Zoning Map Amendment from RML to IL for 2.38 acres at 1504 Garrity Blvd. for Loni R. Monson (ZMA 108-19).

To: Planning & Zoning Commission

Applicant: Loni R. Monson
Status of Applicant: Representative of Owner

Owner: Solsbury Hill Land Co. LLC
File No: ZMA 108-19
Prepared By: Norman L. Holm
Date: June 14, 2019

Requested Action: Zoning Map Amendment (Rezone) from RML (Limited Multiple-Family Residential) to IL (Light Industrial).

Existing Zoning: RML (Limited Multiple-Family Residential)
Proposed Zoning: IL (Light Industrial)

Location: 1504 Garrity Blvd.
Size of Property: A 2.38 acre or 103,673 sq. ft. portion of the NE ¼ NW ¼ of Section 23, T3N, R2W, BM

Existing Land Use: Existing developed Industrial property.

GENERAL INFORMATION

Planning & Zoning History: The property was originally owned by the City of Nampa and part of the old Snake River Stampede complex. Pipco purchased the property from the City of
Nampa shortly after the Snake River Stampede Rodeo was relocated to the Idaho Center location.

The applicant indicates that they want to build a new building to replace the old one they purchased from the City. Staff is uncertain as to when and why the parcel was originally zoned RML, or how and when Pipeco was allowed to occupy the original building for industrial purposes.

**Proposed Land Uses:** No change in use is proposed, just the construction of a new building for the same Pipeco business. The rezone to IL is required in order for the land to be properly zoned for continued use/occupancy in the proposed new building.

**Surrounding Land Use and Zoning:**
North- Snake River Elementary and associated City Park land, RML (Limited Multiple-Family Residential) and RA (Suburban Residential)
South- Lakeview Park, RS 6 (Single Family Residential – 6,000)
East- Commercial/Industrial, IL (Light Industrial) and BC (Community Business)
West- Stampede Ball Park, Boys & Girls Club Commercial, RML (Limited Multiple-Family Residential)

**Comprehensive Plan Designation:** Parks, but adjacent Public, High Density Residential and Industrial. The requested zoning map amendment from RML to IL therefore complies with the adjacent Light Industrial designation to the east under the map note: "The mapped boundary between two adjoining land use designations is considered flexible and may be interpreted as being stretchable to include the abutting parcels in the direction of either 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 agree with the adopted comprehensive plan for the neighborhood.

### SPECIAL INFORMATION

**Public Utilities:**
10" sewer main located in N Sugar St. across the Railroad to the east.
6" water main located in Garrity Blvd. with a 3" line into the subject property.
6" irrigation main located in the adjacent city owned property to the north and along the southside of Garrity Blvd. to the south.

**Public Services:** All present.

**Transportation and Traffic:** The property has frontage on and access to Cavalry St. on the west side.

**Environmental:** The rezone to IL would have little effect on the adjoining properties. The adjoining property to the east across the railroad is zoned IL, and surrounding land uses are reasonably compatible with the proposed industrial zoning.
STAFF FINDINGS AND DISCUSSION

The requested rezone is appropriate. The parcel is interpreted to have a Light Industrial use designation on the Comprehensive Plan future land use map as noted above. The requested zoning map amendment is therefore interpreted as complying.

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 IL is reasonably necessary in order to allow the applicant to obtain the required land use entitlement for a new building for the Irrigation Pipe Supply business.
2) Rezone of the subject property to IL is in the interest of the property owner and is interpreted as conforming with the comprehensive plan future land use map designation of Light Industrial.
3) The proposed Irrigation Pipe Supply business use of the subject property will be compatible with the existing commercial/industrial uses in the immediate area.
4) The use of a development agreement to establish any conditions for the requested zoning amendment serves no purposes.

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

ATTACHMENTS

1) Application (Page 4)
2) Zoning and location map (Page 5)
3) Comprehensive Plan Future Land Use Map for the area (Page 6)
4) Aerial view photo of the area (Page 7)
5) Street view photo of the property from Garrity Blvd. (Page 8)
6) Record of survey map and legal description (Pages 9-11)
7) Agency and other correspondence (Pages 12+)
APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651
P: (208) 465-4487 F: (208) 465-2261
Nonrefundable Fee: $406.00 (1 acre or less) Nonrefundable Fee: $811.00 (more than 1 acre)
Or $213.00 for a text amendment

Nonrefundable Fee: $406.00 (1 acre or less)
Nonrefundable Fee: $811.00 (more than 1 acre)

Completed Application

1. Warranty Deed
2. Proof of Option
3. Earnest Money Agreement
4. Signed & Notarized Affidavit of Legal Interest (attached). Form must be completed by the legal owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to show that the person signing is an authorized agent).
5. Original Legal description of property AND a legible WORD formatted document with Closure Calcs. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

Project Description

State the zoning desired for the subject property: **IL - LIGHT INDUSTRIAL**

State (or attach a letter stating) the reason for the proposed 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 are wanting to build a new building to replace old one we bought from City of Nampa.**

Dated this **20th** day of **May**, 2019

[Signature]

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 a text amendment 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.

