Before the Planning & Zoning Commission
July 9, 2019

STAFF REPORT – PUBLIC HEARING #1

Zoning Map Amendment from BC to IL for a 2.92-acre parcel at 2806 Landon Lane for Thiel & Thiel, LLC (ZMA 109-19).

To: Planning and Zoning Commission

Applicant: Thiel & Thiel LLC
Property Owner: Thiel & Thiel LLC

File No: ZMA 109-19

Prepared By: Norman L. Holm
Date: July 2, 2019

Requested Action: Zoning Map Amendment from BC (Community Business) to IL (Light Industrial)

Purpose: A portion of the property is already zoned Light Industrial. The request is to rezone the BC portion to IL to be able to construct flex space.

GENERAL INFORMATION

Planning & Zoning History: Originally the northerly ¼ of the parcel was annexed and zoned BC and the southerly ¾ of the parcel was annexed and zoned IL.

Status of Applicant: Property Owner

Rezone Location: 2806 Landon Lane
Property Size: A 2.92 acre or 127,195 sq. ft. portion of Lot 19 of Midway Subdivision in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM

Existing Zoning: BC (Community Business)
Proposed Zoning: IL (Light Industrial)

Existing Land Use: Existing developed St. Luke's Hospital property

Surrounding Land Use and Zoning:
North- Industrial, M1 (County Light Industrial)
South- Commercial, BC
East- Commercial, BC
West- Commercial, BC and R2 (County Medium Density Residential)

Comprehensive Plan Designation: General Commercial but bordering Light Industrial zoning which extends to the Light Industrial Comprehensive Plan designation to the north along the railroad corridor to the northeast.

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. Staff supports the requested zoning map amendment from BC to IL as it complies with the existing Light Industrial designation to the northeast 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."

SPECIAL INFORMATION

Public Utilities:
10" and 12" sewer mains located in Landon Lane and across the north end of the proposed rezone area.
10" water mains located in Landon Lane and adjacent the northern property line.
No irrigation service available to property.

Public Services: All present.

Transportation: The property has frontage on and existing access from Landon Lane on the west side.

Environmental: The rezone would have little effect on the adjoining properties. The future use of the property for flex space is compatible with existing land uses on the parcel as well as with surrounding property use.

Correspondence: No written correspondence has been received from any area property owners, resident or business owners regarding opposition to or support for the requested rezone from BC to IL.

STAFF FINDINGS AND DISCUSSION

The requested rezone is appropriate. The parcel is interpreted as being in conformance with the Light Industrial designation stated on Comprehensive Plan future land use map as indicated previously. The requested zoning map amendment is interpreted as complying with this 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 IL is reasonably necessary in order to allow the applicant to utilize the southerly balance of the parcel in the same manner as the northerly ¼ of the parcel.
2) Rezone of the subject property to IL is in the interest of the property owner and is interpreted to conform to the adopted comprehensive plan designation of Light Industrial.
3) The proposed Light Industrial flex space use of the subject property will be compatible with the existing commercial/industrial uses already established in the area.
4) The use of a development agreement to establish any conditions for the requested zoning amendment serves no purposes.

**RECOMMENDED CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission votes to recommend to the City Council approval of the zoning map amendment from BC to IL, there are no staff recommended conditions of approval.

**ATTACHMENTS**

1) Application (Page 4)
2) Zoning and location map (Page 5)
3) Zoning and Comprehensive Plan designations (Page 6)
4) Birds eye photo (Page 7)
5) Agency and other correspondence (Pages 8+)
<table>
<thead>
<tr>
<th>Applicant/Representative Name</th>
<th>Home Number</th>
<th>Mobile Number</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thief &amp; Thief, LLC</td>
<td>208-919-1056</td>
<td>208-919-1056</td>
<td><a href="mailto:lucuswhe@gmail.com">lucuswhe@gmail.com</a></td>
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<tr>
<th>Property Owner Name</th>
<th>Home Number</th>
<th>Mobile Number</th>
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<tbody>
<tr>
<td>Thief &amp; Thief, LLC</td>
<td>208-466-4661</td>
<td>208-890-2756</td>
<td><a href="mailto:10414rents@msn.com">10414rents@msn.com</a></td>
</tr>
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</table>

**Address of subject property:**

2806 London Ln

**Please provide the following required documentation:**

- A copy of one of the following:
  - Warranty Deed
  - Proof of Option
  - Earnest Money Agreement
- 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)
- 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**

- **Light industrial zoning to zone all of 1 acre industrial**
- The reason is to clean up the mixed zone use, and to be able to build flex space.

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

**Applicant 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 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.
DATE:          June 21, 2019
TO:            Planning and Zoning Department
FROM:          Caleb LaClair, P.E., Nampa Assistant City Engineer
CC:            Daniel Badger, P.E., Nampa City Engineer
                Tom Points, P.E., Nampa City Public Works Director
APPLICANT:     Thiel & Thiel, LLC
OWNER:         Thiel & Thiel, LLC
ADDRESS:       2806 Landon Lane
RE:            ZMA-00109-2019 – Rezone from BC to IL

The Engineering Division does not oppose this application and has no comments or conditions.
June 5, 2019

Norman L. Holm, Planning Director
City of Nampa
411 3rd Street South
Nampa, ID 83651

RE: ZMA-00109-2019/ Medway Subdivision

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application, as it lies outside of our District boundaries. Please contact Mark Zirschky of Pioneer Irrigation at (208) 459-3617, P.O. Box 426 Caldwell, ID 83606-0426.

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

Cc: Office/ file
    M. Zirschky, Pioneer Irrigation District
Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

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**RE: ZMA-00109-2019**

Thiel & Thiel, LLC has requested a Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for a 2.92 acre or 127,195 ft. portion of Lot 19 of Midway Subdivision in the NE ¼ of the SW ¾ of Section 8, T3N, R2W, BM.

This application is scheduled to go before the Planning and Zoning Commission as a public hearing item on the July 09, 2019 agenda.

Please find attached the ZMA-00109-2019 files for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) prior to June 21, 2019.

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**Thank you & Have a great day!**

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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
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-001092019</th>
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<tbody>
<tr>
<td>Project Name</td>
<td>LANDON LANE LIGHT INDUSTRIAL</td>
</tr>
<tr>
<td>Project Location</td>
<td>2806 Landon Lane, north of I-84B milepost 59.88</td>
</tr>
<tr>
<td>Project Description</td>
<td>Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for approximately 2.92 acres.</td>
</tr>
<tr>
<td>Applicant</td>
<td>Thiel &amp; Thiel, LLC</td>
</tr>
</tbody>
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The Idaho Transportation Department (ITD) reviewed the referenced zoning map amendment application and has the following comments:

1. This project does not abut the State highway system.

2. Future development of this parcel will require submittal of trip generations to ITD, and may require a Traffic Impact Study (TIS).

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
Shellie Lopez

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Sunday, June 02, 2019 8:42 PM
Subject: ZMA-00109-2019

Good Afternoon!

**RE: ZMA-00109-2019**

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