



Planning & Zoning Department

Before the Planning & Zoning Commission

October 11, 2016

STAFF REPORT – PUBLIC HEARING #2

Zoning Map Amendment from RD (Two-Family Residential) to BC (Community Business) for Adam Garcia Representing Angel Navarrete

To: Planning & Zoning Commission

Applicant: Adam Garcia Representing Angel Navarrete

File No: ZMA 021-16

Prepared By: Norman L. Holm

Date: September 27, 2016

Requested Action: Zoning Map Amendment (Rezone) from RD (Two-Family Residential) to BC (Community Business)

Status of Applicant: Owner

Existing Zoning: RD (Two-Family Residential)

Proposed Zoning: BC (Community Business)

Location: 320 11th Ave. No.

Size of Property: Approximately .604 acre or 26,312 sq. ft.

Existing Land Use: Existing partially developed Commercial/Residential property

GENERAL INFORMATION

Planning & Zoning History: The property at 324 11th Ave. No. (Also owned by the applicant) is zoned BC and is the current location of the Aguililla Restaurant. The applicant also owns the

Starlite Motel to the south. The motel area (320 11th Ave. No.) is a portion of the property seeking rezone, which is already zoned BC. The house and yard area portion of the 320 11th Ave. No. location to the southeast with frontage on 4th Street North is zoned RD and is the subject of the requested rezone from RD to BC.

Proposed Land Uses: The owner/applicant is requesting a zoning change for the balance of the property from RD to BC in order to accommodate construction of the new Aguililla Restaurant.

Surrounding Land Use and Zoning:

North- Commercial, BC
South- Commercial & Residential, BC and RD
East- Residential, BC
West- Commercial, BC

Comprehensive Plan Designation: Community Mixed Use Designation bordering Medium Density Residential Designation to the east and west. The requested zoning map amendment interpreted being in compliance with the Community Mixed Use designation.

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:

12" sewer main available in 4th St. No.
6" water main available in 4th St. No.
2" irrigation main available in 4th St. No. and 3" irrigation main available in 11th Ave. No.

Public Services: All present.

Transportation and Traffic: The property has frontage and access 11th Ave. No. and 4th St. No.

Environmental: The rezone would have little effect on the adjoining properties. Rezoning of the balance (Approximately 50%) of the lot from RD to BC should have little or no impact on the neighborhood.

STAFF FINDINGS AND DISCUSSION

The requested rezone is appropriate. The parcel has a Community Mixed Use designation on the Comprehensive Plan future land use map. The requested zoning map amendment interpreted being in compliance with the Community Mixed Use designation.

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 BC is reasonably necessary in order to allow the applicant to use the property as proposed.
2. Rezone of the subject property to BC is in the interest of the property owner(s) and conforms to the adopted comprehensive plan designation of Community Mixed Use.
3. The proposed Commercial use of the subject property will be compatible with the existing Commercial uses established along 11th Avenue North.
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 and letter
Zoning and location map
Aerial photo
Site Plan
Perspective building drawing from 11th Ave No
Agency and other correspondence



APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP

City of Nampa, Idaho

10-11-16 REZ
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: Adam Garcia Phone: 208-465-3419

Address: 1307 N. 39th St. Suite 103 City: Nampa State: Idaho Zip Code: 83687

Applicant's interest in property: (circle one) Own Rent Other

Owner Name: Angel Navarrete & Nora Navarrete Phone: 208-283-6915

Address: 324 11th Ave. N. City: Nampa State: Idaho Zip Code: 83687

Address of subject property: 320 11th Ave. North. Nampa, Idaho 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

Subdivision Mrs. J Posts Sub. Lot 8-10 Block 104 Book Page

Project Description

State the zoning desired for the subject property: Commercial

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.

Rezone the property from residential to commercial for the construction of a restaurant.

Dated this 07 day of September, 20 16

Angel Navarrete 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: 2MA REZ 021 - 20 16 Project Name: Rezone to allow a Restaurant

