STAFF REPORT – PUBLIC HEARING #3

Annexation and Zoning to RMH (Multiple-Family Residential) for Townhomes at 622 N. 44th Street for Mason and Associates representing Sun Peak Development LLC (ANN 133-19).

Applicant: Mason and Associates Inc.
Property Owner: Sun Peak Development, LLC
File No: ANN 133-19
Prepared by: Norman L. Holm
Date: November 5, 2019
Requested Actions: Annexation & Zoning to RMH (Multiple-Family Residential)
Purpose: For development for Townhomes

GENERAL INFORMATION

Zoning & Planning History: A large single-family dwelling property. The dwelling was constructed under Canyon County jurisdiction. The applicant purchased the property this past August 2019. It is presently zoned RR (Rural Residential) in the County. The owner is requesting annexation to Nampa to RML for the purpose previously stated.

Status of Applicant: Representative of Sun Peak Development, LLC
Annexation Location: 622 N. 44th Street located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho
Proposed Zoning: RMH (Multiple-Family Residential)

Total Size: A 2.02-acre or 87,974 sq. ft. parcel

Existing Zoning: County RR (Rural Residential)

Nampa Comprehensive Plan Designation: High Density Residential

Surrounding Land Use and Zoning:
North- Multiple and Single Family Residential; City RD, Enclaved County AG
South- Single Family Residential; City RS6, Enclaved County AG
East- Rural Residential; Enclaved County AG
West- Rural Residential; Roadway RD, Enclaved County AG

Applicable Regulations: For a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The parcel connects with the city limits on its northerly property boundary parcel. It is not situated in an enclaved area.

Existing Uses: Rural residential parcel with single family dwelling.

SPECIAL INFORMATION

Public Utilities:
10” water main in N. 44th St.
10” sewer main in N. 44th St.
6” irrigation main along a portion of the northerly property boundary.

Public Services: Police and fire already service city incorporated areas surrounding the location.

Physical Site Characteristics: Rural residential parcel with single family dwelling.

Transportation: Access to the property is Airport Rd. via N. 44th St. and from Stamm Lane via the internal roadways of Happy Valley Mobile Home Park.

Correspondence: No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to RMH.

STAFF FINDINGS AND DISCUSSION

From a land use standpoint, the location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. If the Planning & Zoning Commission recommends approval of the requested annexation and zoning the following findings are suggested:

1) The requested annexation parcel connects with the city limits on its west (N. 44th St.) and north property lines. The parcel is not enclaved.
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 proposed RMH zoning conforms with the city’s comprehensive plan future land use map for High Density Residential land use and is reasonably compatible with existing and proposed land uses in the area.

4) The property owner requested annexation and zoning to RMH for the purpose of constructing a Townhome Development.

RECOMMENDED CONDITIONS OF APPROVAL

Staff suggests the Commission recommend approval of the Annexation and Zoning to the City Council subject to the following engineering required conditions:

1) Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

2) Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

3) Utilities shall be constructed to and through the site at the time of property development/redevelopment, including public pressure irrigation main from N Happy Valley Road, at the sole expense of the Developer.

4) Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

ATTACHMENTS

1) Application (Page 4)
2) Applicant letter of Intent (Page 5)
3) Property legal description (Page 6)
4) Vicinity map with zoning (Page 7)
5) Aerial photo (Page 8)
6) Future land use map (Page 9)
7) Utilities map (Page 10)
8) Street view photo (Page 11)
9) Agency and other correspondence (Pages 12+)
**APPLICATION FOR ANNEXATION/ ZONING**

PLANNING AND ZONING DEPARTMENT

411 3rd STREET S., NAMPA, IDAHO 83651  P: (208) 468-4487  F: (208) 465-2261

Nonrefundable Fee: **$452.00** (1 acre or less)  Nonrefundable Fee: **$910.00** (more than 1 acre)

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<tr>
<td>Sun Peak Development LLC</td>
<td><a href="mailto:nicoled@luckydrew.com">nicoled@luckydrew.com</a></td>
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<tr>
<td>P.O. Box 603</td>
<td><a href="mailto:nicoled@luckydrew.com">nicoled@luckydrew.com</a></td>
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**Address of Subject Property:**

1622 N. 44th Street, Nampa, ID

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**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.

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**Project Description**

- State the zoning desired for the subject property: **RMH**
- State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: **See attached letter**

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**Dated this 16th day of October, 2019**

**Applicant Signature**

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**NOTICE TO APPLICANT**

This application will be referred to the Nampa Planning Commission for a recommendation on the requested zoning. The Planning Commission shall hold a public hearing 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. Notice shall also be posted on the premises of the subject property not less than 1 week prior to the hearings. 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 hearings and should be present to answer any questions.

