PLANNING & ZONING DEPARTMENT

Before the Planning & Zoning Commission
Meeting of 25 JUNE 2019

PUBLIC HEARING ITEM NO. 4
STAFF REPORT

Analyst: Doug Critchfield, Senior Planner
Applicant: Gavin King
File(s): CMA-00046-2019

Requested/Needful Action Approval(s)/Recommendation(s):

1. Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential (4 - 9 dwelling units per acre) to High Density Residential (greater than 9 units per acre)

Pertaining to:
One (1) parcel of land located at 525 E. Greenhurst Rd. totaling some 2.91 acres of county land positioned in the NW ¼ of Section 03, T2N, R2W, Boise Meridian, Canyon County, Nampa (hereinafter the "Property")...

History:
The property is in Canyon County. It is an enclaved parcel surrounded by RD zoning to the south and west, county land to the east and RS6 to the north. The applicant attempted to annex and zone the property to RD (two-family residential) at the May 18, 2017 Planning and Zoning Commission meeting. The request was denied. On June 5, 2017, the City Council upheld the denial citing incompatibility with adjoining lands and lack of open space planned within the development.

COMPREHENSIVE PLAN

Idaho state law requires the Planning and Zoning Commission to develop a comprehensive plan that considers previous and existing conditions, trends, compatibility of land uses, desirable goals and objectives, or desirable future situations for each planning component. The law requires that a map shall be prepared indicating suitable projected land uses for the jurisdiction (67-6508(e)). The City of Nampa prepared the 2035 Comprehensive Plan and Future Land Use Map that was adopted in 2012. Unlike zoning codes, the Future Land
Use Map is somewhat flexible and subject to changes that the Planning and Zoning Commission and City Council may desire to periodically impose.

STAFF ANALYSIS

The Property is currently positioned in a "Medium Density Residential" setting and is comprised of (1) parcel. Per the 2035 Comprehensive Plan, this land use setting includes a density ranging from 4 – 9 residential dwelling units per acre. Zoning designations that would be appropriate in this land use setting include RS (Single-Family Residential) and RD (Two-Family Residential).

The Applicant seeks conversion of the lower density residential setting assigned to the Property to "High Density Residential", which would accommodate a higher density zoning designation such as RP (Residential Professional), RML (Limited Multi-Family), and/or RMH (High-Density Multi-Family). The Applicant stated in their application that the reason for requesting the change was due to a scarcity of RML zoning in the area.

Staff reviewed the Future Land Use Map and Zoning Designations in proximity to the Property. The Future Land Use Map shows large areas of High-Density Residential settings adjacent to General Commercial, Parks and Public settings. Within these High-Density Residential settings, large parcels have been zoned RP, BC, RML and RMH.

The Property lies within a Medium Density Residential Land Use setting. Parcels immediately adjacent to the Property are zoned RS-6 (Single-Family Residential 6,000 sq. ft. minimum lot size) and RD (Two-Family Residential with a 7,000 sq. ft. minimum lot size).

Staff suggests that a change to the future land use setting of the Property to High Density Residential would be incompatible with adjacent land use settings.

RECOMMENDED CONDITIONS OF APPROVAL

Should the Commission vote to recommend to the City Council that they approve the requested Comprehensive Plan Map Amendment, as desired by the Applicant, then Staff would recommend that the Commission consider recommending imposition of the following Condition(s) of Approval against the requests/Applicant(s):

1. <Any condition(s) as the Commission concludes befit(s) the application package...>

ATTACHMENTS

- Copy of Variance Permit Application (page 3)
- Copy of Current Zoning and Comprehensive Plan Map (Page 4)
- Copies of agency and staff correspondence (Pages 5 – 10)
- Copy of June 13, 2017 City Council Decision Letter correspondence to Gavin King, authored by Norman Holm, Planning Director (Page 11)
525 E Greenhurst Rd

Current Zone

Comp Plan
Shellie Lopez

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, June 03, 2019 6:49 AM
To: Shellie Lopez
Subject: [External] RE: CMA-00046-2019

Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

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

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Sunday, June 2, 2019 6:18 PM
Subject: CMA-00046-2019

Good afternoon! ☺

RE: CMA-00046-2019

Gavin King has requested a Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to High Density Residential at 525 E. Greenhurst Rd. (A 2.90-acre parcel of land and Tax 3, Tax 5, and Tax 6, Lot 3, Asselins Subdivision in the NW 1/4, Section 3, T2N, R2W, BM).