HOUSTON • BUGATSCH
ARCHITECTS, CHARTERED

September 8, 2016

City of Nampa Planning and Zoning
411 3rd St. S.
Nampa, ID 83651

Dear City of Nampa Planning and Zoning,

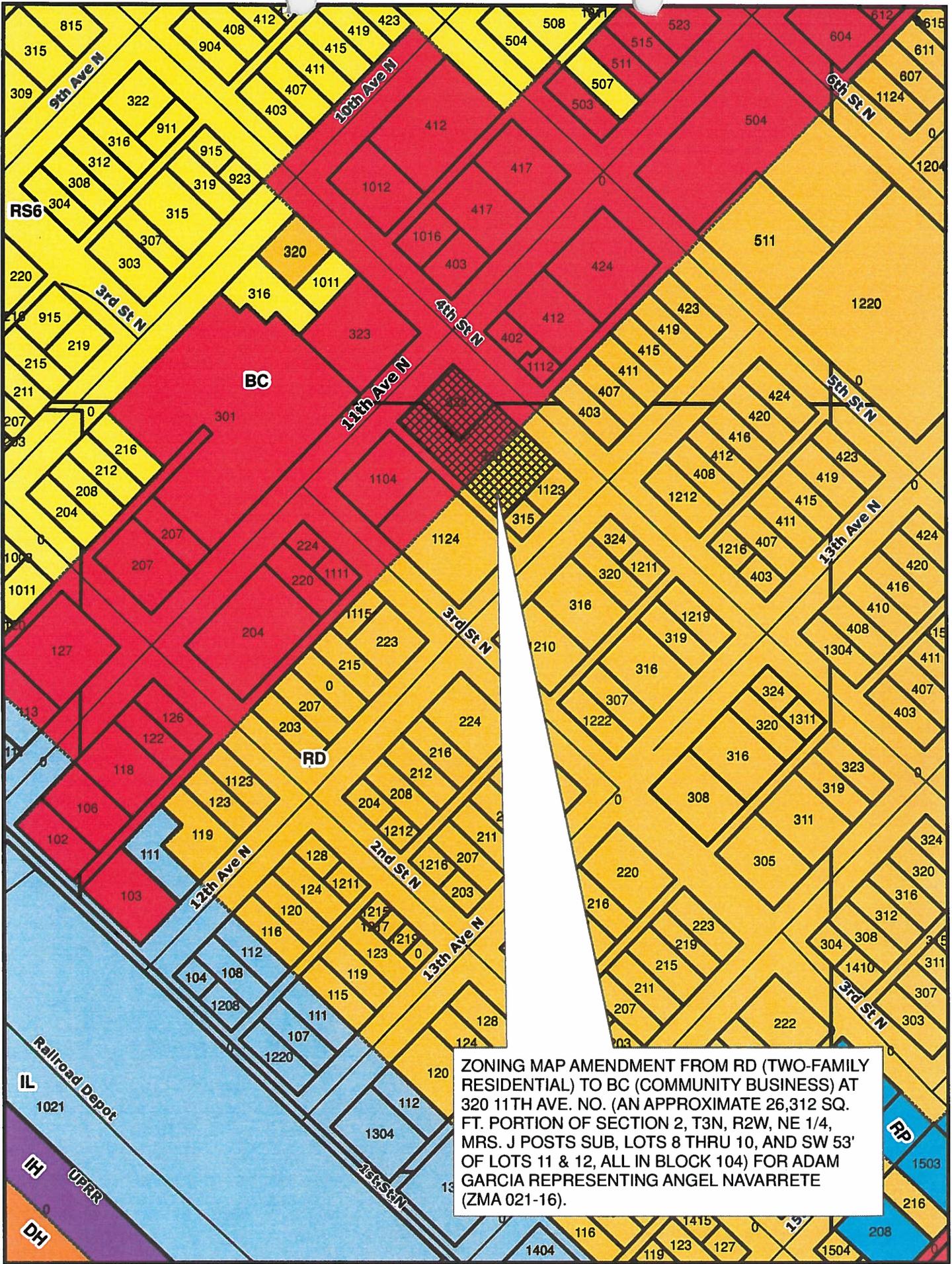
On behalf of my clients Angel and Nora Navarrete, I am requesting rezoning from Residential to Commercial for the property located at 320 11th Ave. North Nampa, Idaho 83687. The purpose for rezoning the property is to replace the existing residence with a restaurant.

Attached you can find the site plan with the proposed building footprint and site layout.

Sincerely,



Adam Garcia
Houston-Bugatsch Architects, Chtd.



ZONING MAP AMENDMENT FROM RD (TWO-FAMILY RESIDENTIAL) TO BC (COMMUNITY BUSINESS) AT 320 11TH AVE. NO. (AN APPROXIMATE 26,312 SQ. FT. PORTION OF SECTION 2, T3N, R2W, NE 1/4, MRS. J POSTS SUB, LOTS 8 THRU 10, AND SW 53' OF LOTS 11 & 12, ALL IN BLOCK 104) FOR ADAM GARCIA REPRESENTING ANGEL NAVARRETE (ZMA 021-16).