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**OFFICE USE ONLY**

**FILE NUMBER:** ANN - 133 - 2019  **PROJECT NAME:** Annex & Zoning to RMH
LETTER OF INTENT
ANNEXATION AND ZONING

Sun Peak Development LLC would like to annex the property at 622 N. 44th street into the City of Nampa. They are requesting the zone of RMH. RMH is the zone of the property directly north east of this property. The City of Nampa has designated this property as high density residential in the City’s future use land map. The request for annexation and zoning for RMH is within the City’s future plan.

Sun Peak Development LLC has proposed to use the land for townhomes which is within allowed use for the RMH zone.
FOR: Sun Peak
JOB NO.: AU1219
DATE: October 15, 2019

PARCEL 1

A parcel of land being a portion of the NE1/4 NE1/4 of Section 24, 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 NE1/4;
Thence N 00° 01’ 18” W a distance of 1321.78 feet along the east boundary of the NE1/4 NE1/4 to the northeast corner of the NE1/4 NE1/4;
Thence N 89° 13’ 08” W a distance of 418.00 feet along the north boundary of the NE1/4 NE1/4 to the POINT OF BEGINNING;
Thence S 00° 01’ 18” E a distance of 256.00 feet parallel with the east boundary of the NE1/4 NE1/4;
Thence N 89° 13’ 08” W a distance of 343.00 feet parallel with the north boundary of the NE1/4 NE1/4;
Thence N 00° 01’ 18” W a distance of 256.00 feet parallel with the east boundary of the NE1/4 NE1/4 to a point on the north boundary of the NE1/4 NE1/4;
Thence S 89° 13’ 08” E a distance of 343.00 feet along the north boundary of the NE1/4 NE1/4 to the POINT OF BEGINNING.

This parcel contains 2.02 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.
PROJECT LOCATION

622 N 44TH ST
NAMPA, ID
Annexation & Zoning to RMH

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

ANN--00133-2019 10/28/2019
DATE: November 6, 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: Mason & Associates, Inc.
OWNER: Sun Peak Development, LLC
ADDRESS: 622 N 44th Street
RE: ANN-00133-2019 – Annexation and Zoning to RMH

The Engineering Division does **not** oppose this application with the following comments and conditions.

**General Comments:**

1. The property is located at 622 N 44th Street and will take access from the following road(s):
   - N 44th Street – classified as “Local Road”
2. N 44th Street already has 56-ft of public right-of-way dedicated, therefore, no additional right-of-way is necessary. Frontage improvements in accordance with City Code will be required at the time of development. N 44th Street north of the property is private through the existing mobile home complex.
3. The City’s water, sewer, and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
   - 8” sewer main along northerly property boundary;
   - 10” sewer main in N 44th Street;
   - 10” water main on west side of N 44th Street; and,
   - 12” pressure irrigation main in west side of N Happy Valley Road.
4. The pressure irrigation mains within the adjacent existing mobile home complex are private. The closest available public pressure irrigation main is located in Happy Valley Road and was constructed in 2017 with the Gateway South Apartments project. At time of development, the developer will need to extend a pressure irrigation main from Happy Valley Road through the property and along the frontage of N 44th Street.
Conditions:

1. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

2. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

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4. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
Building Department has no conditions at this time.

From: Shellie Lopez <lopes@cityofnampa.us>  
Sent: Monday, October 21, 2019 3:54 PM  
Subject: Annexation at 622 N. 44th Street - ANN-00133-2019

Good Afternoon Everyone! 😊

**Re: Annexation at 622 N. 44th Street - ANN-00133-2019**

Mason and Associates representing Sun Peak Development LLC have requested Annexation and Zoning to RMH (Multiple-Family Residential) at 622 N. 44th Street (A 2.02-acre parcel located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho).

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please find attached the ANN-00133-2019 file for your review and send all comments prior to November 01, 2019.

Thank you & Have a great day!
Shellie Lopez

From: Juan Vergara  
Sent: Tuesday, October 29, 2019 10:51 AM  
To: Shellie Lopez  
Subject: P&Z Inspection

CC19-001682  
622 N. 44th ST.  
R: 3171400000

NO Code Violations Visible at this time.

JUAN VERGARA SR, Officer II  
Code Compliance & Community Relations.  
O: 208.468.5473, C: 208.284.8811  
2112 W. Flamingo Rd., Nampa, ID 83651

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Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Good Afternoon Everyone! 😊

Re: Annexation at 622 N. 44th Street - ANN-00133-2019

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Thank you & Have a great day!
Good afternoon,

ITD has received application ANN-00133-2019 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 Afternoon Everyone! 😊

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