STAFF REPORT – PUBLIC HEARING #6

Annexation and Zoning to IL (Light Industrial) for warehouses by Phil Horton. (ANN136-19)

Applicant: Phil Horton
Owner: Mark Clark
File No: ANN 136-19
Prepared by: Rodney Ashby
Date: December 3, 2019
Requested Actions: Annexation & Zoning to IL (Light Industrial)
Purpose: The applicant states: “To develop warehouses”

GENERAL INFORMATION

Planning and Zoning History: The property is enclaved and is functioning as rural residential. The applicant has requested annexation and zoning to IL (Light Industrial).

Status of Applicant: Intended purchaser of the property

Annexation Location: 8626 Birch Lane (A 3.02 acre or 131,602 sq. ft. portion of the NW ¼ of Section 10, T3N, R2W, BM)

Proposed Zoning: IL (Light Industrial)

Total Size: Approximately 3.02 acre or 131,602 sq. ft.
Comprehensive Plan Designation: Light Industrial

Surrounding Land Use and Zoning:
North- Madison Industrial Park, City- IL
South- Vacant land/Adler Industrial (farmland), City- IL
East- Rural Residential, County AG
West- Rural Residential, County AG

Applicable Regulations: In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The enclaved area connects with the city limits on the north and south sides.

Existing Uses: Residential with single family dwelling, accessory buildings, and landscaped yard.

**SPECIAL INFORMATION**

Public Utilities:
12" water main in Birch.
A 12" sewer main is available approximately 850' to the north in Birch Ave.
A 10" irrigation main is available approximately 850' to the north in Birch Ave.

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

Transportation: Access to the property is from Birch Lane.

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

The Nampa Building Department indicated they had no conditions.

The Nampa Highway District #1 indicated that they had no comment.

Idaho Transportation had no objection.

The Nampa Engineering Division noted that the required 80' of public right-of-way is already dedicated. Curb and sidewalk improvements will be required. Water sewer, and irrigation systems have capacity to serve the property. Engineering had the following recommended conditions of approval:

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.
3. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and 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.

STAFF FINDINGS AND DISCUSSION

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 properties make up an enclaved area that connects with the city limits along the southern and northern boundaries.
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 zoning conforms with the city’s comprehensive plan future land use map for light industrial land use and is reasonably compatible with existing and proposed land uses in the area.
4) The property owner requested annexation and zoning to IL for future connection to city services and development of the properties and surrounding properties to light industrial uses.

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 of approval:

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.
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ATTACHMENTS

1) Application
2) Zoning map
3) Aerial View
4) Comprehensive Plan map
5) Agency and other correspondence
**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)

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Phil Horton</th>
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<tbody>
<tr>
<td>Home Number</td>
<td></td>
</tr>
<tr>
<td>Street Address</td>
<td>4832 Meadowlark Ln</td>
</tr>
<tr>
<td>City</td>
<td>Nampa</td>
</tr>
<tr>
<td>State</td>
<td>Id</td>
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<tr>
<td>Zip code</td>
<td>83687</td>
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<table>
<thead>
<tr>
<th>Property Owner Name</th>
<th>Mark Clark</th>
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<tbody>
<tr>
<td>Home Number</td>
<td>(208) 463-9123</td>
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<tr>
<td>Mobile Number</td>
<td></td>
</tr>
<tr>
<td>Street Address</td>
<td>8626 Birch Lane</td>
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<tr>
<td>City</td>
<td>Nampa</td>
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<tr>
<td>State</td>
<td>Id</td>
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<tr>
<td>Zip Code</td>
<td>83687</td>
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Applicant's interest in property:  
( ) Own  ( ) Rent  (X) Other purchasing

ADDRESS OF SUBJECT PROPERTY: 8626 Birch Lane, Nampa Id 83687

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: Light Industrial

- State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: development

**Dated this 14 day of Oct, 2019**

**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.

**OFFICE USE ONLY**  
FILE NUMBER: ANN - 00136 - 2019  
PROJECT NAME: ANNEXATION PHIL HORTON

12/11/13 Revised  
Page 4
ANNEX & ZONE TO IL
8626 Birch Lane
Annexation and Zoning

ANN-00136-2019

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

County Parcels

Zoning

PROJECT LOCATION
DATE: November 22, 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: Phil Horton
OWNER: Mark Clark
ADDRESS: 8626 Birch Lane
RE: ANN-00136-2019 – Annexation and Zoning to II

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

General Comments:

1. The property is located at 8626 Birch Lane and will take access from the following road(s):
   - Birch Lane – classified as “Collector”
2. Birch Lane at the property already has the required 80’ of public right-of-way dedicated. No further dedication is necessary. Birch Lane in this location does not have curb or sidewalk improvements.
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:
   - 12” sewer main on north side of Birch Lane;
   - 12” water main on south side of Birch Lane; and,
   - 10” pressure irrigation main on north side of Birch Lane.

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.
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 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.
Building Department has no conditions on this Annexation.

Good Afternoon Everyone! 😊

Re: Annexation at 8626 Birch lane - ANN-00136-2019

Phil Horton has requested Annexation and Zoning to IL (Light Industrial) at 8626 Birch Lane for Warehouses (A 3.02 acre or 131,602 sq. ft. portion of the NW ¾ of Section 10, T3N, R2W, BM.

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please find attached the ANN-00136-2019 file for your review and send all comments prior to November 22, 2019.

Thank you & Have a great day!
Good afternoon,

ITD has received application ANN-00136-2019 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

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

Nampa Highway District #1 has no comment.

Thank you,

Eddy

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Wednesday, November 13, 2019 12:17 PM
Subject: Annexation at 8626 Birch lane - ANN-00136-2019

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Re: Annexation at 8626 Birch lane - ANN-00136-2019

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