OFFICE USE ONLY

FILE NUMBER: ZMA_108_2019

PROJECT NAME: Rezone from BML to IL

12/11/13 Revised
Page 4
1504 Garrity Blvd

Zoning Map Amendment:
Rezone from Residential Multi Family to Light Industrial

ZMA-00108-2019
6/4/2019

Visit Planning & Zoning at cityofnampa.us for more info.
The recording of this Record of Survey does not enable the owners of the Parcels to convey ownership based solely on this map. A written conveyance must accompany such change in ownership. This Record of Survey does not serve as a legal description for the property shown on this map.

This drawing does not necessarily show all of the physical features of the property. Mason & Stenfield, Inc. assumes no liability for present or future compliance or non-compliance with governing jurisdictions restrictions pertaining to building permits, vehicle access permits or septic permits.
FOR:       Nampa Economic
JOB NO.:   OC1016
DATE:      January 08, 2019

PARCEL 1

A parcel of land being a portion of the NE1/4 NW1/4 of Section 23, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at the southeast corner of the NE1/4 NW1/4;

Thence N 89° 27' 55" W a distance of 260.00 feet along the south boundary of the NE1/4 NW1/4;

Thence N 00° 14' 44" E a distance of 5.50 feet parallel with the east boundary of the NE1/4 NW1/4 to the POINT OF BEGINNING;

Thence N 89° 27' 55" W a distance of 115.25 feet parallel with the south boundary of the NE1/4 NW1/4;

Thence N 42° 51' 06" W a distance of 24.58 feet;

Thence N 00° 12' 58" E a distance of 231.63 feet to the beginning of a curve;

Thence 98.98 feet along an arc to the right, with a 71.50 foot radius, having a central angle of 79° 19' 07", and a long chord of which bears N 39° 33' 35" E a distance of 91.27 feet;

Thence N 78° 54' 12" E a distance of 75.82 feet;

Thence N 00° 14' 44" E a distance of 51.15 feet;
Thence S 89° 27' 55" E a distance of 160.00 feet parallel with the south boundary of the NE1/4 NW1/4;
Thence S 00° 14' 44" W a distance of 386.84 feet parallel with the east boundary of the NE1/4 NW1/4;
Thence N 89° 27' 55" W a distance of 160.00 feet parallel with the south boundary of the NE1/4 NW1/4 to the POINT OF BEGINNING.

This parcel contains 2.38 acres more or less.

Also, this parcel is subject to all easements and rights-of-way of record or implied.
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: Loni R. Monson

Applicant Address: 223 Meadowbrook Dr, Nampa, Idaho 83686

Owner: Solsbury Hill Land Co. LLC

Owner Address: 5805 E 39th Street, Denver, CO 80207

Property Address: 1504 Garrity Blvd

Re: ZMA-00108-2019 - Rezone from RML to IL

The Engineering Division does not oppose the granting of the request.
June 7, 2019

Shellie Lopez  
City of Nampa  
411 3rd Street South  
Nampa, Idaho 83651  

VIA EMAIL

<table>
<thead>
<tr>
<th>Development Application</th>
<th>ZMA-00108-2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>PIPECO</td>
</tr>
<tr>
<td>Project Location</td>
<td>1504 Garrity Boulevard, north of I-84B milepost 59.88</td>
</tr>
<tr>
<td>Project Description</td>
<td>Zoning Map Amendment from RML (Limited Multiple-Family residential) to IL (Light Industrial) for approximately 2.38 acres. Applicant intends to replace the old building with a new one</td>
</tr>
<tr>
<td>Applicant</td>
<td>Lori Monson</td>
</tr>
</tbody>
</table>

The Idaho Transportation Department (ITD) reviewed the referenced zoning map amendment application and has the following comments:

1. This project abuts the State highway system.

2. No direct access to the State highway system is requested with this application and none is approved.

3. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.

4. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.