4th St N

320

324

23th Ave N

NORTH

NOT FOR CONSTRUCTION

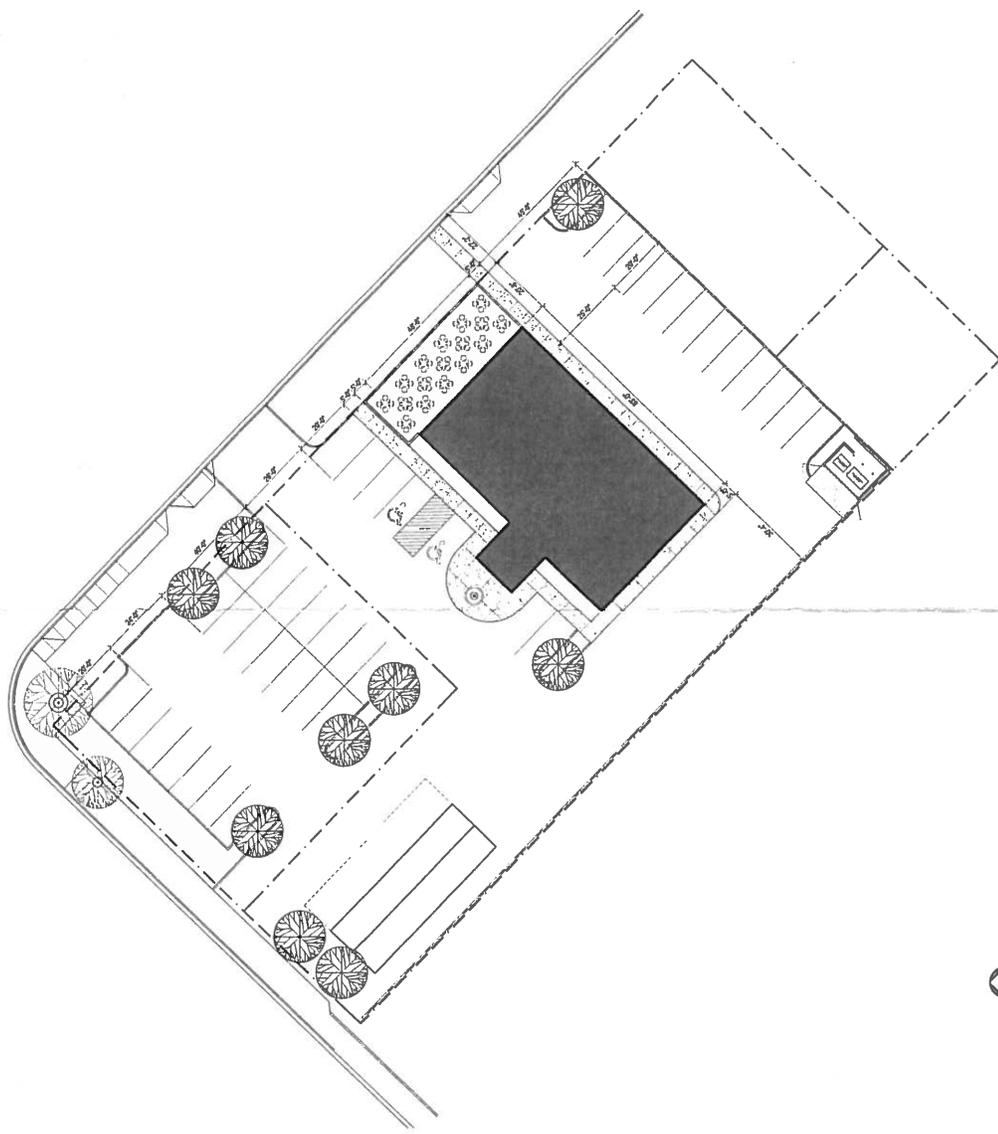
DATE: 05/20/16

PROJECT: AGUILILLA RESTURANT

324 11th AVE. NORTH
 Nampa, IDAHO 83687

ARCHITECTS, CHARTERED
 1307 N. 29TH STREET
 BOISE, IDAHO 83702
 PH: (208) 466-3419 FAX: (208) 442-3942

Drawn by	DA
Checked by	DS/2016
Scale	AS
Plot No.	16017
Issued for	OWNER
Sheet No.	01



SITE PLAN
 SCALE: 1" = 20'-0"
 NORTH



HOUSTON • GUGATSI CHI
ARCHITECTS, CHARTERED

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: September 28, 2016
Re: Rezone from RD to BC to demolish existing residence and construct a restaurant
Applicant: Adam Garcia representing Angle & Nora Navarrete
Applicant Address: 1307 Nor. 39th St. Ste. 103
Parcel Addresses: 320-11th Avenue North

ZMA 021-16 for October 11, 2016 Planning & Zoning Meeting

The Engineering Division does not oppose the granting of this request. However, note that the parcel lies within the 100-year flood zone of Indian Creek. With construction or expansion of any existing building or structure will be require compliance with Title 4, Chapter 9 of the City of Nampa's Municipal Code.