This application is scheduled to go before the Planning and Zoning Commission as a public hearing item on the June 25, 2019 agenda.

Please find attached the CMA-00046-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) prior to June 11, 2019.

Thank you & have a great day!

Shellie A. Lopez, Planning Administrative Specialist
O: 208.468.4487, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook
Building Department has no conditions at this time.

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From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Sunday, June 02, 2019 6:18 PM
Subject: CMA-00046-2019

Good Afternoon! 😊

RE: CMA-00046-2019

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Thank you & Have a great day!
I found no code violations at this property.

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From: Soyla Reyna <reynas@cityofnampa.us>
Sent: Tuesday, June 04, 2019 9:51 AM
To: Carol Shackelford <shackelfordc@cityofnampa.us>
Subject: FW: CMA-00046-2019

CRM has been created.

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Sent: Sunday, June 2, 2019 6:18 PM
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Thank you & Have a great day!
RE: CMA-00046-2019/525 E. Greenhurst Road

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the request to change comprehensive plan future land map amendment. However, please be advised NMID’s Bray Lateral has a minimum easement of fifty five feet (55’) total, thirty feet (30’) left and twenty five feet right (25’) from centerline each side at this location.

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 will need to review drainage plans. The developer must comply with Idaho Code 31-3805.

Please feel free to contact me with any further questions.

Sincerely,

[Signature]

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

Cc: Office/ file
Good morning,
ITD has received application CMA-00046-2019 for review and has no comments.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

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RE: CMA-00046-2019

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Thank you & Have a great day!

Shellie A. Lopez, Planning Administrative Specialist
O: 208.468.4487, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook
Date: June 11, 2019

Rev:

To: Planning and Zoning

Cc: Daniel Badger, P.E., Nampa City Engineer
Cc: Tom Points, P. E., Nampa City Public Works Director

From: Caleb LaClair, P.E.

Applicant: Gavin King

Owner: Michael Kruse

Property Address: 525 E Greenhurst Road

Re: CMA-00046-2019 – Comp Plan change from MD Res to HD Res

The Engineering Division has no comments or conditions related to this application.
June 13, 2017

Gavin King
1910 Sunny Ridge Road
Nampa, ID 83686

Subject: Request for Reconsideration of City Council denial of Annexation and Zoning to RD (Two-Family Residential) at 525 E. Greenhurst Rd. (A 2.90 acre parcel of land located in Section 3, T2N, R2W, BM, NW 1/4, Asselins Subdivision, Tax 3, Tax 5, and Tax 6, Lot 3 - ANN 048-17).

Dear Mr. King:

The following is the decision of the Nampa City Council on your Request for Reconsideration submitted on May 18, 2017 and considered at their June 5, 2017 City Council Meeting.

The City Council voted to deny your reconsideration request at its discretion solely based on the written request for reconsideration. As such the City Council accepted the Planning & Zoning Commissions’ March 28th recommendation for denial. This letter will stand as the Findings of Fact, Conclusions of Law and Decision required by Idaho Code Section 67-6535. The City Council found the following concerning your requested annexation and zoning:

1. The proposed annexation is part of a 6-parcel approximately 12.14-acre enclaved area to the east of this parcel along the south side of E. Greenhurst Rd.
2. The area can reasonably be assumed to be available for the orderly development of the city with the city limits having grown into the area and the adjacent lands have been annexed and developed.
3. The property owner desires annexation to construct a medium density residential development within the area connected to city services.
4. The City Council concurred with the Planning & Zoning Commission’s concern over the increased density of the proposed development in relation to the River Oaks subdivision on the west, and the lower density of the enclaved rural residential parcels to the east.
5. In addition, the City Council concurred with the Planning & Zoning Commission’s concern over the lack of open space planned within the proposed development.

Accordingly, the City Council denied your requested Annexation and Zoning to RD. Should you have questions, feel free to contact me at 465-2224.

Sincerely,

Norman L. Holm, Planning Director
CITY OF NAMPA