Staff Report – Public Hearing #6

Conditional Use Permit for a Home Occupation Auto Repair Shop in a RS6 zoning district at 324 S. Olive St. for Glenn Lappin (CUP 146-19).

Applicant: Glenn Lappin

Property Owner: Glenn Lappin

File No: CUP 146-19

Prepared by: Norman L. Holm

Date: July 30, 2019

Requested Action: Conditional Use Permit

Purpose: Home Occupation Auto Repair Shop

GENERAL INFORMATION

Status of Applicant: Owner

Existing Zoning: RS6 (Single Family Residential – 6,000 sq. ft.)

Address: 324 S. Olive St. (Canyon County Parcel # R0913200000)

Legal Description: Lot 6, Block 11 Giese and Moads Subdivision, and a portion of the SE ¼ of Section 28, T3N, R2W, BM.

Proposed Use: A specialty Home Occupation Auto Repair Shop for valuable, collector, or classic vehicles. The applicant indicates that it would be a low volume shop with no more than 2 vehicles in the shop at a time.
Size of Property: 50' x 140', .16 acre or 7,000 sq. ft.

Surrounding Land Use and Zoning:
North- Single family residential; RS 6
South- Vacant grocery store; BC (Community Business)
East- Converted office structure; RP (Residential Professional)
West- Single family residential; RS 6

Comprehensive Plan Designation: Medium Density Residential

Zoning and Planning History: This property has been used for a variety of shop related home occupation uses since the large portion of the shop building was constructed.

Applicable Regulations: Section 10-5-2 Schedule of District Land Use Controls requires a conditional use permit for home occupation auto repair use in the RS6 zone. Chapter 25 sets forth the criteria of approval. These criteria essentially require that the use be compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood. Section 10-25-4 states the general criteria for approval of a conditional use permit.

SPECIAL INFORMATION

Public Utilities:
- 8" sewer main in the alley, and 8" sewer main in W. Sherman Ave.;
- 4" water main in the alley; and 6" water main W. Sherman Ave.;
- 4" irrigation main in the alley.

Public Services: All available.

Transportation: The property has access from the alley as well as from W. Sherman Ave.

Environmental: In my mind the location is ideal for the proposed home occupation type.

Correspondence: As of the date of this report no area property owners, businesses, or residents have expressed any opposition to or support for the requested conditional use permit for the proposed home occupation auto repair.

Physical Site Characteristics: Existing single-family dwelling property with previously constructed large shop building.

Parking: Adequate off-street parking was previously provided on the property to satisfy code required parking spaces. Space for off-street parking exists in the driveway and carport area off W. Sherman Ave. Prior owners have also used the area next to the south side of the shop building for off-street parking.
STAFF FINDINGS AND DISCUSSION

From a land use standpoint, the location is shown on the comprehensive plan for medium density residential land use and the requested home occupation auto repair shop is an eligible conditional use in the RS6 zone.

With regards the conditional use permit, in my opinion use of the property for a home occupation auto repair shop could be compatible with the surrounding residential/office/commercial neighborhood if specific conditions are adhered to in the operation. In reference to the required findings the following are provided:

1) The location, size, and design and operating characteristics of the proposed home occupation auto repair shop will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

2) The location, design and site planning of the proposed home occupation auto repair shop will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

3) The proposed home occupation auto repair shop will enhance the successful operation of the surrounding area in its basic community functions or will provide an essential service to the community or region.

SUGGESTED CONDITIONS OF APPROVAL

If the Commission determines to allow the proposed home occupation auto repair shop the following conditions are recommended:

1) All requirements of the Nampa Planning, Building, Engineering, and Fire Departments as well as state, or federal agencies regarding use of the property for a home occupation auto repair shop shall be satisfied prior to occupancy.

2) All vehicles to be worked on shall be parked on the property. In no instance should customer vehicles either before, during, or after repair be parked within the public right-of-way. No portion of the area to the south side of the shop building shall be used for parking.

3) The conditional use permit shall be issued only for a home occupation auto repair shop.

4) No outside impoundment of vehicles or salvage activities shall be allowed.

5) All repairs shall be conducted inside the shop building.

6) The off-street parking and yard areas adjacent the shop shall be maintained free of oil and debris and otherwise maintained in a neat and orderly manner. Any vehicle fluids shall be disposed of at an approved dump site and not on the property.
7) The property shall be continuously maintained in conformance with weed and nuisance ordinance provisions.

8) The conditional use permit is granted only to the property and its property owner for the duration of the use and shall not be transferable to any other location.

9) Any other conditions recommended by the Commission following public hearing.