Shellie Lopez

From: Neil Jones
Sent: Wednesday, September 14, 2016 4:20 PM
To: Shellie Lopez
Cc: Bret Caulder
Subject: RE: Rezone from RD to BC / 320 11th Ave N / ZMA 021-16

Building Department has no conditions on the Rezone.

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, September 14, 2016 3:43 PM
To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Bret Caulder <caulderb@cityofnampa.us>; Carl Miller <cmiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eddy Theil <eddy@nampahighway1.com>; Eric Shannon <eric@nampahighway1.com>; 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>; Tom Points <pointst@cityofnampa.us>; Vickie Holbrook <holbrookv@cityofnampa.us>
Subject: Rezone from RD to BC / 320 11th Ave N / ZMA 021-16

Good Afternoon!

ZMA 021-16:

Adam Garcia, representing Angel Navarrete has requested a Zoning Map Amendment from RD (Two Family Residential) to BC (Community Business) at 320 11th Ave. No. (An approximate 26,312 sq. ft. portion of Section 2, T3N, R2W, NE 1/4, Mrs. J Posts Sub, Lots 8 thru 10, and SW 53' of Lots 11 & 12, all in Block 104).

This application will go before the Planning and Zoning Commission as a public hearing item on the October 11, 2016 agenda.

Please find attached **ZMA 021-16** file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than September 28, 2016.

Have a great day!

Sylvia Mackrill

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Thursday, September 15, 2016 9:05 AM
To: Sylvia Mackrill
Subject: ZMA 021-16 Adam Garcia Rezone

Good Morning Sylvia,

The Nampa Highway District #1 has no objection to the Rezone from RD to BC at 320 11th Ave. No. for Adam Garcia, representing Angel Navarrete as it is not within the Highway District's jurisdiction.

If you have any questions or comments feel free to contact us.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 Highway 45. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916



ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH

NAMPA, IDAHO 83651-4395

FAX # 208-463-0092

September 29, 2016

Phones: Area Code 208

Norman L. Holm
City of Nampa
411 3rd St.
Nampa, ID 83651

OFFICE: Nampa 466-7861
SHOP: Nampa 466-0663

RE: ZMA021-16/ Adam Garcia; 320 11th Avenue North

Dear Norm:

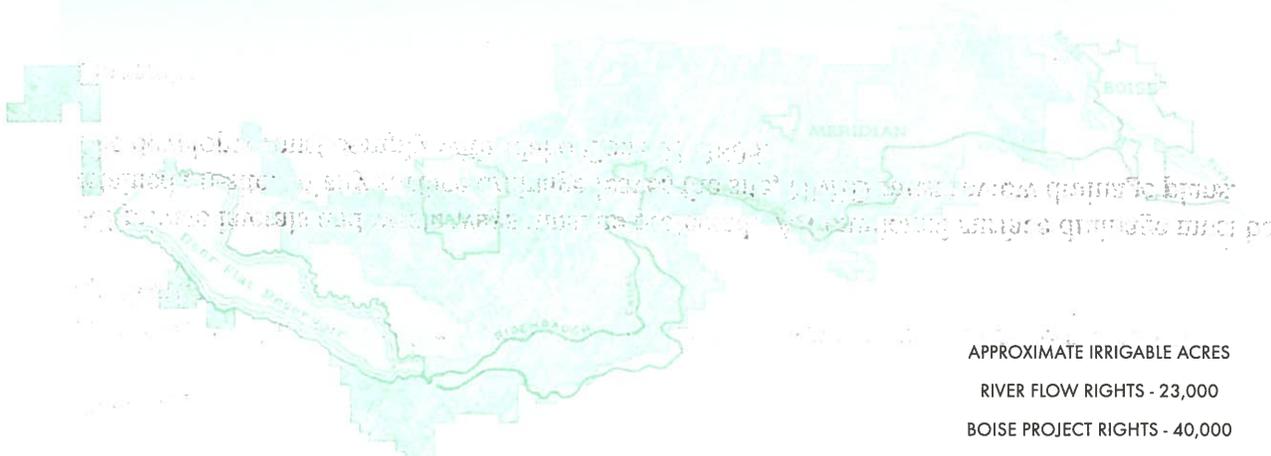
Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

Greg G. Curtis
Water Superintendent
Nampa & Meridian Irrigation District
GGC/gnf

PC: Office/File



APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000