star Rd
Triangle

17175 Star Rd. (Parcel 1290A) Legal Description

A part of the Southwest Quarter of the Southeast Quarter, Section 6, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, lying North and East of the Ten Mile drain ditch, more particularly described as follows:

Beginning at the South quarter corner of Section 6; thence
South 89° 54' east 1320 feet along the section line to a point; thence
North 0° 15' East 655.81 feet along the East 1/16 line to the Real Point of Beginning; thence
North 0° 15' East 664.19 feet along the East 1/16 line to a point; thence
North 89° 54' West 997.64 feet along the South 1/16 line to a point; thence
South 56° 12' East 1197.06 feet along the centerline of the Ten Mile drain ditch to the REAL
POINT OF BEGINNING.

Memorandum

To: Planning and Zoning
Cc: Tom Points, P. E., City Engineer
Cc: Daniel Badger, P. E., Staff Engineer
Cc: Michael Fuss, P. E., MBA, Nampa City Public Works Director
From: Jim Brooks – Engineering Division
Date: July 14, 2016
Re: Zoning Map Amendment RS8.5 to RA
Applicant: John Low
Applicant Address: 4921 Cresthaven Drive, Boise, Idaho 83704
Parcel Addresses: 17155, 17175, 17255, 0 Star Road & 0 Cherry Lane

ZMA 018-16 for July 26, 2016 Planning & Zoning Meeting

The Engineering Division does not oppose the granting of this request.

Shellie Lopez

From: Neil Jones
Sent: Monday, June 27, 2016 8:27 AM
To: Shellie Lopez
Cc: Bret Caulder
Subject: RE: Zoning Map Amendment from RS 8.5 to RA / ZMA 018 16

Building Department has no conditions at this time.

Neil Jones

Plans Examiner Supervisor

P: 208.468.5492 F: 208.468.4494

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

From: Shellie Lopez
Sent: Wednesday, June 22, 2016 9:14 AM
To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Carl Miller <CMiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooks@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsrr@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tina Fuller <tfuller@compassidaho.org>; Tom Laws <tlaws@compassidaho.org>; Vickie Holbrook <holbrookv@cityofnampa.us>
Subject: Zoning Map Amendment from RS 8.5 to RA / ZMA 018 16

Good Morning! ☺

ZMA 018-16:

John Low has requested a Zoning Map Amendment from RS 8.5 (Single Family Residential - 8,500 sq. ft.) to RA (Suburban Residential) at 17155, 17175, 17225, 0 Star Road and 0 Cherry Lane (An approximate 27.069 acre portion of the SE 1/4 SE 1/4 of Section 6, T3N, R1W, BM).

The applicant will go before the Planning and Zoning Commission as a public hearing item on the July 26, 2016 agenda.

Please find attached ZMA 018-16 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than July 14, 2016.

Thank you & have a great day!