STAFF REPORT – PUBLIC HEARING #3

Zoning Map Amendment from RA to RS6 at 409 S. Midland Blvd. for a .71 acre or 30,747 sq. ft. parcel for Christopher K Schultze (ZMA 111-19).

To: Planning & Zoning Commission

Applicant: Christopher K. Schultze
File No: ZMA 111-19

Prepared By: Norman L. Holm

Date: August 20, 2019

Requested Action: Rezone from RA (Suburban Residential) to RS 6 (Single Family Residential – 6,000 sq. ft.)

Status of Applicant: Owner of 409 S. Midland Blvd.

Existing Zoning: RA (Suburban Residential)

Proposed Zoning: RS 6 (Single Family Residential – 6,000 sq. ft.)

Size of Property(s): .71 acre or 30,747 sq. ft. portion of the SE ¼ of the SE ¼ of Section 29, T3N, R2W, BM

Existing Land Use: Single family residential home with large shop/garage building behind.

GENERAL INFORMATION

Planning & Zoning History:
- One property of a group 10 west Nampa enclaved parcels annexed by the City in March of 1999.
• Permit issued for the construction of the 4,000 sq. ft. garage/shop structure behind and west of the home on June 21, 2007.
• Deferral of driveway improvements granted by the City Council on April 2, 2012. The City Council also voted to require that on the north entrance of the property for 20 feet from the sidewalk that recycled material be laid down.

Proposed Land Uses: The Owner is requesting the zoning change in order to allow for a split of the front single family dwelling off from the rear shop/garage building. He is looking to remodel and move into a portion of the shop/garage building as his residence.

Surrounding Land Use and Zoning:
North- Single Family Residential, RS 6 (Single Family Residential – 6,000 sq. ft.)
South- Single Family Residential, RS 6
East- Rural Residential/Agricultural, Enclaved - County R1 (Single Family Residential)
West- Single Family Residential, RS 6

Comprehensive Plan Designation: Medium Density Residential

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:
No Sewer available
12" Water main available in S. Midland Blvd.
10" Irrigation main available adjacent and across north, south, and west property lines

Public Services: All present.

Transportation and Traffic: The property has frontage and access from S. Midland Blvd.

Environmental: The rezone would have little effect on the adjoining properties. The impact of rezoning the property from RA to RS6 would have little or no impact on the neighborhood.

STAFF FINDINGS AND DISCUSSION

The requested rezone is appropriate. The parcel is on the designated on the comprehensive plan future land use map as Medium Density Residential. The requested zoning map amendment from RA to RS 6 complies 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 RS 6 is reasonably necessary in order to allow the applicant to use the property as proposed.
2) Rezone of the subject property to RS 6 is in the interest of the property owner(s) and conforms to the adopted comprehensive plan designation of Medium Density Residential use.

3) The proposed split of the subject property with the conversion of a portion of the existing garage/shop into a dwelling unit will be compatible with the existing residential uses already established in the immediate vicinity.

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 no statements of opposition or support from any property owners or residents in or around the area have been received.

**ATTACHMENTS**

1) Application (Page 4)
2) Vicinity map with zoning (Page 5)
3) Arial, birds' eye, and site photos (Pages 6-8)
4) Utility map (Page 9)
5) Agency and other correspondence (Pages 10+)
APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 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

<table>
<thead>
<tr>
<th>Applicant/Representative Name</th>
<th>Home Number</th>
<th>Mobile Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris K. Schulte</td>
<td>(208) 409-8799</td>
<td>(208) 409-9299</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>409 S. Mildland Blvd.</td>
<td>Nampa</td>
<td>Idaho</td>
<td>83651</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Owner Name</th>
<th>Home Number</th>
<th>Mobile Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris K. Schulte</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>409 S. Mildland Blvd.</td>
<td>Nampa</td>
<td>Idaho</td>
<td>83651</td>
</tr>
</tbody>
</table>

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

ADDRESS OF SUBJECT PROPERTY: 409 S. Mildland Blvd.

Please provide the following REQUIRED DOCUMENTATION:

☐ Completed Application
☐ 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

➢ State the zoning desired for the subject property: RS-6 zoning like the neighboring homes.

➢ 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. Looking to move into the

Dated this 19th day of July, 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.

OFFICE USE ONLY

FILE NUMBER: ZMA/111 - 2019

PROJECT NAME: Rezone from Rd to RS-6

12/11/13 Revised
Rezone from RA - Suburban Residential to RS6 - Residential Single Family.
DATE: August 2, 2019
TO: Planning and Zoning Department
FROM: Caleb LaClair, P.E., Nampa Assistant City Engineer
      Daniel Badger, P.E., Nampa City Engineer
      Tom Points, P.E., Nampa City Public Works Director
CC: Chris Schultze
APPLICANT: Chris Schultze
OWNER: Chris Schultze
ADDRESS: 409 S Midland Blvd
RE: ZMA-00111-2019 – Rezone from RA to RS-6

The Engineering Division does not oppose this application and has no comments or conditions.
Good morning,

ITD has received application ZMA-00111-2019 for review. ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

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. ---

Good Morning! 😊

Re: ZMA 00111-2019

Christopher K Shultze has requested a Zoning Map Amendment from RA (Suburban Residential) to RS6 (Single Family Residential - 6,000 sq. ft.) for a .71 acre or 30,747 sq. ft. portion of the SE ¼ of the SE ¼ of Section 29, T3N, R2W, BM located at 409 S. Midland Blvd.

This application will go before the Planning and Zoning Commission as a public hearing item on the August 27, 2019 agenda.

Please find attached the ZMA 00111-2019 file for your review and send all comments to my attention no later than August 09, 2019.

Thank you & Have a great day!
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]

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ gnf

Cc: Office/ file