5. ITD does not object to the zoning map amendment as presented in the application.

If you have any questions, you may contact Ken Couch at (208) 332-7190 or me at (208) 334-8338.

Sincerely,

Sarah Arjona  
Development Services Coordinator  
Sarah.Arjona@itd.idaho.gov
RE: ZMA-00108-2019/ 1504 Garrity Boulevard

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application as no facilities are impacted and plans show storm water is retained on site.

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
GGC/ gnf

Ce: Office/ file
Building Department has no conditions at this time.

Neil Jones
Assistant Building Official
P: 208.468-5492 F: 208.468.4494
jonesn@cityofnampa.us
Department of Building Safety. Like us on Facebook

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Sunday, June 02, 2019 6:01 PM
Subject: ZMA-00108-2019

Good Afternoon! 😊

RE: ZMA-00108-2019

Loni R. Monson has requested a Zoning Map Amendment from RML (Limited Multiple-Family Residential) to IL (Light Industrial) for a 2.38 acre or 103,673 sq. ft. portion of the NE ¼ NW ¼ of Section 23, T3N, R2W, BM located at 1504 Garrity Blvd.

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 ZMA-00108-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) prior to June 11, 2018.

Thank you & Have a great day!
Good Morning Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

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Good Afternoon! ☺

**RE: ZMA-00108-2019**

Loni R. Monson has requested a Zoning Map Amendment from RML (Limited Multiple-Family Residential) to IL (Light Industrial) for a 2.38 acre or 103,673 sq. ft. portion of the NE ¼ NW ¼ of Section 23, T3N, R2W, BM located at 1504 Garrity Blvd.

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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
Dear Ms. Mackrill. Upon review of the Plat Review you sent us, our Engineering Team issued comments below with regard to this property owner request.

Thank you,

Les

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From: Walker, Brandy <Brandy.Walker@CenturyLink.com>
Sent: Thursday, June 13, 2019 3:06 PM
To: Gutierrez, Les <Les.Gutierrez@centurylink.com>
Subject: RE: Rezone Plat 1504 Garrity Blvd Nampa, ID. PROJECT # P816993

There is an existing easement between the two properties on which there are poles for idahopower and centurylink for services. The customer would need to pay for facility relocation of all those facilities if the easement is not going to be retained.

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From: Gutierrez, Les
Sent: Thursday, June 13, 2019 1:39 PM
To: Walker, Brandy <Brandy.Walker@CenturyLink.com>
Subject: FW: Rezone Plat 1504 Garrity Blvd Nampa, ID. PROJECT # P816993

Here is the first of four requests, Brandy.

Let me know if you have any questions.

Thank you,

Les

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From: Gutierrez, Les
Sent: Tuesday, June 11, 2019 3:23 PM
To: Garrett, James <James.Garrett@CenturyLink.com>
Subject: Rezone Plat 1504 Garrity Blvd Nampa, ID. PROJECT # P816993

Hello James, my name is Les Gutierrez and I am the new ROW-AGENT for the Idaho and Oregon markets.

NRE has been not tasked to work with local engineers in their market to do an initial review of the Plats then send to the local engineer in that market to advise if they see an issue with the proposed changes in the Plat. In this case it is a rezone and does not appear to affect our facilities, if you could look at the attachment in the survey portion to ensure you do have
any issues and get back to me that would be very much appreciated. Upon hearing back from you I will advise the jurisdiction we have no issues. Below is the detail in LeaseNet.

Request from City of Nampa Planning & Zoning Dept for plat review project (ZMA-00108-2019) at 1504 Garrity Blvd, Nampa, ID 83687. Owner/Applicant Name: Loni Monson; The final plat is scheduled as a business item on the Planning and Zoning Commission Agenda of June 25th, 2019. Please find attached the ZMA-00108-2019. file for your review and send all comments no later than June 11th, 2019. Reviewed request & attachments; verified via CTL wire center map & exchange spreadsheet the TCO, cost center, wire center id, wire center name, exchange & legacy company. Created LN records: added all information in overview section, project summary, contacts, comments, uploaded all attachments in documents section, edited the tasks & roles; assigned to PM: Mary Hutton & PM2: Mary Hutton; added project # to original email and moved to NRE June 2019 folder; sent email to advise project set-up complete & project #; added time in LN.6/11/2019 2:36:29 PMRhodes, Marcie

Thank you,

Les

Les Gutierrez
ROW AGENT
CenturyLink
Network Real Estate
Ofc  505-767-7440
Cell  505-710-2079
Fax  505-245-6733
Les.Gutierrez@centurylink.com

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