**ATTACHMENTS**

1) Application and site plan (Pages 5-6)

2) Vicinity map with zoning (Page 7)

3) Aerial map (Page 7)

4) Neighborhood and lot aerial photo (Pages 8-9)

5) Street view of shop (Page 10)

6) Birds eye view from east (Page 11)

7) Utility map (Page 12)

8) Zoning map (Page 13)

9) Comprehensive plan future land use map (Page 14)

10) Agency and other correspondence (Pages 15+)
APPLICATION FOR CONDITIONAL USE PERMIT

PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: $234.00 (1 acre or less) Nonrefundable Fee: $463.00 (more than 1 acre)

Applicant Name: Glenn Lappin
Street Address: 324 S Olive St.
City: Nampa State: ID Zip: 83686

Home Number: 208-284-8517
Mobile Number:
Email: thelappin@live.com

Property Owner Name: Glenn Lappin
Street Address: SAA
City: State: Zip Code: Mobile Number: SAA

Applicant’s interest in property: (X) Own ( ) Rent ( ) Other

ADDRESS OF SUBJECT PROPERTY: 324 S. Olive St.

Please provide the following REQUIRED DOCUMENTATION to complete the CUP

☐ A copy of one of the following: ☐ Warranty Deed ☐ Proof Of Option ☐ Earnest Money Agreement

☐ A sketch drawing of the site & any adjacent property affected, showing all existing & proposed locations of streets, easements, property lines, uses, structures, driveways, pedestrian walks, off-street parking & off-street loading facilities and landscaped areas, preliminary or final building plans & building elevations, together with any other information considered pertinent to the determination of this matter.

☐ 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. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

Project Description

☐ State (or attach a letter stating) the reason for the proposed Conditional Use Permit: To

Open an Auto Repair Business

Dated this 8th day of July, 2019

horia

Application Signature

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 it shall be granted or denied. Notice of public hearing must be published in the Idaho Press-Tribune 15 days prior to said hearing. Notice shall also be posted on the premises not less than 1 week prior to the hearing. Hearing notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearing and should present to answer any questions.

If a Conditional Use Permit is granted by the Planning Commission, it shall not become effective until after an elapsed period of 15 days from the date of Planning Commission action. During this time any interested person may appeal the action to the City Council. You will be notified of any pending appeals.

If the conditional use permit is denied by the Planning Commission, you may appeal the decision to the City Council within 15 days from the date such action is taken by the Planning Commission. At the time the Conditional use permit becomes effective you will be sent a document which constitutes an official "Conditional Use Permit". This document will enumerate the conditions attached to the issuance of the permit and state the consequences of failure to comply.

OFFICE USE ONLY

FILE NUMBER: CUP - 1416 - 2019 PROJECT NAME Auto Repair Business

12/11/13 Revised
Conditional Use Permit for an Auto Repair Business for Glenn Lappin

324 S Olive St

CUP-00146-2019

Visit Planning & Zoning at cityofnampa.us for more info.

7/19/2019

For illustrative purposes only
DATE: July 26, 2019
TO: Planning and Zoning Department
FROM: Caleb LaClair, P.E., Nampa Assistant City Engineer
CC: Daniel Badger, P.E., Nampa City Engineer
CC: Tom Points, P.E., Nampa City Public Works Director
APPLICANT: Glenn Lappin
OWNER: Glenn Lappin
ADDRESS: 324 S Olive Street
RE: CUP-00146-2019 – Auto Repair Business in a RS6 Zone

The Engineering Division does not oppose this application with the following comments/conditions:

1. All vehicles to be worked on shall be parked on the property. In no instance should customer vehicles either before, during, or after repair be parked within the public right-of-way.
Hi 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: Wednesday, July 10, 2019 11:35 AM
Subject: Conditional Use Permit for a Home Occupation Auto Repair Shop in a Single-Family Residential zone (CUP-00146-2019)

Good Morning Everyone, 😊

Re: Conditional Use Permit for a Home Occupation Auto Repair Shop in a Single-Family Residential zone (CUP-00146-2019)

Glenn Lappin has requested a Conditional Use Permit for a Home Occupation Auto Repair Shop in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district at 324 S. Olive St. (Lot 6, Block 11, Giese and Moads Subdivision and a .16-acre portion of the SE ¼ of Section 28, T2N, R2W, BM).

This application will go before the Planning and Zoning Commission as a public hearing item on the August 13, 2019 agenda.

Please find attached the CUP-00146-2019 file for your review and send all comments no later than July 26, 2019.

Thank you & Have a great day!